



The Commonwealth of Massachusetts

Division of Marine Fisheries

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January 14, 2021

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

Dear Commissioners:

The Division of Marine Fisheries (MA DMF) has reviewed the Notice of Intent by Trio Algarvio Inc., 26 Green and Wood Pier, to maintain an existing fish processing building, including the implementation of critical structural repairs to the underlying support structures (pier and seawall) on New Bedford Harbor in the City of New Bedford. Existing marine fisheries resources and habitat and potential project impacts to those resources are outlined in the following paragraphs.

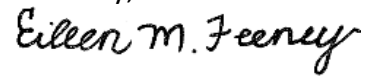
The project site lies within mapped shellfish habitat for quahog (*Mercenaria mercenaria*). Subtidal waters within the project site have habitat characteristics suitable for these species. Land containing shellfish is deemed significant to the interest of the Wetlands Protection Act (310 CMR 10.34) and the protection of marine fisheries. The fact that this area is classified as "Prohibited" does not negate its value as shellfish habitat. Although these shellfish cannot be harvested for human consumption, they nevertheless serve as important brood stock for the area and provide forage for numerous other species of finfish and invertebrates.

MA DMF offers the following comments for your consideration:

- All debris from the failed structure should be removed from the area.
- The barge used for in-water work should be staged to avoid grounding at all times to minimize impacts to benthic habitat.
- Appropriate containment techniques should be used to prevent construction debris, stormwater runoff and loose sediments from entering the marine environment during construction.
- Spills resulting from the refueling of construction equipment could have an adverse impact on the marine habitat. If equipment is refueled in resource areas, adequate containment and clean up material should be required.

Questions regarding this review may be directed to eileen.feeney@mass.gov.

Sincerely,

A handwritten signature in black ink that reads "Eileen M. Feeney". The script is cursive and fluid, with the first name "Eileen" being more prominent than the last name "Feeney".

Eileen M. Feeney

Fisheries Habitat Specialist

cc: Brad Saunders, GEI Consultants, Inc.
Robert Giard & Thomas Ringuette, Shellfish Constables
Christine Jacek, ACOE
Robert Boeri, CZM
Holly Williams, MA DMF
Tom Shields, MA DMF

EF