



The Honorable Robert DeLeo  
24 Beacon Street, Room 356  
Boston, MA, 02133

July 19, 2018

Dear Speaker DeLeo,

We are writing in strong opposition to House Bill 4505 "An Act authorizing Commercial Wharf East Condominium Association under the Tidelands Public Trust Doctrine and preventing residents from being forced to leave." We would have expressed our concerns earlier, but only this week learned of its existence and progress through the legislature.

The Mystic River Watershed Association (MyRWA) was founded in 1972 to protect and restore natural resources in the 22-community watershed stretching from Woburn through Revere. We count on Chapter 91 (i.e., the Tidelands Public Trust Doctrine) to ensure public access along the Mystic River and Boston Harbor.

Chapter 91, a longstanding state law with roots going back to the Magna Carta, has been used successfully in Boston to preserve the public trust in tidelands during a time of historic waterfront redevelopment. Without its requirements to use the tidelands first and foremost for water-dependent public access and facilities of public accommodation, residents and visitors to Boston would be almost entirely prohibited from accessing the harbor and benefiting from the \$4 billion public investment in its cleanup. **Commercial Wharf has had an outstanding requirement for nearly 15 years to build a portion of the Boston Harborwalk and a Facility of Public Accommodation.**

Instead of protecting residents, **this bill overrides the public trust and does an end run around the ongoing efforts of the Attorney General and MassDEP to seek a resolution of the current controversy on Commercial Wharf.** This bill creates a terrible precedent that encourages Boston waterfront developers to fight Chapter 91 requirements to provide public access to Boston Harbor. We hope you will withdraw this bill from further consideration.

We strongly support Rep. Michlewitz's efforts to ensure that the North End and its residents thrive. This bill would harm the public's interest, however, not protect it. We ask you to withdraw this bill and work with the Attorney General and MassDEP to ensure that the Condominium Association follows through on its legal obligation to obtain a Chapter 91 license.

We look forward to hearing from you. I may be reached at 508-713-2459 or [julie.wormser@mysticriver.org](mailto:julie.wormser@mysticriver.org).

Sincerely,

A handwritten signature in black ink that reads "Julie Wormser".

Julie Wormser  
Deputy Director

Cc: State representatives