

NOTICE OF INTENT

pursuant to

The Regulations of the Massachusetts Wetlands Protection Act
310 CMR 10.00

and the

City of New Bedford Wetlands Protection Ordinance

**Shoreline Resources, LLC Waterfront Improvements
New Bedford, Massachusetts**

Prepared for:

Shoreline Resources, LLC
C/O Scott Taber
137 Pope's Island
New Bedford, Massachusetts 02740

March 2021



Engineers | Scientists | Planners

PARECORP.COM



March 25, 2021

New Bedford Conservation Commission
New Bedford Department of Environmental Stewardship
133 William Street, Room 304
New Bedford, Massachusetts 02740

Re: **Notice of Intent**
Shoreline Resources Waterfront Improvements
26 N Front Street
New Bedford, MA
Pare Project No. 20109.00

Dear Members of the Conservation Commission:

On behalf of Shoreline Resources, LLC and pursuant to the Regulations of the Massachusetts Wetlands Protection Act 310 CMR 10.00 (referred to herein as the WPA Regulations) and the City of New Bedford Wetlands Protection Ordinance (referred to herein as the Ordinance), Pare Corporation (Pare) is submitting the attached Notice of Intent (NOI) for your review. Enclosed are the following materials:

- One (1) original and four (4) copies of a NOI for the above-referenced project, including the NOI Form, Transmittal Form, Municipal Forms, Figures, Abutter Notification Information, Project Narrative, and Stormwater Report;
- Five (5) Full size sets of Project Plans;
- One (1) check in the amount of \$1,163.50 to cover the municipal share of the WPA Filing Fee; and
- One (1) check in the amount of \$3,335.30 to cover the Ordinance Filing Fee.

An electronic copy of the above-listed materials has been provided to the Commission concurrent with this submission. Please note that abutters will be notified via Certificate of Mailing as provided for under 310 CMR 10.05(4)(a). A copy of the Certificate of Mailing will be supplied prior to the public hearing.

Shoreline Resources, LLC, as the applicant, proposes waterfront improvements to the property located at 26 N Front Street. These improvements will include construction of a new rail spur between the buildings located at 26 and 10 N Front Street, demolition of an existing loading dock, construction of a new travel lift pier, and associated site improvements.

Due to funding constraints, the landside portions of the project will be constructed in phases. This NOI addresses the Phase I construction of the rail spur, which must be completed by June 1, 2021. Design of Phase II site improvements, including repaving, utility improvements, and stormwater management improvements, is forthcoming. The entire limit of disturbance for Phase I and II is included under this NOI filing, however the Phase II work will be submitted for Commission review later this year or in the spring of 2022.





New Bedford Conservation Commission

(2)

March 25, 2021

Additional improvements to the Acushnet River waterfront on the property are being permitted by others under a State Enhanced Remedy (SER) process for New Bedford Harbor. These improvements include dredging within the Acushnet River and construction of a new sheet pile bulkhead wall. The travel lift pier currently proposed under this NOI will be completed following the work to be completed under the SER, which is tentatively scheduled to occur later this year or next spring.

Resource Areas to be impacted by the proposed work include manmade Coastal Bank, Land Under the Ocean, 25-foot Riverfront Area, and Land Subject to Coastal Storm Flowage associated with the Acushnet River. In addition, limited impacts are proposed within developed areas of the 100-foot Buffer Zone. No impacts to naturally vegetated areas are proposed. Due to the nature of this project, the coastal resource area impacts resulting from the work are necessary to meet the project need and have been avoided and minimized to the maximum extent practicable.

Thank you very much for your consideration in this matter. If you have any questions, please feel free to contact us.

Sincerely,
Pare Corporation

Lauren H. Gluck, P.W.S.
Senior Environmental Scientist

LHG

cc: DEP Southeast Regional Office
Division of Marine Fisheries, North Shore Office
Shoreline Resources, LLC
File

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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

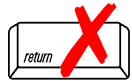
Document Transaction Number

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):

26 & 10 North Front Street

a. Street Address

New Bedford

b. City/Town

MA

c. Zip Code

Latitude and Longitude:

79

f. Assessors Map/Plat Number

41.649852

d. Latitude

-70.922437

e. Longitude

2, 5

g. Parcel /Lot Number

2. Applicant:

Scott

a. First Name

Taber

b. Last Name

Shoreline Resources, LLC

c. Organization

137 Pope's Island

d. Street Address

New Bedford

e. City/Town

MA

f. State

02740

g. Zip Code

774-930-3795

h. Phone Number

i. Fax Number

gscotttaber@hotmail.com

j. Email Address

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

See Attachment A

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):

Lauren

a. First Name

Gluck

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

i. Fax Number

lgluck@parecorp.com

j. Email address

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

\$2,302.00

a. Total Fee Paid

\$1,138.50

b. State Fee Paid

\$1,163.50

c. City/Town Fee Paid



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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A. General Information (continued)

6. General Project Description:

Waterfront improvements including construction of a new rail spur between buildings located at 10 and 26 N Front Street, relocation of a portion of existing track, demolition of a loading dock, installation of a new lifting pier, and associated site improvements.

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 checked="" 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 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:

South Bristol

a. County

See Attachment A

c. Book

b. Certificate # (if registered land)

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

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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. <input checked="" type="checkbox"/> Riverfront Area	Acushnet River (coastal) 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:

37,500 +/-
square feet

4. Proposed alteration of the Riverfront Area:

6,566

a. total square feet

6,566

b. square feet within 100 ft.

0

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.



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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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input checked="" type="checkbox"/> Land Under the Ocean	2,516 (238 direct alteration)	
	1. square feet	
	0	
	2. cubic yards dredged	
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
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input checked="" type="checkbox"/> Coastal Banks	292 (278 permanent)	
	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	2,516 (238 direct alteration)	
	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 checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	63,432 (21,829 permanent)	
	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. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings	b. number of replacement stream crossings



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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 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:**

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

12/2/20 (viewed on
MassGIS OLIVER)

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 <https://www.mass.gov/ma-endangered-species-act-mesa-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.



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

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

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.

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☒ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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

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New Bedford

City/Town

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

Online Users:

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

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

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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.

"Shoreline Resources, LLC Waterfront Improvements - Permit Submission"

a. Plan Title

Pare Corporation and Foth, LLC

various

b. Prepared By

March 2021

c. Signed and Stamped by

As noted

d. Final Revision Date

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:

200959

2. Municipal Check Number

3/24/21

3. Check date

200957

4. State Check Number

3/24/21

5. Check date

Shoreline Resources, LLC

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

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Provided by MassDEP:

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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.

[Signature]
1. Signature of Applicant

3/23/2021
2. Date

[Signature]
3. Signature of Property Owner, (if different)

3/23/2021
4. Date

[Signature]
5. Signature of Representative (if any)

3/23/2021
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:

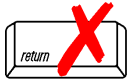
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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:

26 & 10 North Front Street

a. Street Address

New Bedford

b. City/Town

\$1,138.50

d. Fee amount

c. Check number

2. Applicant Mailing Address:

Scott

a. First Name

Taber

b. Last Name

Shoreline Resources, LLC

c. Organization

137 Pope's Island

d. Mailing Address

New Bedford

e. City/Town

MA

f. State

02740

g. Zip Code

774-930-3795

h. Phone Number

i. Fax Number

gscotttaber@hotmail.com

j. Email Address

3. Property Owner (if different):

See Attachment A

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
4e.) Railroad line construction	1	\$1,450	\$1,450.00
5a.) Work on piers	213 lf	\$4/lf	\$852.00

Step 5/Total Project Fee:

Step 6/Fee Payments:

Total Project Fee:	\$2,302.00
	a. Total Fee from Step 5
State share of filing Fee:	\$1,138.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	\$1,163.50
	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.)

Notice of Intent – Shoreline Resources Waterfront Improvements
ATTACHMENT A: Property Ownership Information

Location: 26 N Front Street (rail spur and lifting pier)

Map: 79 Lot: 2 Book/Page: 1809/709

Owner: Revere Copper Products Inc.

24 N Front St

New Bedford, MA 02740

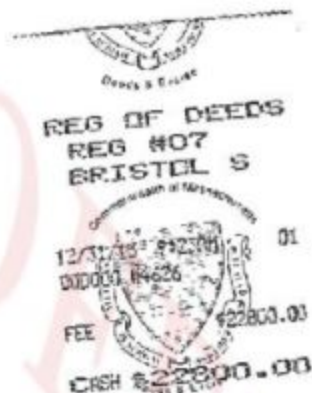
Location: 10 N Front Street (southwest portion of rail spur)

Map: 79 Lot: 5 Book/Page: 11573/186

Owner: New Bedford Holdings LLC

448 Boston Street

Topsfield, MA 01983



BK 11573 PG 186
12/31/15 08:23 DOC. 28469
Bristol Co. S.D.

WARRANTY DEED

PAL Realty, LLC, a Massachusetts limited liability company having a mailing address of 10 North Front Street, New Bedford, Massachusetts 02740 ("Grantor"), for consideration paid, and in full consideration of Five Million and 00/100 (\$5,000,000.00) Dollars, grants to New Bedford Holdings LLC, a Massachusetts limited liability company, having a mailing address of 448 Boston Street, Topsfield, MA 01983, with **WARRANTY COVENANTS**, that certain parcel of land in the City of New Bedford, Bristol County, Commonwealth of Massachusetts, together with the buildings and improvements located thereon, described as follows:

The land and improvements commonly known as 10 North Front Street, New Bedford, Massachusetts, and being more particularly described on Exhibit A attached hereto and incorporated herein by reference.

Said premises are conveyed subject to easements, restrictions and covenants of record, insofar as in force and applicable.

Grantor warrants that it is not classified in the current taxable year as a corporation for federal income tax purposes.

For Grantor's title see deed from Ten North Realty, LLC dated September 7, 2006 recorded with the Bristol County Southern District Registry of Deeds in Book 8319, Page 308.

EXECUTED as an instrument under seal as of the 30th day of December, 2015.

PAL REALTY, LLC

By: _____

~~Andrius Pranskevicius~~
Authorized Signatory

STATE OF FLORIDA

County of Palm Beach, ss.

On this 26th day of December, 2015, before me, the undersigned notary public, personally appeared Andrius Pranskevicius who proved to me through satisfactory evidence of identification, which was A DRIVER'S LICENSE to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as the Real Property Signatory of PAL Realty, LLC.

_____
Notary Public

My Commission Expires:

Exhibit A

The land in New Bedford, Bristol County, Massachusetts, with the buildings thereon, situated on the easterly side of North Front Street, known as 10 North Front Street, New Bedford, Massachusetts and bounded and described as follows:

BEGINNING at the northwest corner of the land herein described at a point in the easterly line of North Front Street, and at the southwest corner of Lot No. 3A as shown on plan of land hereinafter mentioned;

Thence NORTH 81 DEGREES 56' 09" EAST in line of land named lot, five hundred ninety and 35/100 (590.35) fee to the "Tie Line" as shown on said plan;

Thence continuing on the same course, thirty-three (33) feet, more or less, to the mean high water mark of the Acushnet River, as far as private rights extend;

Thence BEGINNING again at the point of beginning;

Thence SOUTH 07 DEGREES 29' 32" EAST in line of said North Front Street, two hundred eighty-seven and 48/100 (287.48) feet to land now or formerly of the City of New Bedford;

Thence NORTH 82 DEGREES 53' 29" EAST in line of last name land, five hundred fifty (550) feet, more or less, to the mean high water mark of the said Acushnet River, as far as private rights extend; and

BEING bound EASTERLY by the said Acushnet River.

CONTAINING four and 1/10 (4.1) acres, more or less.

BEING shown as Lot No. 3B on a plan entitled "Subdivision Plan in New Bedford, Mass. for Revere Copper Products, Inc., prepared by Tibbetts Engineering Corp." dated January 27, 1982 and recorded with the Registry in Plan Book 106 at Page 94.

LOUIS
24-26th FRENCH ST.
+ VACANT LAND NASH ROAD



2019 00014471
Bk: 12846 Pg: 1 Pg: 1 of 10 88
Doc: DEED 07/02/2019 03:54 PM

MASSACHUSETTS EXCISE TAX
Bristol ROD 0001 001
Date: 07/02/2019 03:54 PM
C31P 0001 1000 Doc# 00014471
Fee: \$225.00 Doc# \$50,000.00

After Recording Return To:
Mathieu & Mathieu
168 Eighth Street
New Bedford, MA 02740

DEED

REVERE COPPER PRODUCTS, INC., a Delaware corporation, having an address of One Revere Park, Rome, New York 13440-5561, successor by merger to Revere Copper Products, Inc., a Maryland corporation, hereby grants, with quitclaim covenants, to **SHORELINE RESOURCES, LLC**, a Massachusetts limited liability company, having an address of 137 Popes Island, New Bedford, Massachusetts 02740, for consideration of Fifty Thousand and 00/100 (\$50,000.00) Dollars, the land with the building(s) thereon, located in New Bedford, Bristol County, Massachusetts, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

Subject to all rights, liens, restrictions and encumbrances of record, to the effect that same may exist and be presently in force and effect, including, but not limited to, the following:

Real estate taxes for the current year not due and payable as of this date, which the grantee assumes and agrees to pay.

(Signature page follows)

M&M

**City of New Bedford Conservation Commission •
Department of Environmental Stewardship**

133 William Street • Room 304 • New Bedford, Massachusetts 02740

Telephone: (508) 991.6188

Conservation • Environmental Stewardship • Resilience

CITY OF NEW BEDFORD, MASSACHUSETTS

CONSERVATION COMMISSION

2020 FILING FEE CALCULATION WORKSHEET*

PROJECT LOCATION: 26 & 10 N Front St.

MAP(S) 79 **LOT(S)** 2, 5

APPLICANT: Shoreline Resources, LLC

CONSERVATION COMMISSION APPLICATION TYPE:

- () REQUEST FOR DETERMINATION OF APPLICABILITY
(**X**) NOTICE OF INTENT
() AMENDED ORDER OF CONDITIONS
() EXTENSION PERMIT
() CERTIFICATE OF COMPLIANCE

(A) ALTERATION FEES:

Application and field review of a project proposed in a Wetland Resource Area or its Buffer Zone is \$200.00 plus the applicable alteration fee as follows:

	AMOUNT DUE:
• Application and Field Review Fee (\$200.00)	<u>\$200.00</u>
• \$0.50 X <u>2,516</u> SF Wetland Resource Area Fee shall not exceed \$2000.00 per project	<u>\$ 1,258</u>
• \$0.05 X <u>21,829</u> SF of Isolated Land Subject to Flooding, Bordering Land Subject to Flooding or Land Subject to Coastal Storm Flowage Fee shall not exceed \$500.00	<u>\$ 500</u>
• \$0.50 X <u>6,566</u> SF of altered 25' Riverfront Area Fee shall not exceed \$1,500.00	<u>\$ 1,500</u>
• \$1.00 X _____ SF of undeveloped 25' Riverfront Area Fee shall not exceed \$2000.00	<u>\$ _____</u>
•	



- \$0.10 X 17,281 SF of Buffer Zone altered \$ 1,728.10
Fee shall not exceed \$6,500.00
- \$10.00 X _____ LF of dock \$ _____
- \$10.00 X _____ acres of aquaculture \$ _____

(B) EXTENSION OF AN ORDER OF CONDITIONS:

- Single family dwelling, or minor project (house addition, in ground pool dock etc.) = \$200.00 \$ _____
- Subdivision, commercial or industrial project = \$400.00 \$ _____

(C) AMENDING A PERMIT

- Single family dwelling or minor project (house addition, in ground pool dock etc.) = \$200.00 + new alteration fee – refer to (A) above \$ _____
- Subdivision, commercial or industrial project = \$500.00 + new alteration fee – refer to (A) above \$ _____

(D) WETLAND DELINEATION VERIFICATION (with or without proposed alteration)

- ½ acre or less
- ½ acre to 2 acres = \$500.00 (\$100/acre thereafter) not to exceed \$3,500 \$ _____

(E) CERTIFICATES OF COMPLIANCE

- One new house = \$250.00 \$ _____
- One activity at an existing house = \$150.00 \$ _____
- Residential or Commercial docks = \$200.00 \$ _____
- Commercial & Industrial Facilities = \$1,500.00 \$ _____
- New Roadways & Associated Stormwater Mgt. Systems = \$1,500.00 \$ _____

Partial Certificates of Compliance have the same fee as a Certificate of Compliance, But you only pay the fee once (you do not pay double to obtain a full Certificate of Compliance).

(F) AFTER THE FACT FILING FEE

- Notice of Intent or Amended Order of Conditions = \$500.00 \$ _____
- Request for a Determination of Applicability = \$250.00 \$ _____

TOTAL AMOUNT DUE: \$ 5,186.10

Notes:

*Please refer to the Conservation Commission fee schedule – dated 02/2020

Please make check or Money Order payable to the City of New Bedford
Cash is not accepted.



2. Certified List of Abutters



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 #		LOT(S)#	
ADDRESS:			
OWNER INFORMATION			
NAME:			
MAILING ADDRESS:			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT):			
MAILING ADDRESS (IF DIFFERENT):			
TELEPHONE #			
EMAIL ADDRESS:			
REASON FOR THIS REQUEST: <i>Check appropriate</i>			
<input type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION		
<input type="checkbox"/>	PLANNING BOARD APPLICATION		
<input type="checkbox"/>	CONSERVATION COMMISSION APPLICATION		
<input type="checkbox"/>	LICENSING BOARD APPLICATION		
<input type="checkbox"/>	OTHER (<i>Please explain</i>):		

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.

Michael J. Motta

Printed Name

Signature

Date



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 #	79	LOT(S)#	2, 5
ADDRESS:		26 North Front Street, 10 North Front Street	
OWNER INFORMATION			
NAME:	Revere Copper Products, Inc.		New Bedford Holdings LLC
MAILING ADDRESS:	24 No. Front Street New Bedford, MA 02740		448 Boston Street Topsfield, MA 01983
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Lauren Gluck, Pare Corporation			
MAILING ADDRESS (IF DIFFERENT): Pare Corporation 8 Blackstone Valley Place Lincoln, RI 02865			
TELEPHONE #	401-334-4100		
EMAIL ADDRESS:	LGluck parecorp.com		
REASON FOR THIS REQUEST: <i>Check appropriate</i>			
<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):		

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.

Michael J. Motta

Printed Name

Signature

Date

December 1, 2020

Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as 10 & 26 North front Street (Map: 79, Lot: 2 & 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.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
72-263	WAMSUTTA ST	WAMSUTTA WAREHOUSE CO INC, 92 KILBURN STREET NEW BEDFORD, MA 02740
72-293	HERMAN MELVILLE BLVD	CITY OF NEW BEDFORD, HARBOR DEVELOPMENT 133 WILLIAM STREET NEW BEDFORD, MA 02740
72-264	WAMSUTTA ST	CITY OF NEW BEDFORD, HARBOR DEVELOPMENT 131 WILLIAM ST NEW BEDFORD, MA 02740
72-275	217 HERMAN MELVILLE BLVD	HOUSING 70 CORPORATION, 131 WILLIAM STREET NEW BEDFORD, MA 02740
79-5	10 N FRONT ST	NEW BEDFORD HOLDINGS LLC, 448 BOSTON STREET TOPSFIELD, MA 01983
78-224	1 WAMSUTTA ST	WAMSUTTA WAREHOUSE CO INC, 92 KILBURN STREET NEW BEDFORD, MA 02740
78-216	N FRONT ST	WAMSUTTA WAREHOUSE CO INC, 92 KILBURN STREET NEW BEDFORD, MA 02740
79-7	66 N FRONT ST	WILLIAM STREET CORPORATION, 92 KILBURN STREET NEW BEDFORD, MA 02740
79-2	26 N FRONT ST	SHORELINE RESOURCES LLC 137 POPES ISLAND NEW BEDFORD, MA 02740
79-4	24 N FRONT ST	SHORELINE RESOURCES LLC 138 POPES ISLAND NEW BEDFORD, MA 02740



3. Figures



SITE LOCATION MAP

SCALE: 1" = 2,000'



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

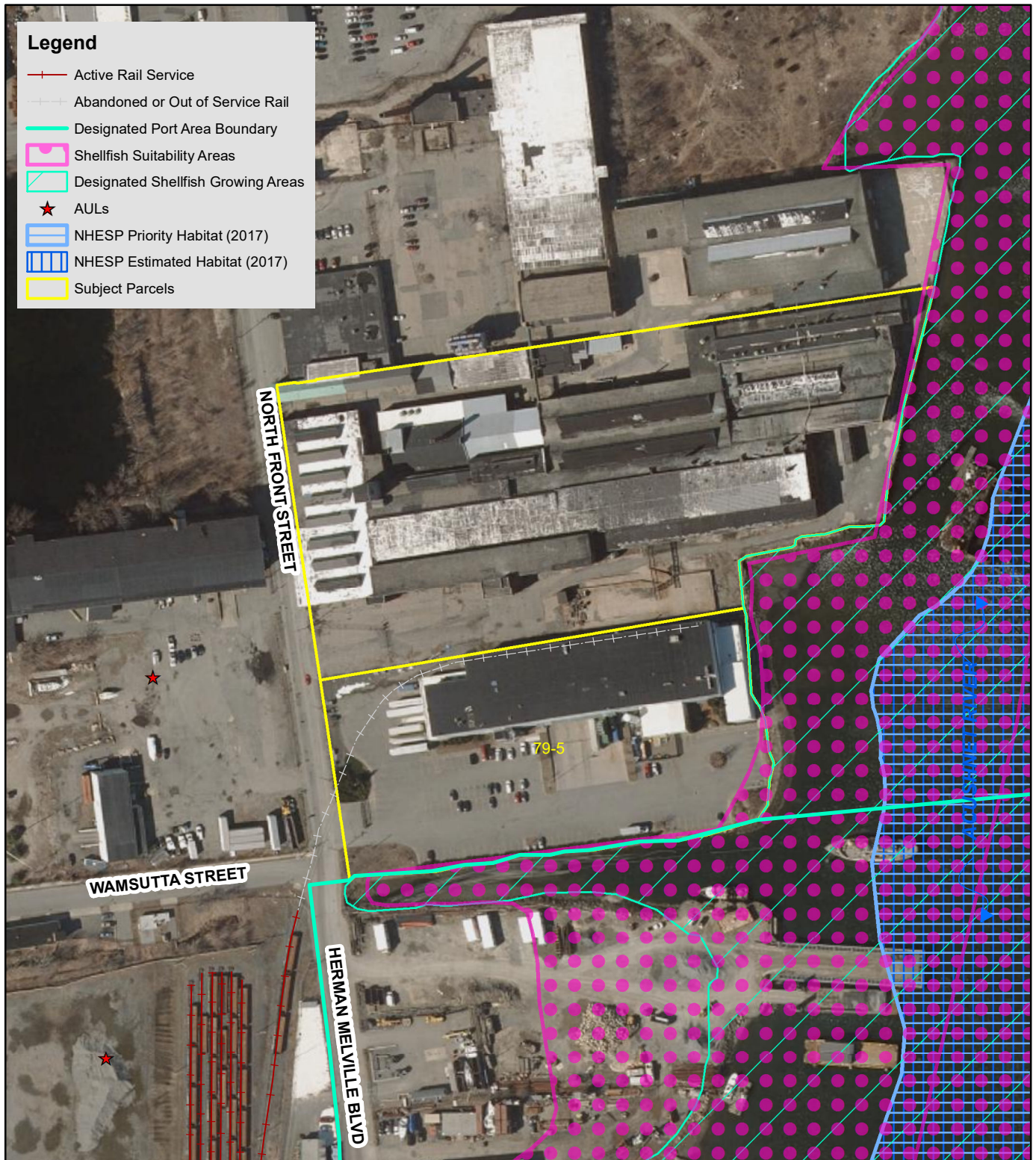
10 LINCOLN ROAD, SUITE 210
FOXBORO, MA 02035
(508) 543-1755

PARE PROJECT No. 20109.00

DECEMBER 2020

FIGURE 1

SHORELINE RESOURCES
WATERFRONT IMPROVEMENTS
26 N FRONT STREET
NEW BEDFORD, MA



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. 20109.00

DECEMBER 2020

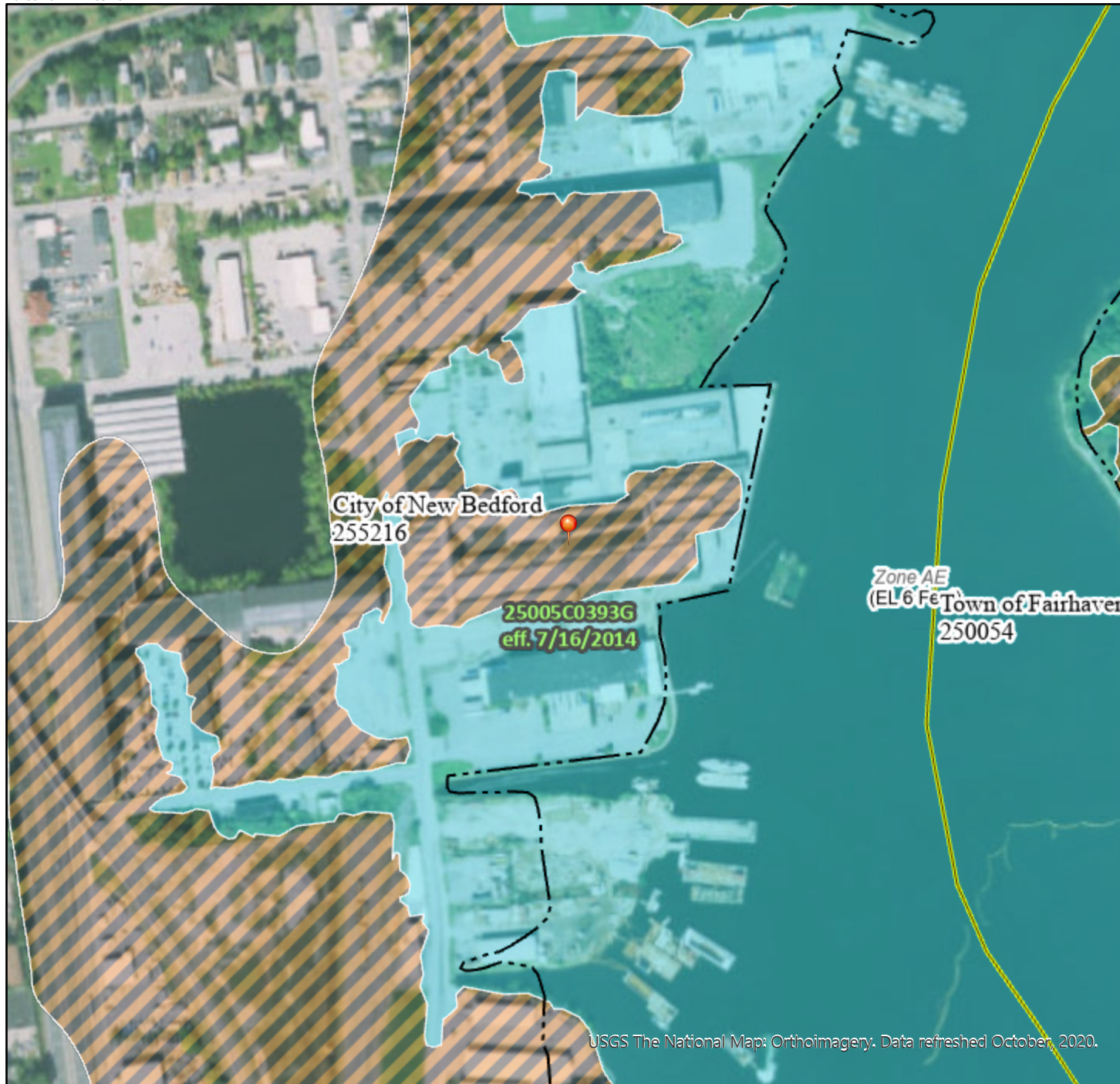
FIGURE 2

SHORELINE RESOURCES
WATERFRONT IMPROVEMENTS
26 N FRONT STREET
NEW BEDFORD, MA

National Flood Hazard Layer FIRMette



70°55'40"W 41°39'15"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

70°55'3"W 41°38'48"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **12/2/2020 at 3:44 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

USGS The National Map: Orthoimagery. Data refreshed October, 2020.

4. Narrative Project Description

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 proposed waterfront improvements at the property located at 26 North Front Street in New Bedford, Massachusetts. The project proponent is Shoreline Resources, LLC (Shoreline Resources).

The proposed improvements will include construction of a new rail spur between the buildings located at 26 and 10 North Front Street, demolition of an existing loading dock, construction of a new travel lift pier, and associated site improvements. These improvements are required to support redevelopment of the Site into a Shipyard, with rail access for delivering raw materials and supplies to the Site and for shipping fabricated metal products from the Site. The lifting pier will facilitate the removal and replacement of boats and other marine equipment and supplies at the Acushnet River.

Additional improvements to the Acushnet River waterfront on the property are being permitted by others under a State Enhanced Remedy (SER) process for New Bedford Harbor. These improvements include dredging within the Acushnet River and construction of a new sheet pile bulkhead wall. The travel lift pier currently proposed under this NOI will be completed following the work to be completed under the SER, which is tentatively scheduled to occur later this year or next spring.

Resource Areas to be impacted by the proposed work include manmade Coastal Bank, Land Under the Ocean, 25-foot Riverfront Area, and Land Subject to Coastal Storm Flowage associated with the Acushnet River, and Land Containing Shellfish. In addition, limited impacts are proposed within developed areas of the 100-foot Buffer Zone associated with the Coastal Bank. Due to the nature of this project, the coastal resource area impacts resulting from the work are necessary to meet the project need and have been avoided and minimized to the maximum extent practicable.

The following sections provide descriptions of the project site, project background, descriptions of the various elements of the proposed project, and project compliance with applicable performance standards of the Regulations and the Ordinance.

II. SITE DESCRIPTION

a. Existing Conditions

The project site includes portions of the properties located at 10 and 26 North Front Street. The site consists of waterfront industrial properties east of Front Street with frontage on the Acushnet River. The project area located between the two buildings consists of a developed area with an obsolete concrete loading dock. An existing rail line terminates at the crossing of Front Street, and abandoned rail ties continue in a northeasterly direction along the north side of the building at 10 North Front Street.



The existing concrete loading dock will be removed under the proposed project to facilitate installation and operation of a new lifting pier, including a laydown area for storage of boats, equipment, materials, and supplies related to the ship building and repair industry.

b. Coastal Resources and Floodplain

The Acushnet River is tidal, with a Mean High Water (MHW) of 1.79 and a Mean Low Water (MLW) of -1.78 (elevations are in NAVD 1988). According to 310 CMR 10.25 of the Regulations, land below the MLW elevation is classified as Land Under the Ocean (LUO).

Pare completed a delineation of the Coastal Bank bordering the site on August 27, 2020. The Coastal Bank consists entirely of manmade shoreline features, including a timber bulkhead with riprap scour protection in the location of the proposed travel lift pier, a uniform armor stone slope bordering the building at 10 North Front Street to the south, and a vertical block wall following the inlet channel to the south of North Front Street. A portion of the proposed site improvements are located within the 100-foot Buffer Zone from the Coastal Bank. Most of the Coastal Bank was unvegetated, although sparse shrubs and emergent vegetation were present in some locations. No vegetated wetlands are in the vicinity of the proposed work.

According to the FEMA Flood Insurance Rate Map (FIRM) for New Bedford, Massachusetts (Community Panel No. 25005C0393G effective 7/16/2014), most of the site is located within 100-year Floodplain in the FEMA Zone AE, which has a designated elevation of 6 feet (NAVD 1988). 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.

c. Other Environmental Considerations

According to MassGIS data layers PRIHAB_POLY and ESTHAB_POLY (2017), the site does not contain any Priority or Estimated Habitat of Rare Species mapped by the Natural Heritage and Endangered Species Program (NHESP). However, it should be noted that an area of Priority and Estimated Habitat are located within the Acushnet River channel a short distance downgradient (east) of the proposed project. The location of the mapped habitat is shown on Figure 2.

According to the MassGIS data, the site is located within a Shellfish Suitability Area and a Designated Shellfish Growing Area. Due to the highly disturbed nature of the project area and the upcoming dredging to be completed under the SER process (being permitted by others), no impacts to shellfish habitat are anticipated from the subject project.

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 is located just outside of the New Bedford Designated Port Area.



According to the Massachusetts Cultural Resource Information System (MACRIS), the Revere Copper and Brass Company Building is designated as an Inventoried Property (NBE.609). No alterations to the buildings are proposed as part of this project.

III. PROPOSED PROJECT

Shoreline Resources proposes to construct a new rail spur and travel lift pier on the Acushnet River waterfront to facilitate industrial operations on the property.

Due to funding constraints, the landside portions of the project will be constructed in phases. This NOI addresses the Phase I construction of the rail spur, which must be completed by June 1, 2021. Design of Phase II site improvements, including repaving, utility improvements, and stormwater management improvements, is forthcoming. The entire limit of disturbance for Phase I and II is included under this NOI filing, however the Phase II work will be submitted for Commission review later this year or in the spring of 2022. Each component of the proposed project is described below.

a. Demolition and Site Preparation

To facilitate the construction of the new rail spur and travel lift pier, an elevated landscaped area and concrete loading dock will be demolished and graded to the elevation of the surrounding developed areas.

The existing, abandoned rail ties between Front Street and the Acushnet River waterfront will be abandoned. The proposed new rail spur is to be constructed in a location to the north of the abandoned rail spur. The rail construction work will be completed prior to the dredging and bulkhead installation work to be completed under the SER.

The travel lift pier work proposed under this NOI will be completed following the dredging and bulkhead installation work to be completed under the SER. Therefore, the lifting pier will likely be installed in the spring or summer of 2022.

b. Rail Spur

Shoreline Resources proposed to construct the new rail spur to connect with the existing rail line that currently terminates at Front Street. The new rail spur will be approximately 315 feet in length, beginning immediately east of the Front Street crossing and extending in a northeasterly direction between the buildings at 10 and 26 North Front Street. The rail spur will terminate just to the west of the proposed travel lift pier. The rail line will be constructed over a subbase of 6" of ballast over a minimum of 8" of compacted processed gravel.



c. Travel Lift Pier

A new travel lift pier is proposed along the Acushnet River waterfront between the buildings at 10 and 26 North Front Street. Construction will also consist of two (2) new piers and a pile supported concrete deck to support an 800 metric ton travel lift at the waterside south western property limit. The proposed northern pier is 16' W x 210' L x 3' D and the proposed southern pier is 13' W x 210' L x 3' D with a 14'x84' concrete deck on the western end of the piers (north to south orientation) to support landside activities. Steel pipe piles with 30" and 36" diameters will support both the piers and concrete deck over the water and on land due to the soil conditions at the pier locations. The proposed pier layout included 54 waterside pilings and 30 landside pilings driven to refusal using both vibratory and impact hammer installation methods. Both the piers and deck will require construction from a barge mounted crane.

d. Stormwater Management

The proposed site modifications will result in an overall decrease of impervious area on the site. The existing raised loading platform is to be removed and replaced with a pervious crushed stone surface close to existing grade. The project complies with applicable performance standards for redevelopment, as detailed in the Stormwater Management Report (Section 5).

To facilitate the installation of the proposed rail spur, the existing stormwater drainage system is required to be re-routed outside of the immediate footprint of the rail spur. The proposed routing of the storm system provides adequate distance from the rail line to minimize the impacts of the railcar loading on the underground piping. The existing stormwater outfall located along the west riverbank is to be relocated to the north side of the bulkhead (to be permitted under Phase II).

Due to funding constraints, construction of the rail spur must be completed by June 1, 2021. Therefore, the site grading plan, underground utilities, pavement reconstruction details, and the stormwater management report (detailing compliance with stormwater standards) will be submitted for Commission review later this year or in the spring of 2022. The entire limit of disturbance for all site work in this area is included under this NOI filing.

IV. Wetlands Impacts and Regulatory Compliance

a. Land Under the Ocean

A total of 2,516 square feet of LUO is located within the Limits of Disturbance for the proposed travel lift pier. Direct alterations to LUO will result from the installation of the 36-inch steel pipe piles supporting the lifting pier, 34 of which are located below the MLW elevation, resulting in a cumulative total of 238 square feet of direct alteration to LUO. The remainder of the impact area (approximately 2,278 square feet) will be indirectly impacted by shading from the proposed concrete decking.



The impact area for the travel lift pier overlaps with the dredging and bulkhead installation being permitted by others under the SER process. The construction of the site improvements being permitted under the SER process will be completed prior to the work currently proposed under this NOI. As such, no new disturbances are proposed.

For this NOI, it is presumed that the LUO to be affected by the project is significant with respect 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 of the project; therefore, the proposed pile installation 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 manmade shoreline features which will not be adversely 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 and the impacts to LUO are unavoidable due to the nature of the work. Given the historic and extensive industrial use of this part of the New Bedford waterfront, it is highly unlikely that submerged aquatic vegetation is present in the project area. Moreover, the entire extent of LUO to be impacted will be dredged as part of the SER process (being permitted by others) prior to the construction of the travel lift pier.



The small scale of the proposed alteration to LUO will not affect water circulation, the distribution of grain size, or existing water quality. Direct impacts to LUO are limited to driving of pipe piles and the installation of such piles is not expected to result in significant turbidity. Any *polychaetes*, *mollusks* or *macrophytic algae* present in the work area 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.

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.*

According to the current MassGIS data layers for Estimated and Priority Habitat the site does not contain any mapped Priority or Estimated Habitat of Rare Species.

b. Land Containing Shellfish

According to published mapping, portion of the Acushnet River channel in the project area is designated as a Shellfish Suitability Area and a Designated Shellfish Growing Area. For the same reasons set forth in section a. 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 impact area to LCS for the travel lift pier overlaps with the dredging and bulkhead installation being permitted by others under the SER process. The construction of the site improvements being permitted under the SER process will be completed prior to the travel lift pier construction proposed under this NOI. As such, no work is currently proposed that would result in a greater magnitude of impact to LCS. The small scale of the proposed alteration to LCS resulting from the driving of 36" pipe piles will not affect water circulation, the distribution of grain size, or existing water quality. 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.



c. *Coastal Bank*

The proposed travel lift pier will result in approximately 292 linear feet of impacts to Coastal Bank. The Coastal Bank within the project area consists of existing manmade shoreline features. No vegetation or natural coastal features were present in the location of the proposed Coastal Bank impacts. The project meets the performance standards for Coastal Bank established in 310 CMR 10.30 as follows:

310 CMR 10.30(3): No new bulkhead, revetment, seawall, groin or other coastal engineering structure shall be permitted on such a coastal bank except that such a coastal engineering structure shall be permitted when required to prevent storm damage to buildings constructed prior to the effective date of 310 CMR 10.21 through 10.37 or constructed pursuant to a Notice of Intent filed prior to the effective date of 310 CMR 10.21 through 10.37 (August 10, 1978), including reconstructions of such buildings subsequent to the effective date of 310 CMR 10.21 through 10.37, provided that the following requirements are met:

- (a) a coastal engineering structure or a modification thereto shall be designed and constructed so as to minimize, using best available measures, adverse effects on adjacent or nearby coastal beaches due to changes in wave action;*

The proposed travel lift pier will not impact any naturally occurring coastal banks and impacts to this resource area are limiting to existing manmade shoreline features in an industrial waterfront area. There are no nearby coastal beaches that would potentially be impacted by construction in this location.

- (b) the applicant demonstrates that no method of protecting the building other than the proposed coastal engineering structure is feasible. (c) protective planting designed to reduce erosion may be permitted.*

This NOI does not propose the construction of new coastal engineering structure. The proposed travel lift pier, located along manmade Coastal Bank, is to be constructed following the shoreline improvements being permitted through an SER process, which will include installation of a new sheet pile bulkhead in the location of the existing bulkhead.

310 CMR 10.30(4) Any project on a coastal bank or within 100 feet landward of the top of a coastal bank, other than a structure permitted by 310 CMR 10.30(3), shall not have an adverse effect due to wave action on the movement of sediment from the coastal bank to coastal beaches or land subject to tidal action.

The Coastal Bank to be impacted is limited to manmade shoreline features and, therefore, no impacts due to wave action are anticipated.

d. *Land Subject to Coastal Storm Flowage*

The portion of the site located between the Coastal Bank and the FEMA Flood elevation 6 (NAVD 88) is designated as Land Subject to Coastal Storm Flowage (LSCSF) associated with the Acushnet River.



Approximately 63,432 square feet of the project site is located within LSCSF, all of which consists of developed land. The proposed project does not include any fills that will result in a decrease to the flood storage capacity of the site. Removal of the concrete loading dock west of the proposed travel lift pier and the landscaped area southwest of the Seatrade building will provide a net increase in flood storage capacity on the site.

There are no regulatory performance standards associated with LSCFS.

e. 25-foot Riverfront Area

The project includes approximately 6,566 square feet of work within the 25-foot Riverfront Area associated with the Acushnet River. Approximately 4,099 square feet of this area consists of permanent impacts associated the installation of the travel lift pier and replacement of an existing subsurface drainage line. The impacts in this location are confined to existing developed Riverfront Area along the manmade shoreline and no disturbance to vegetated areas are proposed.

310 CMR 10.58(6) specified certain activities or areas are grandfathered or exempted from Requirements for the Riverfront Area. Among these exempted activities are:

“(a) Any excavation, structure, road, clearing, driveway, landscaping, utility line... within the riverfront area in existence on August 7, 1996.”

The project includes replacement of a drainage line that discharges to the Acushnet River. The location of the outfall along the manmade shoreline will be adjusted slightly to accommodate the proposed waterfront improvements; however, the impacts to Riverfront Area resulting from this work are temporary and located entirely within developed areas.

“(i) Structures and activities subject to a M.G.L. c. 91 waterways license or permit, or authorized prior to 1973 by a special act, are exempt, provided the structure or activity is subject to jurisdiction and obtains a license, permit, or authorization under 310 CMR 9.00: Waterways.”

The proposed Travel Lift Pier is located within Chapter 91 jurisdiction and will require a new Chapter 91 Waterways License. Therefore, pending Chapter 91 Authorization, the work is exempt from the Requirements for Riverfront Area.

f. 100-foot Buffer Zone

Portions of the project area upslope of the Acushnet River are located within the 100-foot Buffer Zone associated with the Coastal Bank. A total of 17,281 square feet of the limits of work are located within the buffer zone. Permanent impacts for the Phase I work total approximately 10,163 square feet, for the removal of the concrete loading dock, drainage and utility improvements, and construction of the travel lift pier. Temporary impacts within the buffer zone will result from staging of construction equipment and materials. All the proposed work area within buffer zone consists of existing developed or disturbed areas with no established communities of vegetation present. There are no regulatory performance standards associated with Buffer Zones.



V. Mitigation Measures

As detailed in Section IV, the proposed project has been designed to avoid and minimize impacts to coastal resources to the extent practicable. Given the developed nature of the project site, no alterations to wildlife habitat or other sensitive areas are anticipated; however, measures are provided to mitigate for impacts to coastal resources areas, floodplain, and buffer zones as detailed below.

a. Erosion and Sedimentation Controls

Best Management Practices for erosion and sedimentation control will be adhered to for all phases of construction to minimize erosion, sedimentation, and impacts on resource areas. Erosion controls will remain in place and in proper working order until the Site is completely stabilized. A stockpile of erosion control materials will be kept on-site for emergency and routine replacement. Proposed erosion control locations and details are depicted on the Plans.

Erosion controls will consist of straw wattles to be placed around the landside extents of the proposed travel lift pier and the limits of ground disturbing activities for the rail spur construction. No hay bales will be used at any time on this project. Additionally, silt sacks will be placed within existing catch basins to prevent sedimentation of the existing drainage infrastructure onsite.

b. Stormwater Management Improvements

A Stormwater Checklist and Report have been included in Section 5 of this NOI. The project is considered a “Redevelopment” project and meets the applicable standards as documented therein. The proposed removal of the loading dock will result in a net reduction in impervious surfaces, as well as an increase in flood storage capacity on the site.

Due to funding constraints, construction of the rail spur must be completed by June 1, 2021. Therefore, the site grading plan, underground utilities, pavement reconstruction details, and the stormwater management report (detailing compliance with stormwater standards) will be submitted for Commission review later this year or in the spring of 2022. The entire limit of disturbance for all site work in this area is included under this NOI filing.

c. Tree Replacement

The south section of the rail line crosses an existing landscaped island containing three Spruce (*Picea sp.*) trees to be removed. A potential restoration area has been identified in a neighboring location of the property at 10 Front Street. The area currently consists of sparsely vegetated gravel substrate enclosed by existing curbing where three (3) native evergreen trees would be planted to offset the trees lost by demolition of the landscaped island.



5. Stormwater Management Report



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March 25, 2021

Mr. Chance Perks
Conservation Agent
New Bedford Conservation Commission
133 William Street, Room 304
New Bedford, MA 02740

Re: **Stormwater Assessment Letter**
Waterfront Improvements
Shoreline Resources, LLC
(Pare Project No.: 20109.00)

Dear Mr. Perks:

The proposed improvements will include construction of a new rail spur between the buildings located at 26 and 10 North Front Street, demolition of an existing loading dock, construction of a new travel lift pier, and associated site improvements. These improvements are required to support redevelopment of the Site into a Shipyard, with rail access for delivering raw materials and supplies to the Site and for shipping fabricated metal products from the Site. The proposed project will revitalize the currently inoperable site. The parcel is located on the Town of New Bedford Assessor's Plat 79, Lot 2 and has an approximate total area of 7.64 acres.

The site consists of waterfront industrial properties east of Front Street with frontage on the Achushnet River. The project area located between the two buildings consists of a developed area with an obsolete concrete loading dock, an existing rail line that terminates at the crossing of Front Street, and abandoned rail ties that continue in a northeasterly direction along the north side of the building at 10 Front Street.

Methodology

This project is within a previously developed area that results in no net increase in impervious. Therefore, it is defined as a redevelopment project in accordance with the February 2008 MADEP Stormwater Handbook. The proposed project is Phase One of a multi-phase development that proposes an improved overall condition by reducing the total impervious area and limiting site disturbance. Siting of stormwater practices for this phase of the project were considered. However, it is not practical to install stormwater practices at this time due to the unknown location and extent of future site development. During future phases of the project, it is anticipated that additional stormwater management practices will be implemented to facilitate further improvements to the hydrology and water quality of the site, and will be permitted through an amended Order of Conditions. For this purpose, the limit of disturbance (LOD) shown includes the anticipated LOD for future work.

The Stormwater Management Checklist, dated April 2008, is applied to this project and included with this letter.





Existing Conditions

The parcel is bound by North Front Street to the west, the Acushnet River to the east, and industrial facilities to the north and south. The proposed LOD totals 1.95 acres.

According to the Soil Survey of Massachusetts (US Department of Agriculture Soil Conservation Service 1981), the soils within the project area are considered "Urban Land" type D soils.

According to the FEMA Flood Insurance Rate Map FIRM for Bristol County, Massachusetts, Panel 393 of 550, Map Number 25005C0393G, the subject property is located within the 100-year floodplain.

The existing site within the limits of disturbance contains impervious area, which consists of paved areas, an abandoned rail bed, and a raised concrete loading platform. A small portion of the site is grassed as a landscape buffer to North Front Street. All stormwater flows to one Design Point, "East".

All stormwater on site discharges to Design Point "East" into the Acushnet River. Stormwater flows to this point mainly by overland flow. The existing storm system on site does not appear to collect stormwater from surface water and is expected to mainly carry roof runoff from the existing Shoreline Resources building.

Proposed Conditions

The proposed site modifications consist of only exterior improvements. The existing raised loading platform is to be removed and replaced with a pervious crushed stone surface at the grade of the surrounding asphalt. A new rail spur with a 20-foot-wide paved area is proposed along a new alignment to facilitate the proposed operations. The existing rail spur is to be mostly abandoned in place, and demolished where needed for the construction of the new rail. A new lifting pier is proposed at the east end of the property within the Acushnet River. A landscape area is proposed in the northwest corner of the 10N Front Street lot to replace the existing landscaping and trees to be demolished at the west end of the rail spur.

The project proposes a net decrease in impervious area primarily through the demolition of the raised loading platform. The proposed impervious surfaces consist of the new rail spur and associated pavement, full depth pavement restoration between the building and the rail spur, and the concrete lifting pier. A portion of the lifting pier is proposed over existing bituminous concrete and a portion of the lifting pier is installed over the Acushnet River. The portion over the Acushnet River is considered added impervious area as it relates to water quality. See Surface cover plan included with this letter.

All overland flow is to remain consistent with existing conditions. Minor modifications to underground drainage utilities are proposed to facilitate the installation of the lifting pier and the rail spur. The modifications will have negligible impact on the rate of runoff or outlet conditions. Opening on the bulkhead and lifting pier will be provided on the western side of the bulkhead and lifting pier to convey overland stormwater runoff and avoid ponding. No disturbed areas are anticipated to contribute to the relocated storm drain system. Drainage structures and pipes will be coordinated with the rail engineer to ensure the structural integrity of the drainage system.



Mr. Chance Perks

(3)

March 25, 2021

Stormwater Management Standards

The project site is designed to meet the 10 Minimum Standards of the MADEP Stormwater Handbook. The Stormwater Checklist has been completed and is included with this letter. The proposed project is classified as a redevelopment project, and is therefore required to meet Standard 2, Standard 3, and the pretreatment and structural stormwater best management practice requirements of Standards 4, 5, and 6 only to the maximum extent practicable. The following sections describe the approach to meeting the requirements for each Standard.

Minimum Standard 1: No New Untreated Discharges

The proposed project does not include the addition of untreated discharges.

There are two discharges to the Acushnet river. One via overland flow and one via the existing outfall on the west bank. The outfall does not receive runoff from the project limits and is understood to carry only roof runoff. Therefore, no additional treatment is required.

Minimum Standard 2: Peak Rate Attenuation

As the proposed project is classified as redevelopment, the design shall only need to meet Minimum Standard 2 to the maximum extent practicable. The proposed site modifications will provide a net decrease in impervious area, and also have no impact to the site slopes or time of concentration. Because of this, it can be assumed that the site modifications will reduce the rate of discharge of stormwater.

Due to the site constraints imposed by the existing development, as well as the soil classification of “Urban Land” and assumed high groundwater elevation, any further practices to reduce the peak runoff rate are not feasible.

In addition to the above, The Acushnet River is a 5th order or larger stream, and a waterway subject to coastal storm flowage. According to Minimum Standard 2 of the MADEP Stormwater Handbook, this standard may be waived for sites discharging directly to land subject to coastal storm flowage.

Minimum Standard 3: Recharge

As the proposed project is classified as redevelopment, the design shall only need to meet Minimum Standard 3 to the maximum extent practicable. The project proposes to provide a net decrease in impervious area, which will result in a decrease in runoff volume.

Due to the site constraints imposed by the existing development, possible site contamination, as well as the soil classification of “Urban Land” and assumed high groundwater elevation due to coastal waters, any further practices to provide additional recharge are not feasible.



Minimum Standard 4: Water Quality

As the proposed project is classified as redevelopment, the design shall meet the pretreatment and structural stormwater best management practice requirements of Minimum Standard 4 only to the maximum extent practicable. The project proposes to provide a net decrease in impervious area, which will result in an increase in the water quality of stormwater discharge from the site compared to existing conditions.

As stated above, it is expected that additional practices will be required and implemented in future phases of this project.

Minimum Standard 5: Land Uses with Higher Potential Pollutant Loads (LUHPPLs)

Minimum Standard 5 is not applicable to this project as the land use for the proposed project is not considered a LUHPPL.

Minimum Standard 6: Critical Areas

Based on review of MassGIS Oliver Viewer on March 12, 2021, no Outstanding Resource Waters, Areas of Critical Environmental Concern, Estimated Priority Habitats of Rare Species, or Certified Vernal Pools are located within the project area.

Minimum Standard 7: Redevelopments and Other Projects Subject to the Standards only to the maximum extent practicable

This project qualifies as a redevelopment project. There are 0.87 acres of existing impervious area within the limit of disturbance. The proposed development includes a total of 0.70 acres of impervious surfaces, resulting in a net decrease of 0.16 acres of impervious. All standards are met to the maximum extent practicable.

Minimum Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan

The project proposes to disturb greater than 1 acre of land and is required to develop a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Environmental Protection Agency (EPA) National Pollution Discharge Elimination System (NPDES) Construction General Permit (CGP) for discharges from construction activities. The SWPPP will include means and methods at the discretion of the Contractor to comply with the NPDES CGP. The SWPPP and the Notice of Intent under the CGP will be required to be prepared and submitted by the Contractor as the Operator of the Site.

Minimum erosion and sediment control features, including perimeter compost filter sock are shown on the Project Plans.

Minimum Standard 9: Operation and Maintenance Plan

No new stormwater practices are proposed. Future phases will incorporate operation and maintenance plans. A long term pollution prevention plan is attached to this letter.



Mr. Chance Perks

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March 25, 2021

Minimum Standard 10: Prohibition of Illicit Discharges

The existing site is fully developed. To the best of our knowledge, there are no existing discharges from the site other than overland flow and storm sewer discharge. To the best of our knowledge there are no direct connections between sources containing wastewater, hazardous substances, oil, or grease and the proposed stormwater conveyance systems.

Conclusion

In conclusion, the proposed development meets the 10 Minimum Standards as required by the MADEP Stormwater Handbook. Due to the proposed project being classified as a redevelopment project, Standard 2, Standard 3, and the pretreatment and structural stormwater best management practice requirements of Standards 4, 5, and 6 are met only to the maximum extent practicable. The net decrease in impervious area on site provides benefits to runoff rate, recharge volume, and water quality.

Sincerely,

David L. Potter, P.E.
Vice President

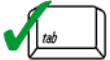
Attachments: Stormwater Checklist
Figure 1 - Surface Cover Plan
Long Term Pollution Prevention Plan



Checklist for Stormwater Report

A. Introduction

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



A Stormwater Report must be submitted with the Notice of Intent permit application to document compliance with the Stormwater Management Standards. The following checklist is NOT a substitute for the Stormwater Report (which should provide more substantive and detailed information) but is offered here as a tool to help the applicant organize their Stormwater Management documentation for their Report and for the reviewer to assess this information in a consistent format. As noted in the Checklist, the Stormwater Report must contain the engineering computations and supporting information set forth in Volume 3 of the [Massachusetts Stormwater Handbook](#). The Stormwater Report must be prepared and certified by a Registered Professional Engineer (RPE) licensed in the Commonwealth.

The Stormwater Report must include:

- The Stormwater Checklist completed and stamped by a Registered Professional Engineer (see page 2) that certifies that the Stormwater Report contains all required submittals.¹ This Checklist is to be used as the cover for the completed Stormwater Report.
- Applicant/Project Name
- Project Address
- Name of Firm and Registered Professional Engineer that prepared the Report
- Long-Term Pollution Prevention Plan required by Standards 4-6
- Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan required by Standard 8²
- Operation and Maintenance Plan required by Standard 9

In addition to all plans and supporting information, the Stormwater Report must include a brief narrative describing stormwater management practices, including environmentally sensitive site design and LID techniques, along with a diagram depicting runoff through the proposed BMP treatment train. Plans are required to show existing and proposed conditions, identify all wetland resource areas, NRCS soil types, critical areas, Land Uses with Higher Potential Pollutant Loads (LUHPPL), and any areas on the site where infiltration rate is greater than 2.4 inches per hour. The Plans shall identify the drainage areas for both existing and proposed conditions at a scale that enables verification of supporting calculations.

As noted in the Checklist, the Stormwater Management Report shall document compliance with each of the Stormwater Management Standards as provided in the Massachusetts Stormwater Handbook. The soils evaluation and calculations shall be done using the methodologies set forth in Volume 3 of the Massachusetts Stormwater Handbook.

To ensure that the Stormwater Report is complete, applicants are required to fill in the Stormwater Report Checklist by checking the box to indicate that the specified information has been included in the Stormwater Report. If any of the information specified in the checklist has not been submitted, the applicant must provide an explanation. The completed Stormwater Report Checklist and Certification must be submitted with the Stormwater Report.

¹ The Stormwater Report may also include the Illicit Discharge Compliance Statement required by Standard 10. If not included in the Stormwater Report, the Illicit Discharge Compliance Statement must be submitted prior to the discharge of stormwater runoff to the post-construction best management practices.

² For some complex projects, it may not be possible to include the Construction Period Erosion and Sedimentation Control Plan in the Stormwater Report. In that event, the issuing authority has the discretion to issue an Order of Conditions that approves the project and includes a condition requiring the proponent to submit the Construction Period Erosion and Sedimentation Control Plan before commencing any land disturbance activity on the site.



Checklist for Stormwater Report

B. Stormwater Checklist and Certification

The following checklist is intended to serve as a guide for applicants as to the elements that ordinarily need to be addressed in a complete Stormwater Report. The checklist is also intended to provide conservation commissions and other reviewing authorities with a summary of the components necessary for a comprehensive Stormwater Report that addresses the ten Stormwater Standards.

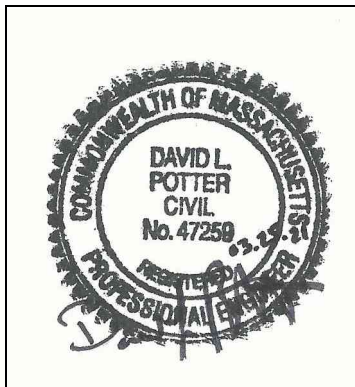
Note: Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the item is not applicable (N.A.) and provide the reasons for that determination.

A complete checklist must include the Certification set forth below signed by the Registered Professional Engineer who prepared the Stormwater Report.

Registered Professional Engineer's Certification

I have reviewed the Stormwater Report, including the soil evaluation, computations, Long-term Pollution Prevention Plan, the Construction Period Erosion and Sedimentation Control Plan (if included), the Long-term Post-Construction Operation and Maintenance Plan, the Illicit Discharge Compliance Statement (if included) and the plans showing the stormwater management system, and have determined that they have been prepared in accordance with the requirements of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. I have also determined that the information presented in the Stormwater Checklist is accurate and that the information presented in the Stormwater Report accurately reflects conditions at the site as of the date of this permit application.

Registered Professional Engineer Block and Signature



Signature and Date

Checklist

Project Type: Is the application for new development, redevelopment, or a mix of new and redevelopment?

- ☐ New development
- ☒ Redevelopment
- ☐ Mix of New Development and Redevelopment



Checklist for Stormwater Report

Checklist (continued)

LID Measures: Stormwater Standards require LID measures to be considered. Document what environmentally sensitive design and LID Techniques were considered during the planning and design of the project:

- ☐ No disturbance to any Wetland Resource Areas
- ☐ Site Design Practices (e.g. clustered development, reduced frontage setbacks)
- ☒ Reduced Impervious Area (Redevelopment Only)
- ☐ Minimizing disturbance to existing trees and shrubs
- ☐ LID Site Design Credit Requested:
 - ☐ Credit 1
 - ☐ Credit 2
 - ☐ Credit 3
- ☐ Use of "country drainage" versus curb and gutter conveyance and pipe
- ☐ Bioretention Cells (includes Rain Gardens)
- ☐ Constructed Stormwater Wetlands (includes Gravel Wetlands designs)
- ☐ Treebox Filter
- ☐ Water Quality Swale
- ☐ Grass Channel
- ☐ Green Roof
- ☐ Other (describe): _____

Standard 1: No New Untreated Discharges

- ☒ No new untreated discharges
- ☒ Outlets have been designed so there is no erosion or scour to wetlands and waters of the Commonwealth
- ☐ Supporting calculations specified in Volume 3 of the Massachusetts Stormwater Handbook included.



Checklist for Stormwater Report

Checklist (continued)

Standard 2: Peak Rate Attenuation

- ☒ Standard 2 waiver requested because the project is located in land subject to coastal storm flowage and stormwater discharge is to a wetland subject to coastal flooding.
- ☐ Evaluation provided to determine whether off-site flooding increases during the 100-year 24-hour storm.
- ☐ Calculations provided to show that post-development peak discharge rates do not exceed pre-development rates for the 2-year and 10-year 24-hour storms. If evaluation shows that off-site flooding increases during the 100-year 24-hour storm, calculations are also provided to show that post-development peak discharge rates do not exceed pre-development rates for the 100-year 24-hour storm.

Standard 3: Recharge

- ☐ Soil Analysis provided.
- ☐ Required Recharge Volume calculation provided.
- ☒ Required Recharge volume reduced through use of the LID site Design Credits.
- ☐ Sizing the infiltration, BMPs is based on the following method: Check the method used.
 - ☐ Static
 - ☐ Simple Dynamic
 - ☐ Dynamic Field¹
- ☐ Runoff from all impervious areas at the site discharging to the infiltration BMP.
- ☐ Runoff from all impervious areas at the site is *not* discharging to the infiltration BMP and calculations are provided showing that the drainage area contributing runoff to the infiltration BMPs is sufficient to generate the required recharge volume.
- ☐ Recharge BMPs have been sized to infiltrate the Required Recharge Volume.
- ☐ Recharge BMPs have been sized to infiltrate the Required Recharge Volume *only* to the maximum extent practicable for the following reason:
 - ☐ Site is comprised solely of C and D soils and/or bedrock at the land surface
 - ☐ M.G.L. c. 21E sites pursuant to 310 CMR 40.0000
 - ☐ Solid Waste Landfill pursuant to 310 CMR 19.000
 - ☐ Project is otherwise subject to Stormwater Management Standards only to the maximum extent practicable.
- ☐ Calculations showing that the infiltration BMPs will drain in 72 hours are provided.
- ☐ Property includes a M.G.L. c. 21E site or a solid waste landfill and a mounding analysis is included.

¹ 80% TSS removal is required prior to discharge to infiltration BMP if Dynamic Field method is used.



Checklist for Stormwater Report

Checklist (continued)

Standard 3: Recharge (continued)

- ☐ The infiltration BMP is used to attenuate peak flows during storms greater than or equal to the 10-year 24-hour storm and separation to seasonal high groundwater is less than 4 feet and a mounding analysis is provided.
- ☐ Documentation is provided showing that infiltration BMPs do not adversely impact nearby wetland resource areas.

Standard 4: Water Quality

The Long-Term Pollution Prevention Plan typically includes the following:

- Good housekeeping practices;
 - Provisions for storing materials and waste products inside or under cover;
 - Vehicle washing controls;
 - Requirements for routine inspections and maintenance of stormwater BMPs;
 - Spill prevention and response plans;
 - Provisions for maintenance of lawns, gardens, and other landscaped areas;
 - Requirements for storage and use of fertilizers, herbicides, and pesticides;
 - Pet waste management provisions;
 - Provisions for operation and management of septic systems;
 - Provisions for solid waste management;
 - Snow disposal and plowing plans relative to Wetland Resource Areas;
 - Winter Road Salt and/or Sand Use and Storage restrictions;
 - Street sweeping schedules;
 - Provisions for prevention of illicit discharges to the stormwater management system;
 - Documentation that Stormwater BMPs are designed to provide for shutdown and containment in the event of a spill or discharges to or near critical areas or from LUHPPL;
 - Training for staff or personnel involved with implementing Long-Term Pollution Prevention Plan;
 - List of Emergency contacts for implementing Long-Term Pollution Prevention Plan.
- ☒ A Long-Term Pollution Prevention Plan is attached to Stormwater Report and is included as an attachment to the Wetlands Notice of Intent.
- ☐ Treatment BMPs subject to the 44% TSS removal pretreatment requirement and the one inch rule for calculating the water quality volume are included, and discharge:
- ☐ is within the Zone II or Interim Wellhead Protection Area
 - ☐ is near or to other critical areas
 - ☐ is within soils with a rapid infiltration rate (greater than 2.4 inches per hour)
 - ☐ involves runoff from land uses with higher potential pollutant loads.
- ☒ The Required Water Quality Volume is reduced through use of the LID site Design Credits.
- ☐ Calculations documenting that the treatment train meets the 80% TSS removal requirement and, if applicable, the 44% TSS removal pretreatment requirement, are provided.



Checklist for Stormwater Report

Checklist (continued)

Standard 4: Water Quality (continued)

- ☐ The BMP is sized (and calculations provided) based on:
 - ☐ The ½" or 1" Water Quality Volume or
 - ☐ The equivalent flow rate associated with the Water Quality Volume and documentation is provided showing that the BMP treats the required water quality volume.
- ☐ The applicant proposes to use proprietary BMPs, and documentation supporting use of proprietary BMP and proposed TSS removal rate is provided. This documentation may be in the form of the propriety BMP checklist found in Volume 2, Chapter 4 of the Massachusetts Stormwater Handbook and submitting copies of the TARP Report, STEP Report, and/or other third party studies verifying performance of the proprietary BMPs.
- ☐ A TMDL exists that indicates a need to reduce pollutants other than TSS and documentation showing that the BMPs selected are consistent with the TMDL is provided.

Standard 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs)

- ☐ The NPDES Multi-Sector General Permit covers the land use and the Stormwater Pollution Prevention Plan (SWPPP) has been included with the Stormwater Report.
- ☐ The NPDES Multi-Sector General Permit covers the land use and the SWPPP will be submitted **prior to** the discharge of stormwater to the post-construction stormwater BMPs.
- ☐ The NPDES Multi-Sector General Permit does **not** cover the land use.
- ☐ LUHPPLs are located at the site and industry specific source control and pollution prevention measures have been proposed to reduce or eliminate the exposure of LUHPPLs to rain, snow, snow melt and runoff, and been included in the long term Pollution Prevention Plan.
- ☐ All exposure has been eliminated.
- ☐ All exposure has **not** been eliminated and all BMPs selected are on MassDEP LUHPPL list.
- ☐ The LUHPPL has the potential to generate runoff with moderate to higher concentrations of oil and grease (e.g. all parking lots with >1000 vehicle trips per day) and the treatment train includes an oil grit separator, a filtering bioretention area, a sand filter or equivalent.

Standard 6: Critical Areas

- ☐ The discharge is near or to a critical area and the treatment train includes only BMPs that MassDEP has approved for stormwater discharges to or near that particular class of critical area.
- ☐ Critical areas and BMPs are identified in the Stormwater Report.



Checklist for Stormwater Report

Checklist (continued)

Standard 7: Redevelopments and Other Projects Subject to the Standards only to the maximum extent practicable

- ☒ The project is subject to the Stormwater Management Standards only to the maximum Extent Practicable as a:
 - ☐ Limited Project
 - ☐ Small Residential Projects: 5-9 single family houses or 5-9 units in a multi-family development provided there is no discharge that may potentially affect a critical area.
 - ☐ Small Residential Projects: 2-4 single family houses or 2-4 units in a multi-family development with a discharge to a critical area
 - ☐ Marina and/or boatyard provided the hull painting, service and maintenance areas are protected from exposure to rain, snow, snow melt and runoff
 - ☐ Bike Path and/or Foot Path
- ☒ Redevelopment Project
- ☐ Redevelopment portion of mix of new and redevelopment.
- ☐ Certain standards are not fully met (Standard No. 1, 8, 9, and 10 must always be fully met) and an explanation of why these standards are not met is contained in the Stormwater Report.
- ☒ The project involves redevelopment and a description of all measures that have been taken to improve existing conditions is provided in the Stormwater Report. The redevelopment checklist found in Volume 2 Chapter 3 of the Massachusetts Stormwater Handbook may be used to document that the proposed stormwater management system (a) complies with Standards 2, 3 and the pretreatment and structural BMP requirements of Standards 4-6 to the maximum extent practicable and (b) improves existing conditions.

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control

A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan must include the following information:

- Narrative;
 - Construction Period Operation and Maintenance Plan;
 - Names of Persons or Entity Responsible for Plan Compliance;
 - Construction Period Pollution Prevention Measures;
 - Erosion and Sedimentation Control Plan Drawings;
 - Detail drawings and specifications for erosion control BMPs, including sizing calculations;
 - Vegetation Planning;
 - Site Development Plan;
 - Construction Sequencing Plan;
 - Sequencing of Erosion and Sedimentation Controls;
 - Operation and Maintenance of Erosion and Sedimentation Controls;
 - Inspection Schedule;
 - Maintenance Schedule;
 - Inspection and Maintenance Log Form.
- ☐ A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan containing the information set forth above has been included in the Stormwater Report.



Checklist for Stormwater Report

Checklist (continued)

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control (continued)

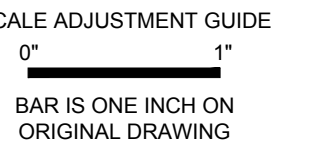
- ☐ The project is highly complex and information is included in the Stormwater Report that explains why it is not possible to submit the Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan with the application. A Construction Period Pollution Prevention and Erosion and Sedimentation Control has **not** been included in the Stormwater Report but will be submitted **before** land disturbance begins.
- ☐ The project is **not** covered by a NPDES Construction General Permit.
- ☐ The project is covered by a NPDES Construction General Permit and a copy of the SWPPP is in the Stormwater Report.
- ☒ The project is covered by a NPDES Construction General Permit but no SWPPP been submitted. The SWPPP will be submitted BEFORE land disturbance begins.

Standard 9: Operation and Maintenance Plan

- ☐ The Post Construction Operation and Maintenance Plan is included in the Stormwater Report and includes the following information:
 - ☐ Name of the stormwater management system owners;
 - ☐ Party responsible for operation and maintenance;
 - ☐ Schedule for implementation of routine and non-routine maintenance tasks;
 - ☐ Plan showing the location of all stormwater BMPs maintenance access areas;
 - ☐ Description and delineation of public safety features;
 - ☐ Estimated operation and maintenance budget; and
 - ☐ Operation and Maintenance Log Form.
- ☐ The responsible party is **not** the owner of the parcel where the BMP is located and the Stormwater Report includes the following submissions:
 - ☐ A copy of the legal instrument (deed, homeowner's association, utility trust or other legal entity) that establishes the terms of and legal responsibility for the operation and maintenance of the project site stormwater BMPs;
 - ☐ A plan and easement deed that allows site access for the legal entity to operate and maintain BMP functions.

Standard 10: Prohibition of Illicit Discharges

- ☒ The Long-Term Pollution Prevention Plan includes measures to prevent illicit discharges;
- ☐ An Illicit Discharge Compliance Statement is attached;
- ☐ NO Illicit Discharge Compliance Statement is attached but will be submitted **prior to** the discharge of any stormwater to post-construction BMPs.



**Waterfront Improvements
Shoreline Resources, LLC**
26 North Front Street
New Bedford, Massachusetts

[illegible]

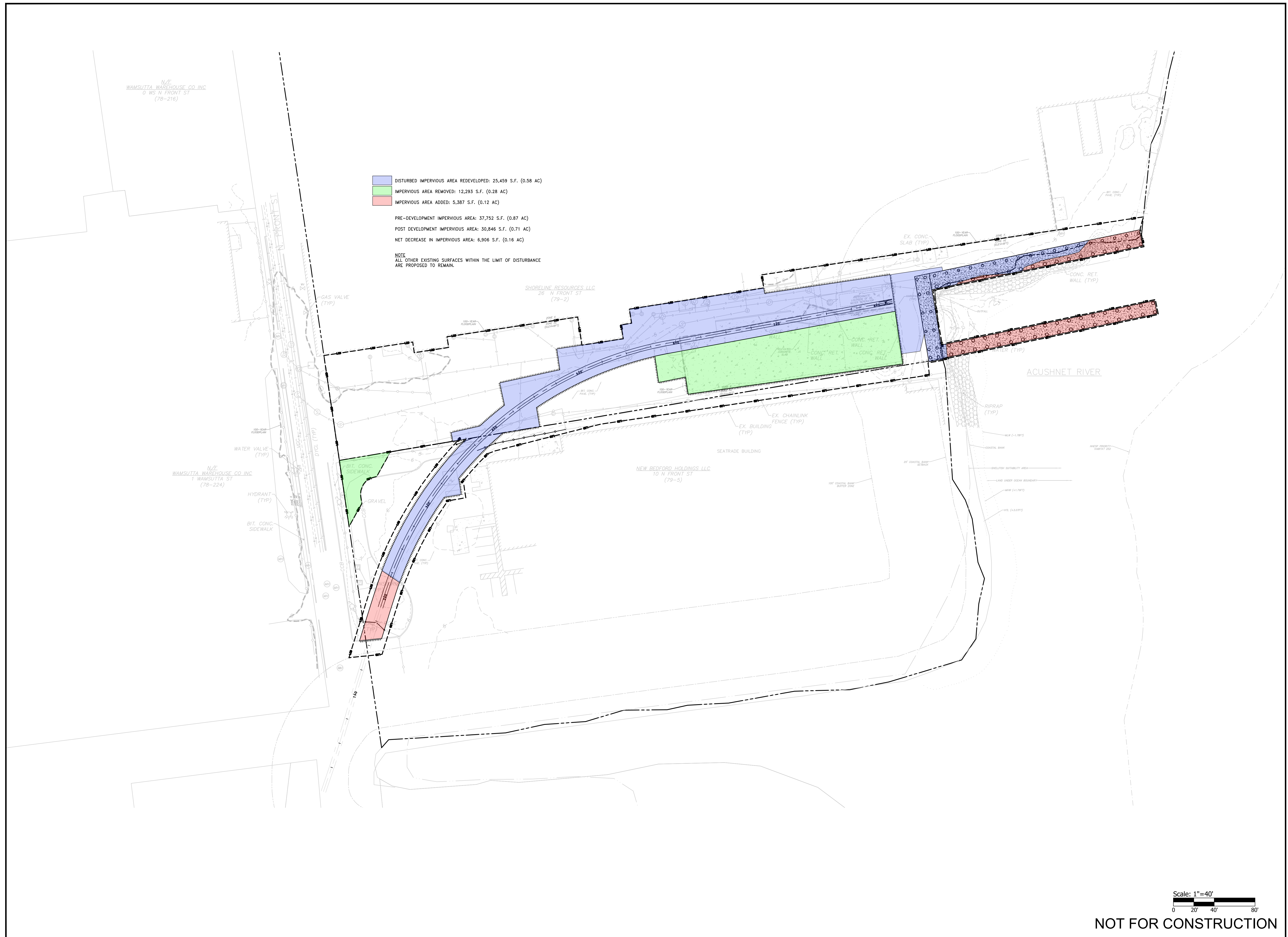
PROJECT NO.:	20109.00
DATE:	MARCH 2021
SCALE:	1"=40'
DESIGNED BY:	KM
CHECKED BY:	MA/VH
DRAWN BY:	AWB/AKL/ACT
APPROVED BY:	DLP
DRAWING TITLE:	

SURFACE COVER PLAN

DRAWING NO.:

FIG. 1

SHEET NO. ____ OF ____



LONG TERM POLLUTION PREVENTION PLAN

Pollution Prevention and Source Controls

The following general controls and performance procedures shall be followed to prevent potential sources of pollution.

1. General Inspection and Monitoring Requirements

The inspection and maintenance schedule should follow that specified by the Stormwater Management System Inspection and Maintenance Notes provided on Sheet C1.1 of the Site Plans.

2. Removal of Debris

Trash, litter, sediment and other debris shall be removed from any stormwater facility (including catch basins, manholes, inlets, diversion and outlet structures).

3. Sweeping

The parking lot, entry drives, and sidewalks shall be swept by the Owner twice a year.

4. Snow Removal

Snow removal shall be performed to protect public safety and the environment. Snow shall not be dumped and/or stored in critical areas, including, but not limited to the Acushnet River. Snow storage areas shall be surrounded by silt fence and have the maximum practicable buffer. Avoid long-term pileup of snow on grass surfaces to minimize possible damage from snow mold and other related diseases. Debris shall be cleared from each snow storage areas prior to disposing snow in each area.

5. Proper Storage of Deicing Materials

Deicing Materials shall be stored under a roof or secure enclosure to protect groundwater and surface water sources for public water supplies.

6. Grass, Tree, and Shrub Fertilization

All fertilizer types and amounts shall be in accordance with City of New Bedford maintenance practices. Fertilizer use shall be minimized to the maximum extent practicable. If used, fertilizer should not be installed more than twice a year (once in spring and once in fall).

The following techniques shall be implemented to prevent pollution from fertilizer:

- a. Fertilizer shall be stored under a roof or secure enclosure.
- b. Partially used bags shall be transferred to a sealable bag or a bin to avoid spills.
- c. Don't fertilize before a rain storm.
- d. Consider using organic fertilizers. They release nutrients more slowly.
- e. Have your soil tested before applying fertilizers to your lawn and gardens. A standard soil test costs \$9.00. You may not need to add any fertilizer. (Call the UMass Extension Soil Testing Lab at 413-545-2311 or download a soil test order form at <http://www.umass.edu/soiltest/>.)

7. Insect, Disease, and Chemical Weed Control

Low-impact pest management strategies shall be implemented whenever damage is detected or harmful organisms are present. Periodic inspection of all plants by trained personnel is necessary to detect problems during early stages of insect or disease infestation. Application of all chemicals including insecticides and fungicides shall be carried out in accordance with manufacturer's guidelines and State laws and only by individuals with current State Pesticide Applicators License. Store insecticides, fungicides, and herbicides in original containers that are closed and labeled, in a secure area out of reach of children and pets and away from food.

8. Lime Application

Lime as required to maintain a proper pH based on soil samples throughout the landscape area(s) and an analysis of the existing nutrients (N-P-K) and pH.

9. Proper Storage, Use, and Disposal of Household Hazardous Chemicals and Solid Waste

Hazardous chemicals should be stored in accordance with MSDS specifications. Stormwater shall be prevented from entering areas with hazardous materials to the maximum extent feasible. Any hazardous materials anticipated to be stored on site shall be stored in adequate indoor storage areas to prevent potential contact with stormwater. Spill containment shall be provided in areas where a spill might occur. Solid waste shall be placed in secure receptacles that are covered and in a location so that a licensed solid waste management company in Massachusetts can remove them from the site.

10. Spill Response

Ensure the cleanup of liquid/solid spills occurs immediately, if a significant spill occurs. Retain and maintain an appropriate oil spill cleanup kit on-site for rapid cleanup of material spills. Ensure that an employee trained in spill containment and cleanup is present during loading/unloading activities. Notify MassDEP as required: <http://mass.gov/dep/cleanup/dealin01.htm>

6. Project Plans – Bound Separately