



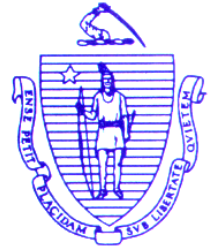
David E. Pierce, Ph.D.
Director

Commonwealth of Massachusetts

Division of Marine Fisheries

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Deputy Commissioner

December 12, 2019

New Bedford Conservation Commission
City Hall
133 Williams Street
New Bedford, MA 02740

Dear Commissioners:

The Division of Marine Fisheries (MA DMF) has reviewed the Notice of Intent by Shoreline Resources LLC, 137 – 140 Popes Island, for an after-the-fact application to install a stairway/2 landings/gangway/float on the east side of the property and to install a gangway and a second barge on the north side of the property on the Acushnet River in the City of New Bedford with respect to potential impacts to marine fisheries resources and habitat.

The project site lies within mapped shellfish habitat for quahog (*Mercenaria mercenaria*). Subtidal waters within the project site have habitat characteristics suitable for this species. Land containing shellfish is deemed significant to the interest of the Wetlands Protection Act (310 CMR 10.34) and the protection of marine fisheries.

MA DMF offers the following comments for your consideration:

- No bathymetry data is depicted on the plan. The DEP dock and pier guidelines recommend at least 2 ½ feet of separation between the bottom of the float and the underlying substrate for structures constructed in shellfish habitat [1]. This buffer is recommended to minimize impacts to existing shellfish habitat by avoiding float grounding at low tide and reducing sediment resuspension induced by float movement in shallow water.

Questions regarding this review may be directed to Eileen Feeney in our New Bedford office at (508) 742-9721.

Sincerely,

Eileen M. Feeney
Fisheries Habitat Specialist

cc: Susan Nilson, Foth Infrastructure & Environmental LLC
Robert Giard & Thomas Ringuette, Shellfish Constables
Barbara Newman, ACOE
Robert Boeri, CZM
Christian Petitpas, MA DMF
Tom Shields, MA DMF
Ryan Nuttall, MA DMF

EF/rn

Reference

1. Bliven S, Pearlman S (2003) A guide to permitting small pile-supported docks and piers. Massachusetts Department of Environmental Protection, Bureau of Resource Protection, Wetlands/Waterways Program. 28 pp.