



15 January 2008

Mr. Ben Lynch, Program Chief
Department of Environmental Protection
Waterways Regulations Program
One Winter Street, 5th Floor
Boston, MA 02108

RE: Chapter 91 License Application:
Pier 3 Water Transportation Dock,
Charlestown Navy Yard, Boston

Dear Mr. Lynch:

The Boston Harbor Association is a non-profit, public interest organization founded in 1973 by the League of Women Voters and the Boston Shipping Association to promote a clean, alive, and accessible Boston Harbor.

As a member of Boston's Municipal Harbor Planning Committee, The Boston Harbor Association has worked collaboratively with the Boston Redevelopment Authority on the development of the 2007 Pier Management Plan and the 2007 Municipal Harbor Plan Amendment for the Charlestown Navy Yard. We thank the BRA staff, particular Paul McCann, Richard McGuinness, Carlos Montanez, Richard Mulligan, and Larry Mammoli, for their hard work and diligence in development of these plans and their efforts to enliven the Charlestown waterfront.

In a Chapter 91 License application filed by the Boston Redevelopment Authority, the project proponent proposes to relocate the water transportation dock from Pier 4 to Pier 3 in the Charlestown Navy Yard, and to relocate the State Environmental Police dock and ramp off of BRA property. The license application requests the construction and maintenance of a new fixed pier and float system, rehabilitation of portions of the existing Pier 3, and repair of a section of the existing bulkhead at Pier 3.

In addition, the project proponent proposes to modify an existing Chapter 91 license to allow for the installation of a protective guardrail at Pier 4.

The Boston Harbor Association (TBHA) strongly supports the rehabilitation and activation of piers along Boston Harbor, including rehabilitation of portions of the existing Pier 3 and repair of a section of the existing bulkhead at Pier 3.

TBHA has reviewed the Chapter 91 License application for the proposed relocation of the water transportation dock from Pier 4 to Pier 3, Charlestown Navy Yard, and offers the following comments:

Comprehensive Charlestown Navy Yard Planning: The Boston Redevelopment Authority's 1990 Master Plan for the Charlestown Navy Yard states, "To manage growth in the Charlestown Navy Yard, the 1987

Harborpark Interim Zoning Plan, the current zoning, requires the creation of a master plan. The Master Plan for the Yard's End is a product of the community-based planning process initiated in the Harborpark Plan" (page 19).

The Environmental Affairs Secretary's 1991 Decision approving the BRA's 1990 Master Plan included the following elements:

"The continuation of existing water shuttle service to Pier 4" (page 58 of BRA's 1990 Master Plan);

"Upgrade and maintain the Navy Yard's open space network with \$750,000 of improvements to Shipyard Park, a new five-acre park at Yard's End, an extended Pier 3, landscaped pedestrian ways, and a completed Harborwalk- 3.3 miles of continuous public walkway along the water's edge (already 50% complete)" (page 22 of Master Plan);

"Open Space Improvements: Pier 3 will be extended 800' to the 1880 pierhead line, its maximum permissible length, for public recreation, with short-term docking and shelter pavilions adaptable to community uses" (page 49 of Master Plan);

"CNY Open Space-Timeline" describes completion of the Pier 3 open space improvements between 1990-1995 (page 53 of Master Plan); and

1,900 linear feet of HarborWalk at Pier 3, assuming a uniform average width of 25' (page 55 of Master Plan).

In order to effectively evaluate the proposed change in use of Pier 3 from that approved in the Secretary's Decision as well as to effectively

evaluate the location of Charlestown's key water transportation facility, it would be useful if planning information from the 2007 Charlestown Navy Yard Municipal Harbor Plan Amendment regarding existing and future residents, workers, users of the water-dependent use Courageous Sailing Center, and visitors was included in the Chapter 91 License application. This would help reviewers and the general public better understand where present and future demand for water transportation will occur.

In addition, the National Park Service has been doing extensive planning and construction to make the Boston National Historical Park, home to the USS Constitution and the USS Constitution Museum, in the Charlestown Navy Yard more user friendly. Construction is well underway for a new visitor's center in Building 5 which will open later this year. The National Park Service is also rebuilding Pier 1 to accommodate passenger boats bringing the general public to the Navy Yard, and has been examining ways to improve visitor circulation within the Boston National Historical Park.

We urge the Boston Redevelopment Authority to work closely with the National Park Service to ensure that future plans complement and not duplicate Park Service activities designed to encourage visitors.

Consistency with Boston Inner Harbor Passenger Water Transportation Plan: Consistent with the Secretary's 1991 approval of the Charlestown Navy Yard plan, the Boston Redevelopment Authority's

2000 Boston Inner Harbor Water Transportation Plan called for the expansion by the year 2005 of the existing Pier 4 water transportation facility. The BRA's Water Transportation Plan called for a second 60 x 120 foot float to be built to accommodate low freeboard water taxis and a public touch-and-go facility.

A further recommendation of the BRA's Water Transportation Plan recognized the expansion potential at Yard's End, and included a secondary water transportation terminal. The proposed facility at Yard's End is to be a single 60 x 120 foot float system, with a low freeboard at the seaward end to accommodate public water transportation, water taxis, and a public touch-and-go facility. We assume that the new docking facility recently completed at the attractive Harborview development at Yard's End meets the criteria to accommodate water ferry, water taxi, and public touch-and-go usage.

As stated in a 15 August 2007 comment letter to MA Coastal Zone Management Program regarding the proposed Charlestown Navy Yard Water-Dependent Use Management Plan, The Boston Harbor Association is concerned about the shift of the major Charlestown water transportation facility from Pier 4 to Pier 3. To the best of our knowledge, no public discussion was undertaken to explain why the Boston Redevelopment Authority is deviating from its 2000 Boston Inner Harbor Water Transportation Plan, nor has there been a process to solicit public comments on the proposed change.

The shift of the water transportation terminal to Pier 3 means a significantly longer walk for most residents and workers in the Charlestown Navy Yard and for users of the Courageous Sailing Center at a time when the Boston Redevelopment Authority is encouraging greater development of Yard's End and adjacent properties as part of the proposed 2007 Municipal Harbor Plan Amendment for the Navy Yard. The shift of the water transportation terminal from Pier 4 to Pier 3 will mean at least an 8 to 10 minute longer walk for most existing residents, workers, and users of Courageous Sailing Center, and for the overwhelming majority of future residents and workers projected to work and/or live on Pier 5, and Parcels 4, 5, 6 and 7 at Yard's End. The proposed shift is a significant disincentive for those individuals to use water transportation, particularly during non-summer months. We strongly urge that the proposed shift be re-considered, and that a public process be initiated to implement the recommendations of the BRA's well-written Inner Harbor Water Transportation Plan.

Alternatively, since funds are available for the re-construction of Pier 3, we support Pier 3 as an additional secondary water transportation facility for the Charlestown Navy Yard. If both Pier 4 and the new Pier 3 facility are available for water transportation usage and new service is not initially available to Pier 3, the MBTA could begin by alternating service to the two docks, e.g., service to Pier 4 dock on the hour and half hour at

rush hour, and service to Pier 3 quarter to the hour and quarter after the hour at rush hour.

Support Facilities for Water Transportation: At the current, heavily-used Pier 4 water transportation facility, there is a 500 sq. ft. indoor water transportation waiting room required as part of the Chapter 91 license for Building 197, Flagship Wharf, next to Pier 4.

It is not clear from the Chapter 91 License application for Pier 3 what type of support facility will be provided, and where the indoor water transportation waiting area will be located.

Immediately adjacent to the existing Pier 4 Water Transportation facility is an area for discharge of passengers from taxis and automobiles to the water shuttle dock. It is not clear from the information provided whether there will be a permanent area for the drop-off and pick up of water transportation users.

Relocation of DEP Environmental Police: The Chapter 91 License application for Pier 3 states: "The project also includes rehabilitation to portions of the existing pier, repair of a section of the existing bulkhead, removal of a dilapidated pier, and relocation of the State Environmental Police dock and ramp off of BRA property" (page 1 of Chapter 91 License application). Page 2 of the application then states that the relocation of the state Environmental Police dock and ramp "is proposed to be relocated approximately 40 to 50

feet to the west, and off of BRA property.” It is not clear from the license application whether the proposed new location is suitable for the activities of the DEP Environmental Police, nor where the relocation will occur ("off BRA property", but on to which property is not stated). It is not clear from the limited information provided exactly where the relocated dock and ramp of the Environmental Police will be located as part of this Chapter 91 License.

We ask that the Department give careful consideration to the needs of the existing water-dependent user, and that the proposed plans shall not adversely affect the existing water-dependent use, particularly one whose mission supports an environmentally sound and safe Boston Harbor.

Supporting a “No Discharge Zone” in Boston Harbor: Boston Mayor Thomas M. Menino has petitioned state and federal officials to declare Boston Harbor a “No Discharge Zone” in time for the 2008 boating season. We strongly urge that any work done at Pier 4 and at Pier 3 incorporate a pump-out facility for commercial vessels using the docks, consistent with the laudable efforts by Mayor Menino to ensure a clean Boston Harbor.

Modification of Waterways License No. 1852: The project proponent requests, "Additionally, the BRA requests to modify Waterways License No. 1852 in order to install a protective guardrail at the previous location of the ramps at Pier 4" (page 1 of Chapter 91 License application). No drawings

are provided of where the protective guardrail will be placed, and should be submitted and available for public inspection and review.

Waterways License No. 1852 was issued to "Immobiliare New England, A Limited Partnership", which, to the best of our knowledge, has not requested a change to its existing Waterways License. From a procedural perspective, once drawings and public comments for the proposed guardrail are received, and if the guardrail is then deemed acceptable, it may be best to modify Waterways License No. 807, which was issued to the Boston Redevelopment Authority for the platforms, ramps, floats, and mooring posts at Pier 4, rather than to modify License No. 1852 which was issued to a private party not part of this filing application.

Thank you for your consideration.

Sincerely,

Vivien Li
Executive Director
The Boston Harbor
Association