

May 3, 2006

Secretary Stephen Pritchard
EOEA, Attn: MEPA Office
Attention Richard Bourre, EOEA No. 13415
100 Cambridge Street, Suite 900
Boston, MA 02114

Subject: Lovejoy Wharf

Dear Secretary Pritchard:

Thank you for the opportunity to offer comments on the Draft Environmental Impact Report for Lovejoy Wharf.

The Boston Groundwater Trust was established by the Boston City Council to monitor groundwater levels in sections of Boston where building foundations supported by wood pilings are threatened with deterioration caused by lowered groundwater levels and to make recommendations for solving the problem. As such, my comments are limited to groundwater related items.

I am pleased that the proponent plans to provide funding to install additional groundwater monitoring wells to help us to better understand conditions in the vicinity and that they plan to consult with the Trust before and during construction to discuss groundwater levels. I was further please to read that they do not anticipate that their project will have adverse short or long term impacts on groundwater levels.

I am concerned about potential unintended consequences however. The proponent has noted that the basement level of the 131 Beverly Street building currently floods during tidal cycles, and that this is a relatively new situation. They suggest that their construction of a new sheetpile wall beyond the existing timber bulkhead will solve the problem. So it probably will, but perhaps at the cost of reducing groundwater recharge in the surrounding area. If the flooding results not from additional groundwater getting past the bulkhead, but from failure of building waterproofing, then overall groundwater levels could be lowered beyond the limits that preserve wood piling foundations. I believe that this possibility requires additional study and documentation before the change should be made.

In a similar vein, I had requested in my comment letter on their Environmental Notification Form that the proponent be required to file an annual certification stamped by a registered professional engineer that no groundwater had been pumped from the building in the preceding year. The proponent has offered that groundwater levels will be monitored and an annual certification completed and stamped by an engineer. Monitoring groundwater levels is the role of the Trust, and there is no benefit to having an engineer certify our data to us or other agencies. What is needed is certification of the way the building is being operated so that we know that no groundwater is being removed from the site.

I appreciate the proponent's offer to consult with us on the protocol for assigning existing monitoring wells. However, to the extent that these have been used for monitoring contamination, it is unlikely that we will want to incorporate them into our system, since our well monitoring procedures call for us not to utilize any wells that show signs of potentially harmful contamination.

I look forward to working with the proponent and with regulatory agencies to be sure that the concerns that I have raised are answered satisfactorily and that this project has no negative impacts on groundwater levels in the area during construction or operation.

Very truly yours,

Elliott Laffer
Executive Director