

NOTICE OF INTENT

pursuant to

**The Regulations of the Massachusetts Wetlands Protection Act
and the
City of New Bedford Wetlands Protection Ordinance**

Coal Pocket Pier Reconstruction And Fishing Pier Repairs

New Bedford, Massachusetts



Applicant:

**New Bedford Harbor Development Commission
52 Fisherman's Wharf
New Bedford, MA 02740**

July 2017



July 27, 2017

Sarah Porter, Conservation Agent
New Bedford Conservation Commission
133 William Street
New Bedford, MA 02740

Re: **Notice of Intent**
New Bedford Harbor Development Commission
Coal Pocket Pier Reconstruction and Fishing Pier Repairs
New Bedford, MA
Pare Project No. 17049.00

Dear Ms. Porter and Members of the New Bedford Conservation Commission:

On behalf of the New Bedford Harbor Development Commission (HDC) and pursuant to the Regulations of the Massachusetts Wetlands Protection Act (the Regulations) and the New Bedford Wetlands Protection Ordinance (the Ordinance), Pare Corporation (Pare) is pleased to present the attached Notice of Intent for the above-referenced project. The submitted information includes the following:

- Original and one copy of the completed Notice of Intent, including WPA Form, Abutter Notification Information, Figures, Site Photographs, Construction Specifications, and Project Narrative;
- Two (2) full-sized sets of Project Plans entitled "Coal Pocket Pier Reconstruction and Fishing Pier Repairs" prepared by Pare Corporation, dated July 2017; and
- One CD containing entire Notice of Intent in .pdf format.

A copy of this Notice of Intent is being submitted concurrently to the Massachusetts Department of Environmental Protection, Southeast Regional Office and the Massachusetts Division of Marine Fisheries (DMF), New Bedford Office. All abutters are being notified via a Certificate of Mailing, a copy of which will be provided at the Public Hearing. The Applicant is a department of a municipality and is therefore exempt from state and municipal filing fees. Per discussion with New Bedford Conservation Agent Sarah Porter, the Proof of Ownership form requirement has been waived. On behalf of HDC, Pare respectfully requests DMF grant a waiver to the Time of Year restriction, for in water work to be performed outside the TOY work window of Nov 15-Jan 15.

The primary purpose of this project is to reconstruct the existing Coal Pocket Pier on a smaller footprint, and to make repairs to the existing Steamship Pier and Leonard's Wharf. Reconstruction of Coal Pocket Pier is necessary due to its poor condition warranted by extensive deterioration, delamination, and section loss throughout supporting timber piles in the tidal zone, and severe marine borer damage below water. As a result the structure has a significantly reduced load carrying capacity, and poses a safety hazard to its users and the general public. The existing pier structure is composed of 173 timber support and fender piles supporting a 130' x 30' timber deck pier, with 47 timber fender piles along the length of the bulkhead wall adjacent to the pier, totaling 220 piles. The proposed pier





New Bedford Conservation Commission (2)

July 27, 2017

structure will consist of 94 support, fender, and batter piles supporting a 130' x 13' timber deck pier, with 15 timber bulkhead fender piles and an additional 14 piles to be driven for vessel berthing alongside the pier, totaling 123 piles. The proposed system will result in a net decrease of 97 piles and 40 square foot net reduction of occupied Land Under the Ocean, in addition to reducing the existing footprint of the pier by approximately 2,210 square feet. A floating turbidity boom and silt curtain will be utilized to retain any materials or sediment suspension that may enter the water during construction.

Proposed repairs to the Steamship Pier and Leonard's Wharf are similar to previously permitted work performed in 2011 (File #: SE 049-0668). These repairs are necessary in order to maintain the integrity of the existing structures and protect the safety of the public. Repairs at Steamship Pier entail replacement of concrete encasements on the timber support piles and replacement of missing or broken timber piles. In water work will be performed by divers deployed from the pier or floating barge for installation of concrete encasements, and pile extraction/driving will be performed from the deck of the pier or floating barge. Proposed work at Leonard's Wharf will make repairs to the internal hardware system which supports the pier infrastructure. In water work will be performed by laborers on floating docks during low tide.

Due to the nature of the proposed project, work within coastal resource areas is unavoidable. Resource areas in the project vicinity include Coastal Bank (face of bulkhead), Land Under the Ocean, Land Containing Shellfish, Land Subject to Coastal Storm Flowage, and the 100-foot Buffer Zone of the Coastal Bank. According to 310 CMR 10.24(7)(c)2. of the Regulations, the proposed activity qualifies as a limited project for *"the maintenance, repair and improvement (but not substantial enlargement except when necessary to reduce or eliminate a tidal restriction) of structures, including buildings, piers, towers, headwalls, bridges and culverts which existed on November 1, 1987."* The attached Project Narrative Description in Section 4 describes the Coastal Resources and the impacts associated with the proposed project.

On behalf of the HDC, we thank you for your consideration of this proposal. If you have questions or require additional information please do not hesitate to contact me at (401) 334-4100, or via email at BLang@parecorp.com.

Sincerely,

Briscoe B. Lang, P.W.S.
Principal Environmental Scientist

cc: DEP Southeast Regional Office
MA Division of Marine Fisheries, Southeast Marine Fisheries Station, via electronic copy
New Bedford Harbor Development Commission

BBL/EK

TABLE OF CONTENTS

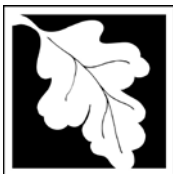
Section 1	Administrative Documentation
	WPA Form 3 - Notice of Intent
	Filing Fee Transmittal Form
	Attachment A- List of Parcels
	City of New Bedford Filing Fee Worksheet
Section 2	Abutter Notification Information
	Notification to Abutters
	Certified List of Abutters
	Copy of New Bedford Assessor's Map
Section 3	Figures
	Figure 1 - Site Location Map
	Figure 2 - Annotated MassGIS Aerial Photograph
	Figure 3 - FEMA Flood Insurance Rate Map
Section 4	Project Narrative
Section 5	Existing Conditions Photographs
Section 6	Construction Specifications
Section 7	Project Plans entitled "Coal Pocket Pier Reconstruction and Fishing Pier Repairs", prepared by Pare Corporation dated July 2017 (Bound Separately)



SECTION 1

Administrative Documentation





Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Coal Pocket Pier, Steamship Wharf, Leonard's Wharf

a. Street Address

New Bedford

b. City/Town

02740

c. Zip Code

Latitude and Longitude:

See Attachment A

f. Assessors Map/Plat Number

See Attachment A

d. Latitude

See Attachment A

e. Longitude

See Attachment A

g. Parcel /Lot Number

2. Applicant:

Edward

a. First Name

Anthes-Washburn

b. Last Name

New Bedford Harbor Development Commission

c. Organization

52 Fisherman's Wharf

d. Street Address

New Bedford

e. City/Town

MA

f. State

02740

g. Zip Code

508-961-3000

h. Phone Number

i. Fax Number

Edward.Anthes-Washburn@newbedford-ma.gov

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

City of New Bedford

c. Organization

133 William Street

d. Street Address

New Bedford

e. City/Town

MA

f. State

02740

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Briscoe

a. First Name

Lang, P.W.S.

b. Last Name

Pare Corporation

c. Company

8 Blackstone Valley Place

d. Street Address

Lincoln

e. City/Town

RI

f. State

02865

g. Zip Code

(401) 334-4100

h. Phone Number

(401) 334-4108

i. Fax Number

BLang@parecorp.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

FEE EXEMPT

a. Total Fee Paid

FEE EXEMPT

b. State Fee Paid

FEE EXEMPT

c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

A. General Information (continued)

6. General Project Description:

Demolition and reconstruction of Coal Pocket Pier, and repairs to the existing Steamship Pier and Leonard's Wharf, as shown on the project plans and further described in this submission.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input checked="" type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other Wharf Repairs | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☒ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)
- 310 CMR 10.24(7)(c)2. The maintenance, repair and improvement (but not substantial enlargement...) of structures, including... piers... which existed on November 1, 1987. (for repairs to Steamship Pier and Leonard's Wharf)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Bristol (New Bedford Registry)

a. County

See Attachment A

c. Book

b. Certificate # (if registered land)

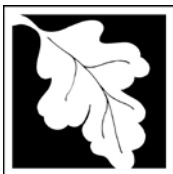
See Attachment A

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced

f. ☐ Riverfront Area

1. Name of Waterway (if available) - **specify coastal or inland**

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

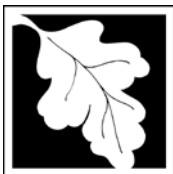
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☒ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input checked="" type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input checked="" type="checkbox"/> Land Under the Ocean	160 permanent(proposed net gain of 40 sf) 1. square feet 0 2. cubic yards dredged	174 sf (temp impacts for pile removal)
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
	Size of Proposed Alteration	Proposed Replacement (if any)
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. <input checked="" type="checkbox"/> Land Containing Shellfish	See 3b 1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged 10,540 1. square feet	
l. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage		

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

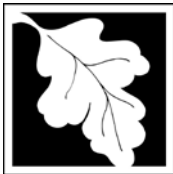
a. square feet of BVW

b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

MassGIS Oliver

7/13/2017

b. Date of map

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/menta/menta_fee_schedule.htm).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/menta/menta_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. ☐ Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP
3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. ☐ Not applicable – project is in inland resource area only b. ☒ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

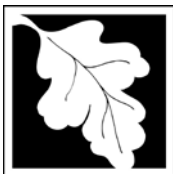
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

C. Other Applicable Standards and Requirements (cont'd)

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt: **No stormwater impacts.**
1. ☐ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

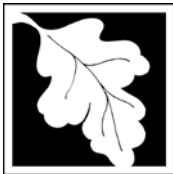
D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Coal Pocket Pier Reconstruction and Fishing Pier Repairs

a. Plan Title

Pare Corporation

b. Prepared By

July 2017

d. Final Revision Date

Karl Hammond, P.E.

c. Signed and Stamped by

As noted

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☒ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☒ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

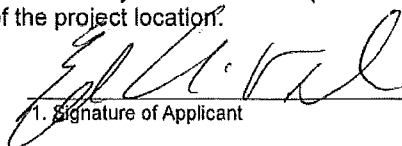
New Bedford

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.


1. Signature of Applicant

7/25/17
2. Date

3. Signature of Property Owner (if different)


5. Signature of Representative (if any)

4. Date
7/25/17
6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

A. Applicant Information

1. Location of Project:

Coal Pocket Pier, Steamship Wharf, Leonard's Wharf

a. Street Address

N/A

c. Check number

New Bedford

b. City/Town

Fee Exempt

d. Fee amount

2. Applicant Mailing Address:

Edward

a. First Name

Anthes-Washburn

b. Last Name

New Bedford Harbor Development Commission

c. Organization

52 Fisherman's Wharf

d. Mailing Address

New Bedford

e. City/Town

MA

f. State

02740

g. Zip Code

508-961-3000

h. Phone Number

i. Fax Number

Edward.Anthes-Washburn@newbedford-ma.gov

j. Email Address

3. Property Owner (if different):

City of New Bedford

c. Organization

13 William Street

d. Mailing Address

New Bedford

e. City/Town

MA

f. State

02740

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	<u>FEE EXEMPT</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>FEE EXEMPT</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	<u>FEE EXEMPT</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

ATTACHMENT A

List of Parcels Coal Pocket Pier Reconstruction and Fishing Pier Repairs New Bedford, Massachusetts July 2017

<u>Map</u>	<u>Lot</u>	<u>Location</u>	<u>Owner/ Address</u>	<u>Deed Book/Page</u>	<u>Latitude/ Longitude</u>
47	204	ES MacArthur Drive (<i>Coal Pocket Pier</i>)	City of New Bedford 133 William Street New Bedford, MA 02740	1747-727	41 37'59", -70 55'14"
47	179	ES MacArthur Drive (<i>Steamship Pier</i>)	City of New Bedford 133 William Street New Bedford, MA 02740	1747-727	41 38'01", -70 55'13"
47	212	Leonard's Wharf	City of New Bedford 133 William Street New Bedford, MA 02740	2001-1005	41 37' 56", -70 55' 12"



CITY OF NEW BEDFORD MASSACHUSETTS

CONSERVATION COMMISSION 2009 FILING FEE CALCULATION WORKSHEET*

PROJECT LOCATION:

Coal Pocket Pier, Steamship Pier, and Leonard's Wharf MAP 47 LOT(S) 204, 179, 212

APPLICANT: New Bedford Harbor Development Commission

CONSERVATION COMMISSION FEES (check all that apply):

- ☐ REQUEST FOR DETERMINATION OF APPLICABILITY
- ☒ NOTICE OF INTENT
- ☐ INQUIRY AS TO NEED FOR AN AMENDED ORDER**
- ☐ AMENDED ORDER OF CONDITIONS
- ☐ ANRAD (Abbreviated Notice of Resource Area Delineation)
- ☐ EXTENSION PERMIT
- ☐ CERTIFICATE OF COMPLIANCE
- ☐ AFTER THE FACT FILING
- ☐ RESTORATION PLAN FEE (no NOI filing required)
- ☐ LIFTING AN ENFORCEMENT ORDER
- ☐ PENALTIES

(A.) ALTERATION FEES:

Application and field review of a project proposed in a Wetland Resource Area or its Buffer Zone is \$150.00 plus the applicable alteration fee as follows

	<u>AMOUNT DUE</u>
• Application and Field Review Fee (\$150.00)	<u>\$FEE EXEMPT</u>
• \$0.50 X _____ SF Wetland Resource Area	<u>\$(municipal project)</u>
• \$0.05 X _____ SF Land Subject Coastal Flooding	<u>\$_____</u>
• \$0.20 X _____ SF Developed Riverfront Area	<u>\$_____</u>
• \$1.00 X _____ SF Undeveloped Riverfront Area	<u>\$_____</u>
• \$5.00 X _____ LF Coastal Bank	<u>\$_____</u>
• \$0.10 X _____ SF Buffer Zone	<u>\$_____</u>

(B.) EXTENSION of an Order of Conditions:

- Minor Project ... \$100.00 + _____ (¼ local fee from NOI) \$_____
- Other Projects ... \$200.00 + _____ (¼ local fee from NOI) \$_____

(C.) AMENDING A PERMIT:

- Written inquiry or request to appear to determine the need for an Amended Order:** (\$50.00 fee) \$_____
- Amending OOC: \$150.00 + _____ (applicable alteration fee) \$_____

**(D.) RESOURCE BOUNDARY DELINEATION VERIFICATION
USING AN RDA APPLICATION:**

- \$150.00 + \$2.00 X _____ LF Wetland boundary \$_____

**(E.) ABBREVIATED RESOURCE AREA DELINEATION VERIFICATION
(ANRAD)**

- \$150.00 + \$1.00 X _____ LF Resource Area boundary \$_____

**(F.) RESOURCE BOUNDARY DELINEATION VERIFICATION CONDUCTED
DURING A NOTICE OF INTENT REVIEW**

- \$150.00 + \$3.00 X _____ LF Resource Area boundary \$_____

(G.) DOCKS:

- \$100.00 + \$4.00 X _____ LF of dock \$_____
- Add 150% to total fee if in significant shellfish habitat \$_____

(H.) AFTER THE FACT FILING:

- All Total Fees are doubled \$_____

(I.) RESTORATION PLAN FEE:

- (\$150.00 + _____ Alteration Fee) Multiplied by 2 \$_____

(J.) LIFTING ON ENFORCEMENT ORDER:

- \$150.00 fee \$_____

(K.) CERTIFICATE OF COMPLIANCE:

- refer to "K" of the Fee schedule \$_____

(L.) PENALTIES:

- refer to "L" of the Fee schedule \$_____

TOTAL AMOUNT DUE (including after-the-fact fee if applicable): \$ *FEE EXEMPT
(municipal project)

Notes:

* Please refer to the Conservation Commission Fee Schedule - Revised April 2009

** This is not required, but available for anyone who would like to appear to discuss the need to Amend.

Please make check or Money Order payable to: THE CITY OF NEW BEDFORD.
Cash is not Accepted.

SECTION 2

Abutter Notification Information



**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
And the City of New Bedford Wetlands Ordinance**

In accordance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, and the City of New Bedford Wetlands Ordinance (Section 15-101 through 15-112) you are hereby notified of the following.

- A. The name of the applicant is: New Bedford Harbor Development Commission
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of New Bedford, Massachusetts seeking permission to remove, fill dredge or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the City of New Bedford Wetlands Ordinance (Section 15-101 through 15-112).
- C. The address of the lot where the activity is proposed is: Coal Pocket Pier (ES MacArthur Drive, Steamship Pier (ES MacArthur Drive), and Leonard's Wharf
Assessors Map 47; Lot 204, 179 & 212
- D. Copies of the Notice of Intent may be examined at New Bedford Conservation Commission, 133 William St. Rm. # 304, New Bedford, MA 02740 between the hours of 8:00 AM – 4:00 PM, Monday – Friday. For more information, call (508) 991-6188.

Check one: This is the Applicant____, Representative____, or other X specify: *New Bedford Conservation Commission Office*

- E. Copies of the Notice of Intent may be obtained from either (check one) the applicant____ or the applicant's representative X, by calling Pare Corporation at this telephone number (401)334-4100 between the hours of 8 and 4 on the following days of the week: Monday- Friday.
- F. Information regarding the date, time, and place of the public hearing may be obtained from New Bedford Conservation Commission by calling this telephone number (508) 991-6188 between the hours of 8:00 AM- 4:00 PM Monday- Friday.

Check one: This is the Applicant____, Representative____, or other X (specify):
New Bedford Conservation Commission.

Note: Notice of the Public hearing, including its date, time and place, will be published at least five (5) days in advance in The Standard-Times.

Note: Notice of the public hearing, including its date, time and place will be posted in the City Hall not less than forty-eight (48) hours in advance.

Note: You also may contact your local Conservation Commission or the Southeast Region of the Department of Environmental Protection for more information about this publication or the Wetlands Protection Act.
To Contact DEP Call: Southeast Region: (508) 946-2700
New Bedford Conservation Commission (508) 991-6188

Carol Ann Hurd Administrative Assistant to the Board of
Assessors of the City of New Bedford, do hereby certify that the names and addresses as
identified on the attached "Abutters List" are duly recorded and appear on the most recent
tax.

Date: 5/25/2017

SUBJECT PROPERTY: MAP 47 LOT 204

LOCATION Coal Pocket Pier, ES MacArthur Drive

OWNER'S NAME City of New Bedford

MAILING ADDRESS 133 William Street, New Bedford, MA 02740

CONTACT PERSON Erika Klinkhammer, Pare Corporation

TELEPHONE NUMBER (401) 334-4100

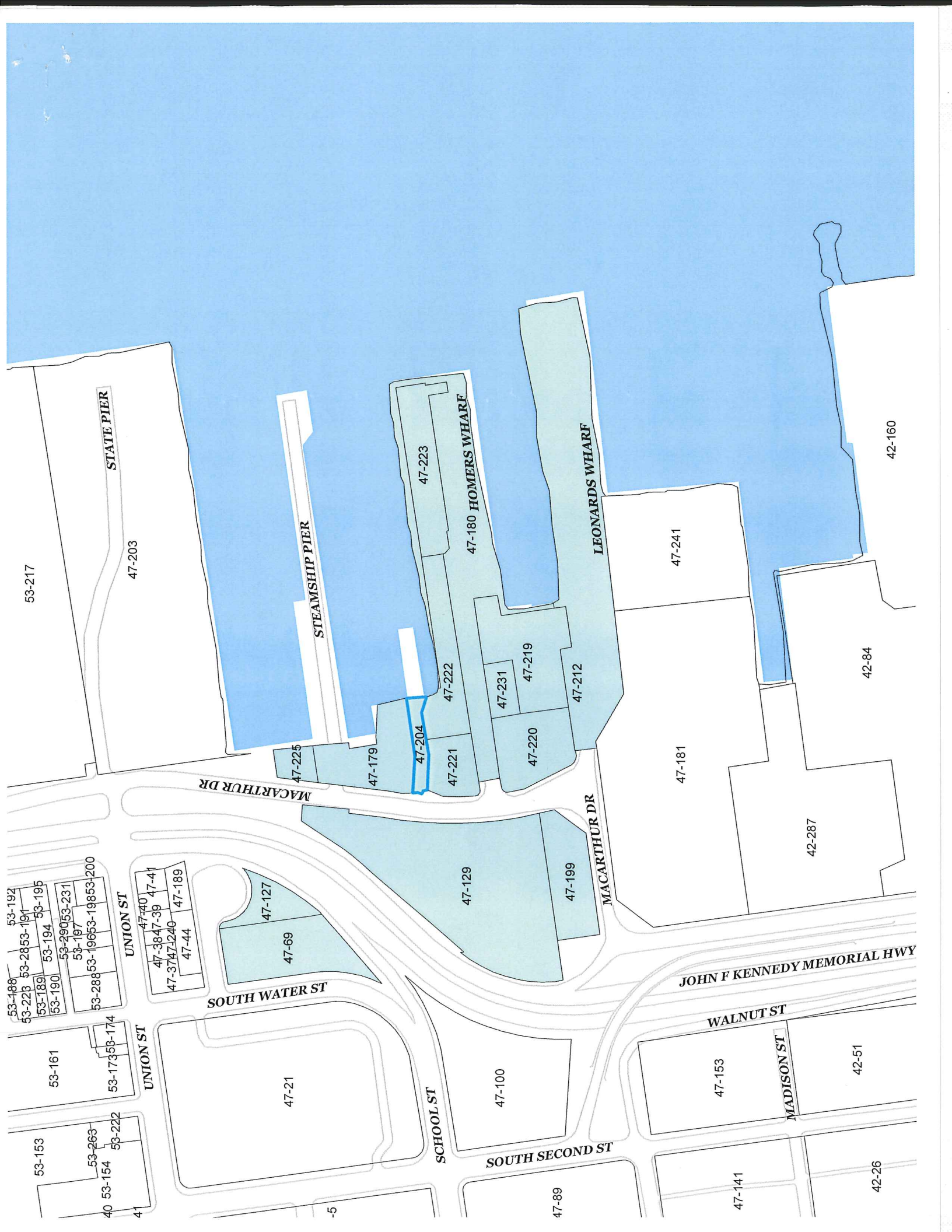
REASON FOR REQUEST

New Bedford Conservation Commission Notice of Intent Submission for

"Coal Pocket Pier Reconstruction and Fishing Pier Repairs" project in New Bedford Harbor.

RECEIVED PARE	
DATE: <u>5-30-17</u>	
JOB NO: <u>170490</u>	
COPIES TO	
Civil	<input checked="" type="checkbox"/>
Environmental	<input type="checkbox"/>
GeoTechnical	<input type="checkbox"/>
Transportation	<input type="checkbox"/>
Marketing	<input checked="" type="checkbox"/>
<u>EK</u>	<input checked="" type="checkbox"/>
<u>BBL</u>	<input checked="" type="checkbox"/>
JOB FILE: <input checked="" type="checkbox"/>	INC. <input type="checkbox"/>

PLANNING
MAY 22 2017
DEPARTMENT



May 22, 2017
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as Coal Pocket Pier (47-204) The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
47-221	61 MERRILLS WHF	CABANA JOHN F "TRUSTEE", ZC TRUST P O BOX 312 EAST SANDWICH, MA 02537
47-180	HOMERS WHF	CITY OF NEW BEDFORD, HARBOR DEVELOPMENT COMMISSION 133 WILLIAM STREET NEW BEDFORD, MA 02740
47-129	185 MACARTHUR DR	WATERFRONT HOSPITALITY LLC, P.O. BOX 248 WESTPORT, MA 02790
47-212	LEONARDS WHARF	CITY OF NEW BEDFORD, 133 WILLIAM ST NEW BEDFORD, MA 02740
47-220 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 133 WILLIAM ST NEW BEDFORD, MA 02740
47-231	50 HOMERS WHF	MOSES RICHARD T, PARISI CHRISTINE 270 HIXVILLE ROAD NO. DARTMOUTH, MA 02747
47-222	35 HOMERS WHF	THIRTY-FIVE HOMER'S WHARF LLC, 171 MENDELL ROAD ROCHESTER, MA 02770
47-204 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
47-223	25 HOMERS WHF	LAROSA PAULA S 'TRS', C/O NORTHCOAST SEA-FOODS CORP 5 DRYDOCK AVENUE BOSTON, MA 02210
47-179 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
47-225 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
47-127 <i>SW</i>	JOHN F KENNEDY HWY	BECKMAN CARL, 190 BEDFORD STREET NEW BEDFORD, MA 02740
47-199 <i>NE</i>	S WATER ST	COMMONWEALTH GAS COMPANY, C/O PROPERTY TAX DEPT P O BOX 270 HARTFORD, CT 06141

May 22, 2017
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as Coal Pocket Pier (47-204) The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
47-219	36 HOMERS WHF	36 HOMERS WHARF,LLC, 36 HOMERS WHARF NEW BEDFORD, MA 02740
47-69	26 S WATER ST	CHALETZKY STEPHEN E "TRUSTEE", 26 SOUTH WATER STREET REALTY TRUST P O BOX 590099 NEWTON CENTER, MA 02459

Carlos Hernandez Administrative Assistant to the Board of
Assessors of the City of New Bedford, do hereby certify that the names and addresses as
identified on the attached "Abutters List" are duly recorded and appear on the most recent
tax.

Date: 5/25/2017

SUBJECT PROPERTY: MAP 47 LOT 179

LOCATION Steamship Pier, ES MacArthur Drive

OWNER'S NAME City of New Bedford

MAILING ADDRESS 133 William Street, New Bedford, MA 02740

CONTACT PERSON Erika Klinkhammer, Pare Corporation

TELEPHONE NUMBER (401) 334-4100

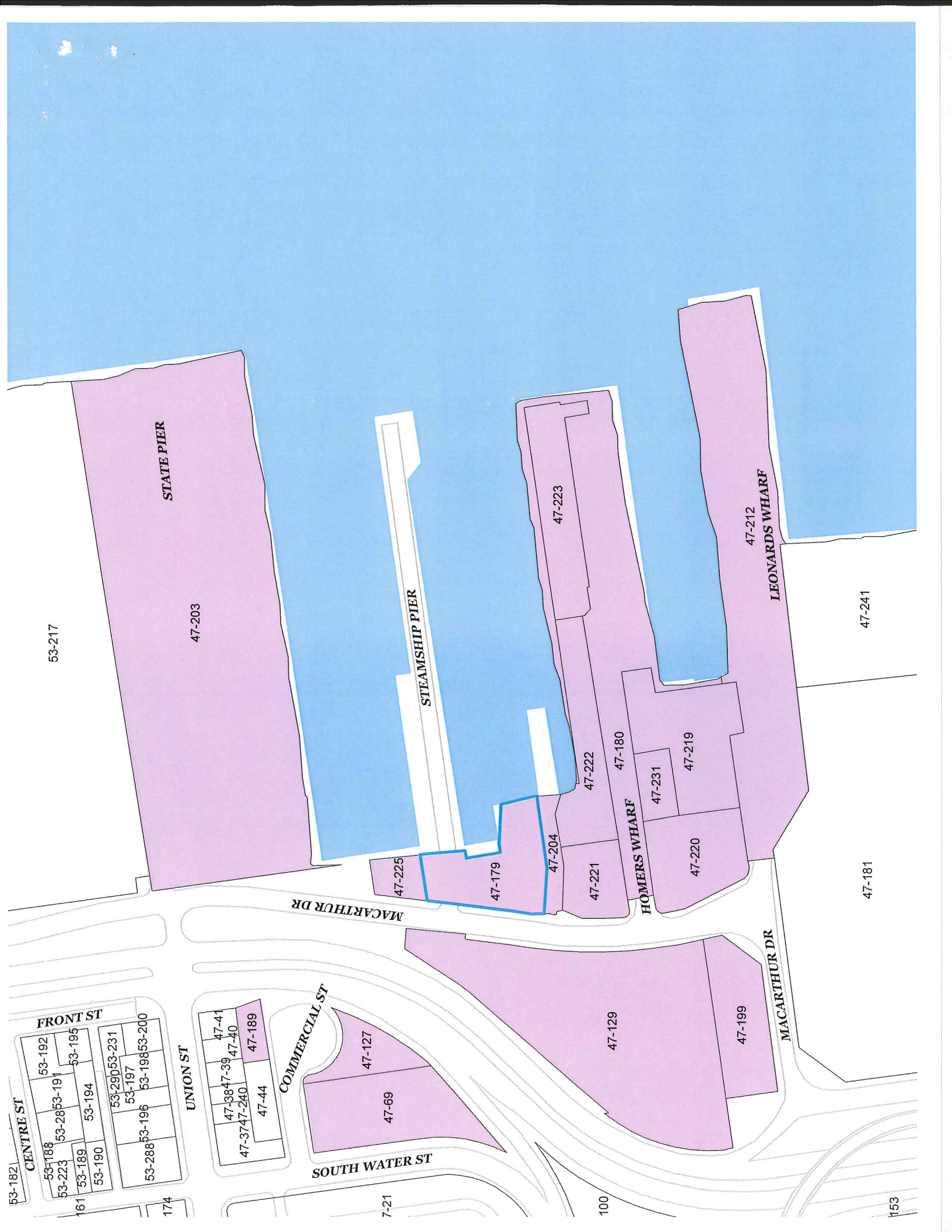
REASON FOR REQUEST

New Bedford Conservation Commission Notice of Intent Submission for

"Coal Pocket Pier Reconstruction and Fishing Pier Repairs" project in New Bedford Harbor.

RECEIVED PARE	
DATE:	<u>5-30-17</u>
JOB NO:	<u>17049.00</u>
COPIES TO	
Civil	<input checked="" type="checkbox"/>
Environmental	<input type="checkbox"/>
GeoTechnical	<input type="checkbox"/>
Transportation	<input type="checkbox"/>
Marketing	<input type="checkbox"/>
<u>EK</u>	<input checked="" type="checkbox"/>
<u>BBL</u>	<input checked="" type="checkbox"/>
JOB FILE:	<input checked="" type="checkbox"/>
INC.	<u>W/A</u>

PLANNING
MAY 22
DEPARTMENT



May 22, 2017
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as Steamship Pier (47-179). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
47-221	61 MERRILLS WHF	CABANA JOHN F "TRUSTEE", ZC TRUST P O BOX 312 EAST SANDWICH, MA 02537
47-180	HOMERS WHF	CITY OF NEW BEDFORD, HARBOR DEVELOPMENT COMMISSION 133 WILLIAM STREET NEW BEDFORD, MA 02740
47-129	185 MACARTHUR DR	WATERFRONT HOSPITALITY LLC, P.O. BOX 248 WESTPORT, MA 02790
47-212	LEONARDS WHARF	CITY OF NEW BEDFORD, 133 WILLIAM ST NEW BEDFORD, MA 02740
47-220 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 133 WILLIAM ST NEW BEDFORD, MA 02740
47-231	50 HOMERS WHF	MOSES RICHARD T, PARISI CHRISTINE 270 HIXVILLE ROAD NO. DARTMOUTH, MA 02747
47-222	35 HOMERS WHF	THIRTY-FIVE HOMER'S WHARF LLC, 171 MENDELL ROAD ROCHESTER, MA 02770
47-204 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
47-223	25 HOMERS WHF	LAROSA PAULA S 'TRS', C/O NORTHCOAST SEA-FOODS CORP 5 DRYDOCK AVENUE BOSTON, MA 02210
47-179 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
47-225 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
47-127 <i>SW</i>	JOHN F KENNEDY HWY	BECKMAN CARL, 190 BEDFORD STREET NEW BEDFORD, MA 02740
47-189	13-19 COMMERCIAL ST	BECKMAN CARL, 190 BEDFORD STREET NEW BEDFORD, MA 02740

May 22, 2017
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as Steamship Pier (47-179) The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
47-203 ES	MACARTHUR DR	COMMONWEALTH OF MASS, STATE PIER 133 WILLIAM STREET NEW BEDFORD, MA 02740
47-199 NE	S WATER ST	COMMONWEALTH GAS COMPANY, C/O PROPERTY TAX DEPT P O BOX 270 HARTFORD, CT 06141
47-219	36 HOMERS WHF	36 HOMERS WHARF,LLC, 36 HOMERS WHARF NEW BEDFORD, MA 02740
47-69	26 S WATER ST	CHALETZKY STEPHEN E "TRUSTEE", 26 SOUTH WATER STREET REALTY TRUST P O BOX 590099 NEWTON CENTER, MA 02459

Carol A. Andrews

Administrative Assistant to the Board of
Assessors of the City of New Bedford, do hereby certify that the names and addresses as
identified on the attached "Abutters List" are duly recorded and appear on the most recent
tax.

Date:

5/25/2017

SUBJECT PROPERTY: MAP 47 LOT 212

LOCATION Leonard's Wharf, 0 Leonard's Wharf

OWNER'S NAME City of New Bedford

MAILING ADDRESS 133 William Street, New Bedford, MA 02740

CONTACT PERSON Erika Klinkhammer, Pare Corporation

TELEPHONE NUMBER (401) 334-4100

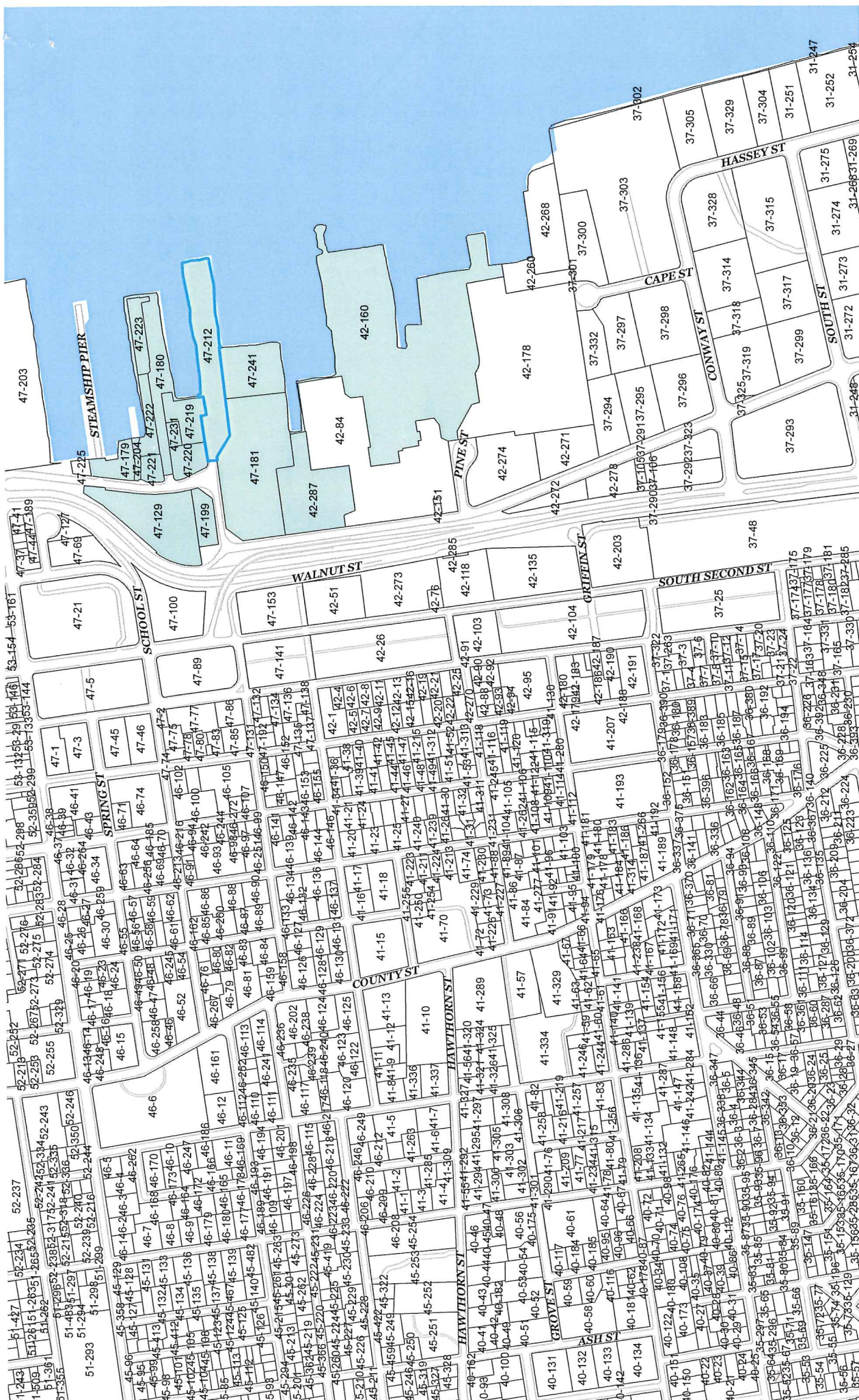
REASON FOR REQUEST

New Bedford Conservation Commission Notice of Intent Submission for

"Coal Pocket Pier Reconstruction and Fishing Pier Repairs" project in New Bedford Harbor.

RECEIVED PARE	
DATE:	<u>1-20-49.00</u>
JOB NO:	<u>3-30-17</u>
COPIES TO	
Civil	<input checked="" type="checkbox"/>
Environmental	<input type="checkbox"/>
GeoTechnical	<input type="checkbox"/>
Transportation	<input type="checkbox"/>
Marketing	<input type="checkbox"/>
<u>EK</u>	<input checked="" type="checkbox"/>
<u>BBL</u>	<input checked="" type="checkbox"/>
JOB FILE:	<input checked="" type="checkbox"/>
INC.	<u>JA</u>

DEPARTMENT
MAY 22 2017
PLANNING



May 22, 2017
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 0 Leonard's Wharf (47-212) The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.



Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
47-221	61 MERRILLS WHF	CABANA JOHN F "TRUSTEE", ZC TRUST P O BOX 312 EAST SANDWICH, MA 02537
42-287 <i>ES</i>	MACARTHUR DR	COMMONWEALTH GAS CO, C/O PROPERTY TAX DEPT P O BOX 270 HARTFORD, CT 06141
42-160	1 PINE ST -3	SPRAGUE MASSACHUSSETS PROPERTIES LLC, 185 INTERNATIONAL DRIVE PORTSMOUTH, NH 03801
47-180	HOMERS WHF	CITY OF NEW BEDFORD, HARBOR DEVELOPMENT COMMISSION 133 WILLIAM STREET NEW BEDFORD, MA 02740
47-129	185 MACARTHUR DR	WATERFRONT HOSPITALITY LLC, P.O. BOX 248 WESTPORT, MA 02790
47-212	LEONARDS WHARF	CITY OF NEW BEDFORD, 133 WILLIAM ST NEW BEDFORD, MA 02740
47-241 <i>ES</i>	MACARTHUR DR	SPRAGUE MASSACHUSSETS PROPERTIES LLC, 185 INTERNATIONAL DRIVE PORTSMOUTH, NH 03801
47-181 <i>ES</i>	MACARTHUR DR	COMMONWEALTH GAS CO, C/O PROPERTY TAX DEPT P O BOX 270 HARTFORD, CT 06141
47-220 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 133 WILLIAM ST NEW BEDFORD, MA 02740
47-231	50 HOMERS WHF	MOSES RICHARD T, PARISI CHRISTINE 270 HIXVILLE ROAD NO. DARTMOUTH, MA 02747
47-222	35 HOMERS WHF	THIRTY-FIVE HOMER'S WHARF LLC, 171 MENDELL ROAD ROCHESTER, MA 02770
47-204 <i>ES</i>	MACARTHUR DR	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
47-223	25 HOMERS WHF	LAROSA PAULA S 'TRS', C/O NORTHCOAST SEA-FOODS CORP 5 DRYDOCK AVENUE BOSTON, MA 02210

May 22, 2017
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 0 Leonard's Wharf (47-212) The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
47-179 	MACARTHUR DR	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
47-199 	S WATER ST	COMMONWEALTH GAS COMPANY, C/O PROPERTY TAX DEPT P O BOX 270 HARTFORD, CT 06141
47-219	36 HOMERS WHF	36 HOMERS WHARF,LLC, 36 HOMERS WHARF NEW BEDFORD, MA 02740

SECTION 3

Figures





SITE LOCATION MAP

SCALE: 1"=2,000'



8 BLACKSTONE VALLEY PLACE
LINCOLN, RI 02865
(401) 334-4100

10 LINCOLN ROAD, SUITE 210
FOXBORO, MA 02035
(508) 543-1755

PARE PROJECT No. 17049.00

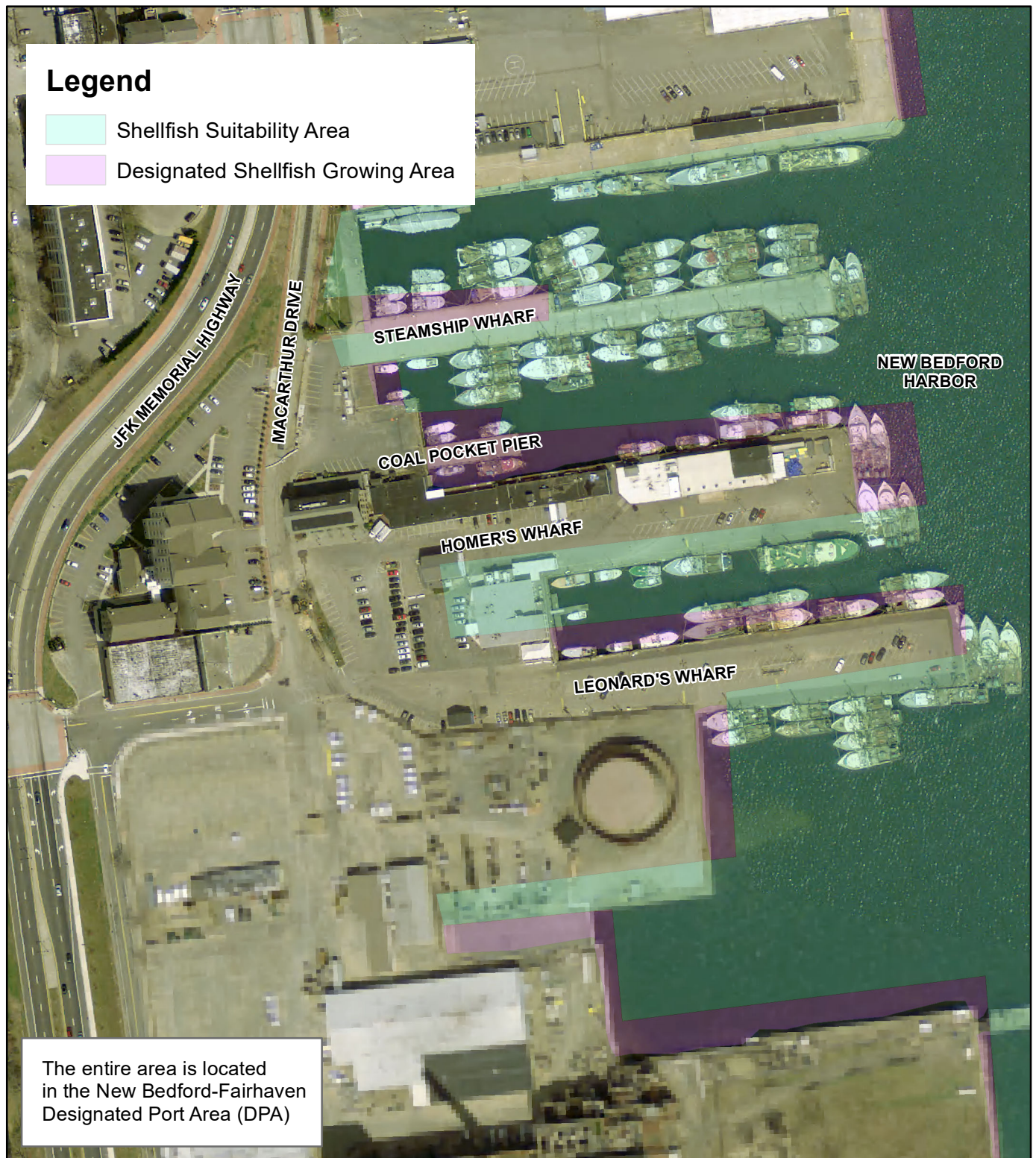
JULY 2017

FIGURE 1

COAL POCKET PIER RECONSTRUCTION AND
FISHING PIER REPAIRS
NEW BEDFORD, MA

Legend

- Shellfish Suitability Area
- Designated Shellfish Growing Area



The entire area is located in the New Bedford-Fairhaven Designated Port Area (DPA)



ANNOTATED AERIAL PHOTOGRAPH

SCALE: 1"=200'



8 BLACKSTONE VALLEY PLACE
LINCOLN, RI 02865
(401) 334-4100

10 LINCOLN ROAD, SUITE 210
FOXBORO, MA 02035
(508) 543-1755

PARE PROJECT No. 17049.00

JULY 2017

FIGURE 2

COAL POCKET PIER RECONSTRUCTION
AND FISHING PIER REPAIRS
NEW BEDFORD, MA

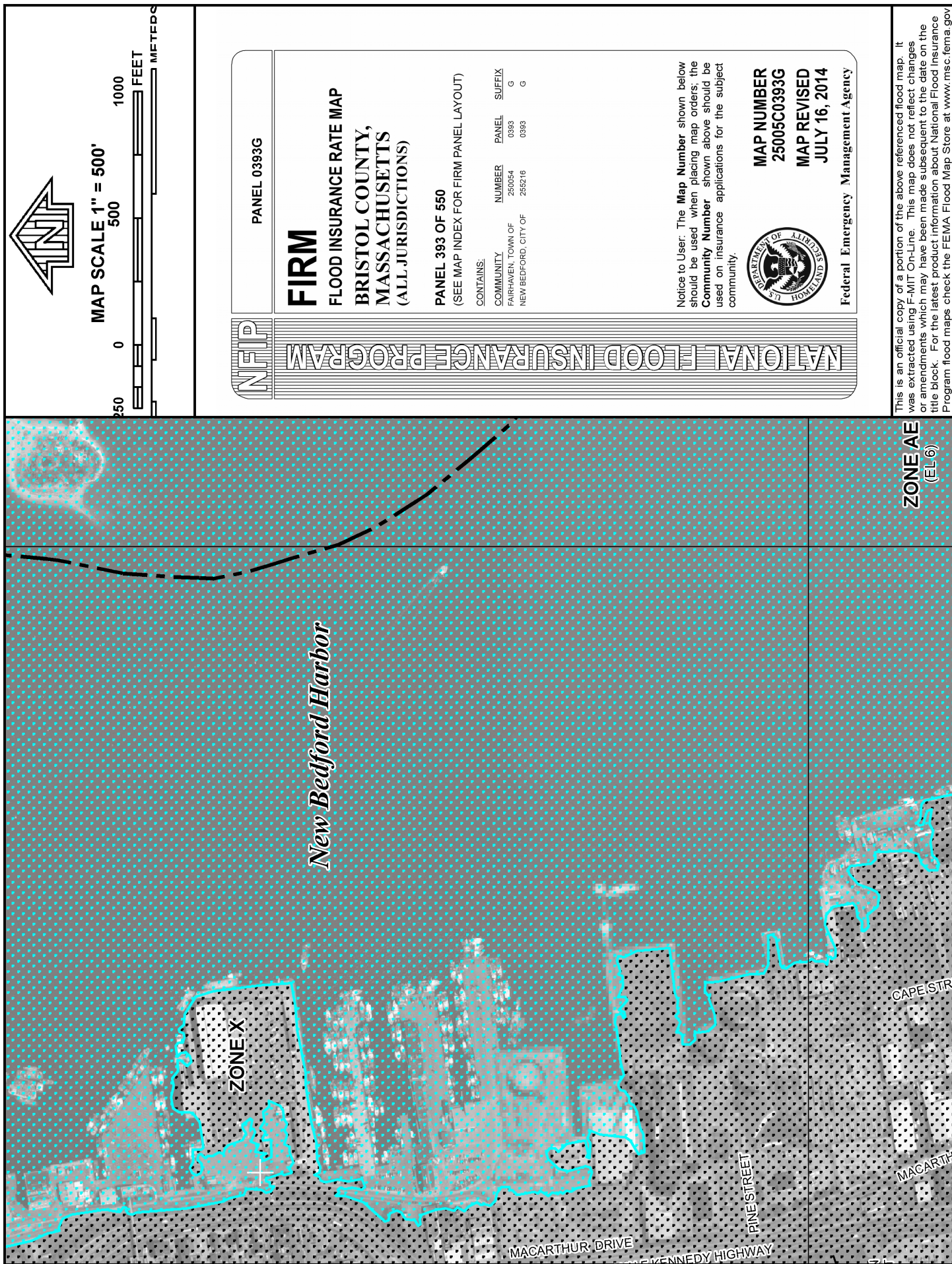


Figure 3

SECTION 4

Project Narrative



I. INTRODUCTION

This Notice of Intent (NOI), submitted under the provisions of the Regulations of the Massachusetts Wetlands Protection Act (the Regulations) and the New Bedford Wetlands Protection Ordinance (the Ordinance), addresses the proposed reconstruction of Coal Pocket Pier and the proposed repairs to the existing Steamship Pier and Leonard's Wharf in New Bedford, Massachusetts. The project proponent is the New Bedford Harbor Development Commission (HDC), the municipal governing body for the New Bedford Harbor and city-owned waterfront properties. The project sites are owned by the City of New Bedford.

The project consists of reconstruction or rehabilitation of three existing marine structures utilized as berthing for commercial fishing vessels, located east of MacArthur Drive along the New Bedford waterfront. During recent inspections, the piers were observed to be in fair to poor condition. Based upon the structures' exposure to the public and their importance to the City's economy, repairs and/or reconstruction are critical to maintain public safety at the sites, and extend the longevity of the structures.

The project will require minor impacts to Land Under the Ocean (LUO), Land Subject to Coastal Storm Flowage (LSCSF) associated with the New Bedford Harbor within the New Bedford-Fairhaven Designated Port Area (DPA), Land Containing Shellfish, and work within the 100-foot Buffer Zone of the Coastal Bank. According to 310 CMR 10.24(7)(c)2. of the Regulations, the proposed activity qualifies as a limited project for *"the maintenance, repair and improvement (but not substantial enlargement except when necessary to reduce or eliminate a tidal restriction) of structures, including buildings, piers, towers, headwalls, bridges and culverts which existed on November 1, 1987."*

The replacement of Coal Pocket Pier will require a License under the Massachusetts Waterways Regulations, and authorization under General Permit 3 of the Army Corps of Engineers (ACOE) General Permits for Massachusetts for a new pile-supported structure. The repairs to Steamship Pier and Leonard's Wharf are presumed to qualify as maintenance, repair, or minor modifications to a previously licensed water dependent use. These repairs will require authorization under ACOE General Permit 1 for repair and maintenance of a previously authorized structure.



The following sections will provide descriptions of the sites, project background, and a description of the proposed project and project compliance with applicable performance standards.

II. SITE DESCRIPTION

a. Existing Marine Structures

Coal Pocket Pier

Coal Pocket Pier (CPP) is located south of Steamship Pier and north of Homer's Wharf along the New Bedford waterfront. The pier begins at the eastern edge of an asphalt parking lot located north of the intersection of MacArthur Drive and Homer's Wharf, and extends east into New Bedford Harbor, parallel to Homer's Wharf. The existing structure consists of a timber pile supported pier with wood decking, measuring approximately 130 feet long by 30 feet wide. Accessory structures include a 280-foot long granite stone and concrete bulkhead wall with a timber fender pile system along its length, and a 60 foot long by 30 foot wide timber boardwalk located adjacent to the asphalt pavement parking lot, between CPP and Steamship Pier. The pier is presently used to berth fishing and lobster boats, servicing vessels typically 40 feet long or less. Although primarily utilized by fishermen, the pier remains open to the public and is accessible to pedestrians.

Based upon underside visual inspections by Pare Corporation (Pare) engineers, the timber support piles are in generally poor condition. Significant section loss, delamination and deterioration has occurred in the tidal zone due to rot and marine borer activity below water. Nearly half the piles exhibit greater than 50% section loss, and one pile has 100% section loss occurring 3 feet above the mudline. In order to maintain safety at the pier for its users and the general public, demolition and complete reconstruction of the structure is required. Repair options were reviewed during the design process and are further discussed in Section IV.

Steamship Pier

The Steamship Pier is located immediately north of CPP and south of the State Pier, running parallel with the structures along the New Bedford waterfront. The pier was originally constructed in 1838, as a 291 foot long timber pile supported pier, with timber stringers and decking. Reconstruction of the original



structure in 1977 included encasing the original timber piles in reinforced concrete, construction of concrete stringers, and installation of a concrete deck. In 1986 the pier was extended 384 feet with a concrete deck supported by steel piles. Steamship Pier received its name from its former usage as a ferry terminal, and is currently and primarily used for the berthing of commercial fishing vessels.

The original pier structure has experienced significant damage to its underside infrastructure, and exhibits deterioration of concrete encasements which surround the timber piles caused by ice damage and wave action in the tidal zone. A number of the concrete jackets are disintegrating and only have the steel reinforcing cage remaining, leaving the exposed timber piles susceptible to further marine borer damage. Several piles have reduced pile diameters, with the majority of the piles observed to display solid timber. The loss of concrete section exposing reinforcing steel above the waterline must be repaired, as this area comprises a structural column and is required for the support of the pier. The loss of timber pile section observed in areas where the concrete encasements do not extend to the mudline poses a potentially serious situation. Given the age and existing condition of the pier, the original section of the Steamship Pier could be considered as nearing the end of its useful life. If neglected, the deterioration of the concrete encasements will result in a reduced load carrying capacity, requiring the eventual reconstruction of this component of the pier. Additionally, the fender system surrounding the perimeter of the pier is currently in poor condition, with several fender piles exhibiting wear, missing, or broken due to abrasion from fishing vessels. In order to maintain public safety and extend the remaining life of the structure, remedial work to the pier is required.

Leonard's Wharf

Leonard's Wharf is an approximately 1,060 foot long pier located south of Homer's Wharf and north of the NSTAR storage tank and power facility, running parallel to the aforementioned piers. The pier consists of a steel sheet pile bulkhead with solid fill and an asphalt deck, and actively provides operational berthage for commercial fishing vessels. Pare's 2008 inspection deemed the pier to be in generally poor to serious condition, warranting remedial repairs to deficiencies in the internal hardware system, for which a majority of the work was performed in 2011 (File #: SE 049-0668). The proposed project is located in the remaining 61' section of pier not included in the 2011 repairs.

The steel sheet piling bulkhead, installed in 1974, is fastened with interior tieback wales connecting to tierods, providing a bracing system to the batter piles that support the pier structure. The bolts connecting



the internal wale to the steel sheetpile, and the internal wales themselves, are severely corroded and in need of rehabilitation. This corrosion reduces the structural capacity of the bulkhead, leading to gaps from which fill material can escape and cause sinkholes in the pier deck above. These deficiencies were observed and previously repaired throughout a majority of the pier, and the remainder of the pier is being addressed in the proposed project.

b. Coastal Resources and Floodplain

The entire project site is located in the New Bedford-Fairhaven Designated Port Area (DPA). Land beneath the New Bedford Harbor is tidal, with a Mean High Water (MHW) of 3.57 and a Mean Low Water (MLW) of 0.0 (elevations are in MLW vertical datum). According to 310 CMR 10.25 of the Regulations, land below the MLW of the New Bedford Harbor is classified as Land Under the Ocean (LUO). According to MassGIS data layer for Shellfish Suitability Areas (SHELLFISHSUIT_POLY, 2011), the LUO in the project area is classified as habitat for Quahogs, and therefore is presumed to be Land Containing Shellfish (LCS).

According to the FEMA Flood Insurance Rate Map (FIRM) for Bristol County, Massachusetts (Community Panel No. 25005C0393G, revised July 16, 2014), the entire project area is located within 100-year Floodplain in the FEMA Zone AE, which has a designated elevation of 6 feet (NAVD 88). The Floodplain is classified as Land Subject to Coastal Storm Flowage (LSCSF) under the Regulations. The FIRM is attached in Section 3 of this NOI.

The Coastal Bank associated with the sites consist of the following: a granite block wall landward of Coal Pocket Pier and Steamship Pier, which will not be impacted by the proposed work; and a steel sheet pile wall along the landward side of Leonard's Wharf, which will not be impacted by the proposed work. No freshwater wetlands are located in the vicinity of the proposed work.

c. Other Environmental Considerations

According to the most recent MassGIS data, the site is not located within Outstanding Resource Waters (ORW) or Areas of Critical Environmental Concern (ACEC). The site does not contain any mapped Priority or Estimated Habitat of Rare Species, and the nearest mapped area of Priority and Estimated Habitat is located approximately 1,000 feet to the east within New Bedford Harbor (EH 755, PH 926).



Several historic properties in the vicinity of the project site are listed on the Massachusetts State Register of Historic Places including: Coal Pocket Pier (NBE.910); Steamship Authority Pier (NBE.911) and Capt. Edward Merrill Wharf (NBE.912); all of which are contained within the Merrill's Wharf Historic District (NBE.W).

III. PROPOSED PROJECT

The proposed New Bedford HDC "Coal Pocket Pier Reconstruction and Fishing Pier Repairs" project consists of the the demolition and reconstruction of the timber pile supported Coal Pocket Pier, and the rehabilitation and repairs to Steamship Pier and Leonard's Wharf. The proposed work at each structure is described in the following sections and shown on the attached Project Plans.

Coal Pocket Pier

The portion of the project at Coal Pocket Pier includes removal of the existing 173 timber piles supporting the pier, the timber framing, the 130 foot long by 30 foot wide timber decking, water and electrical services, and associated appurtenances. Reconstructing the pier on a smaller footprint will result in a reduction to the surface area of the pier by approximately 2,210 square feet, and a reduction of occupied Land Under the Ocean. In addition, the existing 47 fender timber piles along the bulkhead adjacent to the pier are proposed to be removed and replaced within a smaller footprint.

The proposed reconstruction of the pier includes the installation of 59 new timber piles, supporting a 130 foot long by 13 foot wide timber pier with timber decking, and an outboard timber fender system consisting of 35 new piles. The fender system along the bulkhead will consist of 15 new piles connected with timber chocks, and a continuous wale along the perimeter of the parking lot. 14 new timber tie-off piles will be driven for additional mooring operation on the north side of the pier. Once the new timber piles have been driven, the new timber pier decking will be installed to match the grade of the asphalt parking lot to the west, 8"x12" timber curbing will be installed along the deck perimeter, and new water and electrical systems similar to the existing systems will be installed. Approximately 5,470 square feet of parking lot asphalt will be sawcut and disposed, and repaved to match the existing grade. The existing 30' long concrete headwall situated between the existing pier and seawall will be removed and disposed, and a new 14' long concrete headwall will be installed to fit the proposed pier decking. The proposed pier and bulkhead fender system will result in a net



decrease of 97 piles and 40 square foot net reduction of occupied Land Under the Ocean, in addition to reducing the existing footprint of the pier by approximately 2,210 square feet.

During construction, it is anticipated that a 6' high chain link fence be temporarily installed around the perimeter of the site to restrict public access. A majority of the work is anticipated to be completed from the water, utilizing a barge as a staging area for the crane and hammer operations during the removal and installation of timber piles, framing, and decking. It is anticipated that the existing parking lot will be utilized as an offsite staging area for construction equipment.

A turbidity/silt barrier is proposed to be installed from the shoreline around the limit of work to retain any materials that may enter the water during construction, and will remain in place for the duration of the construction. Due to the limited landside work, no other erosion or sediment control has been proposed at the site.

Steamship Pier

The portion of the project at Steamship Pier includes the installation of new concrete pile encasements on 9 deteriorating piles, the installation of 2 new supporting timber piles, and the replacement of 7 broken and/or missing fender piles.

The new concrete pile encasements will consist of 8" of steel reinforced concrete within a fiberglass jacket. This work will require the displacement of a total of approximately 18 square feet of Land Under the Ocean (2 square feet per pile) to embed the encasement below the mudline. A new reinforcing steel rebar cage will surround what is left of the existing deteriorated concrete encasements before a fiberglass jacket is provided around the steel. Once in place, concrete will be poured in the gap of the structure, creating a solid encasement to rehabilitate the existing encasements. In-water work will be performed by divers deployed from the pier or floating barge for installation of rebar, jackets, and concrete.

Installation of the 2 new timber piles will be located close to the seam of the original pier and pier extension, providing much needed support to the structure as a whole. The concrete decking of the pier will be sawcut to expose the area in which the new piles will be driven through, reaching 15 feet below the mudline, and will be performed using a crane from the deck of the pier or floating barge. This work will require the



displacement of less than 2 square feet of Land Under the Ocean (0.8 square feet per pile) to drive the pile below the mudline.

Installation of the 7 missing or broken fender piles will require extraction of the remaining piles by hammer and crane, with work performed from the deck of the pier or floating barge. After extraction is complete, 7 new fender piles will be driven in locations indicated on the Project Plans. No new LUO will be occupied by this activity, as this work will be a replacement of materials which were previously displacing LUO.

Leonard's Wharf

The portion of the project located at Leonard's Wharf includes excavation behind the sheet pile bulkhead to expose the existing hardware system that supports the pier infrastructure. Similar repairs were performed in 2011 (File #: SE 049-0668), and the proposed work is located in the remaining 61' section at the south side of the pier not included in the 2011 repairs. The existing light pedestals, cleats, and other existing structures will be temporarily removed and stored, or replaced. The existing pavement within the project area (approximately 61' x 13') will be sawcut, and pier fill material excavated and stockpiled to access the internal wale system. Internal wale fixing bolts and water side plate washers will be removed and replaced as shown on the project plans, and the landside plates will be reused. The area of pavement exposed for the internal repairs will be repaved after backfilling is complete. An additional 1,680+/- square foot area of pavement on the east side of the pier will be sawcut and repaved to repair asphalt failure and subsidence. In water work will be performed during low tide by laborers on floating docks.

IV. Alternatives Analysis

Coal Pocket Pier

Other than the no-build alternative, which would result in the continued deterioration of the timber piles supporting CPP, the HDC considered installing additional piles (sister piles) adjacent to approximately 56 percent of the existing deteriorated timber piles in order to adequately support the pier. Additional preservative wrapping of the remaining timber piles was also considered. The longevity of this option was not ideal for a long-term solution despite the lesser probable construction cost. Demolition and complete removal of the structure was not considered a viable option due to the loss of operational berthage for fishing vessels and loss of historic and cultural value. After further review, the demolition



and complete reconstruction of the structure shown on the proposed plans provided sufficient allowable loading for vehicular traffic and operational berthage of fishing vessels, while also providing public access to the waterfront.

Steamship Pier

The only other alternative identified for rehabilitation of the original structure piles would be the replacement of the entire original structure with concrete filled pipe piles similar to the pier extension. This option came with a high probable construction cost exceeding \$3 million and was not considered a viable option by HDC without significant financial assistance.

The no-build alternative is not feasible, due to the age and deteriorating condition of the concrete jackets and timber support piles. Without remedial work, the deterioration of the encasements will require the reconstruction of the original structure.

Leonard's Wharf

There were no feasible alternatives considered for repairs to Leonard's Wharf. The no-action alternative would lead to the continued corrosion of bolts fastening the tie back wale to the steel sheeting, causing bulging in the sheetpile where fill material can escape and cause subsidence on the topside of the pier.

A low priority remedial repair recommendation consisting of cathodic protection to minimize corrosion along the steel sheetpile was considered, however existing grant funds will be exhausted with the proposed project and this option is not financially achievable at this time.

V. Wetlands Impacts and Regulatory Compliance

a. 310 CMR 10.25 Land Under the Ocean

A total of 160 square feet of Land Under the Ocean (LUO) will be permanently impacted as a result of the proposed project. Proposed activities impacting LUO include the following:

- temporary changes in character to 174 square feet of benthic environment from the removal of 220 timber piles at CPP, and removal of 5 broken fender piles at Steamship Pier;



-
- Permanent impacts to:
 - 134 square feet at CPP for installation of 123 timber piles
 - 26 square feet at Steamship Pier for concrete encasement repair and installation of 9 timber piles

Replacement of the missing or broken fender piles at Steamship Pier will result in no net increase of occupied LUO.

Removal of timber piles at Coal Pocket Pier will restore approximately 174 square feet of formerly occupied LUO, versus the 134 square feet of proposed LUO to be occupied by the newly reconstructed structure. Therefore, the pier replacement will result in an overall net increase of 40 square feet to LUO. The proposed configuration of the replacement pier will reduce the existing footprint by approximately 2,210 square feet.

For the purpose of this NOI it is presumed that the LUO to be affected by the project is significant to the protection of marine fisheries, protection of wildlife habitat, storm damage prevention or flood control, and therefore the performance standards at 310 CMR 10.25(3) through (7) are met as follows.

310 CMR 10.25(3) pertains to improvement dredging and is therefore not applicable to this project.

310 CMR 10.25(4) pertains to maintenance dredging and is therefore not applicable to this project.

310 CMR 10.25(5): *Projects not included in 310 CMR 10.25(3) or 10.25(4) which affect nearshore areas of land under the ocean shall not cause adverse effects by altering the bottom topography so as to increase storm damage or erosion of coastal beaches, coastal banks, coastal dunes, or salt marshes.*

Coastal beaches, dunes and salt marshes are not present in the vicinity and therefore the minor displacement of bottom sediments for the concrete jacket and timber pile installations will not result in an alteration of bottom topography sufficient to cause adverse effects to those resource areas. The Coastal Bank in the vicinity of the project sites consist of the following: a granite block wall landward of Coal Pocket Pier and Steamship Pier, which will not be impacted by the proposed work; and a steel sheet pile wall along the landward side of Leonard's Wharf, which will not be impacted by the proposed work.

310 CMR 10.25(6): *Projects not included in 310 CMR 10.25(3) which affect land under the ocean shall if water-dependent be designed and constructed, using best available measures, so as to minimize adverse*



effects, and if non-water-dependent, have no adverse effects, on marine fisheries habitat or wildlife habitat caused by:

(a) alterations in water circulation;

*(b) destruction of eelgrass (*Zostera marina*) or widgeon grass (*Ruppia maritima*) beds;*

(c) alterations in the distribution of sediment grain size;

(d) changes in water quality, including, but not limited to, other than natural fluctuations in the level of dissolved oxygen, temperature or turbidity, or the addition of pollutants; or

(e) alterations of shallow submerged lands with high densities of polychaetes, mollusks or macrophytic algae.

The project is a water dependent activity. A reduction of the timber piles required for the replacement of Coal Pocket Pier, berthing piles, and bulkhead fender piles will result in a net increase of approximately 40 feet in LUO, and a net reduction of 2,210 square feet to the surface area of the pier. The installation of 9 timber piles and 9 concrete encasements at Steamship Pier will result in 26 square feet of LUO which had been previously occupied by the original missing or deteriorated structures.

Given the historic and extensive industrial use of the harbors, and the ongoing use of the project area by vessels, it is highly unlikely that submerged aquatic vegetation is present in the project area. Additionally, any *polychaetes, mollusks or macrophytic algae* present are not likely to be in high densities, and the scale of the work affecting LUO will not result in any adverse impacts to such populations that are not already present from vessel activity. The scale of the proposed alteration to Land Under the Ocean will not affect water circulation, the distribution of grain size, or existing water quality. To further ensure the containment of any sediment distribution, a turbidity/silt barrier will be placed around the limit of work at CPP and Steamship Pier.

310 CMR 10.25 (7): Notwithstanding the provisions of 310 CMR 10.25(3) through (6), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.

The site does not contain any mapped Priority or Estimated Habitat of Rare Species. The nearest mapped area of Priority and Estimated Habitat is located approximately 1,000 feet to the east within New Bedford

Harbor (EH 755, PH 926), and will not be affected by the project. In water work will be performed from atop the existing piers, or from a floating barge with no proposed anchoring to the ocean bottom.

b. 310 CMR 10.26 Designated Port Area

For the same reasons set forth above, the area is presumed to not be significant to the protection of marine fisheries, storm damage prevention or flood control. Nevertheless, the performance standards at 310 CMR 10.26(3) and (4) are addressed below.

310 CMR 10.26(3): Projects shall be designed and constructed, using best practical measures, so as to minimize adverse effects on marine fisheries caused by changes in:

(a) water circulation;

(b) water quality, including, but not limited to, other than natural fluctuations in the level of dissolved oxygen, temperature or turbidity, or the addition of pollutants.

Given its sheltered location surrounded to the north and south by coastal engineering structures, water circulation in the project area is essentially limited to effects from the incoming and outgoing tides, and from fishing vessel propellers. In addition, the site is currently being used in a manner similar to the proposed use. While the proposed use of Coal Pocket Pier includes the addition of 14 timber piles for berths on the north side of the reconstructed pier, the proposed reduction in footprint from the existing structure will result in a net increase in LUO as well as a net decrease in surface area of the structure over the ocean's surface. The proposed replacement structures at Steamship Pier are negligible in volume and will not significantly alter the existing circulation patterns.

The project will not introduce new sources, types, or quantities of pollutants, and therefore water quality will not be adversely affected. Turbidity/silt curtains will be installed and remain in places during construction at CPP and Steamship Pier to retain any materials that may enter the water during construction.

310 CMR 10.26(4): Projects shall be designed and constructed, using the best practical measures, so as to minimize, adverse effects on storm damage prevention or flood control caused by changes in such land's ability to provide support for adjacent coastal banks or adjacent coastal engineering structures.



The affected areas do not provide storm damage protection or flood control for any coastal banks, and the proposed use will not adversely affect the existing adjacent coastal engineering structures.

c. 310 CMR 10.34 Land Containing Shellfish

For the same reasons set forth above, the area is presumed to not be significant to the protection of marine fisheries. Nevertheless, the performance standards at 310 CMR 10.34(4) are addressed below.

310 CMR 10.34(4): Any project on land containing shellfish shall not adversely affect such land or marine fisheries by a change in the productivity of such land caused by:

(a) alterations of water circulation;

(b) alterations in relief elevation;

(c) the compacting of sediment by vehicular traffic;

(d) alterations in the distribution of sediment grain size;

(e) alterations in the distribution from adjacent land; or

(f) changes in water quality, including, but not limited to, other than natural fluctuations in the levels of salinity, dissolved oxygen, nutrients, temperature or turbidity, or the addition of pollutants.

The proposed project will have no adverse effect on water circulation, as the site is currently being used in a manner similar to the proposed use. No changes to elevation are proposed, and any bottom sediment displacement by removing or installing piles, or installing concrete jackets, will inevitably settle back to the ocean bottom in the vicinity of its origin. No vehicular activity is proposed to effect land containing shellfish, and the floating barges from which work will be performed will not be anchored. Any sediment displaced by the proposed activities will be temporary and will not be distributed to an alternate location. There are no proposed alterations in drainage from adjacent uplands. The project will not introduce new sources, types, or quantities of pollutants, and therefore water quality will not be adversely affected. Turbidity/silt curtains will be installed and remain in place during construction at CPP and Steamship Pier to retain any materials that may enter the water during construction and contain any potential turbidity or sediment dispersion.

d. Land Subject to Coastal Storm Flowage



The entire project area, totaling approximately 10,540 square feet, is located within the Land Subject to Coastal Storm Flowage associated with New Bedford Harbor. The proposed project will not result in any decrease to the flood storage capacity of the site. The proposed reconstruction of Coal Pocket Pier will decrease the volume of structures within the flood zone, resulting in a negligible net increase to flood storage capacity. Impacts landward of the Coastal Bank are limited to removal of the existing concrete headwall and installation of a new concrete headwall, and removal and replacement of existing parking lot pavement, and will not result in changes to site grades.

The proposed work within LSCSF at Leonard's Wharf is confined to excavation and replacement of fill materials contained within a steel sheetpile bulkhead, and removal and replacement of existing pavement, resulting in no change to flood storage capacity or site grades.

The proposed work at Steamship Pier is limited to the replacement of pre-existing structures that have since their original installation, deteriorated with time, and the replacement of such structures will not result in a change to flood storage capacity.

There are no regulatory performance standards associated with Land Subject to Coastal Storm Flowage.

e. 100-foot Buffer Zone

The entire project area outside of New Bedford Harbor is located within the 100-foot Buffer Zone associated with the Coastal Bank. Impacts within this area are limited to approximately 5,470 square feet at CPP, for the removal and replacement of existing parking lot asphalt, the removal of the existing concrete headwall, and installation of a new concrete headwall. The replacement headwall will be a decreased size in relation to the reconstructed pier structure on a smaller footprint. Temporary impacts within the buffer zone will result from staging of construction equipment and materials.

Impacts to the $\pm 2,600$ square feet of area within the Buffer Zone at Leonard's Wharf will result from the activities mentioned in the previous section, which will not result in any changes to the size of the pier, grading, or flood storage capacity.

Temporary impacts to the Buffer Zone may occur at Steamship Pier from construction vehicle activity to access the site.

There are no regulatory performance standards associated with Buffer Zones.

SECTION 5

Existing Conditions Photographs



Coal Pocket Pier



Photo 1: Overview of the 30' wide timber pile supported Coal Pocket Pier to be reconstructed. A 53' wide section of parking lot will be replaced to repair asphalt failure and subsidence.



Photo 2: Existing timber fender system along the north side of the pier. Proposed mooring piles to be located north (left) of the proposed pier.



Photo 3: View of existing timber fender pile system along bulkhead north of the pier, proposed to be demolished and replaced with a new fender pile system of a smaller footprint.



Photo 4: Underside view of timber piles supporting the pier structure, exhibiting delamination and extensive deterioration in the tidal zone. Marine borer damage is extensive below water.



Photo 5: View of the eastern end of the existing timber pier and timber fender system.

Steamship Pier



Photo 6: Overall view of Steamship Pier looking east.



Photo 7: Typical view of missing concrete jacket with exposed steel reinforcement cage and timber pile, beneath the original pier structure.

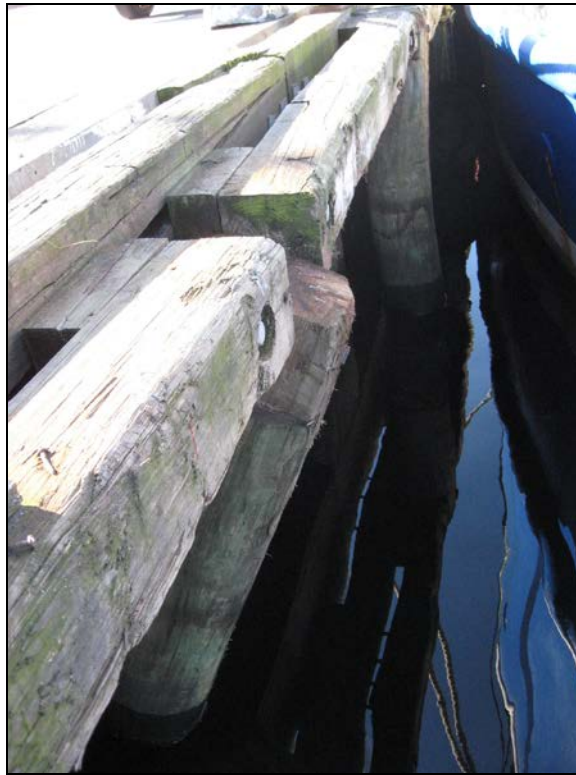


Photo 8: Broken fender pile near Station 8+06 proposed to be replaced.

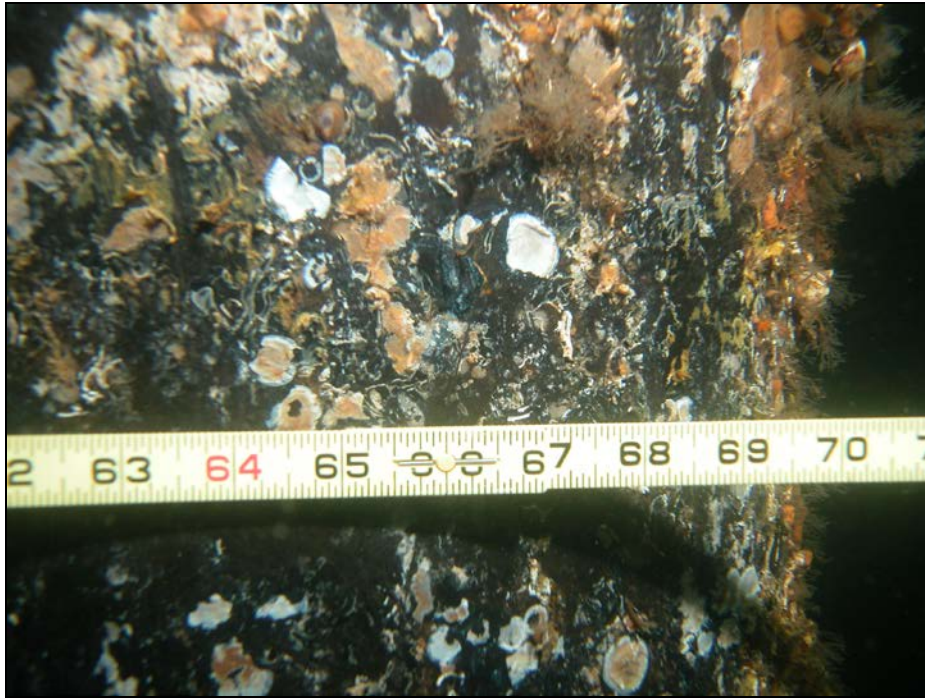


Photo 9: Typical view of the deterioration of timber piles throughout the structure, often caused by marine borers.

Leonard's Wharf

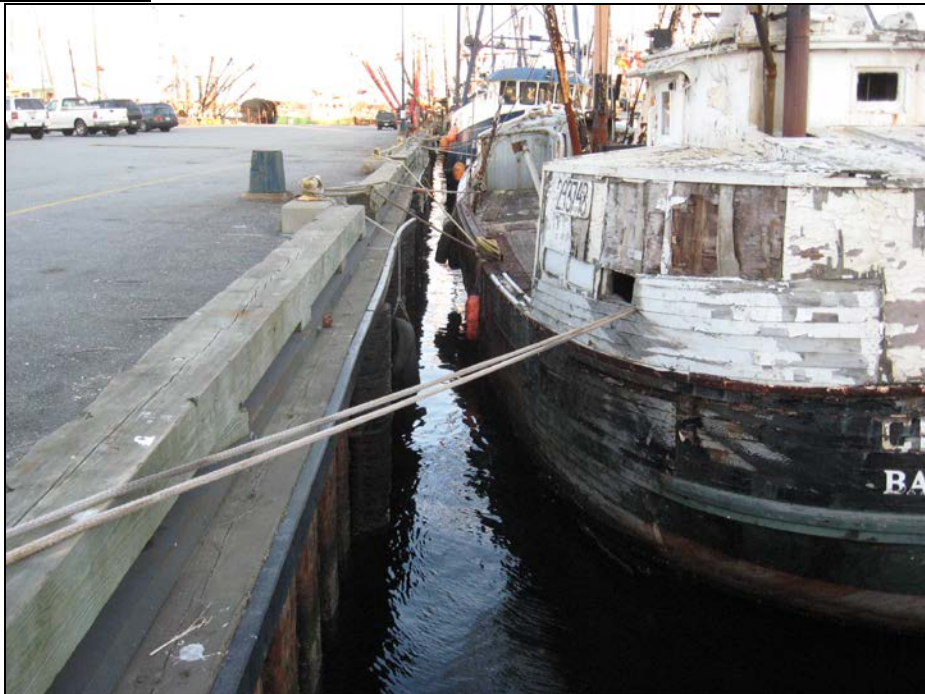


Photo 10: View of proposed project area, where a section of existing pavement will be sawcut, and pier fill excavated to access internal hardware for replacement and repair.



Photo 11: Typical view of the steel sheetpile bulkhead where excavation is proposed behind from the topside to access internal hardware.

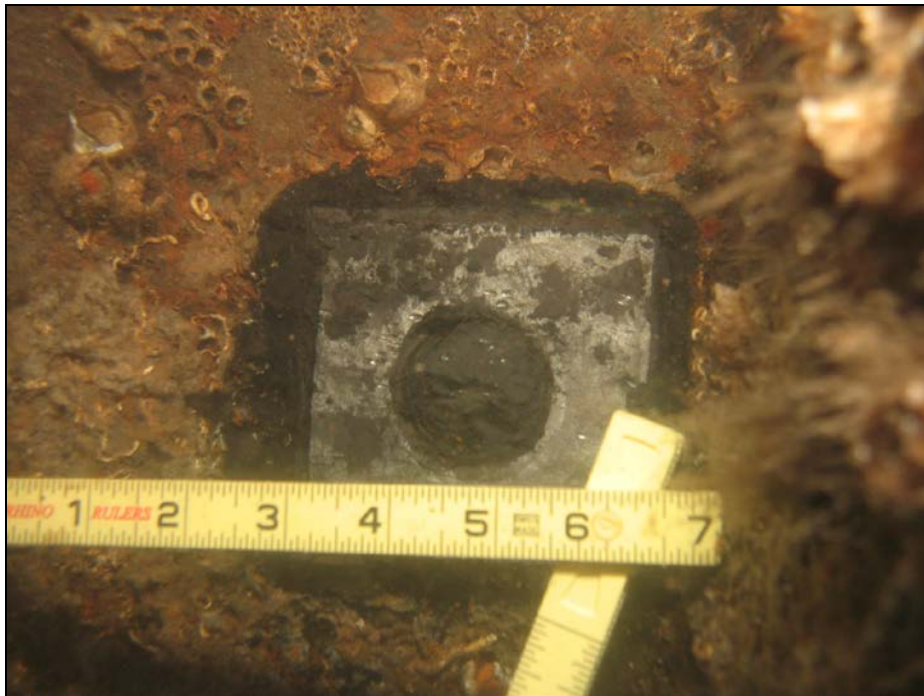


Photo 12: Typical underwater hardware proposed to be replaced. Note the corroded bolt head.

SECTION 6

Construction Specifications



SECTION 02100

DEMOLITION AND REMOVAL

PART 1 GENERAL

1.01 WORK INCLUDED

- A. The Contractor shall furnish all labor, materials, equipment and services necessary for and incidental to the execution and completion of all demolition as shown on the Drawings and as required to complete the project.
- B. The work under this Section shall include, but is not limited to, demolition and legal disposal of the existing concrete cap at the landside connection of the existing Coal Pocket Pier; the existing timber pier including timber piles, decking, framing, and fasteners; fender piles located along the stone masonry wall between Coal Pocket Pier and the Coal Pocket Boardwalk; pavement located at Coal Pocket Pier; fender piles at steamship pier including wales and other hardware as needed for pile replacement; demolition required to install sister piles at steam ship pier; the pavement and unsuitable materials located within the excavation behind the sheet pile wall at Leonard's Wharf; and other structures as indicated on the Drawings.
- D. All demolition shall be accomplished in a neat, workmanlike manner, and at such time or times as is most suitable to the progress and proper coordination of the project.
- E. Conditions as indicated by Contract Drawings are general in nature. The age of varying elements comprising the existing pier and bulkhead have resulted in variations in conditions. The Contractor shall visit and inspect the site to determine the extent and amount of demolition work to be performed before submitting their bid.

1.02 SUBMITTALS

- A. Schedule of Work.
- B. Verification that disposal site is legal, by certification documentation.

PART 2 PRODUCTS

2.01 TRASH BOOM/SILT CURTAIN DURING DEMOLITION AND CONSTRUCTION

- A. A trash boom/silt curtain/turbidity boom shall be deployed around the work area during demolition and construction.
- B. The trash boom shall consist of foam flotation units with a permanently attached fabric curtain, weighted at the bottom. The curtain material shall be PVC coated woven polyester, or other approved fabric, with a 200 pound per inch minimum tensile strength. The minimum boom depth shall be 3 feet, including a 6 inch minimum freeboard. The turbidity boom shall extend to the mudline at high tide.

2.02 EROSION AND SEDIMENTATION CONTROL MEASURES

A. Straw Bales

1. Straw bales shall conform to the Massachusetts Department of Transportation Standard Specifications, latest revision, herein referred to as "State Standards".
2. Straw bales shall have a minimum cross section measuring 18" x 24" with a minimum 36" length.
3. Wood stakes shall be oak and conform to the dimensions shown on the plans, and as detailed in the MassDOT Construction Standards, latest revision.

B. Silt Fence

1. Silt fence fabric must be recommended by the manufacturer for use as silt fencing.
2. Silt fence shall be a minimum height of 30" and fastened to posts.
3. Posts shall be constructed of oak and conform to the dimensions shown on the plans.

PART 3 EXECUTION

3.01 PROTECTION OF EXISTING STRUCTURES AND UTILITIES

- A. The Contractor shall take all necessary precautions to ensure that existing facilities, structures and equipment within and adjacent to the site, and indicated to remain, are not damaged and remain operational during the demolition work.
- B. Existing utility systems within and adjacent to the site shall remain in continuous service and shall be protected from damage during construction. Where interruption of a service is required, it shall be scheduled in advance and in coordination with the Engineer or Owner.
- C. Contractor shall provide and install trash booms/silt curtain to contain any debris which may fall into the harbor.
- D. Contractor shall follow procedures outlined by all local, state and federal agencies having jurisdiction over the work.
- E. Work damaged by the Contractor shall be restored to the satisfaction of the at no additional cost to the Owner.

3.02 DISPOSAL OF MATERIAL

- A. All material shall become the property of the Contractor except that specified otherwise, and shall be properly and legally disposed of at his own expense, as demolition progresses.

- B. Disposal methods shall be in accordance with all federal, state and local requirements; and, acceptable to the Owner and to the Engineer.

3.03 PILE REMOVAL

- A. Existing timber piles to be removed shall be pulled in their entirety, and shall be disposed of in a legal manner.
- B. Cutting of the existing timber piles at the mudline shall not be permitted.

3.04 TEMPORARY EROSION AND SEDIMENTATION CONTROL

- A. Provide temporary erosion and sedimentation control measures to prevent soil erosion and discharge of soil-bearing water runoff or airborne dust to adjacent properties and walkways, according to the Drawings.
- B. Inspect, repair, and maintain erosion and sedimentation control measures during construction until permanent vegetation has been established.
- C. Remove erosion and sedimentation controls and restore and stabilize areas disturbed during removal.
- D. Erosion and sediment control shall be installed along the base of all material stockpiled on site, and as required to prevent soil-bearing water from entering the Harbor.

PART 4 MEASUREMENT AND PAYMENT

4.01 MEASUREMENT

- A. DEMOLITION AND REMOVAL shall be measured as the percentage of demolition complete as measured by the Engineer and shall include the demolition and removal of structures indicated on the Drawings, including but not limited to, the demolition and legal disposal of the existing concrete cap at the landside connection of the existing Coal Pocket Pier; the existing timber pier including timber piles, decking, framing, and fasteners; fender piles located along the stone masonry wall between Coal Pocket Pier and the Coal Pocket Boardwalk; pavement located at Coal Pocket Pier; fender piles at steamship pier including wales and other hardware as needed for pile replacement; demolition required to install sister piles at steam ship pier; the pavement and unsuitable materials located within the excavation behind the sheet pile wall at Leonard's Wharf; and other structures as indicated on the Drawings.
- B. EROSION CONTROL shall be measured as the percentage of site preparation and site restoration complete as measured by the Engineer.
- C. Obstructions encountered during pile driving operations that prevent the completion of work are to be removed as specified in Section 02310 TIMBER PILES.

4.02 PAYMENT

- A. DEMOLITION AND REMOVAL shall be paid for under Contract Item 02100-1 at the contract lump sum price for demolition complete, which price shall include full compensation for demolition work including all material, equipment, labor, transportation, disposal, and other incidental or appurtenant work required to complete demolition as shown on the Drawings, as specified herein, and as approved by the Engineer. Piles that are broken during removal and not removed in their entirety will not be paid for.
1. Total payment under DEMOLITION AND REMOVAL shall be less than 20 percent of the total contract amount bid.
 2. Following mobilization of equipment on site and approval of shop drawings, the Contractor can invoice for 20 percent of this item. Following completion of 40 percent of the work under the Contract, the Contractor may invoice 65 percent (45 percent more) of this item. Following completion of all work under this item, the Contractor can invoice the remaining 35 percent of this item.
- B. EROSION CONTROL shall be paid for under Contract Item 02100-2, which price shall include all material, equipment, labor, submittals, and other incidental or appurtenant work required to complete erosion and sedimentation control, site preparation, and site restoration as shown on the Drawings, as specified herein, and as approved by the Engineer.
- E. Payment Items

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
02100-1	DEMOLITION AND REMOVAL	LUMP SUM
02100-2	EROSION CONTROL	LUMP SUM

END OF SECTION

SECTION 7

Project Plans
(Bound Separately)

