



June 22nd, 2022

Ref: 15664.00

Daniel Padien
Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108

Re: Request for Minor Modification, License 11419

Dear Mr. Padien

On behalf of our client and the project owner, BP Russia Wharf LLC (an affiliate of Boston Properties) (the "Proponent"), we are pleased to submit this request for a minor project modification to Waterways License 11419 (as modified, the "License") for a realignment of Facilities of Public Accommodation (FPA) (the "Project"), as may be permitted under the Department's Regulations at 310 CMR 9.22(3) – Minor Project Modifications and as contemplated by Special Condition #16 of the License. Minor Modifications to the License were previously approved by the Department on March 28, 2008, May 4, 2009, December 18, 2009, and February 18, 2011.

Minor Modification No. 3, as approved by the Department on May 4, 2009, approved the relocation of the 2,630 SF Multi-Media Presentation Area from the first floor of the Graphic Arts/Tufts Building to the second floor of the Graphic Arts/Tufts Building. The Minor Modification proposed herein will serve to return the Multi-Media Presentation Area to the first floor of the Graphic Arts/Tufts Building as originally envisioned in the License.

This letter provides:

1. An overview of the proposed Project changes to the Graphic Arts/Tufts Building;
2. A detailed list of requested minor Project modifications in the context of relevant Municipal Harbor Plan (MHP) requirements as stipulated in the Secretary's Approval Decision on the MHP (Decision) issued on March 8, 2004;
3. A detailed list of proposed minor Project modifications in the context of the relevant License requirements.

The proposed change meets the regulatory criteria for minor project modifications established by 310 CMR 9.22(3) because the changes are:

- (a) structural alterations confined to the existing footprint of the fill or structures being altered and represent an insignificant deviation from the original license specifications in terms of size, configuration, materials or other relevant fabrication parameters; and



- (b) changes in use which maintain or enhance public benefits provided by the project and represent an insignificant deviation from the original license specifications in terms of function, character, duration, patronage, and other relevant parameters;

The proposed minor modification consists of the relocation of 2,630 SF of Multi-Media Presentation Center from the second floor to the first floor of the Graphic Arts/Tufts Building. In Minor Modification No. 3, 2,630 SF of Multi-Media Space was relocated to the second floor and a terrace was added to the FPA space to increase activation of the second-floor space. Though the Multi-Media room has received extensive use with robust programming, the accompanying terrace has received much less usage. As part of the proposed Minor Modification, the Multi-Media space will be relocated back to the first floor to become part of a new 3,855 SF Multi-Media Presentation Area that will be accessible directly from Congress Street, and the terrace will be taken out of the FPA.

The proposed minor modification serves a number of public benefits to enhance and activate the tidelands on the site. The relocation of the Multi-Media space to the ground floor, accessible directly from Congress Street, will make it more visible and accessible to the public. Coupled with appropriate signage, the relocation will serve to enhance awareness and activation of the space in addition to the existing robust marketing and programming by the Proponent. The public will be able to enter the space directly from Congress Street and avoid navigating through other areas of the building. The relocation of the space will also allow Proponent to upgrade the multi-media equipment and create a state-of-the-art space for public, non-profit, and community use. It will also be an opportunity to create more than one community space via movable partitions that can be used to divide or combine spaces as needed. This will enable more organizations to use the space as well as accommodate larger events. The new layout will also allow events to spill out onto Town Square if needed. There will be a digital screen along Congress Street alerting visitors, tourists, residents, and passers-by of future events in the neighborhood. This will provide a 24/7, non-contact means of communication appropriate in the post-COVID world compared to the existing concierge in the ground-floor lobby. The storefront window walls can be used to exhibit Boston artists' work on a rotating basis and reach a larger audience.

Minor Modification in the Context of Relevant MHP Requirements

Decision Requirement	Project Compliance
<p>Condition V(1)(a) –</p> <p>The Russia Wharf Project shall include interior SPDFs at the ground level, in the total amount of 6,000 to 7,000 SF.</p> <p>1,500 to 2,000 of interior SPDF Space shall be located along Congress Street, between Nelson Court and the Congress Street Bridge.</p>	<p>The Project will include 11,000 SF of SPDF.</p> <p>9,000 SF of interior SPDF Space is located along Congress Street, including the Town Square, Multi-Media Presentation Area, and Civic/Cultural Space. In addition, the entrance to the 5,061 SF Town Square SPDF space will remain as currently located.</p>



<p>Condition V(1)(b) –</p> <p>The square footage devote to interior FPAs shall not decrease from that set forth in the Chapter 91 license to be issued, consistent with the Plan, for Russia Wharf.</p>	<p>The original License provided for 31,000 SF of interior FPAs. The Project as modified by the proposed Minor Modification will provide for approximately 33,000 SF of interior FPAs.</p>
<p>Condition V(1)(c) –</p> <p>Any specific ground floor use proposed for licensing as a SPDF within the approved planning area covered by this Approval Decision shall be subject to review and approval of DEP, with the concurrence of CZM, prior to the issuance of a Chapter 91 license. In addition, any subsequent material change in the ground floor programming of a SPDF shall be subject to such prior approval and concurrence.</p>	<p>The Proponent is requesting herewith the approval of DEP to the proposed changes in the ground floor programming of a SPDF as a minor modification to the License and as being further consistent with the MHP, and, further, the approval of the relocation of SPDF to the ground floor.</p>

Minor Modifications in the Context of Relevant License Requirements

<p>Special Condition 6 – Interior Public Facilities</p> <p>This condition establishes the baseline requirements for the Interior Public Facilities at the site focusing on the ground floor of the Graphic Arts/Tufts Building, and identifies certain of these Interior Public Facilities as a Special Public Destination Facility.</p> <p>The following elements of Special Condition 6 are substantive in this review of the modification to the first and second floors of the Graphic Arts/Tufts Buildings.</p>	
<p>Special Condition 6b – Multi Media Presentation Area</p> <p>A Multi-Media Presentation Area of approximately 3,800 square feet, including appropriate multi-media equipment and other infrastructure shall be dedicated to performances, lectures, screenings, demonstrations, and other forms of presentations to the public at large on a wide variety of topics including but not limited to Boston’s history, culture, diversity, and future.</p>	<p>The proposed minor modification will restore the Multi-Media Presentation Area to the ground floor in a more prominent location. The new proposed design will maintain the Town Square Gallery Space (also considered Multi-Media) and restore the Multi-Media Space that was moved to the second floor in Minor Modification No. 3 back to the first floor and move it closer to Congress Street from Pearl Street where it was located prior to Minor Modification No. 3. The new location on the first floor will be accessible via Congress Street, occupy the current retail area, and provide for additional public access and activation. The total Multi-Media Presentation</p>



	<p>Area will be approximately 5,200 SF after the relocation.</p>
<p>Special Condition 6c – Cultural Civic Space</p> <p>A Cultural/Civic space shall be used for a Channel Concierge service as well as during the day for an office space for a nonprofit advocacy group of the Fort Point Channel and during the evening for community meetings. Such space shall total approximately 700 square feet and have entrances off Town Square and Congress Street.</p>	<p>The Proponent is requesting herewith the approval of DEP to configure the proposed Multi-Media Presentation Area in a such way that it also serves the function of Cultural/Civic space as noted in the license. The Proponent intends to install a sizable digital screen facing Congress Street, that will serve the function of the existing Concierge which was halted during the recent pandemic due to health concerns. The screen will provide a non-contact, 24/7 source of information, maps, and ticket sales to orient the public toward current events and activities for public enjoyment along the waterfront, Town Square, and Civic/Cultural space. The Proponent also intends to exhibit artworks of Boston artists, with priority given to those from the Fort Point District and Boston Society of Architects, on a rotating basis along the window line of the proposed Multi-Media Presentation Area. The space will also be available for use by nonprofit groups for classes, events, meetings, etc.</p>
<p>Special Condition 9 Special Public Destination Facilities</p> <p>This condition establishes the baseline requirements for the Special Public Destination Facilities at the site but defers the considerable programming and operational details for these facilities to the Proponent’s consultation with the Russia Wharf Program Advisory Committee and the Fort Point Channel Operations Board.</p> <p>The following elements of Special Condition 9 relate to review of the modifications to the first and second floors of the Graphic Arts/Tufts Building.</p>	
<p>Special Public Destination Facilities area (known as Town Square, Multi-Media Presentation Area and Civic/Cultural Space) shall occupy approximately 10,800 square feet in the locations shown on the License Plan Sheet 7 of 17.</p>	<p>The proposed Minor Modification will return all of the Multi-Media Presentation space to the first floor and increase the SPDF area to approximately 11,000 SF. The locations of these areas include the Town Square, Town Square Gallery (part of Multi-Media), and proposed Multi-Media Presentation Area/Civic/Cultural Space on Level 1, and the public mezzanine currently used for art exhibition.</p>

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In conclusion, Boston Properties is pleased to submit the enclosed Plan which complies fully with the requirements of the Fort Point Downtown Municipal Harbor Plan-Phase 2, the Secretary's Approval Decision and the Waterways Regulations.

We respectfully request the Department approve the proposed minor project modifications under the provisions of 310 CMR 9.22(3) and confirm the project's consistency with the Fort Point Downtown Municipal Harbor Plan-Phase 2 under the provisions of 310 CMR 9.34(2)(a).

Sincerely,

VHB

A handwritten signature in blue ink that reads "Elizabeth Grob". The signature is written in a cursive, flowing style.

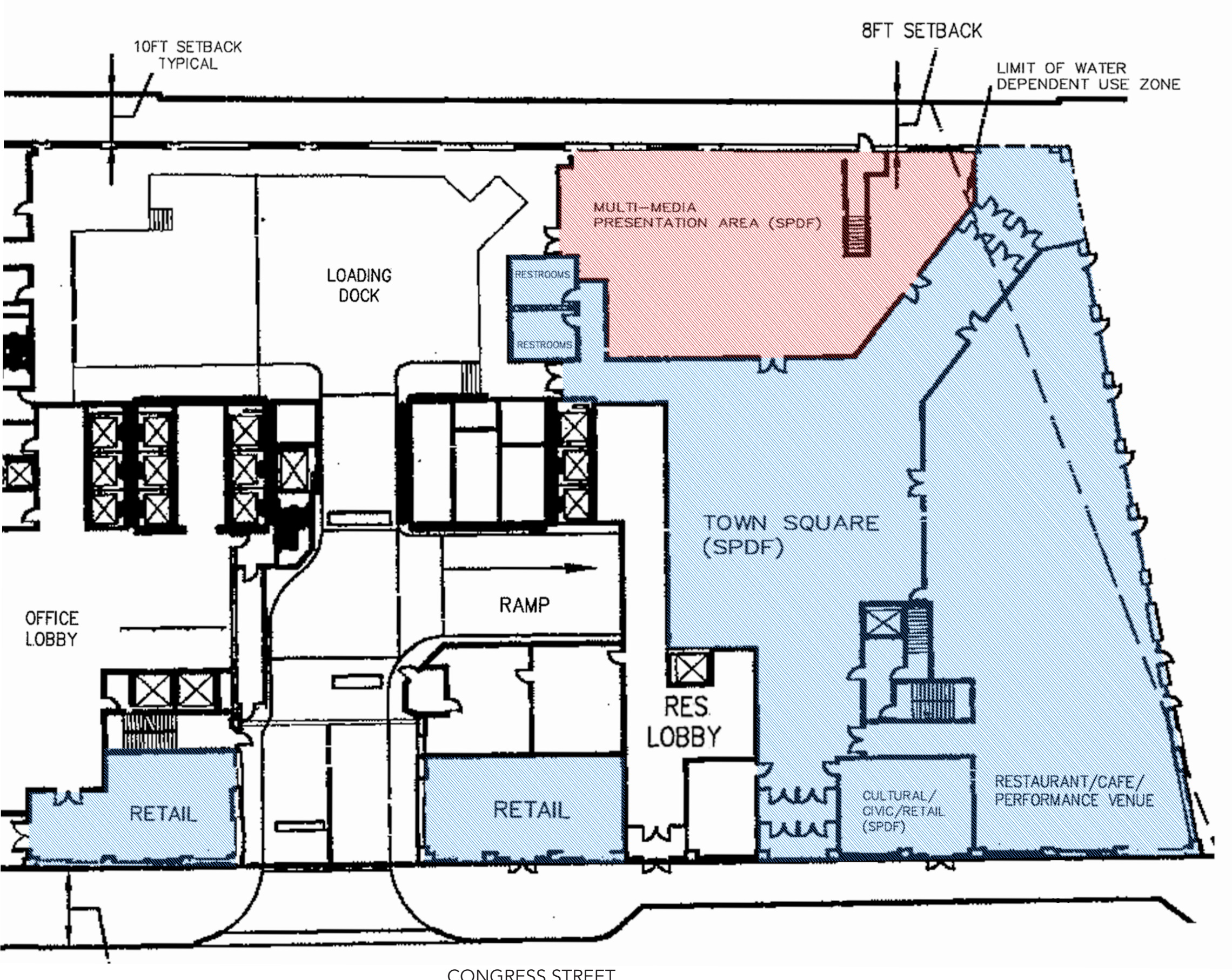
Elizabeth Grob

Regional Real Estate Market Leader

cc: Lisa Berry-Engler, Office of Coastal Zone Management

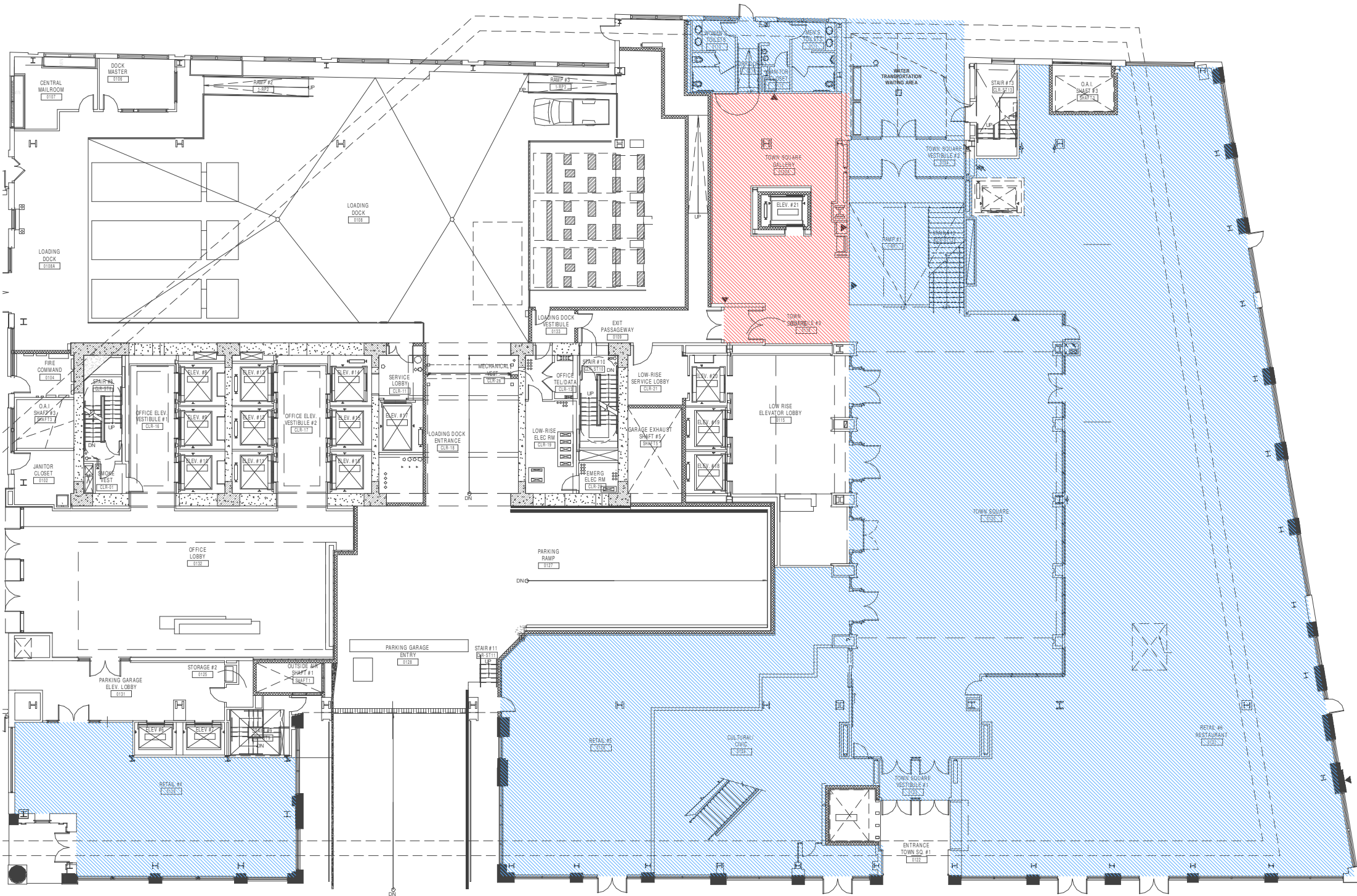
ORIGINAL CHAPTER 91 LAYOUT

LEVEL 1



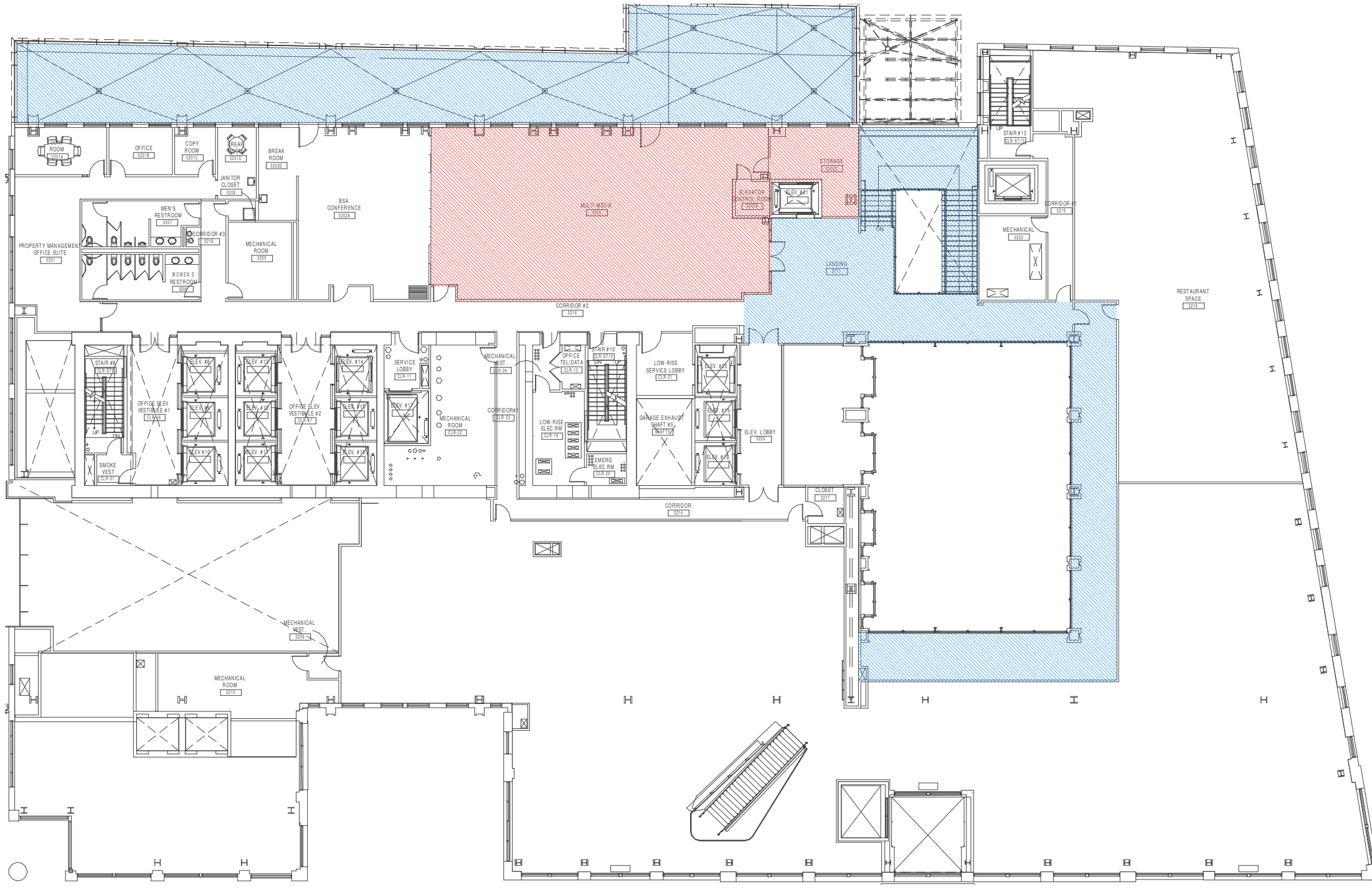
- LEGEND**
- MULTI-MEDIA
 - OTHER FPAs

CURRENT CHAPTER 91 LAYOUT LEVEL 1



CONGRESS STREET

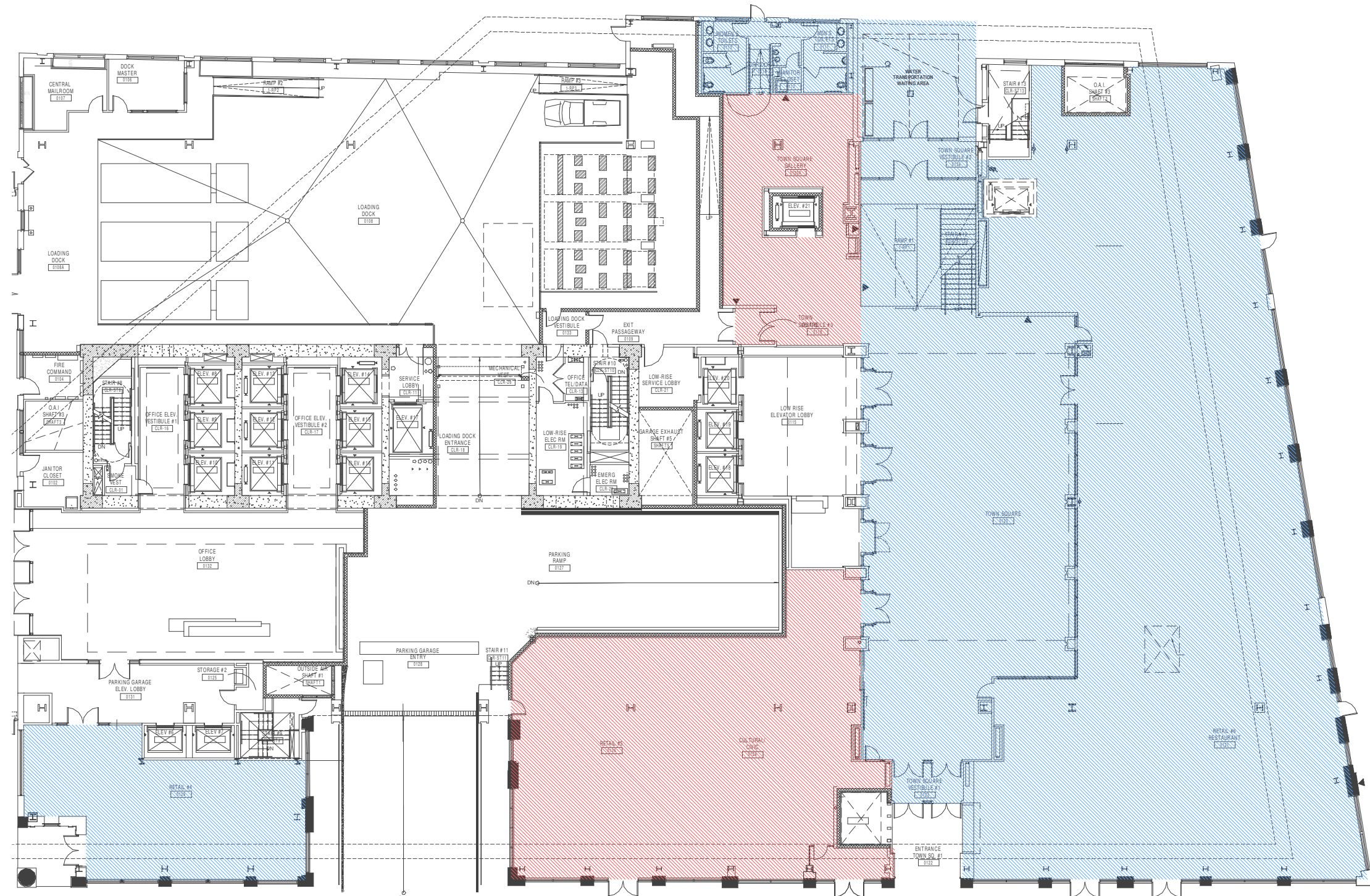
LEVEL 2



CONGRESS STREET

- LEGEND**
- MULTI-MEDIA
 - OTHER FPAs

PROPOSED CHAPTER 91 LAYOUT LEVEL 1

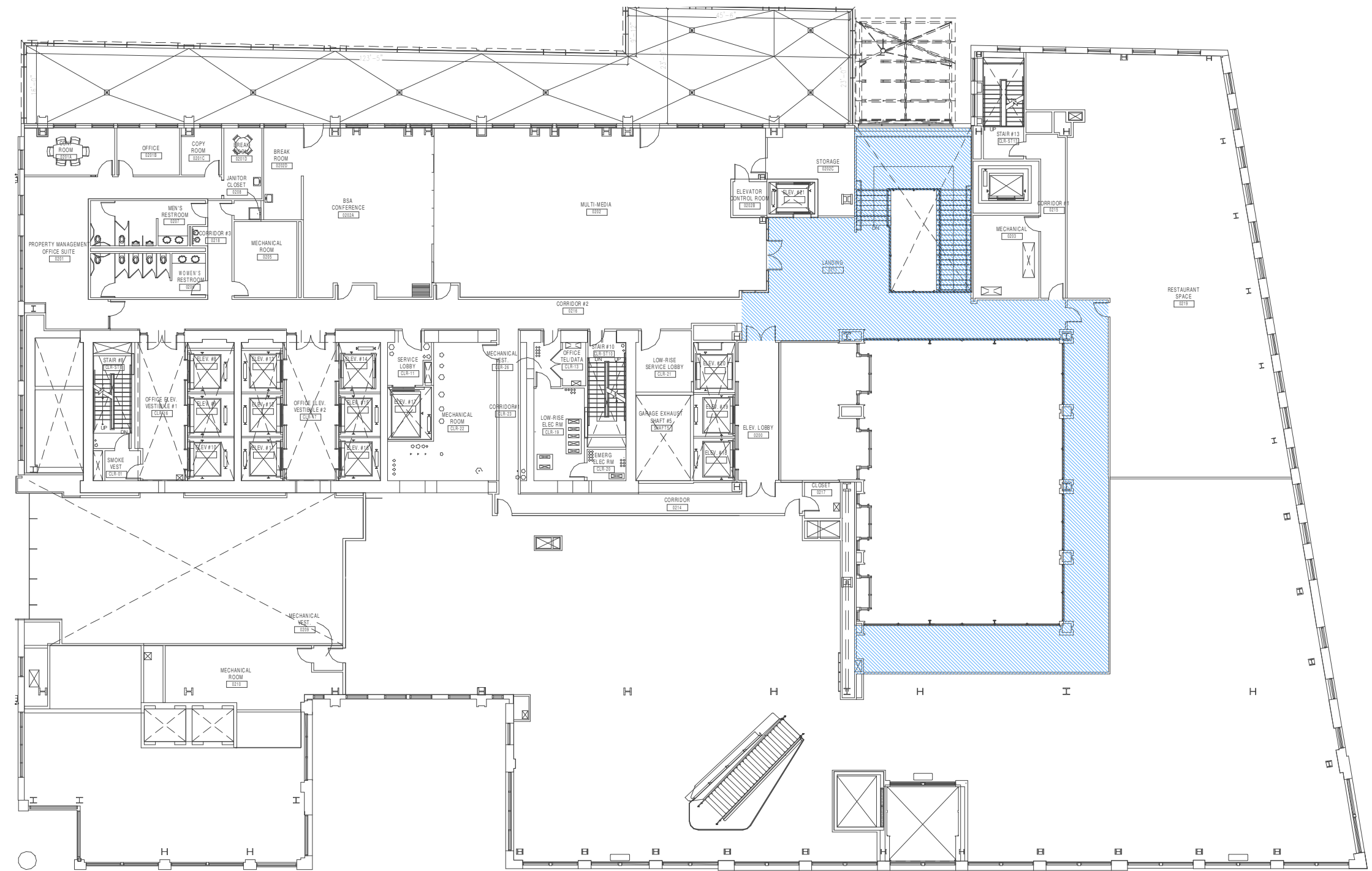


CONGRESS STREET

LEGEND

- MULTI-MEDIA
- OTHER FPAs

LEVEL 2



CONGRESS STREET