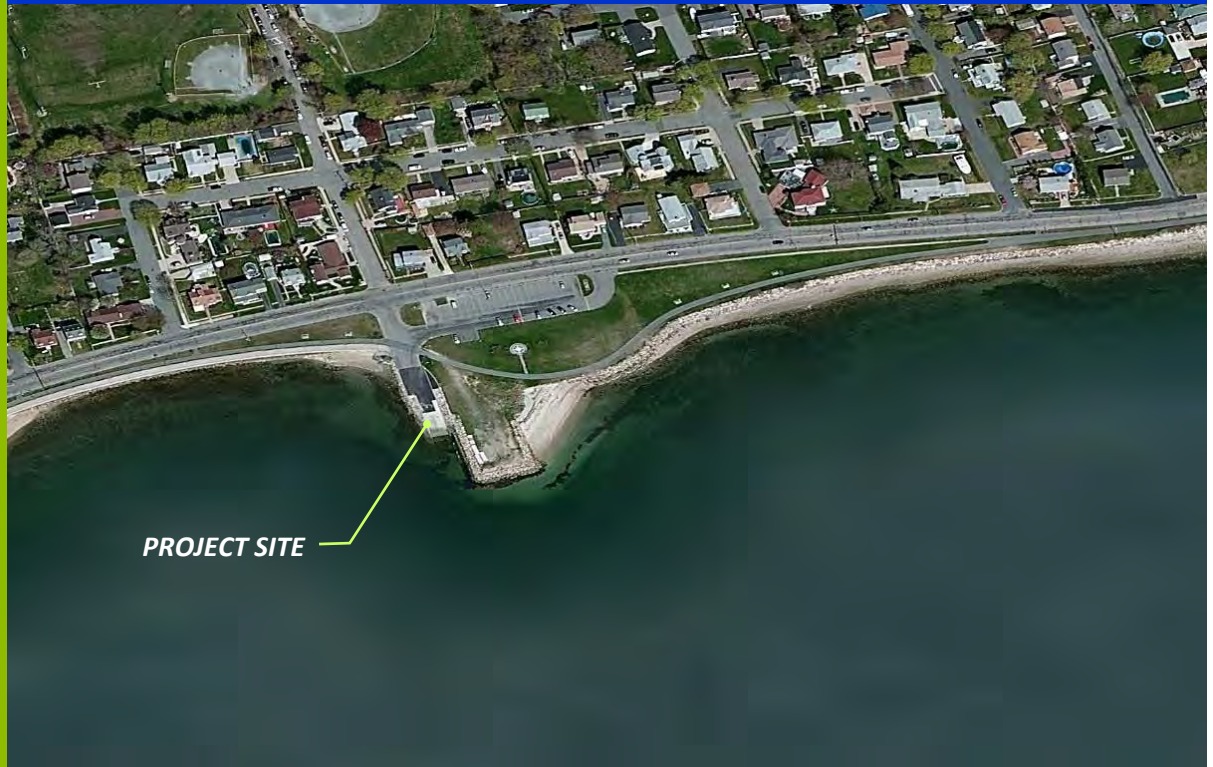


NOTICE OF INTENT

CLARK'S COVE PUBLIC ACCESS FACILITY
WEST RODNEY FRENCH BOULEVARD
NEW BEDFORD, MA



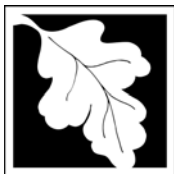
Prepared for:

City of New Bedford &
Massachusetts Department of Fish and Game
Office of Fishing and Boating Access
1 Rabbit Hill Road
Westborough, MA

Prepared By:

cleengineering

15 Creek Road | Marion, Massachusetts 02738
t: 508.748.0937 | www.cleengineering.com



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):

West Rodney French Boulevard

a. Street Address

New Bedford

b. City/Town

02740

c. Zip Code

Latitude and Longitude:

41d60'02.37"

d. Latitude

70d91'33.14"

e. Longitude

7

f. Assessors Map/Plat Number

5

g. Parcel /Lot Number

2. Applicant:

David Condon (NB) & Douglas Cameron (OFBA)

a. First Name

b. Last Name

City of New Bedford (NB) & MA Dept. of Fish and Game- Office of Fishing and Boat Access (OFBA)

c. Organization

52 Fisherman's Wharf P.O. Box 50899 New Bedford, MA 02745 & 1 Rabbit Hill Road-

d. Street Address

Westborough

e. City/Town

MA

f. State

01581

g. Zip Code

508-389-7812

h. Phone Number

508-389-7890

i. Fax Number

doug.cameron@state.ma.us &

David.Condon@newbedford-ma.gov

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Michael

a. First Name

Count

b. Last Name

CLE Engineering, Inc.

c. Company

15 Creek Road

d. Street Address

Marion

e. City/Town

MA

f. State

02043

g. Zip Code

508-748-0937

h. Phone Number

508-748-1363

i. Fax Number

MCount@cleengineering.com

j. Email address

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

EXEMPT

a. Total Fee Paid

b. State Fee Paid

c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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New Bedford

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A. General Information (continued)

6. General Project Description:

Proposed dredging to -3' MLW plus 1' allowable overdredge to -4' MLW (+/- 85 CY), to remove accumulated sediment in the approximate 100 foot by 25 foot area at the seaward end of the existing boat ramp located at the Clark's Cove Public Access Facility. The project includes +/- 85 CY of beach nourishment at the northern adjacent beach area.

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 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 | |

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)

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

a. County

31

c. Book

b. Certificate # (if registered land)

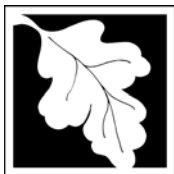
224

d. Page Number

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

1. ☐ 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.
2. ☐ 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:

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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	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	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. <input type="checkbox"/> 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 type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input checked="" type="checkbox"/> Land Under the Ocean	2,241 1. square feet +/- 85 2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input checked="" type="checkbox"/> Coastal Beaches	1,159 1. square feet	+/- 85 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	3,400 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	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	
4. <input type="checkbox"/> 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:

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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 Notice of Intent – 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:**

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

2016

b. Date of map

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.



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

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City/Town

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

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/esa_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/nhesp/regulatory_review/esa/esa_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:

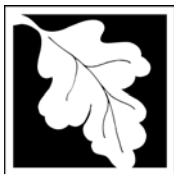
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

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:

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:

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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.

Clark's Cove Public Access Facility

a. Plan Title

CLE Engineering

b. Prepared By

5/19/16

d. Final Revision Date

Susan E. Nilson, 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:

EXEMPT

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:

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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

Douglas H. Cameron

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

5/24/2016

2. Date

5-25-16

4. Date

5/25/16

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.



A. Applicant Information

1. Location of Project:

West Rodney Boulevard

a. Street Address

EXEMPT

c. Check number

New Bedford

b. City/Town

d. Fee amount

2. Applicant Mailing Address:

David Condon(NB) & Douglas Cameron(OFBA)

a. First Name

b. Last Name

City of New Bedford (NB) & MA Dept. of Fish and Game- Office of Fishing and Boat Access (OFBA)

c. Organization

52 Fisherman's Wharf P.O. Box 50899 New Bedford, MA 02745 & 1 Rabbit Hill Road

d. Mailing Address

Westborough

e. City/Town

MA

f. State

01581

g. Zip Code

508-389-7812

h. Phone Number

508-389-7890

i. Fax Number

doug.cameron@state.ma.us

David.Condon@newbedford-ma.gov

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

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.

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

B. Fees (continued)

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

Step 5/Total Project Fee:

Step 6/Fee Payments:

Total Project Fee: _____
a. Total Fee from Step 5

State share of filing Fee: _____
b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: _____
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.)



Enter your transmittal number

X270961

Transmittal Number

Your unique Transmittal Number can be accessed online: <http://mass.gov/dep/service/online/trasmfrm.shtml>

Massachusetts Department of Environmental Protection

Transmittal Form for Permit Application and Payment

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Make your check payable to the Commonwealth of Massachusetts and mail it with a copy of this form to: DEP, P.O. Box 4062, Boston, MA 02211.

3. Three copies of this form will be needed.

Copy 1 - the original must accompany your permit application. **Copy 2** must accompany your fee payment. **Copy 3** should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to:

MassDEP
P.O. Box 4062
Boston, MA
02211

*** Note:**
For BWSC Permits, enter the LSP.

A. Permit Information

BRP WPA Form 3

Notice of Intent

1. Permit Code: 7 or 8 character code from permit instructions

2. Name of Permit Category

Dredging

3. Type of Project or Activity

B. Applicant Information – Firm or Individual

City of New Bedford (NB) & MA Dept. of Fish and Game- Office of Fishing and Boat Access (OFBA)

1. Name of Firm - Or, if party needing this approval is an individual enter name below:

David Condon (NB) &

Douglas Cameron (OFBA)

2. **Last Name** of Individual

3. **First Name** of Individual

4. MI

1 Rabbit Hill Road

5. Street Address

Westborough

MA

01581

508-389-7812

6. City/Town

7. State

8. Zip Code

9. Telephone #

10. Ext. #

Douglas Cameron

Doug.Cameron@state.ma.us &

11. Contact Person

David.Condon@newbedford-ma.gov

C. Facility, Site or Individual Requiring Approval

Clarks Cove Public Access Facility

1. Name of Facility, Site Or Individual

West Rodney Boulevard

2. Street Address

New Bedford

MA

02740

3. City/Town

4. State

5. Zip Code

6. Telephone #

7. Ext. #

8. DEP Facility Number (if Known)

9. Federal I.D. Number (if Known)

10. BWSC Tracking # (if Known)

D. Application Prepared by (if different from Section B)*

CLE Engineering, Inc.

1. Name of Firm Or Individual

15 Creek Road

2. Address

Marion

MA

02738

(508) 748-0937

3. City/Town

4. State

5. Zip Code

6. Telephone #

7. Ext. #

Michael E. Count

8. Contact Person

9. LSP Number (BWSC Permits only)

E. Permit - Project Coordination

1. Is this project subject to MEPA review? ☐ yes ☒ no
If yes, enter the project's EOE file number - assigned when an Environmental Notification Form is submitted to the MEPA unit:

EOEA File Number

F. Amount Due

Special Provisions:

- ☒ **Fee Exempt** (city, town or municipal housing authority)(state agency if fee is \$100 or less).
There are no fee exemptions for BWSC permits, regardless of applicant status.
- ☐ **Hardship Request** - payment extensions according to 310 CMR 4.04(3)(c).
- ☐ **Alternative Schedule Project** (according to 310 CMR 4.05 and 4.10).
- ☐ **Homeowner** (according to 310 CMR 4.02).

Municipal Exempt

Check Number

Dollar Amount

Date

DEP Use Only

Permit No:

Rec'd Date:

Reviewer:

Table of Attachments

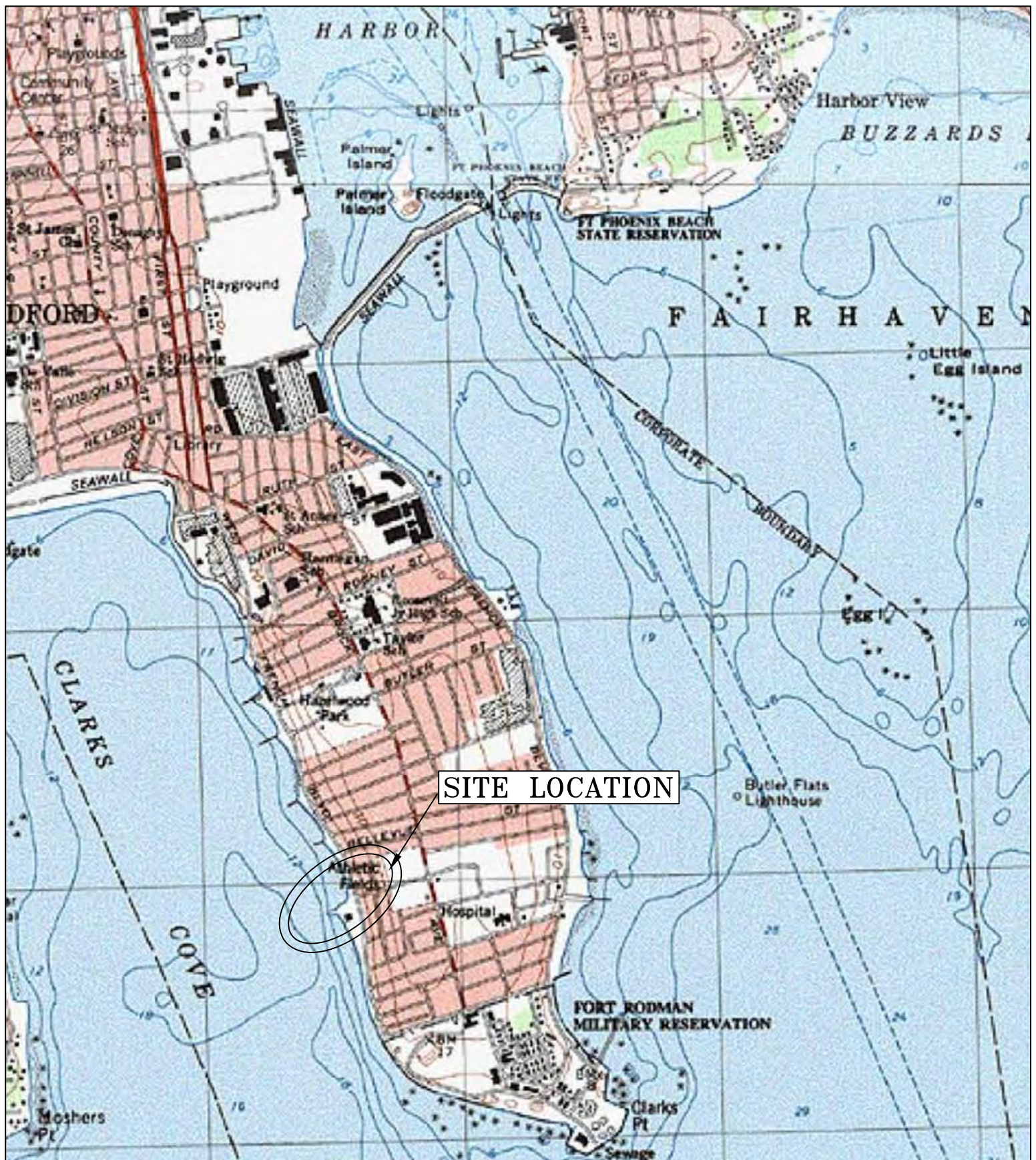
Exhibit A	Vicinity Map: USGS Quad Sheet
Exhibit B	Project Narrative
Exhibit C	Site Plan prepared by CLE Engineering, Inc. dated 5/19/2016
Exhibit D	2008 "Site Plan Showing Boat Ramp Reconstruction"
Exhibit E	FEMA Flood Map
Exhibit F	Site Photographs
Exhibit G	Natural Heritage Endangered Species Map & Shellfish Map
Exhibit H	Certified Abutter's List / Notification Form
Exhibit I	Property Deed



*NOTICE OF INTENT
Clark Cove Public Access Facility
West Rodney French Boulevard
New Bedford, MA
May 2016*

EXHIBIT A

Vicinity Map: USGS Quad Sheet

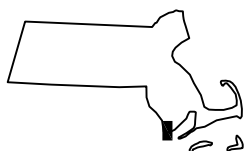


**EXHIBIT A
SITE LOCATION MAP**

U.S.G.S. QUADRANGLE:
NEW BEDFORD, MA
APPROX. SCALE: 1:25,000

LOCATION
WEST RODNEY FRENCH BLVD.,
NEW BEDFORD, MASSACHUSETTS

CLIENT
MA DEPT. OF FISH & GAME
OFFICE OF FISHING & BOATING ACCESS



cleengineering

15 Creek Road | Marion, Massachusetts 02738
t: 508.748.0937 | www.cleengineering.com



*NOTICE OF INTENT
Clark Cove Public Access Facility
West Rodney French Boulevard
New Bedford, MA
May 2016*

EXHIBIT B
Project Narrative

EXHIBIT B

PROJECT NARRATIVE

A. PURPOSE

The City of New Bedford and Massachusetts Department of Fish and Game- Office of Fishing and Boating Access is proposing to dredge sediment accumulated at the seaward end of the public boat ramp located at Clark Cove Public Access Facility off of West Rodney French Boulevard in New Bedford, MA. The proposed project consists of the dredging of approximately 85 cubic yards to a depth of -3' MLW with 1' of allowable over-dredge to -4' MLW. The material will be used as nourishment at the adjacent beach area or disposed of at an off-site upland location pending grain size compatibility test results.

B. SITE DESCRIPTION

The project area is referenced by the New Bedford Assessors Office as Map 7, Lot 5. The existing public access facility has historically been a boat ramp, originally constructed in 1957 under the Department of Public Works of MA, Division of Waterways Contract No. 1813. The boat ramp was later re-constructed in 2010 (see permit list in **Exhibit C**). The existing accumulated sediment at the seaward side of the boat ramp causes unnecessary groundings at lower tide cycles. Accretion rates are further evident when comparing the 2008 site plan conditions (**Exhibit D**) to the recent conditions showing about a 12" decrease in water depth at station 3+40 from 2008 to 2016. The project site is not located within a mapped MA Natural Heritage Endangered Species Program Priority or Estimate Habitat. The proposed dredging and beach nourishment areas are located in conditionally approved shellfish areas for the Razor Clam, Bay Scallop, and American Oyster as referenced on Mass GIS (**Exhibit G**). The project site is located in FEMA Flood Zone VE Elevation 18' NAVD88 as shown on Map 25005C0481G dated July 16, 2014. CLE conducted a field survey on April 13, 2016 which included an eel grass investigation. No eel grass was found in the vicinity of the proposed project, however it should be noted that an eel grass bed was located approximately 375' south of the existing boat ramp area.

C. PROPOSED WORK PLAN

The City and State's objective for the proposed project is to secure all local, state and federal regulatory approvals required for the dredging and disposal activities so that construction can occur prior to the next time of year restrictions, likely occurring between January 15 and May 15 for the protection of winter flounder in this region. The proposed dredging to -3' MLW plus 1' allowable over-dredge to -4 MLW allows for the accumulated sediment on top of the concrete boat ramp to be removed in order to maintain the boat ramp elevation of -3' MLW, as re-constructed in 2010. The allowable 1' over-dredge seaward of the end of the boat ramp will maximize the time required for necessary future maintenance dredging.

Grain size analysis is currently being executed for the dredge area and adjacent beach area for compatibility. The existing beach located north of the boat ramp has adequate capacity for the proposed dredge quantities (see **Exhibit C**). The close proximity of the beach to the boat ramp would allow the

City of New Bedford to routinely clean sand off of the boat ramp and easily dispose of it on an as needed basis during the time period that permits are valid. If the sediments are deemed unsuitable for beach nourishment, upland disposal at an alternative location is proposed.

D. COASTAL RESOURCE AREAS

The project falls within the following resource areas:

- Coastal Beach
- Land Containing Shellfish
- Land Under Ocean

Coastal Beach: The existing concrete seawall in the proposed beach nourishment area acts as the seaward edge of a human-made structure which extends a coastal beach area seaward to the Mean Low Water line. Impact to the coastal beach consists of 1,159 square feet (S.F.) of beach nourishment totaling approximately 85 cubic yards and will serve to increase the coastal resiliency of the shoreline.

Land Containing Shellfish: Clark's Cove in the vicinity of the site is listed as conditionally approved shellfish area for Razor Clam, Bay Scallop, and American Oyster on Mass GIS. The proposed dredging and beach nourishment with impact 3,400 square feet (S.F.) of suitable shellfish habitat.

Land Under Ocean: The proposed dredging impacts 2,241 square feet (S.F.) of area within the designated Land Under Ocean (LUO) with an estimated 85 cubic yards being removed (including side slopes and a 1-foot allowable over-dredge).

Performance Standards

❖ Coastal Beach (310 CMR 10.27):

Coastal Beach is unconsolidated sediment subject to wave, tidal and coastal storm action that forms the gently sloping shore of a body of salt water and includes tidal flats (310 CMR 10.27). Coastal Beaches extend from the MLW line landward to the dune line, coastal bank line or the seaward edge of existing man-made structures, when these structures replace one of the above lines, whichever is closest to the ocean. Coastal Beaches may play an important role in storm damage prevention, flood control and the protection of marine fisheries similar to LUO. They may also be significant to the protection of Land Containing Shellfish when shellfish are present. Coastal Beaches may reduce wave energy, and natural beaches provide sediment to LUO, which serves as a buffer to storm waves.

Storm Damage/Flood Control

- Volume (Quantity of Sediments) and Form: The proposed beach nourishment will increase the volume of sediments on the existing coastal beach serving to enhance the shoreline's ability to resist storm damage.
- Ability to Respond to Wave Action: The beach nourishment in the coastal beach area will stabilize the shoreline and will increase the ability of the resource area to respond to wave action.

Protection of Marine Fisheries or Wildlife Habitat

- **Distribution of Grain Size:** Grain size compatibility tests are being performed to ensure the dredged material is compatible with the existing beach sediments. Sediment quality of the beach will remain the same.
- **Water Circulation:** The proposed work will not impact water circulation and will not result in an adverse change in flushing rate, temperature, or turbidity levels. The beach nourishment activities materials will be placed above the Mean Low Water Line.
- **Water Quality:** Turbidity and the re-suspension of solids are anticipated to be very minimal and temporary as the proposed beach nourishment work will occur above the Mean Low Water Line.
- **Relief and Elevation:** The proposed beach nourishment will result in increased shoreline protection with the installation of approximately 85 cubic yards in front of the existing concrete seawall.

Storm Damage Prevention, Flood Control or Protection of Wildlife Habitat

- **Increasing Erosion:** The proposed beach nourishment will serve to protect the shoreline, and as such, it will decrease erosion rates.
- **Decreasing Volume:** The proposed project will result in an increase in volume within Coastal Beach. Accordingly, the ability for Coastal Beach to provide storm damage, flood control or protection to wildlife will increase with the proposed work.
- **Changing Form of Any Coastal Beach or an Adjacent or Downdrift Beach:** The ability for Coastal Beach to provide storm damage, flood control or protection to wildlife will increase with the proposed beach nourishment, protecting the existing shoreline.

❖ Land Containing Shellfish (310 CMR 10.34)

Land Containing Shellfish (LCS) is defined as “land under the ocean, tidal flats, rocky intertidal shores, salt marshes and land under salt ponds when any such land contains shellfish”. Land Containing Shellfish shall be found significant when it has been identified and mapped as follows: by the Conservation Commission or the Department in consultation with MA DMF and based upon maps and designations of MA DMF; or by the Conservation Commission or the Department based on maps and written documentation of the shellfish constable or the Department. In making such identification and maps, the following factors shall be taken into account and documented: the density of shellfish, the size of the area and the historical and current importance of the area to recreational or commercial shellfishing.

According to the most current available MA GIS data pertaining to MA DMF mapped suitable shellfish habitat, the proposed work may be located within LCS, of which may include Razor Clam, Bay Scallop, and American Oyster. It is noted that areas mapped by MA DMF include sites where shellfish have historically been sighted, but may not currently support any shellfish. As previously noted, the proposed dredging area has historically been a boat ramp originally constructed in 1957 under the Department of

Public Works of MA, Division of Waterways Contract No. 1813. The shellfish suitability areas were not verified in the field and the boundaries were not surveyed by CLE. Accordingly, this information should be used only as a guide to the approximate locations of potential habitats.

❖ **Land Under the Ocean (310 CMR10.25)**

Land Under the Ocean (LUO) is defined as “land extending from the mean low water line seaward to the boundary of the municipality’s jurisdiction and includes land under estuaries”. LUO, particularly the nearshore area, is presumed significant to the protection of marine fisheries, protection of wildlife habitat, storm damage prevention and flood control (310 CMR 10.25).

Impacts to LUO are limited to the proposed dredging at the seaward end of the existing boat ramp. Accordingly, it is anticipated that the proposed dredging will impact approximately ±2,241 SF of LUO with an estimated ±85 CY being removed (including sideslopes and a 1-foot allowable over-dredge).

The proposed dredging will not affect the ability of LUO to perform the following functions in accordance with 310 CMR 10.25 (1):

- **Water Circulation:** Water circulation is created by the tidal exchange that occurs within Clark’s Cove. Dredging will improve tidal flow and water circulation. The proposed dredging project is not expected to have any long-term negative effects on the overall hydrological and/or littoral processes in the vicinity of proposed dredging areas.
- **Distribution of Sediment Grain Size:** Dredging will not significantly alter the sediment quality in the project area. The sediments that will be removed by the proposed dredging have accumulated over time from the natural littoral process and will be placed back into the system.
- **Water Quality:** Given the limited duration of the proposed project, turbidity and the re-suspension of solids are anticipated to be minimal and temporary. Water quality is anticipated to improve following the completion of dredging since it will also help reduce turbidity over the long term by minimizing vessel groundings and propeller wash (or scouring) at the boat ramp.
- **Finfish Habitat:** The proposed dredging operations are not expected to have any significant long-term negative effects on finfish inhabiting the vicinity of Clark’s Cove. Dredging will be conducted in accordance with the TOY restriction imposed on the project by the MA Division of Marine Fisheries (MA DMF). As such, operations will proceed during the TOY when marine activity is least active.
- **Important Food for Wildlife:** No eel grass was present at the time of the site survey in the vicinity of the proposed work. The proposed dredging and beach nourishment has been designed to avoid and minimize any impacts to eelgrass beds.

E. CONSTRUCTION METHODOLOGY

The proposed dredging will consist of the total removal of approximately 85 CY of sediments from the Clark’s Cove Public Access Facility. Dredging is proposed to be done using a long reach excavator or

crane using a closed bucket (mechanically) from land or a barge-based operation. Grain size compatibility is currently being verified in order to place the dredge sediment on the adjacent beach area using traditional construction equipment (bulldozers, etc.) (see **Exhibit C**). If dredge sediments are not deemed compatible, the material will be loaded into dump trucks and disposed of at an alternative upland location as directed by the City of New Bedford. The Contractor shall install temporary siltation curtains at the dredge area and minimize impacts to coastal resource areas at all times during the proposed work.

F. MITIGATION MEASURES

The project has been designed to minimize the impacts to the coastal resource areas. In addition to permit requirements developed by the City of New Bedford Conservation Commission, the following restrictions are proposed:

1. Absolutely no release is allowed into the waterway of any petroleum product, epoxies, resins, admixtures, touch-up coatings, or the like. Accidental releases shall be reported to the Harbor Master, Engineer, and, if applicable, the Coast Guard. The Contractor shall have on site sufficient sorbent pads and booms to contain an accidental spill.
2. Debris from construction operations is to be cleaned up on a regular basis and disposed of off-site at a properly designated facility.
3. Organic debris (epoxies, etc.) is considered releases and shall be cleaned up immediately in accordance with an approved plan.
4. No refueling of construction equipment shall be permitted within 100' of any coastal resource area.

As demonstrated above, the proposed dredging will minimize impacts to the resources protected under the Massachusetts Wetlands Protection Act and will meet the performance standards as required in the regulations.

G. ALTERNATIVES ANALYSIS

The dredging alternatives considered for this project included a "No Dredge", dredging and reduced dredging alternatives within the existing Clark's Cove Public Access Facility Project. Beneficial re-use of dredge sediments as beach nourishment is the preferred disposal alternative, however alternative disposal arrangements have also been considered for the proposed project, as grain size compatibility has yet to be confirmed.

DREDGE AREA ALTERNATIVES

Summarized below are the dredging alternatives that have been considered for the proposed project.

Alternative 1 - "No Dredge" Option

Under the Alternative 1, no dredging would occur at the seaward end of the existing boat ramp, thus promoting the continued deterioration of public access/use at lower tide cycles within the waterway.

Shoaling would continue to increase thereby increasing the potential for vessel groundings, oil spills and/or release of other hazardous materials into Clark's Cove. The bottom sediment would continue to be disrupted by vessels transiting over shoaled areas resulting in resuspension of sediment to the water column. Alternative 1 is not considered a viable option by the City and State.

Alternative 2 - Dredging to -3' MLW

Under Alternative 2, dredging would be performed within the established limits of the existing boat ramp to the surface of the ramp to a depth of -3.0 feet MLW. Implementation of this alternative would restore/improve navigation, public access and use; however, it would result in more frequent dredging to maintain the boat ramp surface elevation by removing accumulated sediments. Alternative 2 is not the preferred option.

Alternative 3 - Dredging to -3' MLW plus 1' Allowable Over-dredge

Under Alternative 3, dredging would be performed within the established limits of the existing boat ramp to the surface of the ramp to a depth of -3.0 feet MLW. An additional 1' of dredging would be allowed beyond the end of the ramp to maximize the time required for future maintenance dredging operations to maintain the function of the boat ramp at low tides. **Alternative 3 is the preferred alternative** for the proposed project as it decreases the frequency of maintenance dredging and accumulated sediments causing vessel groundings while still providing a safe, navigable ramp area and restores/improves tidal flushing.

DISPOSAL ALTERNATIVES

Beach Nourishment

Dredge sediments removed from the boat ramp area are anticipated to consist of clean, beach quality sand suitable for the purpose of nourishment. Utilizing dredge sediments for nourishment is the preferred disposal alternative due to its' cost effectiveness and inherent environmental benefits, including but not limited to, restoration/enhancement of Coastal Beach areas to increase/protect from storm damage and flooding. Re-use of accumulated sediments as nourishment is the alternative considered for this component of the project.

An alternatives analysis has been conducted for selection of a nourishment site, with preference given to utilizing the adjacent shoreline areas that are in close proximity to the dredge site. Presented below are the alternatives considered:

Alternative 1 – Upland Disposal

The potential for the beneficial re-use of material at an alternative off-site location is considered for this project. If dredge material is deemed incompatible with the adjacent beach area sand, this option for disposal will be considered. Trucking operations to an off-site location would occur, however, this is not the preferred alternative.

Alternative 2 – Beach Nourishment at Southern Adjacent Shoreline

This potential nourishment area located south of the rip rap revetment wall on town-owned property would result in an increased accretion of sand at the end of the boat ramp due to the direction of littoral drift from South to North in this area.

Alternative 3 – Beach Nourishment at Northern Adjacent Shoreline

This potential nourishment area located north of the boat ramp on town-owned property is within the closest proximity to the dredge area. This allows for a decreased duration of disposal operations while increasing the adjacent shorelines ability to resist storm waves. The capacity of the beach area is sufficient for the estimated 85 cubic yards of dredge material as shown in **Exhibit C**.

Based on the above, **Alternative 3 is the preferred nourishment method.**



*NOTICE OF INTENT
Clark Cove Public Access Facility
West Rodney French Boulevard
New Bedford, MA
May 2016*

EXHIBIT C

"Site Plan"

Prepared by CLE Engineering, Inc.

Dated May 19, 2016 (1 Sheet)

EXHIBIT D

“Site Plan Showing Boat Ramp Reconstruction” (Sheet 1)

Prepared by Coastal Engineering Company, Inc.

Dated November 25, 2008 Latest Revision Date January 20, 2010

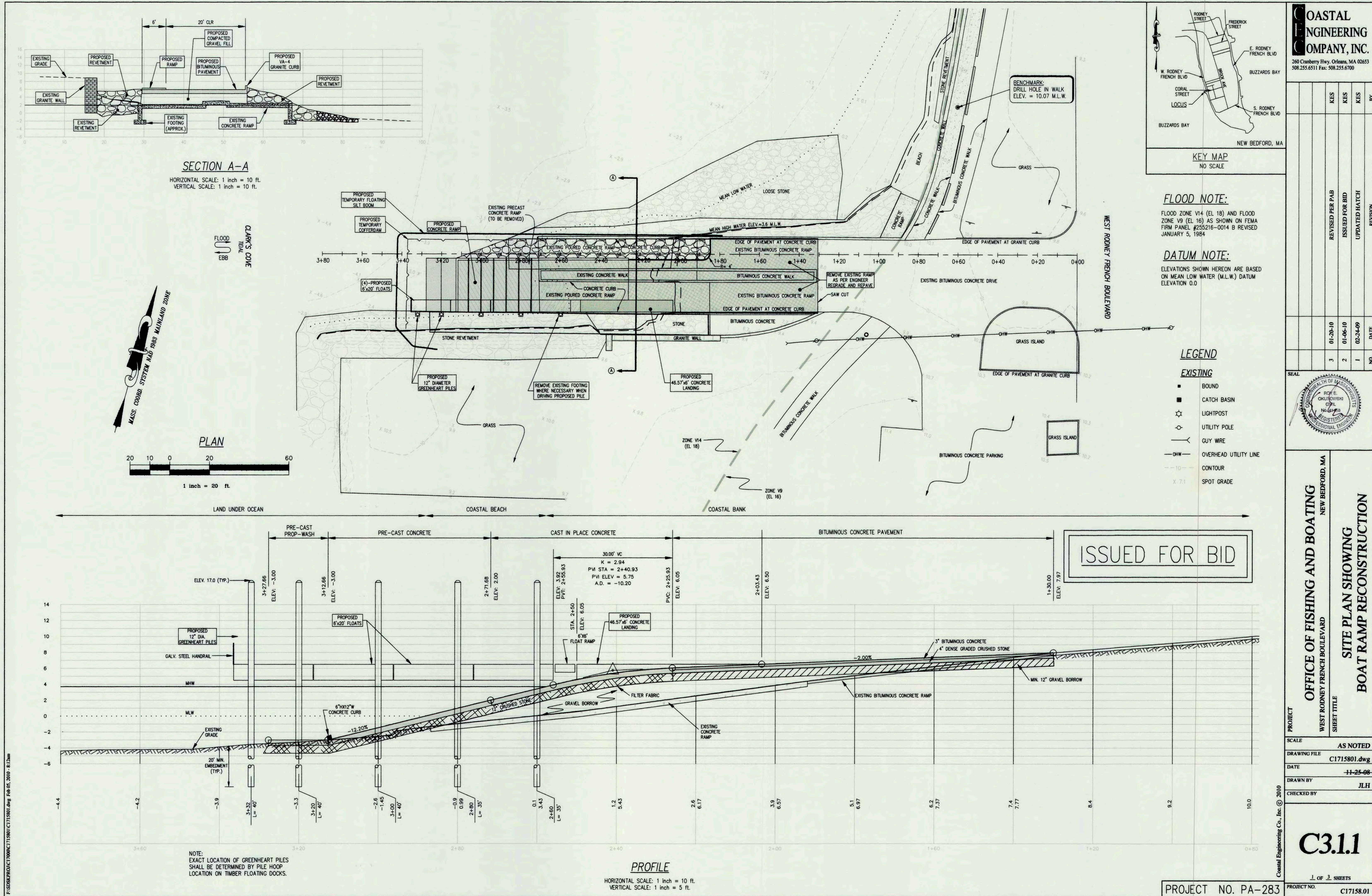
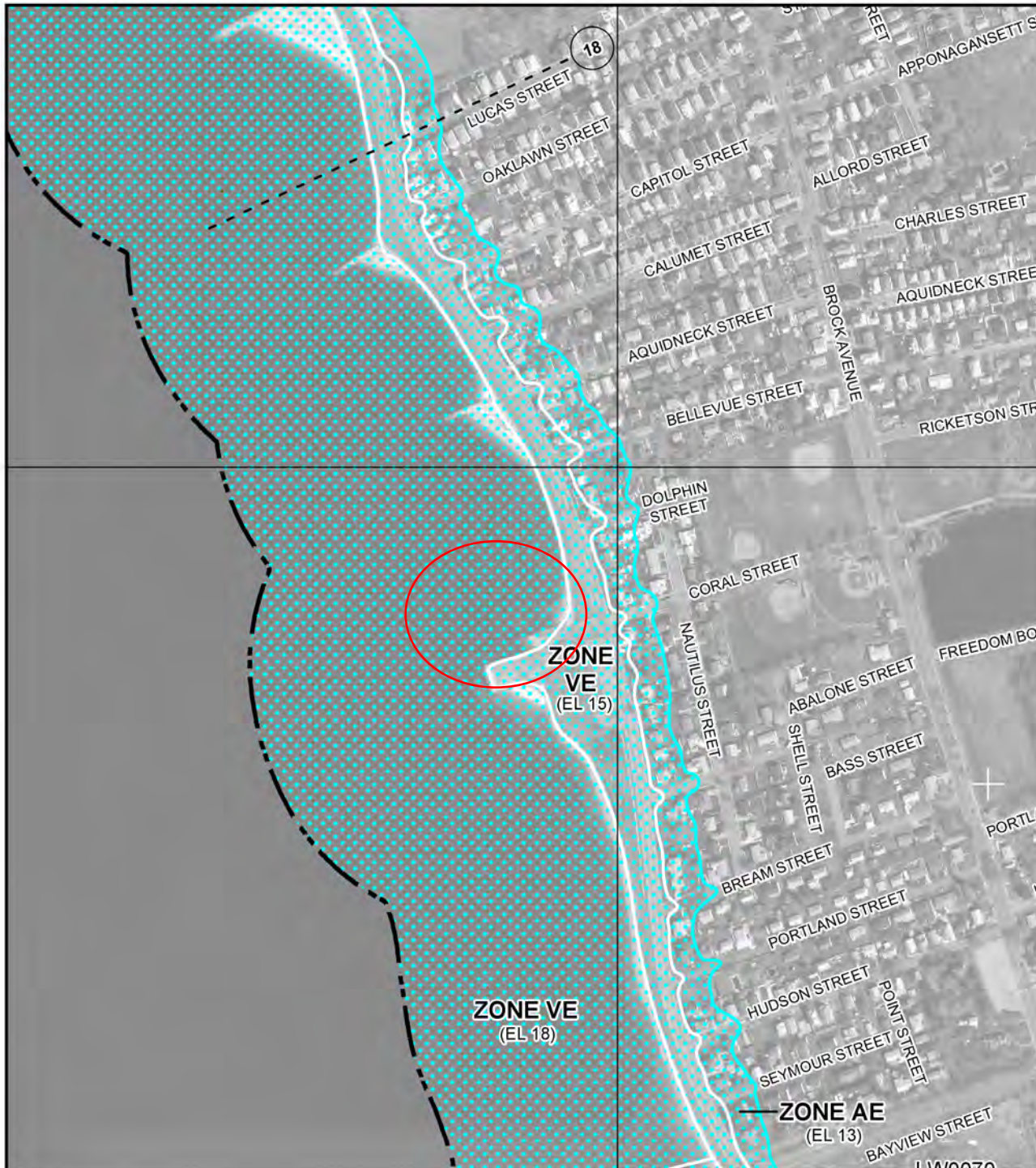
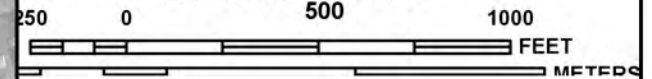


EXHIBIT E
Fema Map



MAP SCALE 1" = 500'



NFP

PANEL 0481G

FIRM

FLOOD INSURANCE RATE MAP
BRISTOL COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)

PANEL 481 OF 550

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DARTMOUTH, TOWN OF	250051	0481	G
NEW BEDFORD, CITY OF	255216	0481	G

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



MAP NUMBER
25005C0481G

MAP REVISED
JULY 16, 2014

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

EXHIBIT F
Site Photographs

Photo 1: View Looking East at Boat Ramp



Photo 2: View of Sand Accretion on Boat Ramp



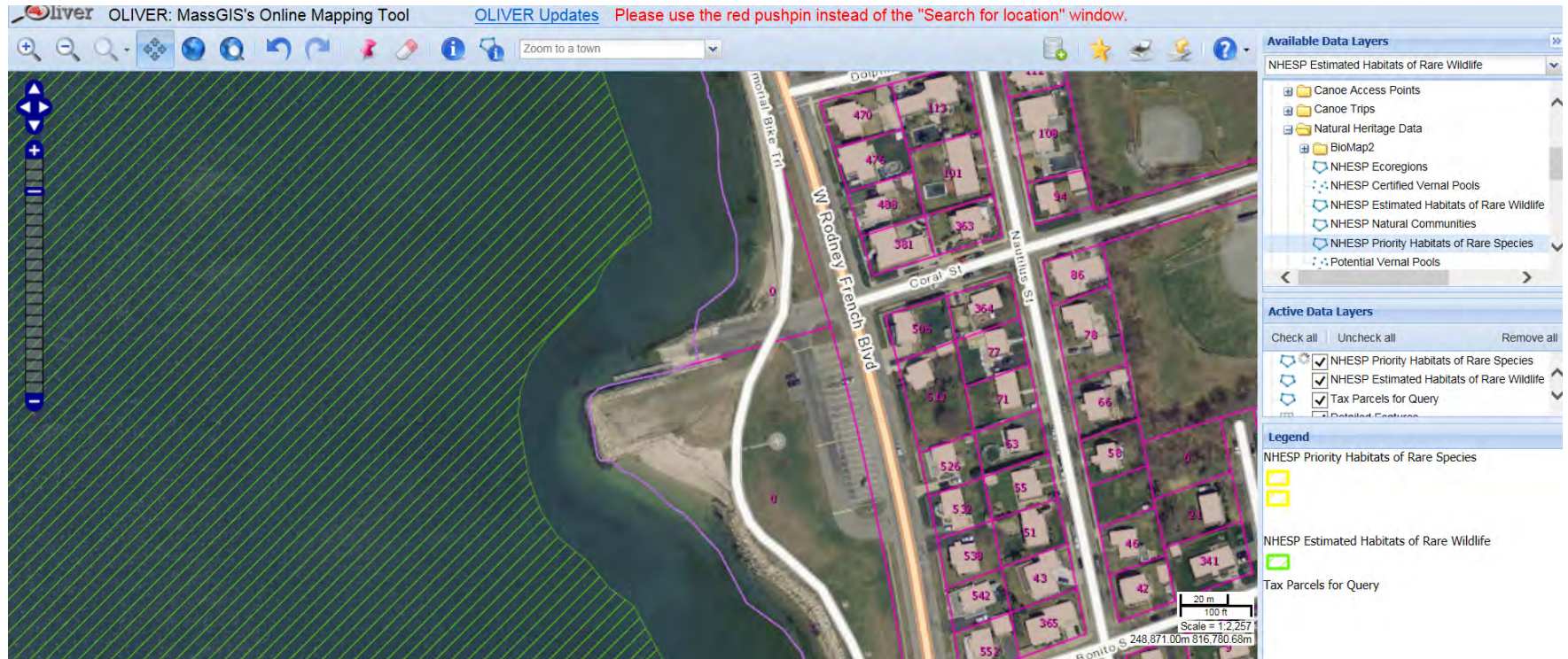
Photo 3: View of adjacent beach area



EXHIBIT G

**Natural Heritage Endangered Species Map (N/A)
&
Shellfish Map**

Natural Heritage Endangered Species Map (N/A)



Suitable Shellfish Area- Conditionally Approved (Razor Clam, Bay Scallop, American Oyster)

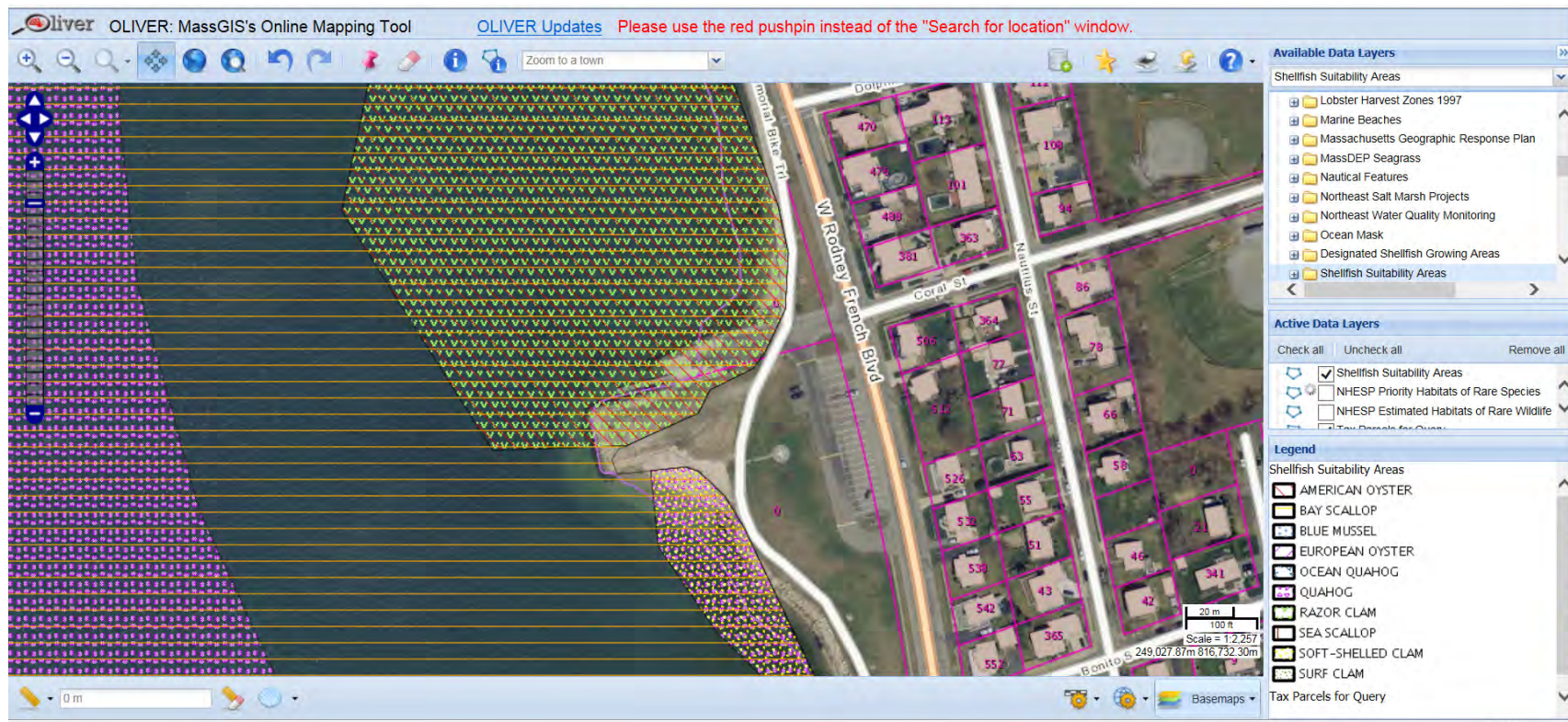


EXHIBIT H

Certified Abutter's List / Notification Form



City of New Bedford

REQUEST for a CERTIFIED ABUTTERS LIST

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

SUBJECT PROPERTY	
MAP #	7
LOT(S)#	5
ADDRESS: West Rodney French Blvd.	
OWNER INFORMATION	
NAME: City of New Bedford	
MAILING ADDRESS: 131 William Street, New Bedford, MA	
APPLICANT/CONTACT PERSON INFORMATION	
NAME (IF DIFFERENT): Michael Count	
MAILING ADDRESS (IF DIFFERENT): 15 Creek Road, Marion, MA 02738	
TELEPHONE #	508-748-0937
EMAIL ADDRESS:	MCOUNT@CLEngineering.com
REASON FOR THIS REQUEST: Check appropriate	
<input type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION
<input type="checkbox"/>	PLANNING BOARD APPLICATION
<input checked="" type="checkbox"/>	CONSERVATION COMMISSION APPLICATION
<input type="checkbox"/>	LICENSING BOARD APPLICATION
<input type="checkbox"/>	OTHER (Please explain):

PLANNING
DEPARTMENT
MAY 23 2016

PLANNING
DEPARTMENT
MAY 23 2016

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

Official Use Only:

As Administrative Assistant to the City of New Bedford's Board of Assessors, I 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.

Carlos Amado

Printed Name

Carlos Amado

Signature

5/25/2016

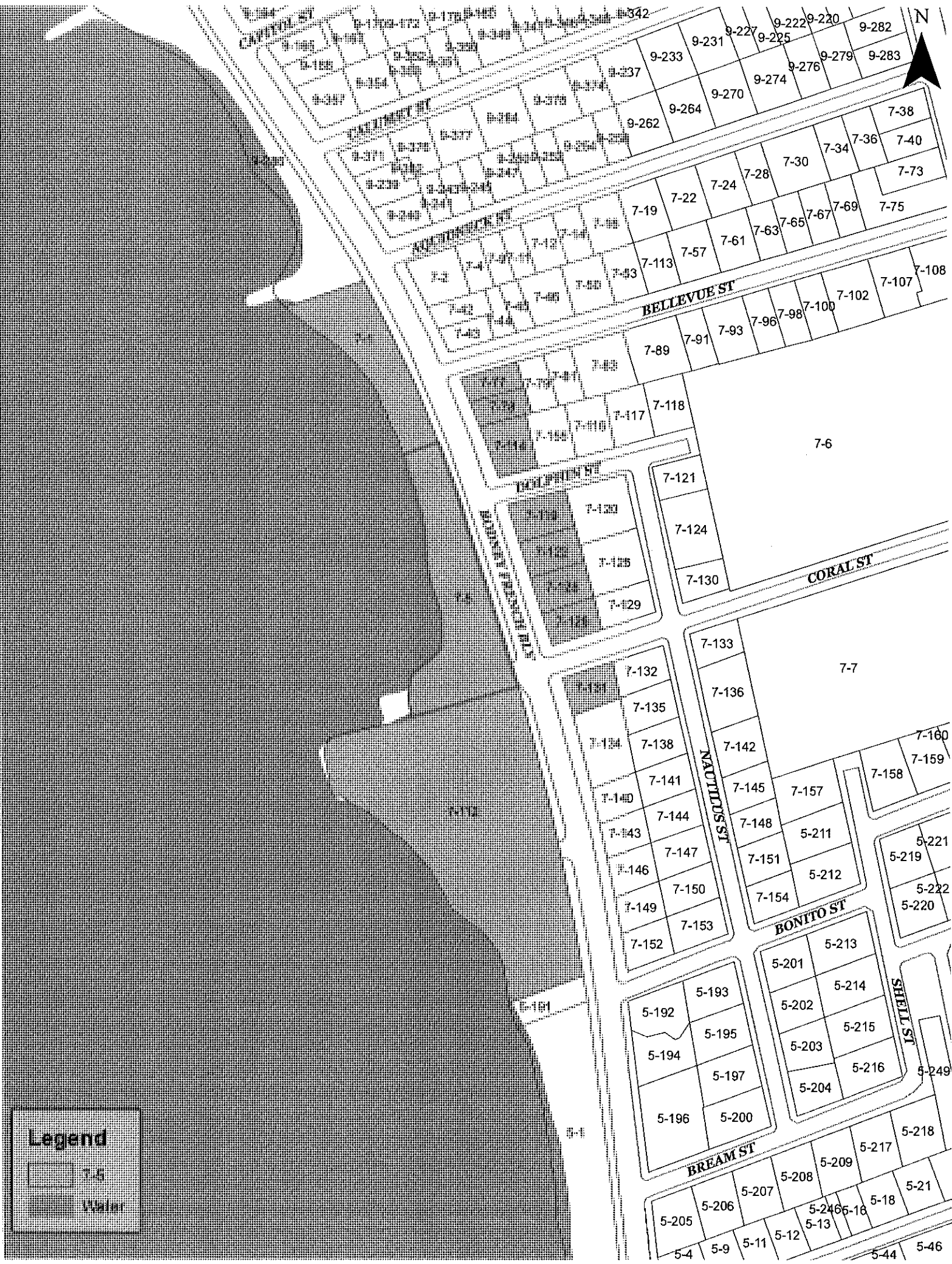
Date

May 23, 2016
Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as WS West Rodney French Blvd (7-5). 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
130D-117 <i>ES</i>	ACUSHNET AVE	NEW BEDFORD COUSINS LLC, P O BOX 36 SCITUATE, MA 02066
130B-171	1373 ASHLEY BLVD	MELLO WAYNE P, 1373 ASHLEY BLVD NEW BEDFORD, MA 02745
130B-240	220 BELAIR ST	LAWRENCE PATRICK D, LAWRENCE MARIA D 220 BELAIR ST NEW BEDFORD, MA 02745
130B-244	2883 ACUSHNET AVE <i>-2901</i>	CARVALHO EVELYN F "TRUSTEE", EVELYN F CARVALHO REALTY TRUST 232 LAWRENCE STREET NEW BEDFORD, MA 02745
130D-247	2904 ACUSHNET AVE	BURGESS KEVIN, 2904 ACUSHNET AVENUE NEW BEDFORD, MA 02745
130B-320	2907 ACUSHNET AVE <i>-2917</i>	CARVALHO EVELYN F "TRS", EVELYN F CARVALHO REALTY TRUST 232 LAWRENCE STREET NEW BEDFORD, MA 02745-1418
130B-248	214 BELAIR ST	CARREIRO FRANCIS R, 214 BELAIR ST <i>8 Mindy Lane</i> NEW BEDFORD, MA 02745 <i>Assonet, MA 02702</i>
130B-243 <i>NS</i>	KINGCROFT ST	ROUSSEAU EVA, C/O LILIANE DUARTE 214 BELAIR ST NEW BEDFORD, MA 02745
130B-168	2857 ACUSHNET AVE	RAFFA VINCENT, 3570 ACUSHNET AVE NEW BEDFORD, MA 02745
130B-319	211 BELAIR ST <i>-213</i>	CARVALHO JEFFREY J, CARVALHO SUSAN 211 BELAIR STREET NEW BEDFORD, MA 02745



Legend

7-5

Water

Notification to Abutters under the City of New Bedford Wetlands Ordinance

In Accordance with the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112) you are hereby notified of the following.

The name of the applicant is: City of New Bedford & MA Dept. of Fish & Game - Office of Fishing & Boating Access

The applicant has filed a ^{Notice of Intent} ~~Request for Determination of Applicability~~ for the municipality of New Bedford, Massachusetts seeking permission to remove, fill, dredge or alter an area subject to protection under the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112).

The address of the lot where the activity is proposed is: West Rodney French Blvd.
Assessor's Map 7; Lot 5

Copies of the ^{Notice of Intent} ~~Request for Determination of Applicability~~ may be examined at the New Bedford Conservation Commission, City Hall, 133 William St. Room 304 New Bedford, MA 02740 between the hours of 8:00 AM and 4:00 PM, Monday through Friday. For more information call (508) 991-6188.

Copies of the ^{Notice of Intent} ~~Request for Determination of Applicability~~ may be obtained from either (check one) the applicant _____ or the applicant's representative X by calling this telephone number 508-748-0937 between the hours of 8:00 AM and 4:00 PM on the following days of the week: Monday through Friday.

Information regarding the date, time and place of the public hearing may be obtained from New Bedford Conservation Commission by calling 508-991-6188 between the hours of 8:00 AM and 4:00 PM Monday through Friday.

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 of the meeting.

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: You may also contact the New Bedford Conservation Commission at 508-991-6188 for more information about this publication or the City of New Bedford Wetlands Ordinance

EXHIBIT I
Property Deed

^{gentleman}
 in consideration of Seven hundred Dollars to me paid by
 James H. Haskins of Dartmouth, County and State of ~~Massachusetts~~^{Massachusetts},
 the receipt whereof I do hereby acknowledge,
 do hereby give, grant, sell and convey unto the said James
 H. Haskins, his heirs and assigns forever, a certain lot of land
 situated in Dartmouth aforesaid on the Easterly side of
 Apponagansett River, together with the Buildings thereon
 standing and the privileges and appurtenances to the same
 belonging bounded as follows, Northerly by land belonging
 to Lincoln & Cheubal Oldidge, Easterly by land belonging
 to Widow Ann Shearman. Southerly by land belonging to
 James M. Plouffe Esq. and Westerly by the highway. Said
 lot containing thirty six rods more or less. To have and to
 hold, the aforegranted Premises to the said James H. Haskins
 his heirs and assigns, to their use and behoof forever. And
 I the said James Rider for myself, my heirs, executors, and
 administrators, do covenant with the said James H. Haskins,
 his heirs and assigns, that I am lawfully seized in fee
 of the aforegranted Premises; that they are free of all incum-
 brances; that I have good right to sell and convey the
 same to the said James H. Haskins. And that I will
 warrant and defend the same premises to the said
 James H. Haskins, his heirs and assigns forever, against the
 lawful claims and demands of all persons. In Witness
 Whereof I the said James Rider, together with Louisa, wife
 of said James Rider in token of relinquishment of right of
 dower in said premises have hereunto set our hands and
 seals, this Eighteenth day of October, in the year of our Lord, one
 thousand eight hundred and fifty five.
 Signed, Sealed, and Delivered in presence of James Rider. (Seal)
 of John Grey. _____ Louisa Rider. (Seal)
 At Bristol, N. October 18th. 1855. Then the above named James
 Rider acknowledged the foregoing instrument to be his
 free act and deed, before me, John Grey, Justice of the Peace.
 Received and Recorded June 26. 1856.
 Benj. W. Laver, Register.

* Know all Men by these Presents, That I, John H. Cowles
 of Philadelphia, ^{in the County of Philadelphia} and State of Pennsylvania, Civil Engineer,
 in consideration of the sum of One Dollar paid by "the
 New Bedford Gas Light Company," a Corporation establish-
 ed by law, and having its place of business in New Bed-
 ford, in the County of Bristol, and Commonwealth of
 Massachusetts, the receipt whereof is hereby acknowledged,
 do hereby give, grant, bargain, sell and convey unto the
 said "New Bedford Gas Light Company," a certain Lot of land

Case ment
 1-2-81
 1816-232

with the buildings and erections thereon, situate in said New-
Bedford, and bounded and described as follows, viz; Beginning
in the East line of Water street, at the South West corner of said
lot, and in the middle of a stone wall separating this lot from
the Mark Candle House Lot (so called) belonging to Charles M. Morgan,
thence running Easterly along the middle of said Wall to the
said thereof, and continuing in the same direction, to a point
two hundred and sixty six (266) feet East of said East line
of Water street; thence running Northerly, in a line parallel
with said Water street, ninety feet to a corner of this lot; thence
Westerly in the line of land of Abraham H. Howland and others,
two hundred and sixty six (266) feet to said East line of Water
street, and thence Northerly in the East line of said Water street,
ninety (90) feet to the place of beginning; said premises being
the same conveyed to me by the President, Directors and Com-
pany of the Mechanics Bank, by Deed dated June 12th A.D. 1852,
and recorded in the Land Records for the Northern District
of the County of Bristol, of our said, Book 23^d pages 89 and 90,
and being the same Lot on which the Gas Works now stands.
Together with all and singular rights, easements, privileges,
and appurtenances thereto belonging, intending to include
and convey hereby, among other things, a certain right of
way to and from said premises and that part of "City Wharf"
which was formerly called "Davenport Wharf," which right
of way is described in a certain conveyance thereof from
Abraham H. Howland and others to me, dated February 8th A.D.
1853, and recorded in said Land Records Book 23^d pages
345 and 346, as follows, to wit: "a right of way twelve feet
in width from that part of the City Wharf which was
conveyed to us by the President, Directors and Company of
the Mechanics Bank, by deed dated June 12th A.D. 1852, and
formerly known as "Davenport Wharf," to the premises owned
by said Cowne, and now occupied by the Gas Works, for the
transportation of coal and other material that may
be landed on and pay customary Wharfage to the City
Wharf; the Northerly line of said way twelve feet in
width to enter the Easterly line of said Gas Works lot
at the point in said line which is in a direct Easterly
range with the North line of the Main Chimney of said
Gas Works, as it now stands;" to which deed reference may
be had. Also a certain right of Drainage contained
and conveyed in said Deed from Abraham H. Howland
and others to me dated Feb. 8th A.D. 1853, and described
therein as follows, to wit; "the right to build and maintain
a competent drain from the Gas Works to the River;
said drain commencing on the Easterly line of the gas
works lot within twelve feet of the Northerly side of
the main chimney aforesaid, extending therefrom in an

and Southwesterly direction to the River, the outlet to which shall be any where within forty feet of the front stone wall, as it now is, which runs South to the Morgan lot and the same shall be below low water mark." To have and to hold the aforegranted premises, and their appurtenances and privileges to the said New Bedford Gas Light Company its successors and assigns, to it and their use and behoof forever. And I, the said John H. Cowne, for myself, my heirs, executors and administrators, do covenant with the said New Bedford Gas Light Company, its successors and assigns that I am lawfully seized in fee of the aforegranted premises, that they are free from all incumbrances, and that I have good right to sell and convey the same to the said New Bedford Gas Light Company; and that I will, and my heirs, executors and administrators shall Warrant and Defend the same to the said New Bedford Gas Light Company, its successors and assigns forever, against the lawful claims and demands of all persons. In Witness Whereof, I, the said John H. Cowne, and Maria R. Cowne, wife of the said John H. who hereby relinquishes all her right of dower, in and to the aforegranted premises, have hereunto set our hands and seals, this Twenty second day of December, in the year eighteen hundred and fifty three.

Signed, Sealed & delivered in presence of J. H. Cowne, (Seal.)
 of Charles D. Freeman, J. M. R. Cowne, (Seal.)

State of Pennsylvania: City of Philadelphia ff. Before me an Alderman & Justice of the Peace of the City of Philadelphia, personally appeared the within named John H. Cowne and Maria R. Cowne, his wife, and the Grantors in the within Indenture and in due form of law acknowledged the same to be their ^{and each of their} free act and deed, and desired the same might be recorded as such. Witness my hand and seal at the City aforesaid, this Fourteenth day of February A.D. 1854.

Charles D. Freeman, Alderman & Justice of the Peace, (Seal.)
 Received and Recorded June 27th. 1856. The words "in the County of Philadelphia" "therin", "and Southwesterly", & "and each of their" interlined, & the word "free" erased at the time of recording.

Benj. W. Sayer, Register.

Know all Men by these Presents, That we, William Anthony, Riner Pease, Daniel Howland, Matthews Chatcher, Charles Matthews and James Rider all of Dartmouth in the County of Bristol and Commonwealth of Massachusetts, in consideration of Twelve hundred twenty one and 5/100 Dollars to us paid by Charles C. Cummings, of said Dartmouth, the receipt whereof ^{we} do hereby acknowledge, do hereby give, grant, sell and convey unto the said Charles C. Cummings, his heirs and assigns, One undivided