

HOUSE No. 4075

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the Charlestown Navy Yard.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. For the purposes of enabling the United States of America to extend the
2 present limits of the Charlestown Navy Yard within the Boston National Historical Park and to
3 administer and manage the areas hereby ceded as a part of the said national historical park, an
4 exemption from the harbor line established by chapter 64 of the Acts of 1899, chapter 490 of the
5 Acts of 1938, and chapter 475 of the Acts of 1948 is hereby authorized so that nothing in
6 sections 14 and 34 of chapter 91 of the General Laws or any other general or special law to the
7 contrary would restrict the placement of a structure beyond the current harbor line but restricted
8 within the area described as follows:

9 Beginning at a point with a NAD 1927 coordinate of N500128.25, E720497.13 on the
10 existing State Harbor Line (1948 Pier & Bulkhead Line) that is S 77o07'27"E, a distance of
11 156.64 feet along the existing State Harbor Line from a point located at NAD 1927 coordinate
12 N500163.15, E720344.43;

13 The boundary of the State Harbor Line Exemption Area shall turn and run S
14 79o12'22"W, a distance of 449.63 feet to NAD 1927 coordinate N500044.04, E720055.46;

15 Thence said boundary of the Sate Harbor Line Exemption Area shall turn and run
16 N57°39'39"W, a distance of 33.92 feet to a point on the existing State Harbor Line which is S
17 65o32'54"W, a distance of 165.40 feet from a point located at NAD 1927 coordinate
18 N500130.65, E720177.36.

19 The above described State Harbor Line Exemption Area is shown on a plan titled
20 "Proposed State Harbor Line Exemption Area & Boundary Line, Charlestown Navy Yard,
21 Boston National Historical Park, Boston, Massachusetts" numbered 457/62,360, dated 1/23/08,
22 prepared for the United States Department of the Interior, National Park Service, Denver Service
23 Center by Nitsch Engineering, Inc.

24 SECTION 2. The lands lying between the prior wharf or harbor line as described in the
25 said cessions of land referred to in Section 1 hereof between the Commonwealth and the United
26 States of America for the United States Navy Yard, and the line now established under Section 1
27 of this Act, shall be referred to as "the newly ceded lands and waters" and are described as
28 follows:

29 A certain parcel of land located along the southerly boundary of the Boston National
30 Historical Park south of Chelsea Street in Boston (Charlestown District), Massachusetts,
31 bounded and described as follows:

32 Beginning at a point on the Pier and Bulkhead Line of 1948, said point being the
33 southwest property corner of the United States Department of the Interior;

34 Thence running N 65o32'54"E, a distance of 165.40 feet along said Pier and Bulkhead
35 Line of 1948;

36 Thence turning and running N 78°59'28"E, a distance of 170.20 feet along said Pier and
37 Bulkhead Line of 1948;

38 Thence turning and running S 77°07'27"E, a distance of 156.64 feet along said Pier and
39 Bulkhead Line of 1948;

40 Thence turning and running S 79°12'22"W, a distance of 449.63 feet along the boundary
41 of the State Harbor Line Exemption Area;

42 Thence turning and running N 57°39'39"W, a distance of 33.92 feet along said boundary
43 of the State Harbor Line Exemption Area to the point of beginning.

44 Said Parcel contains an area of 21,738 square feet and is shown as "Proposed State
45 Harbor Line Exemption Area" on a plan titled "Proposed State Harbor Line Exemption Area &
46 Boundary Line, Charlestown Navy Yard, Boston National Historical Park, Boston,
47 Massachusetts" numbered 457/62,360, dated 1/23/08, prepared for the United States Department
48 of the Interior, National Park Service, Denver Service Center by Nitsch Engineering, Inc.

49 SECTION 3. For the purposes of administering and managing the Charlestown Navy
50 Yard within the Boston National Historical Park, the newly ceded lands and waters are hereby
51 ceded to the United States of America including jurisdiction over and all right and claim of the
52 Commonwealth to those portions of land covered by navigable waters, subject to the following
53 conditions: (A) a copy of the plan of the harbor line exemption area and a copy of the document
54 whereby the Secretary of the Army shall have approved the revised park property line where it
55 diverges from the 1948 Pier and Bulkhead Line as a revised pierhead and bulkhead line shall be
56 filed with the office of the state secretary; (B) said jurisdiction is vested and ceded upon the
57 express condition that the Commonwealth shall retain concurrent jurisdiction with the United

58 States of America in and over said newly ceded lands and waters, so far that all civil and
59 criminal processes as may be issued by the authority of the Commonwealth may be executed on
60 said newly ceded lands and waters and in or on any structure erected thereon, in the same way
61 and manner as though this cession had not been made; (C) provided further that title to and
62 jurisdiction over said newly ceded land shall revert to and revest in the Commonwealth
63 whenever said land ceases to be used by the United States of America as a unit of the National
64 Park System; and (D) that concurrent jurisdiction shall be vested upon acceptance by the United
65 States of America when the Director of the National Park Service files a notice of such
66 acceptance with the governor and the state secretary.

67 SECTION 4. Notwithstanding sections 14 and 34 of chapter 91 the United States of
68 America is hereby authorized to construct, maintain, and repair pile supported and floating
69 public structures including related utilities, in or over said newly ceded lands and waters in
70 accordance with plans to be filed with and approved in accordance with all other substantive and
71 procedural requirements of chapter 91 of the General Laws and its regulations other than the
72 exemption permitted in this Act from the harbor line requirements of sections 14 and 34 of said
73 chapter 91.