

Fort Taber Pier Stone Masonry Rehabilitation Project  
1000 South Rodney French Boulevard  
New Bedford, Massachusetts

## NOTICE OF INTENT

City of New Bedford  
Department of Public Infrastructure  
1105 Shawmut Ave  
New Bedford, MA 02740

May 2021

**Tighe&Bond**

N-1011-07  
May 20, 2021

New Bedford Conservation Commission  
133 William Street, Room 304  
New Bedford, MA 02740

Re: **Notice of Intent**  
**Fort Taber Pier Stone Masonry Rehabilitation Project**  
**1000 South Rodney French Boulevard, New Bedford, Massachusetts**

Dear Members of the Commission:

On behalf of the City of New Bedford Department of Public Infrastructure, Tighe & Bond is submitting this Notice of Intent (NOI) for the Fort Taber Pier Repair project. The proposed project includes the repair of the Fort Taber pier in New Bedford, Massachusetts. A small section of stones has shifted away from the pier. The project is proposed to improve public recreation opportunities and general safety on the pier.

This NOI is being filed under the Massachusetts Wetlands Protection Act (WPA; M.G.L. c. 131 § 40) and the City of New Bedford Wetlands Protection Ordinance (Article VII) and implementing regulations. The proposed work is located within Land Under the Ocean.

A copy of this NOI has been submitted to the Massachusetts Department of Environmental Protection (MassDEP) Southeast Region (SERO) Wetlands Program, the Division of Marine Fisheries – Southeast Marine Fisheries Station, and the Natural Heritage and Endangered Species Program (NHESP) for 30-day Massachusetts Endangered Species Act (MESA)/Wetlands Protection Act review. The certified abutters list is also enclosed. Abutters will be notified in accordance with state and local requirements. As this is a municipal project, the project is exempt from state and local filing fees.

We look forward to discussing this project with the New Bedford Conservation Commission at its June 1st, 2021 meeting. Should you have any questions regarding this application or require any additional information, please do not hesitate to contact me at 603-361-1492 or or [DGMoran@tighebond.com](mailto:DGMoran@tighebond.com).

Sincerely,

**TIGHE & BOND, INC.**



Dennis Moran, PE  
Project Manager

Enclosures

Copy: MassDEP SERO  
Division of Marine Fisheries – Southeast Marine Fisheries Station  
NHESP (Certified Mail and electronic copy)  
Shawn Syde, PE, City Engineer, Department of Public Infrastructure

J:\N\N1011 New Bedford\007 Piers\Permitting\NOI\2-Cover Letter.docx



**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):

1000 South Rodney French Boulevard

a. Street Address

New Bedford

b. City/Town

02744

c. Zip Code

Latitude and Longitude:

42.518817

d. Latitude

-70.891775

e. Longitude

002

f. Assessors Map/Plat Number

002

g. Parcel /Lot Number

2. Applicant:

Shawn

a. First Name

Syde

b. Last Name

City of New Bedford

c. Organization

1105 Shawmut Avenue

d. Street Address

New Bedford

e. City/Town

MA

f. State

02746

g. Zip Code

508-979-1550

h. Phone Number

i. Fax Number

Shawn.Syde@NewBedford-MA.gov

j. Email Address

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

a. First Name

b. Last Name

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):

Dennis

a. First Name

Moran

b. Last Name

Tighe & Bond, Inc.

c. Company

4 Barlows Landing Road, Unit #15

d. Street Address

Pocasset

e. City/Town

MA

f. State

02559

g. Zip Code

(603)-361-1492

h. Phone Number

i. Fax Number

DGMoran@tighebond.com

j. Email address

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

Fee Exempt- Municipal Project

a. Total Fee Paid

N/A

b. State Fee Paid

N/A

c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

The City of New Bedford is looking to rehabilitate portions of the Fort Taber pier that have been subject to settlement and loss of granite support and face stones. The pier will be repaired through utilizing the existing granite stones that have been dislodged to restore the pier. Stone fill will be used between the stones and will be pressure filled with grout to secure the stones in place.

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

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

In accordance with 310 CMR 10.24.7(c).2, the maintenance, repair, and improvement of structures, including buildings, piers, towers, headwalls, bridges, and culverts which existed on November 1, 1987.

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

8. Property recorded at the Registry of Deeds for:

Bristol County

a. County

2941

c. Book

b. Certificate # (if registered land)

253

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

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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 type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

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

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. 0

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	25 1. square feet	
	3 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 type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	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	25 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](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**

August 1, 2017

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review\*

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

(a) within wetland Resource Area 55% of project limits are within Land Under the Ocean; impacts are to 25 sf (0.0006 acres)

(b) outside Resource Area 45% of project limits consist of the existing pier  
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/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](mailto: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](mailto: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

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

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## **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.





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Bureau of Resource Protection - Wetlands

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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.

Fort Taber Pier- Stone Masonry Rehabilitation

a. Plan Title

Tighe & Bond Inc.

Dennis Moran

b. Prepared By

c. Signed and Stamped by

May 20, 2021

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:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



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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.

1. Signature of Applicant *Shawn T. Lytle*

2. Date *5-19-2021*

3. Signature of Property Owner (if different)

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

4. Date

6. Date *5-20-2021*

**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.

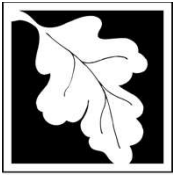
**For MassDEP:**

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:

1000 S Rodney French Boulevard

a. Street Address

New Bedford

b. City/Town

N/A- Fee exempt

N/A

c. Check number

d. Fee amount

### 2. Applicant Mailing Address:

Shawn

a. First Name

Syde

b. Last Name

City of New Bedford Department of Public Infrastructure

c. Organization

1105 Shawmut Avenue

d. Mailing Address

New Bedford

e. City/Town

MA

f. State

02746

g. Zip Code

508-979-1550

h. Phone Number

i. Fax Number

Shawn.Syde@NewBedford-MA.gov

j. Email Address

### 3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

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

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

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

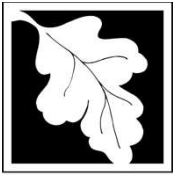
**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

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

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

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

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



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

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 5 (a)	1	100	N/A- Fee Exempt

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

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

## **WPA Form 3**

### **Section 1 Introduction**

1.1	Background and Purpose.....	1-2
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### **Section 2 Existing Environment**

2.1	Site Description and Project Setting.....	2-1
2.2	Wetland Resources .....	2-1
2.2.1	Land Under the Ocean .....	2-1
2.2.2	LSCSF.....	2-1
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### **A Figures / Project Drawings**

Figure 1 – USGS Site Locus  
 Figure 2 – Priority Resources Map  
 Figure 3 – Orthophotograph  
 Figure 4 – FEMA FIRMette  
 Figure 5 – Assessor’s Map  
 Project Plans- 11” X 17” at reduced scale

### **B Site Photographs**

### **C Copy of Deed and Chapter 91 License**

### **D Certified Abutters List**

### **E Stormwater Report and Checklist**



# Section 1

## Introduction

Project Name: Fort Taber Pier Stone Masonry Rehabilitation Project

Project Location: 1000 South Rodney French Boulevard  
New Bedford, Massachusetts

Project Proponent: City of New Bedford Department of Public Infrastructure

This Notice of Intent ("NOI") application is being submitted on behalf of the City of New Bedford ("the City") Department of Public Infrastructure ("DPI") by Tighe & Bond for the repair of the existing Fort Taber pier in New Bedford, Massachusetts ("the Project Site"). A portion of the existing pier has been assessed and determined to be deteriorating due to the loss of granite stones along the seaward end of the pier. The proposed project is seeking to repair the damaged portion with the replacement and resetting granite stones that have been displaced.

### 1.1 Background and Purpose

In accordance with documents provided by the City of New Bedford's Department of Public Infrastructure, the approximate 750-foot pier was constructed in 1856. Since then, the pier has been subject to numerous repairs, most recently in 2003-2004. Throughout the lifetime of the pier, settlement and typical damage from wave action has caused the granite stones to shift. The shifting and dislodgement of the granite stone will require the replacement of stones to reduce the potential for further damage to the pier.

A portion of the pier has been damaged along its northern face, near the termination of the pier. This portion was identified as a section that is in need of repair by the City's Department of Public Infrastructure. Some of the existing granite stones have become dislodged and a void has been created that undermines the portion of the pier. The City's Department of Public Infrastructure solicited for the engineering and permitting services associated with the rehabilitation of the pier.

Tighe & Bond conducted a field visit to examine the end of the pier on the northern side on March 26, 2021 during low tide conditions. Tighe & Bond documented the existing field conditions by taking photographs of the pier and recording dimensions of critical structures related to the pier. The engineers then proceeded down to the mudline to observe the extension of the pier as shown in the attached Photo log. Large stone blocks were observed in the water in the vicinity of this extension. The concrete pier deck in this location is not supported by a wall. Tighe & Bond documented the dimensions of typical stone sizes, noted the area of the void, the approximate number of stones in the water, and the mudline elevation.

Upon completion of the field inspection, it was recommended that the damaged portion of the wall should be repaired to support the existing infrastructure and avoid further damage. The stones found on-site will be utilized to fill the existing void, and this portion of the wall will be pressure filled with grout to secure the material in place. The recommended repair has considered the sensitive environmental resource that surrounds the pier and the safety implications with a no-action alternative. The

recommended repair will minimize to the greatest extent impacts to the surrounding area as the rehabilitation will be limited to the existing footprint of the pier.

A Site Locus Map (Figure 1), Massachusetts Department of Environmental Protection ("MassDEP") Priority Resources Map (Figure 2), Existing Conditions Figure (Figure 3), FEMA FIRMette (Figure 4), Assessor's Map (Figure 5), and Project Plans are provided in Appendix A. Photographs of the existing pier have been provided in Appendix B, and a copy of the deed for the pier is provided in Appendix C. The certified abutters list is provided in Appendix D.

## **Section 2**

### **Existing Environment**

#### **2.1 Site Description and Project Setting**

The project site is the location of Fort Taber Park in New Bedford, a historic area from the Civil War-era within the former Fort Rodman Military Reservation. The existing pier is located on the eastern bank of Fort Taber Park near Clarks Point and generally extends in the northeast direction into New Bedford Harbor for approximately 750 feet. The pier is located outside of the New Bedford Harbor walk, a hurricane barrier constructed in 1966 that protects approximately 1,400 acres of land in New Bedford, Fairhaven, and Acushnet from tidal flooding and coastal storms. Several ferry routes traveling to the islands off Massachusetts' shores run along the Acushnet River and into Buzzards Bay but are generally not close in proximity to the existing pier.

#### **2.2 Wetland Resources**

Wetland resource areas are regulated by the Massachusetts Wetlands Protection Act ("WPA") and the New Bedford Wetlands Ordinance (Article VII). The proposed work has been reviewed in accordance with 310 CMR 10.00 and MassDEP guidelines. The following wetland resource areas have been identified at the site.

##### **2.2.1 Land Under the Ocean**

Land under the Ocean means land extending from the Mean Low Water ("MLW") line seaward to the boundary of the municipality's jurisdiction. As the project area consists of the northern side of the end of the Fort Taber pier, below MLW and within the boundary of New Bedford's jurisdiction, the project site is located within Land Under the Ocean.

##### **2.2.2 LSCSF**

The Federal Emergency Management Agency ("FEMA") flood map (Panel No. 25005C0482G, effective July 16, 2014) issued by FEMA was consulted to determine the presence of LSCSF on the property. The project parcel falls within Zone VE, an area subject to flooding and/or inundation by the 100-year flood with additional hazards associated with storm waves with a base flood elevation (BFE) of 26 feet (NAVD88). Accordingly, the site is regulated as LSCSF.

#### **2.3 Rare Species**

The Massachusetts Natural Heritage and Endangered Species Program (NHESP) Atlas (14<sup>th</sup> edition, August 1, 2017) and MassGIS online (August 2017) were consulted during the planning and design phases of this project. According to these sources, the site falls within a mapped area of Estimated Habitat of Rare Wildlife (EH 756) and Priority Habitat of Rare Species (PH 945), as shown on Figure 2 in Appendix A. As part of a request for streamlined, 30-day Massachusetts Endangered Species Act ("MESA")/WPA review, WPA Form 3 includes supplemental information in Section C.1.c. and an Assessor's Map has been provided in Appendix A. A copy of the NOI will be sent to the Natural Heritage and Endangered Species Program ("NHESP") via e-mail and certified mail.

No NHESP certified or potential vernal pools are mapped within the project area.

## 2.4 Historic Properties

The project site is the location of an historic property inventoried in the Massachusetts Cultural Resource Inventory System (MACRIS). The property is the former Fort Rodman military base (MHC ID: NBE.F) located within Fort Taber Park. The existing pier is located adjacent to the historic property, however, the entrance of the pier starts at the termination of the historic area. Additionally, on the seaward side of the pier, a historic inventory is noted as the former Fort Rodman Mess Hall (MHC ID: NBE.1151). The mess hall has since been demolished. The project will not require a Project Notification Form from the Massachusetts Historic Commission as a state permit, funding, or approval is not required as a part of this project. The project will not result in impacts to historic properties, and will restore the pier using the existing granite stones in conformance with the aesthetics of the pier and surrounding properties.

## **Section 3**

### **Project Description**

#### **3.1 Proposed Activities**

The project proposes to repair the damaged portion of the Fort Taber pier. The pier contains an exposed portion along its northern face from the existing granite stone becoming dislodged, creating a void that undermines the structural integrity of the pier. The pier will be repaired by utilizing the existing granite stones that have been dislodged, replacing the stones to restore the pier. Following the resetting of the granite stones, stone fill will be placed between the stones and will be pressure-filled with grout to secure the stones in place. The project area will be accessed via the existing pier, and work will be performed from the pier.

The pier is proposed to be repaired with the existing granite stones in order to minimize impacts to surrounding resource areas and to maintain aesthetic consistency with the surrounding historic area of Fort Taber. The replacement of the existing fallen stones will remove this manmade material from the Coastal Beach and will allow the restored section of the pier to be similar to existing conditions in both appearance and functionality. Utilizing similar stone from an outside source would allow the structure to be structurally sound, but would deviate from the historic conditions that make the Fort Taber pier unique, and would not result in the removal of the existing granite stones from the Coastal Beach.

#### **3.2 Anticipated Construction Sequence**

Please note that the following sequence is based on Tighe & Bond's experience with similar projects and may vary dependent on the contractor's proposed schedule.

1. Notify pertinent regulatory agencies of the construction schedule;
2. Mobilize to the site and install MassDEP File number sign and temporary sediment and erosion control measures and other Best Management Practices (BMPs);
3. Schedule and conduct site walks with pertinent regulatory agencies;
4. Commence site preparation and protect infrastructure and environmental resources within the area through installation of a sedimentation boom around the project limits of work;
5. Remove the granite stones which have fallen onto the coastal beach;
6. Reset the granite stones into the damaged portion of the pier;
7. Place stone fill between the granite stones;
8. Pressure fill the voids with grout to stabilize the stones in place;
9. Remove erosion control barriers once site has stabilized and regulatory agencies have authorized the actions.



Please note that the above sequence may change and some tasks may be performed concurrently. The contractor who performs the work will determine the actual sequencing based on their means and methods of construction.

### **3.3 Best Management Practices**

Several construction-phase Best Management Practices (BMPs) will be implemented to protect adjacent resource areas. Descriptions of these measures are provided in the following sections.

#### **3.3.1 Spill Prevention and Control**

The contractor(s) will be required to conduct the work in an environmentally-safe manner and in accordance with applicable regulations for the management of fuels, waste oils, and hazardous substances. Any hazardous materials will be transported, stored, and handled as recommended by the suppliers and/or manufacturers, and in compliance with applicable federal or state regulations.

#### **3.3.2 Sediment Control**

The contractor(s) will be required to install a sedimentation boom prior to work. The boom will be removed after the work is complete.

#### **3.3.2 Construction Period Access and Staging**

No staging of equipment is proposed in tidal resource areas or in the water. The project site will be accessed from the existing pier, and work will be performed from the pier.

## **Section 4**

### **Performance Standards**

#### **4.1 Wetlands Protection Act**

This section summarizes the project's relationship to and compliance with the WPA and regulations (310 CMR 10.00), as well as Article VII and its implementing regulations.

The proposed project will result in temporary impacts to Land Under the Ocean/LSCSF during the removal of the granite stones that have fallen into the water for reuse during the repairs to the pier. .

The following section presents the proposed activities' compliance with the WPA. Impact areas presented in this section were calculated in AutoCAD using surveyed topography, resource areas, and other site features.

##### **4.1.1 Limited Project Status**

The proponent is requesting that the proposed pier stone masonry repairs to the Fort Taber pier, which was constructed in 1856, be permitted as a limited project pursuant to 310 CMR 10.24(7)(c)2. as the maintenance, repair and improvement (but not substantial enlargement except when necessary to reduce or eliminate a tidal restriction) of structures, including buildings, piers, towers, headwalls, bridges and culverts which existed on November 1, 1987.

The proposed project is anticipated to impact approximately 25 square feet of Land Under the Ocean/LSCSF due to the construction-period removal of existing granite stones that have fallen from the pier and associated repair work to a limited area of the pier. Removal of the granite stones is anticipated to result in 3 cubic yards of dredging.

The WPA does not maintain performance standards for work within LSCSF. The proposed project is not anticipated to alter the capacity of LSCSF. Erosion control measures will be in place to protect adjacent resource areas.

Work within Land Under the Ocean, which is coincident with LSCSF within the project area, consists of 25 square feet of temporary impacts and 3 cubic yards of dredging to remove the granite stones that have fallen in the water for reuse during repairs to the pier. The dredging is not proposed to be performed for navigational purposes, and is not anticipated to alter the bottom topography in a way that would increase storm damage or erosion of coastal beaches, coastal banks, coastal dunes, or salt marshes. Eelgrass is not mapped within the project limits, and the project area is not within the New Bedford-Fairhaven Designated Port Area. A sedimentation boom is proposed to be used during construction to avoid impacts to water quality, and no changes to water circulation are proposed.

#### **4.2 Public Notice**

Abutters will be notified in accordance with the requirements set forth by the WPA and the New Bedford Wetlands Protection Ordinance. A copy of the certified list of abutters prepared by the New Bedford Assessor's Office are provided in Appendix D. A legal notice advertising the application will be placed for publication in the Standard-Times by

the New Bedford Conservation Agent. Payment has been arranged with the Standard-Times News for the legal advertisement.

### 4.3 Stormwater Management

No new drainage patterns are proposed as part of the proposed repair project. Existing drainage structures will continue to collect the runoff associated with surrounding areas and discharge to the outfalls located within the project area. No new additional impervious areas are proposed and therefore no increase in runoff is proposed. The proposed pier repairs will not influence the peak discharge, and no loss of recharge will occur.

Proper sediment and erosion control measures are proposed, including the use of a sedimentation boom. Though not categorically exempt, the stormwater management standards are generally not applicable to the proposed activities. However, a Stormwater Checklist and Report have been prepared for the project and are provided in Appendix E.

\\Tighebond.com\data\Data\Projects\N\N1011 New Bedford\007 Piers\Permitting\NOI\4-Narrative\_rev.docx



[www.tighebond.com](http://www.tighebond.com)







**FIGURE 1**  
**SITE LOCATION**

1000 S Rodney French Boulevard  
New Bedford, Massachusetts

**Tighe&Bond**

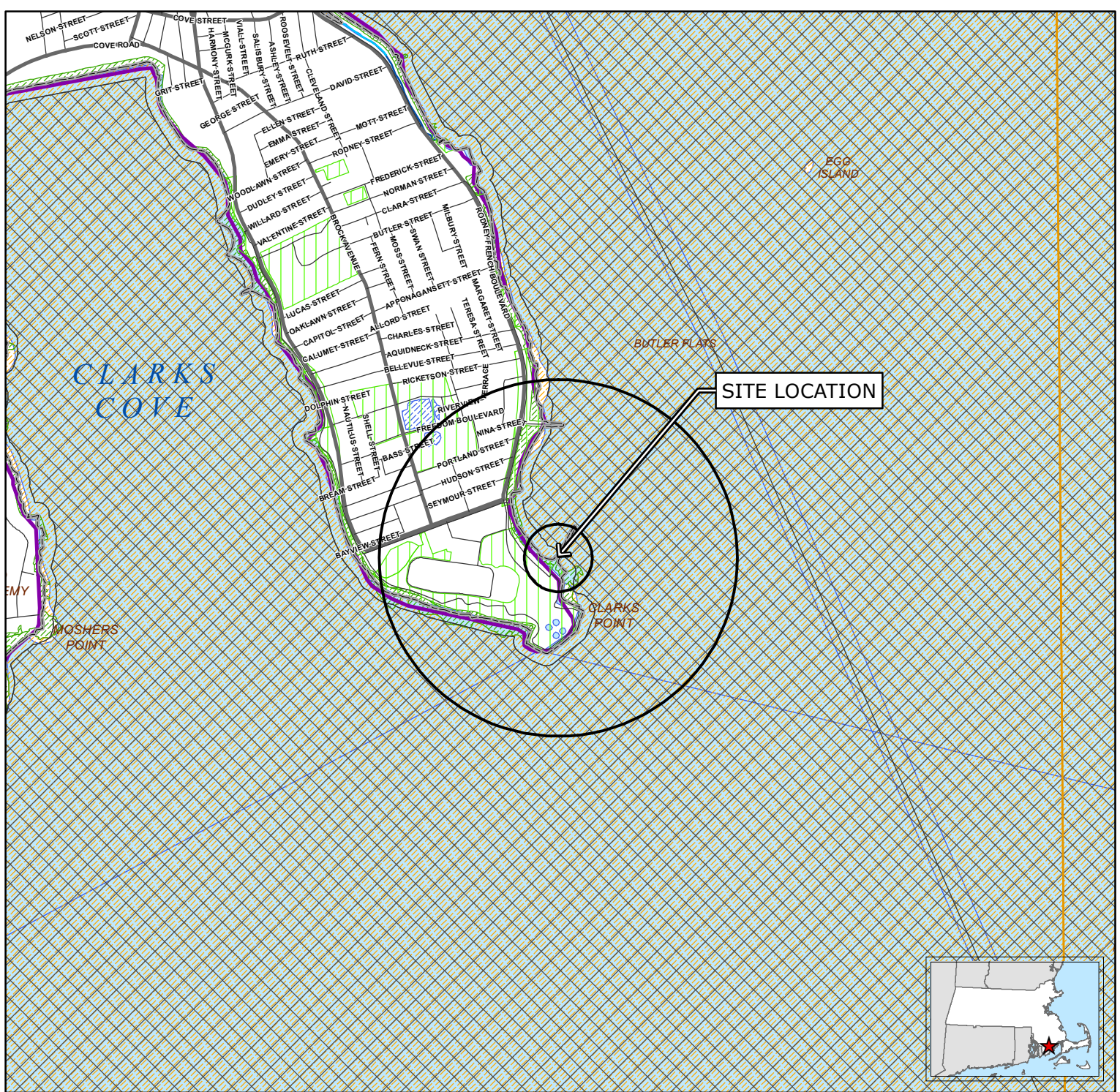
Based on USGS Topographic Map for  
New Bedford South, MA Revised 1977.  
Contour Interval Equals 10-feet.  
Circles indicate 500-foot and half-mile radii

1:24,000  
0 1,000 2,000  
Feet



May 2021





## Legend

- |   |  |   |
|---|--|---|
| Survey Data Locations                           | Aqueducts  | MassDEP Open Water                                      |
| NHESP Certified Vernal Pools                    | Hydrologic Connections                               | MassDEP Inland Wetlands                                 |
| NHESP Potential Vernal Pools                    | Stream/Intermittent Stream                           | MassDEP Coastal Wetlands                                |
| Non-Landfill Solid Waste Sites                  | Powerline  | MassDEP Not Interpreted Wetlands                        |
| Proposed Well                                   | Pipeline   | Public Surface Water Supply (PSWS)                      |
| Emergency Surface Water                         | Track or Trail                                       | Water Bodies  |
| Community Public Water Supply - Surface Water   | Trains   | Non-Potential Drinking Water Source Area - High Yield   |
| Community Public Water Supply - Groundwater     | Public Surface Water Supply Protection Area (Zone A) | Non-Potential Drinking Water Source Area - Medium Yield |
| Non-Community Non-Transient Public Water Supply | DEP Approved Wellhead Protection Area (Zone I)       | Potentially Productive Medium Yield Aquifer             |
| Non-Community Transient Public Water Supply     | DEP Approved Wellhead Protection Area (Zone II)      | Potentially Productive High Yield Aquifer               |
| Limited Access Highway                          | DEP Interim Wellhead Protection Area (IWPA)          | County Boundary   |
| Multi-Lane Highway, NOT Limited Access          | Protected and Recreational Open Space                | Town Boundary   |
| Other Numbered Highway                          | Solid Waste Landfill                                 | USGS Quadrangle Sheet Boundary                          |
| Major Road - Collector                          | Area of Critical Environmental Concern (ACEC)        |   |
| Minor Street or Road                            | NHESP Priority Habitats for Rare Species             |   |
|   | NHESP Estimated Habitats for Rare Wildlife           |   |
|   | EPA Designated Sole Source Aquifer                   |   |
|   | Major Drainage Basin                                 |   |
|   | Sub Drainage Basin                                   |   |

1:24,000  
0 1,000 2,000  
Feet

## FIGURE 2 PRIORITY RESOURCES

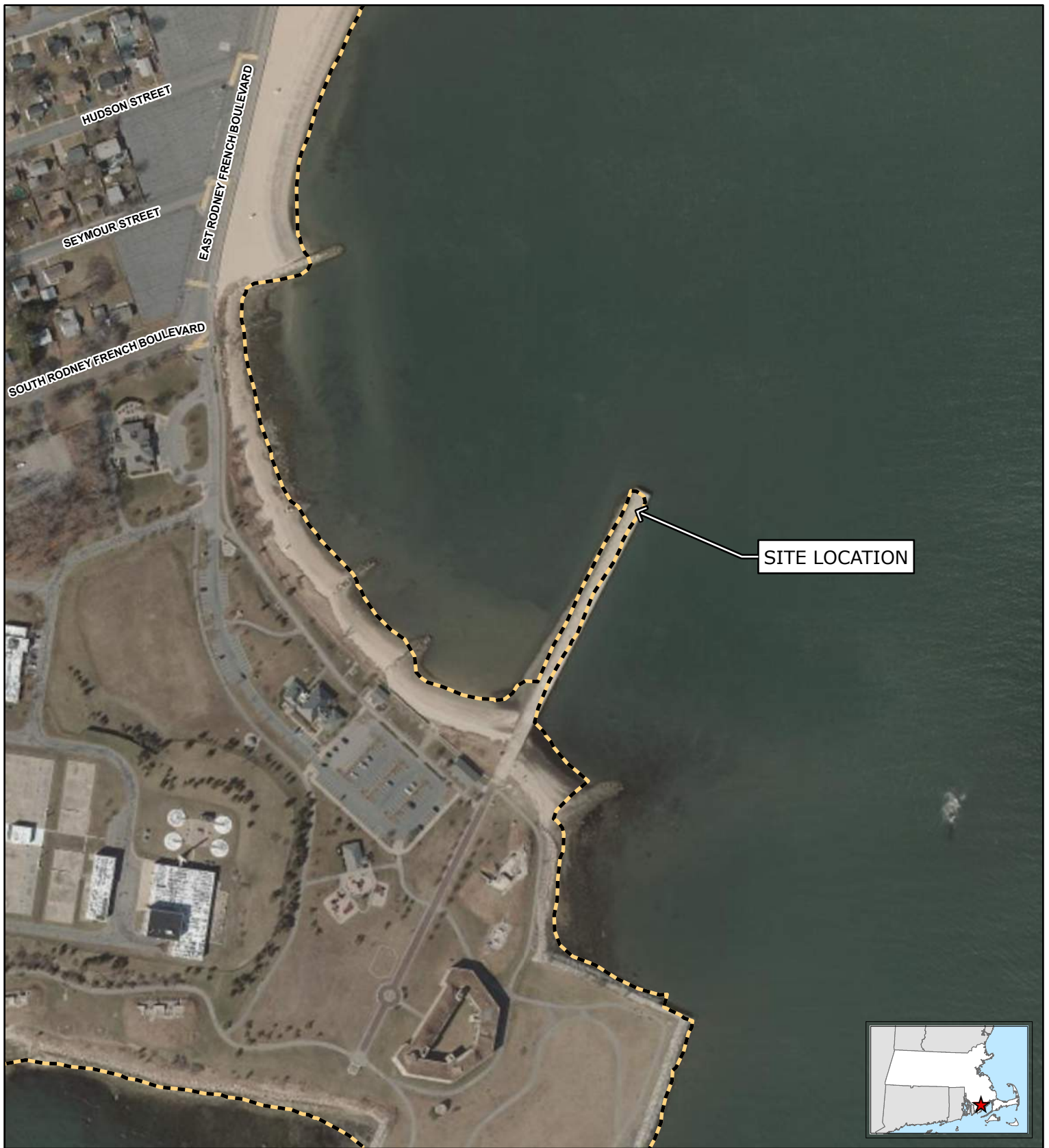
1000 S Rodney French Boulevard  
New Bedford, Massachusetts

Data source: Bureau of Geographic Information (MassGIS),  
Commonwealth of Massachusetts, Executive Office of Technology  
Circles indicate 500-foot and half-mile radii.  
Data valid as of May 2021.

May 2021

**Tighe & Bond**





## Legend

 Town Boundary

**Tighe&Bond**

Based on MassGIS Color Orthophotography (2019)

1:3,600  
0 150 300  
Feet



## FIGURE 3

### ORTHOGRAPH

1000 S Rodney French Boulevard  
New Bedford, Massachusetts

May 2021



NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations** shown on this map apply only landward of 0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study Report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

**Accredited Levee Notes to Users:** Check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection for areas on this panel. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at <http://www.fema.gov/business/nfip/index.shtm>.

The **projection** used in the preparation of this map was Massachusetts State Plane Mainland Zone (FIPS zone 2001). The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NOAA, NINGS12  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

**Base Map** information shown on this FIRM was derived from digital orthophotography. Base map files were provided in digital form by Massachusetts Geographic Information System (MassGIS). Ortho imagery was produced at a scale of 1:5,000. Aerial photography is dated April 2005.

The **profile baselines** depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the **profile baseline**, in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.

This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

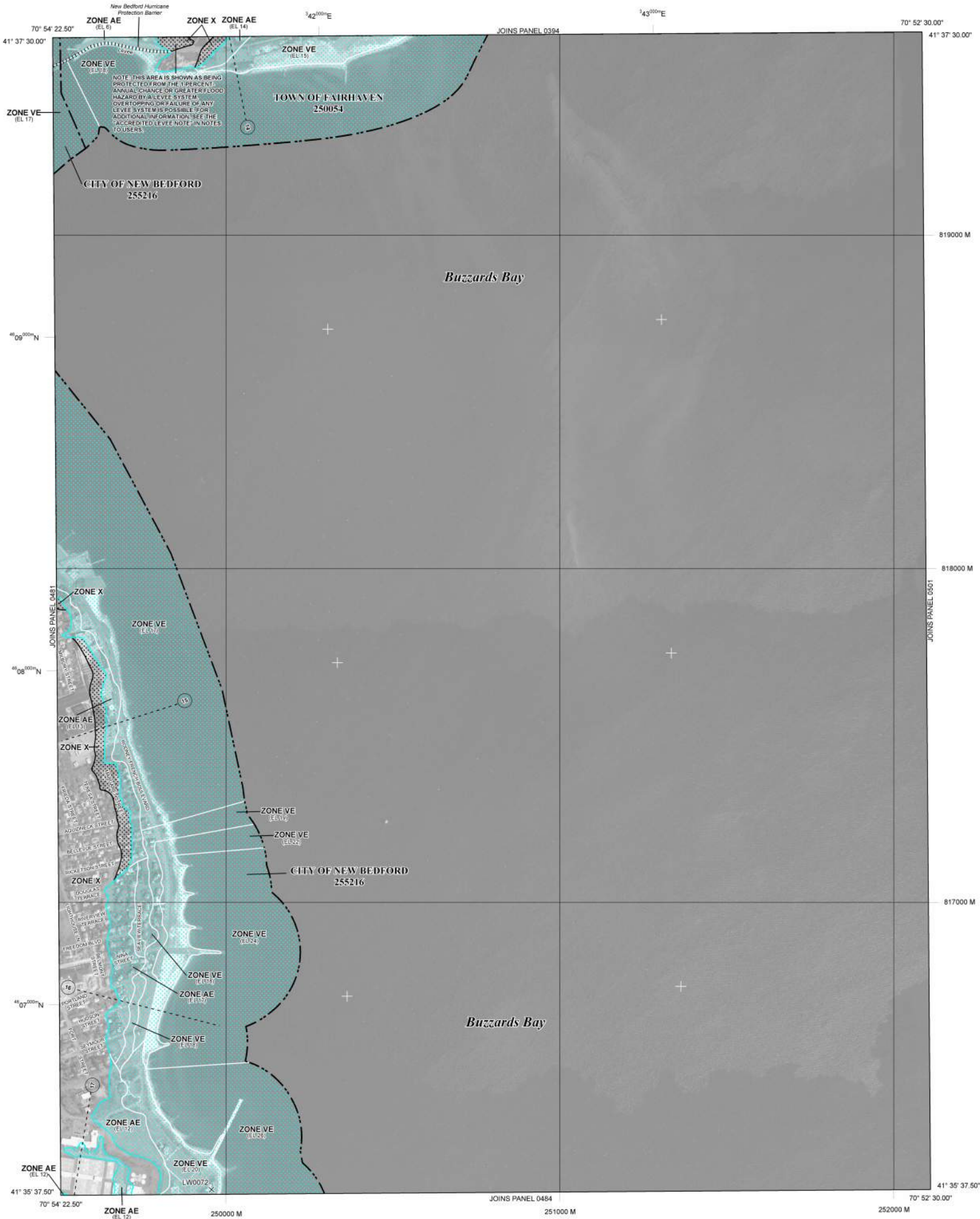
**Corporate limits** shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

If you have **questions about this map**, how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX)** at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/nfip>.

FIGURE 4  
FEMA FIRMette  
1000 S Rodney French Boulevard  
New Bedford, Massachusetts



LEGEND

**SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**  
The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AG, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AG** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently determined. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

**FLOODWAY AREAS IN ZONE AE**

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

**OTHER FLOOD AREAS**

**ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 2 feet or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

**OTHER AREAS**

**ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.

**ZONE D** Areas in which flood hazards are undetermined, but possible.

**COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**

**OTHERWISE PROTECTED AREAS (OPAs)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% Annual Chance Floodplain Boundary

0.2% Annual Chance Floodplain Boundary

Floodway boundary

Zone D boundary

CBRS and OPA boundary

Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.

Base Flood Elevation line and value; elevation in feet\*

Base Flood Elevation value where uniform within zone; elevation in feet\*

\*Referenced to the North American Vertical Datum of 1988

Cross section line

Transect line

Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere

1000-meter ticks: Massachusetts State Plane Mainland Zone (FIPS Zone 2001), Transverse Mercator projection

1000-meter Universal Transverse Mercator grid values, zone 19

Bench mark (see explanation in Notes to Users section of this FIRM panel)

MAP REPOSITORIES

Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP

July 7, 2009

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

July 16, 2014 - to reflect the accreditation of formerly provisionally-accredited levees.

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-438-6620.



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0482G

FIRM

FLOOD INSURANCE RATE MAP

BRISTOL COUNTY, MASSACHUSETTS (ALL JURISDICTIONS)

PANEL 482 OF 550

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
FAIRHAVEN, TOWN OF	250054	0482	G
NEW BEDFORD, CITY OF	255216	0482	G

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

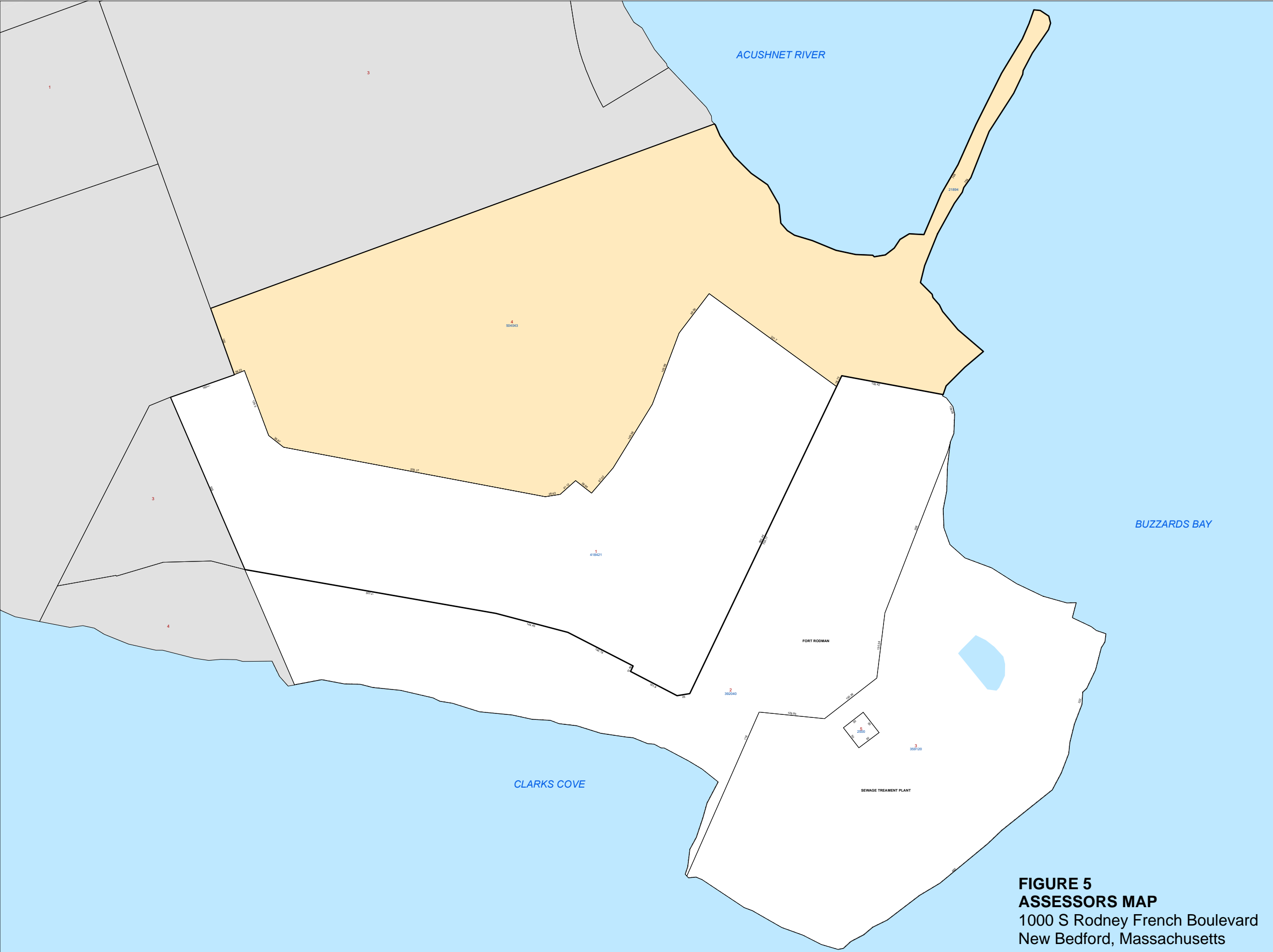
MAP NUMBER

25005C0482G

MAP REVISED

JULY 16, 2014

Federal Emergency Management Agency



**FIGURE 5**  
**ASSESSORS MAP**  
1000 S Rodney French Boulevard  
New Bedford, Massachusetts

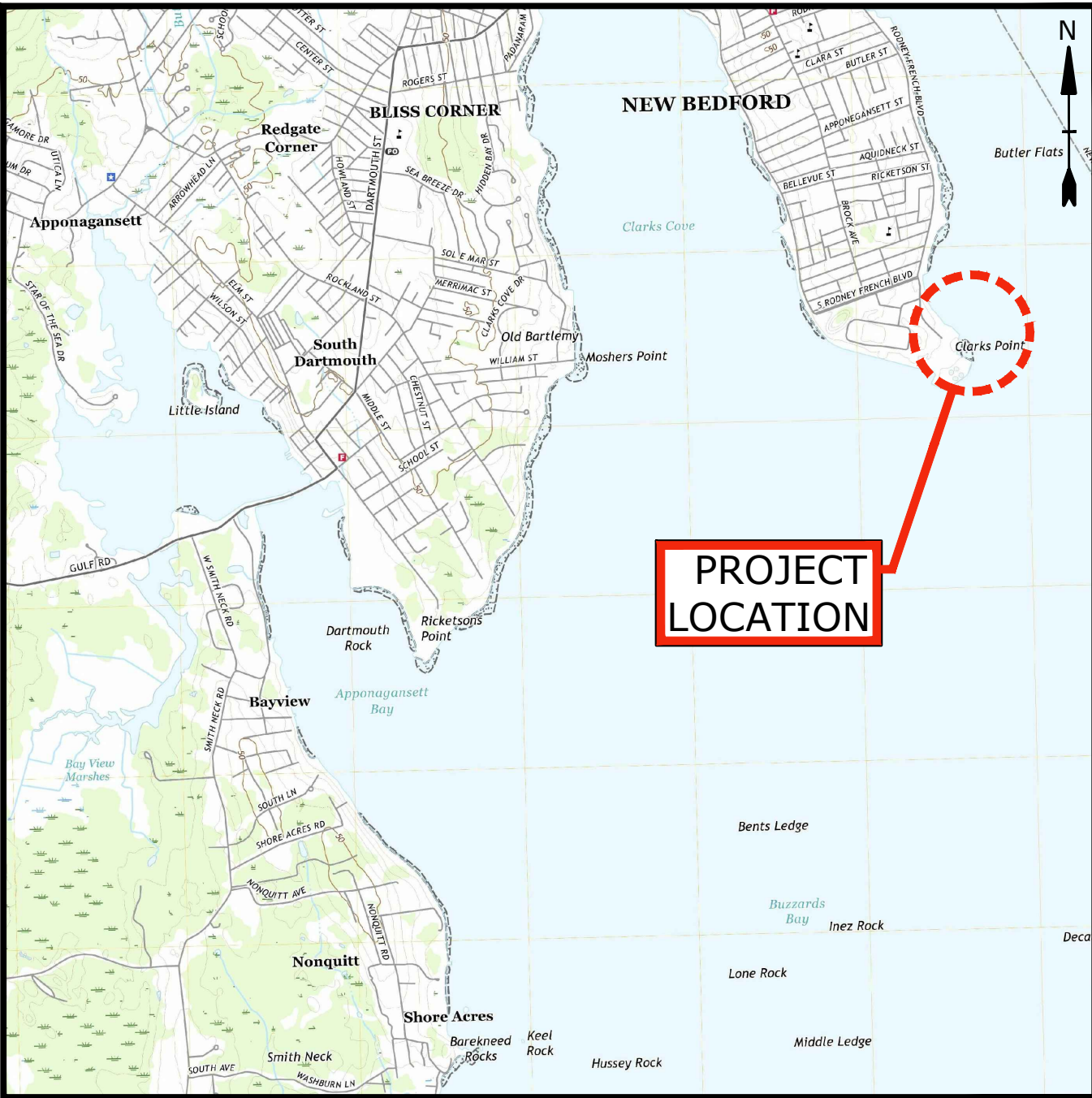


# CITY OF NEW BEDFORD, MASSACHUSETTS

## FORT TABER PIER - STONE MASONRY REHABILITATION

MAY 20, 2021

LIST OF DRAWINGS	
SHEET NO.	SHEET TITLE
G-001	COVER, INDEX OF DRAWINGS, LOCATION AND VICINITY MAPS
G-002	LEGEND, NOTES AND ABBREVIATIONS
C-001	OVERALL PLAN
C-101	EXISTING CONDITIONS PLAN AND SECTIONS
C-102	PROPOSED REPAIR SECTIONS - 1
C-103	PROPOSED REPAIR SECTIONS - 2

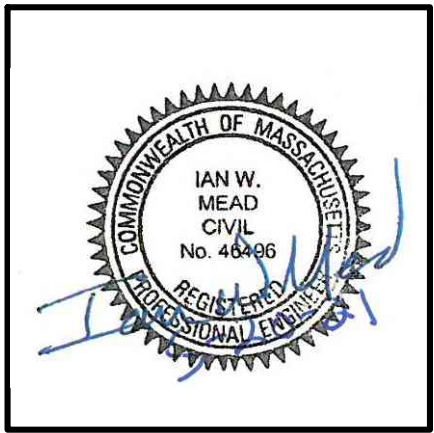


SITE VICINITY MAP  
SCALE: 1" = 3,000'



SITE LOCATION MAP  
SCALE: 1" = 250'

PREPARED BY:  
**Tighe&Bond**



IAN MEAD, PE



DENNIS MORAN, PE



PREPARED FOR:  
CITY OF NEW BEDFORD  
DEPARTMENT OF PUBLIC  
INFRASTRUCTURE  
1105 SHAWMUT AVE  
NEW BEDFORD, MA 02740

**PERMIT SUBMISSION**

**COMPLETE SET 6 SHEETS**



Last Save Date: May 20, 2021 8:15 AM By: DGM  
Plot Date: Thursday, May 20, 2021 Plotted By: Dennis G. Moran  
File Location: \\tpebond.com\\Data\\Data Projects\\N-1011-New Bedford\\1007 Piers\\Drawings\_Figures\\AutoCAD\\Sheet\\N-1011-07-NOTES-LEGEND.dwg Layout Tab: LEGEND & ABBREVIATIONS

GENERAL NOTES

1. THE SITE IS LOCATED IN NEW BEDFORD, MASSACHUSETTS.
2. STANDARD SPECIFICATIONS, WHEN REFERENCED IN THESE DRAWINGS, SHALL MEAN THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION (CURRENT ED). PARTS OF THE STANDARD SPECIFICATIONS THAT ARE SPECIFICALLY REFERENCED SHALL BECOME PART OF THESE DRAWINGS AS THOUGH STATED HEREIN IN FULL. IN CASE OF A DISCREPANCY BETWEEN THE STANDARD SPECIFICATIONS AND THE REQUIREMENTS STATED WITHIN THE DRAWINGS, THE REQUIREMENTS STATED WITHIN THE DRAWINGS SHALL PREVAIL.
3. THIS PROJECT IS OWNED AND FUNDED BY THE CITY OF NEW BEDFORD, MA. THEREFORE, SOME OF THE REFERENCES AND TERMINOLOGY OF THE STANDARD SPECIFICATIONS MAY SEEM OUT OF PLACE. THE ENGINEER FOR THIS PROJECT IS TIGHE & BOND. THE MASSACHUSETTS OF TRANSPORTATION IS NOT A PARTY TO THE PROJECT.
4. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR THE CONDITIONS OF THE JOB SITE, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. SAFETY PROVISIONS SHALL COMPLY WITH LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS. THESE REQUIREMENTS SHALL APPLY CONTINUOUSLY AND SHALL NOT BE LIMITED TO NORMAL WORKING HOURS.
5. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS IN THE FIELD BEFORE ORDERING ANY MATERIALS, COMMENCING ANY FABRICATION, OR PERFORMING ANY WORK. THE CONTRACTOR SHALL NOTIFY THE ENGINEER, IN WRITING, OF ANY CONDITIONS OR DIMENSIONS WHICH VARY FROM THOSE SHOWN IN THE DRAWINGS AND INCORPORATE SUCH VARIATIONS IN THE CONSTRUCTION AS APPROVED BY THE ENGINEER.
6. THE CONTRACTOR SHALL NOTIFY DIGSAFE AT 1-888-344-7233 AND OTHER UTILITY OWNERS IN THE AREA NOT ON THE DIGSAFE LIST AT LEAST 3 BUSINESS DAYS PRIOR TO ANY DIGGING, TRENCHING, ROCK REMOVAL, DEMOLITION, BORING, BACKFILLING, GRADING, LANDSCAPING, PILE DRIVING, DRILLING, OR ANY OTHER BELOW GRADE OPERATIONS.
7. LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE. IN ADDITION, SOME UTILITIES MAY NOT BE SHOWN. DETERMINE THE EXACT LOCATION OF UTILITIES BY TEST PIT OR OTHER METHODS, AS NECESSARY TO PREVENT DAMAGE TO UTILITIES AND/OR INTERRUPTIONS IN UTILITY SERVICE. PERFORM TEST PIT EXCAVATIONS AND OTHER INVESTIGATIONS TO LOCATE UTILITIES, AND PROVIDE THIS INFORMATION TO THE ENGINEER, PRIOR TO CONSTRUCTING THE PROPOSED IMPROVEMENTS. LOCATE ALL EXISTING UTILITIES TO BE CROSSED BY HAND EXCAVATION.
8. SHORE UTILITY TRENCHES WHERE FIELD CONDITIONS DICTATE AND/OR WHERE REQUIRED BY LOCAL, STATE AND FEDERAL HEALTH AND SAFETY CODES.
9. NO OPEN TRENCHES WILL BE ALLOWED OVER NIGHT. THE USE OF ROAD PLATES TO PROTECT THE EXCAVATION WILL BE CONSIDERED UPON REQUEST, BUT BACKFILLING IS PREFERRED.
10. MAINTAIN EMERGENCY ACCESS TO ALL PROPERTIES WITHIN THE PROJECT AREA AT ALL TIMES DURING CONSTRUCTION.
11. ALL PROPOSED WORK MAY BE ADJUSTED IN THE FIELD BY THE OWNER'S PROJECT REPRESENTATIVE TO MEET EXISTING CONDITIONS.
12. ALL WORK SHALL BE PERFORMED IN THE DRY, UTILIZING LOW TIDES. AND/OR CONTRACTOR DESIGNED TEMPORARY COFFERDAMS, WHICH MAY ALSO BE UTILIZED AS EROSION AND SEDIMENT CONTROLS. THE EXCAVATION BACK SLOPES SHALL BE PROTECTED BY A CONTRACTOR DESIGNED SUPPORT-OF-EXCAVATION AND THE BOTTOM OF EXCAVATION SHALL HAVE CRUSHED STONE STABILIZATION.
13. OBTAIN, PAY FOR AND COMPLY WITH PERMITS, NOTICES AND FEES NECESSARY TO COMPLETE THE WORK. ARRANGE AND PAY FOR NECESSARY INSPECTIONS AND APPROVALS FROM THE JURISDICTIONAL AUTHORITIES.
14. BOLD TEXT AND LINES INDICATE PROPOSED WORK. LIGHT TEXT AND LINES INDICATE APPROXIMATE EXISTING CONDITIONS.
15. TIGHE & BOND ASSUMES NO RESPONSIBILITY FOR ANY ISSUES, LEGAL OR OTHERWISE, RESULTING FROM CHANGES MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM TIGHE & BOND.

EXISTING CONDITIONS NOTES

1. THE PROJECT SITE IS WITHIN THE SPECIAL FLOOD HAZARD AREA ZONE AE, BASE FLOOD ELEVATION (B.F.E) DETERMINED (B.F.E. = 8.0, NAVD88) AS DEPICTED IN FLOOD INSURANCE RATE MAP 3301390278F PANEL 260 OF 681 DATED JANUARY 29, 2021.
2. THE EXISTING CONDITIONS WERE FIELD MEASURED BY TIGHE & BOND ON MARCH 26, 2021 AND SHALL BE CONSIDERED APPROXIMATE.
3. THE PROPOSED WORK IS WITHIN THE EXISTING WALL FOOTPRINT.

LAYOUT

1. THE HORIZONTAL CONTROL DATUM FOR THIS PROJECT IS SITE SPECIFIC.
2. THE VERTICAL CONTROL DATUM FOR THIS PROJECT IS THE CITY OF NEW BEDFORD DATUM..
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PERFORMING ALL LAYOUT.

MOBILIZATION AND DEMOBILIZATION NOTES

1. COORDINATE WITH THESE DRAWINGS AND SECTION 02005, MOBILIZATION/DEMOBILIZATION.

DEMOLITION AND REMOVAL

1. COORDINATE WITH THESE DRAWINGS AND SECTION 02050, DEMOLITION AND REMOVAL.

EROSION & SEDIMENT CONTROL AND RESOURCE AREA PROTECTION NOTES

1. COORDINATE WITH THESE DRAWINGS AND SECTION 02270, EROSION AND SEDIMENT CONTROLS.
2. PROVIDE ALL EROSION AND SEDIMENT CONTROL MEASURES SHOWN, SPECIFIED, REQUIRED BY PERMIT, AND/OR REQUIRED BY THE ENGINEER PRIOR TO ANY CONSTRUCTION OR IMMEDIATELY UPON REQUEST. MAINTAIN SUCH CONTROL MEASURES UNTIL FINAL SURFACE TREATMENTS ARE IN PLACE. INSPECT AFTER EACH RAINSTORM AND DURING MAJOR STORM EVENTS TO CONFIRM THAT ALL SEDIMENTATION AND EROSION CONTROL MEASURES REQUIRED ARE IN PLACE AND EFFECTIVE.
3. PRIOR TO STARTING WORK, CLEARLY MARK WORK LIMITS. DO NOT DISTURB THE AREA BEYOND THE PROPOSED LIMITS. COORDINATE WITH THE ENGINEER FOR LOCATIONS OF TEMPORARY STOCKPILING OF TOPSOIL DURING CONSTRUCTION.
4. INSTALL SILT SACKS OR OTHER APPROVED SEDIMENTATION BARRIERS IN/AT ALL CATCH BASINS IN THE PROJECT AREA.
5. REMOVE AND PROPERLY DISPOSE OF SILT TRAPPED AT BARRIERS IN UPLAND AREAS OUTSIDE BUFFER ZONES. REMOVE MATERIALS DEPOSITED IN ANY TEMPORARY SETTLING BASINS AT THE COMPLETION OF THE PROJECT. RESTORE ALL DISTURBED AREAS TO THEIR PRECONSTRUCTION CONDITION.
6. SWEEP, COLLECT, REMOVE AND DISPOSE OF ANY SEDIMENT TRACKED ONTO PUBLIC RIGHT-OF-WAYS AT THE END OF EACH DAY.
7. ALL HYDRAULIC EQUIPMENT SHALL UTILIZE BIODEGRADABLE, VEGETABLE BASED, NON-TOXIC AND NON-POLLUTING HYDRAULIC FLUID.
8. STORE FUEL, OIL, PAINT, OR OTHER HAZARDOUS MATERIALS IN A SECONDARY CONTAINER AND REMOVE TO A SECURE LOCKED AND COVERED AREA DURING NON-WORK HOURS.
9. PROVIDE A SUPPLY OF ABSORBENT SPILL RESPONSE MATERIALS SUCH AS BOOMS, BLANKETS, AND OIL ABSORBENT

MATERIALS AT THE CONSTRICTION SITE AT ALL TIMES TO CLEAN UP POTENTIAL SPILLS OF HAZARDOUS MATERIALS. IMMEDIATELY REPORT SPILLS OF HAZARDOUS MATERIALS TO THE STATE ENVIRONMENTAL AGENCY AND THE MUNICIPALITY WHERE THE WORK IS OCCURRING.

DEWATERING, CONTROL, AND DIVERSION OF WATER

1. COORDINATE WITH THESE DRAWINGS AND SECTION 02400, DEWATERING, CONTROL, AND DIVERSION OF WATER.
2. WATER ELEVATIONS AT THE SITE ARE TIDAL AND ARE EXPECTED TO VARY.
3. THE CONTRACTOR SHALL ROUTE ALL PUMPED WATER TO DEWATERING BASINS OR OTHER SUITABLE DEVICES (E.G., DEWATERING BAGS) PRIOR TO ALLOWING THE PUMPED WATER TO FLOW OVER LAND.

CONCRETE

1. COORDINATE WITH THESE DRAWINGS WITH SECTION 03310, CONCRETE.

MASONRY

1. COORDINATE WITH THESE DRAWINGS AND SECTION 04400, STONE MASONRY.

GENERAL EXECUTION NOTES

1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT CONSTRUCTION ACTIVITIES PROCEED IN A SMOOTH LOGICAL SEQUENCE AND IN A MANNER THAT WILL NOT CAUSE ANY DAMAGE TO OR CREATE EXCESSIVE STRESS, LOADS, OR VIBRATIONS ON EXISTING OR PROPOSED STRUCTURES UTILITIES.
2. THE CONTRACTOR SHALL PROVIDE ADEQUATE FENCING, BARRICADES, AND SIGNS TO ENSURE SAFETY.
3. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST OSHA REGULATIONS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING A LEVEL AND STABLE SURFACE ON WHICH EQUIPMENT WILL OPERATE.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEVELOPING ITS OWN PICK/LIFT PROCEDURES INCLUDING, BUT NOT LIMITED TO SAFE PICKING RADII, LIFTING DEVICES, AND SLINGS.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE WEIGHT OF EACH PICK AND FOR ENSURING THE STABILITY OF EACH PICK DURING ALL PHASES OF WORK.
7. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO LOCATE AND PROTECT EXISTING UTILITIES IN THE AREA AS REQUIRED. OVERHEAD POWER LINES ADJACENT TO WORK AREAS ARE TO BE SHUT DOWN DURING OPERATIONS WHEN THE CONTRACTOR BELIEVES THEY MAY INTERFERE, OR ARE TOO CLOSE TO THE WORK. WHEN POWER LINES IN THE WORK AREA CAN NOT BE DEENERGIZED, THE CONTRACTOR SHALL MAINTAIN A SAFE DISTANCE AS DETERMINED BY OSHA. ALL UTILITIES SHALL BE LOCATED AND MARKED IN ACCORDANCE WITH OSHA STANDARDS.

SURFACE RESTORATION NOTES

1. ALL PAVEMENT DAMAGED BY THE CONTRACTOR'S OPERATIONS SHALL BE REPLACED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
2. PROTECT PROJECT FEATURES (E.G., WALLS, FENCES, SIGNS, SIDEWALKS, CURBING, STAIRS, WALKWAYS, ETC.) FROM DAMAGE DURING CONSTRUCTION, INCLUDING PROVIDING TEMPORARY SUPPORTS, WHEN APPROPRIATE.
3. IF REMOVAL OF PROJECT FEATURES IS REQUIRED IN ORDER TO PERFORM THE PROPOSED WORK, REMOVE THOSE SITE FEATURES ONLY UPON APPROVAL OF THE ENGINEER. REPLACE ALL REMOVED PROJECT FEATURES; NEW ITEMS SHALL BE EQUAL OR BETTER IN QUALITY AND CONDITION TO THE ITEMS REMOVED.
4. EXISTING SURVEY MONUMENTS DISTURBED BY THE CONTRACTOR SHALL BE REPLACED BY A LAND SURVEYOR LICENSED IN MASSACHUSETTS AT NO ADDITIONAL COST TO THE OWNER.
5. COORDINATE THE ADJUSTMENT OF EXISTING UTILITY STRUCTURES WITH EACH RESPONSIBLE UTILITY OWNER PRIOR TO RECONSTRUCTION AND/OR PAVING OPERATIONS. RAISE ALL STRUCTURES TO FINISHED GRADES PRIOR TO THE END OF THE CONSTRUCTION SEASON AND PRIOR TO FINISHED PAVING.
6. TRANSFER ALL TEMPORARY BENCHMARKS, AS NECESSARY.
7. RESTORE ALL AREAS DISTURBED BY THE CONTRACTOR BEYOND THE PAYLINE LIMITS TO ORIGINAL CONDITIONS AT NO ADDITIONAL COST TO THE OWNER.
8. REGRADE ALL UNPAVED AREAS DISTURBED BY THE WORK AS REQUIRED. REPAIR/REPLACE PAVED SURFACES DISTURBED BY THE WORK IN-KIND, UNLESS OTHERWISE NOTED. RESTORE SURFACES TO EXISTING OR PROPOSED CONDITIONS AS INDICATED ON THE DRAWINGS.

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LEGEND

DESCRIPTION	EXISTING	PROPOSED
PROPERTY LINE		
LIMITS OF WORK		
INTERMEDIATE CONTOURS		
INDEX CONTOURS		
SPOT GRADE		
MAGNITUDE & DIRECTION OF SLOPE		
MEAN HIGH WATER		
MEAN LOW WATER		
FEMA FLOOD ZONE		
SEAWALL		

Tighe&Bond

PERMIT DRAWINGS  
NOT FOR CONSTRUCTION



Fort Taber Pier  
- Stone  
Masonry  
Rehabilitation

City of New  
Bedford

New Bedford,  
Massachusetts

PROJECT NO:	N-1011-007
DATE:	
FILE:	N-1011-07-NOTES-LEGEND.DWG
DRAWN BY:	
CHECKED:	
APPROVED:	

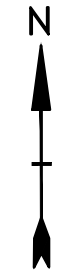
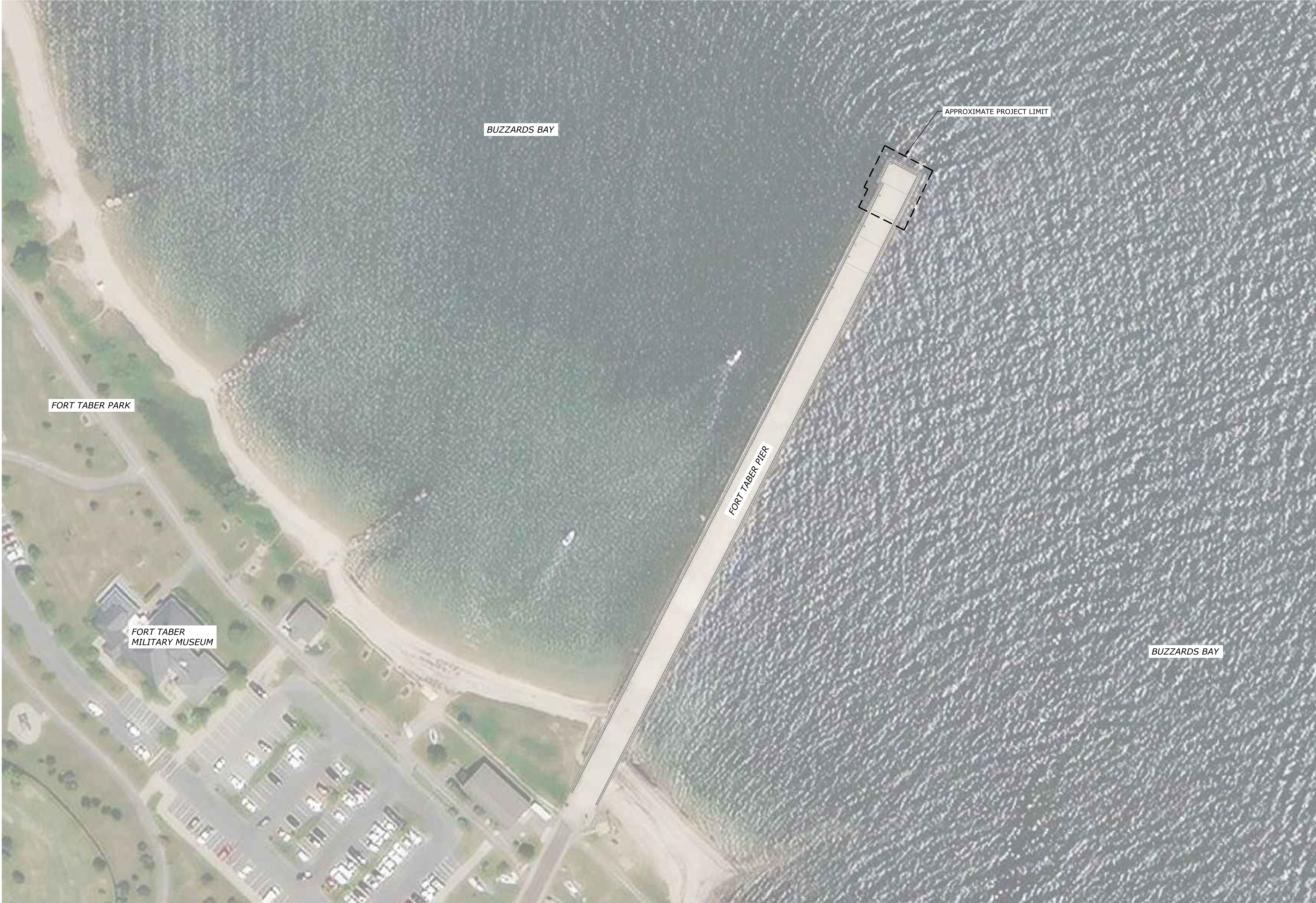
LEGEND, NOTES AND  
ABBREVIATIONS

SCALE: NO SCALE

G-002

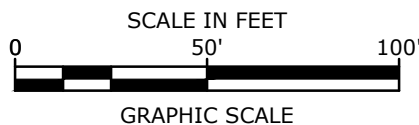


Last Save Date: May 20, 2021 7:42 AM By: DCM  
Plot Date: Thursday, May 20, 2021 Plotted By: Dennis G. Moran  
286 File Location: \\tbdm\cdm\Users\cdm\Documents\Projects\N-1011-New Bedford\1007-Permit Drawings\_Figures\AutoCAD\Sheet\N-1011-07-EXIST.dwg Layout Tab: C-001



PERMIT SUBMISSION

OVERALL PLAN  
1" = 50'



Tighe&Bond

PERMIT DRAWINGS  
NOT FOR CONSTRUCTION



Fort Taber Pier  
- Stone  
Masonry  
Rehabilitation

City of New  
Bedford

New Bedford,  
Massachusetts

1	20210520	RELEASED FOR PERMITTING
MARK	DATE	DESCRIPTION
PROJECT NO: N-1011-007		
DATE: 05/14/2021		
FILE: N-1011-07-EXIST.DWG		
DRAWN BY: JAK/APG		
CHECKED: DCM		
APPROVED: IM		

OVERALL SITE PLAN

SCALE:

C-001



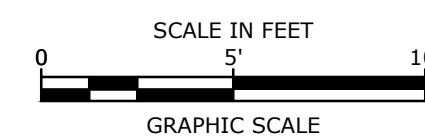
PERMIT DRAWINGS  
NOT FOR CONSTRUCTION

City of New  
Bedford

1	20210520	RELEASED FOR PERMITTING
MARK	DATE	DESCRIPTION
PROJECT NO:		N-1011-007
DATE:		05/14/2021
FILE:		N-1011-07-EXIST.DWG
DRAWN BY:		JAK/APG
CHECKED:		DCM
APPROVED:		IM

## SCALE:

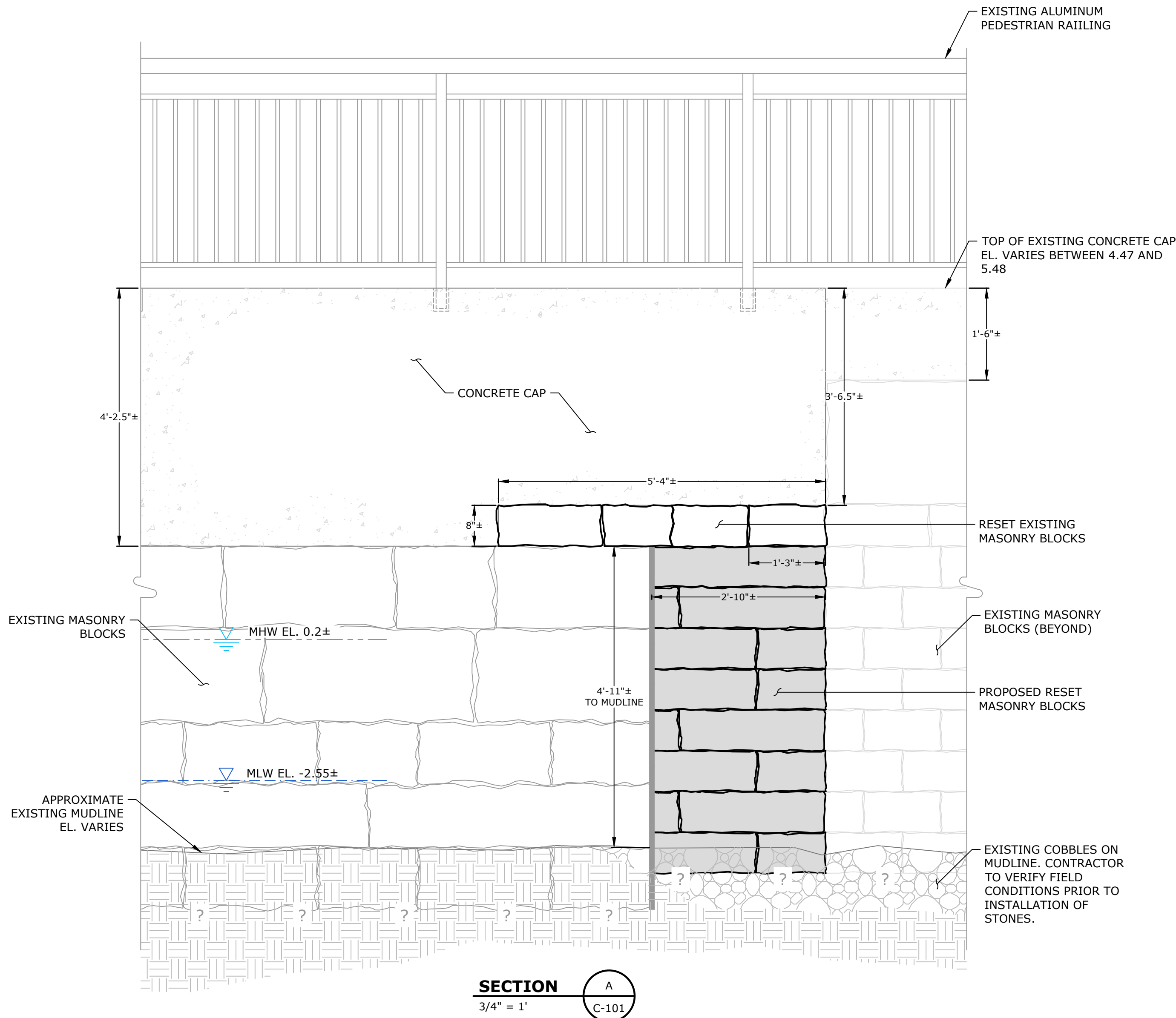
C-101



1. ALL ELEVATIONS REFERENCE N. B. DATUM.
2. THE EXISTING PIER WALL CONFIGURATION WAS TAKEN FROM THE PLAN SET TITLED FORT TABER PARK - PIER RESTORATION BY CAMI DRESSER & MCKEE, INC., DATED JULY, 2003 AND FROM FIELD MEASUREMENTS TAKEN BY TIGHE & BOND ON MARCH 26, 2021.
3. DETAILS AND FEATURES OF SUBSURFACE CONSTRUCTION ARE UNKNOWN.

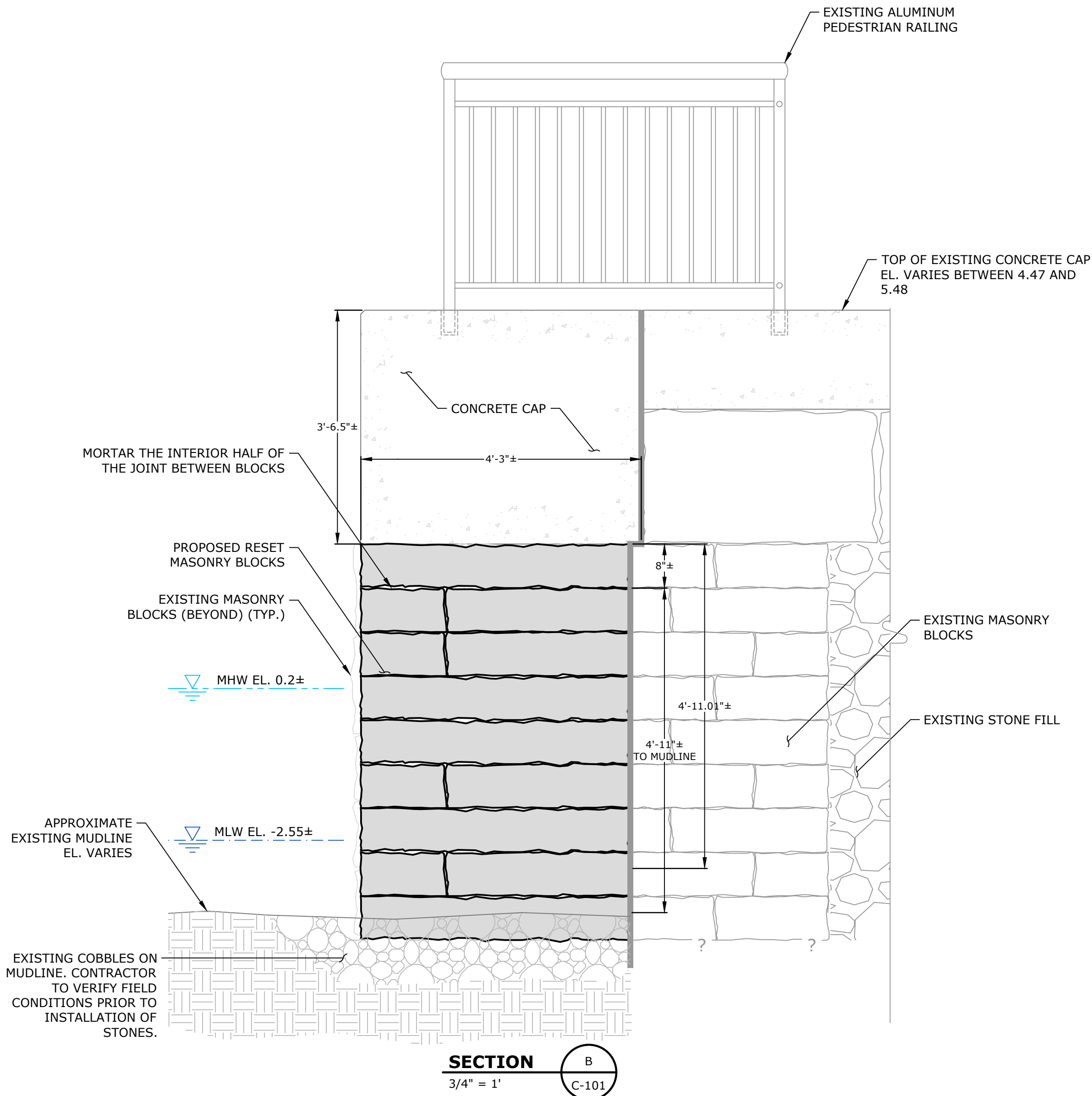
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NOTES:

- ALL ELEVATIONS REFERENCE N. B. DATUM.
- THE EXISTING PIER WALL CONFIGURATION WAS TAKEN FROM THE PLAN SET TITLED FORT TABER PARK - PIER RESTORATION BY CAMP DRESSER & MCKEE, INC., DATED JULY, 2003 AND FROM FIELD MEASUREMENTS TAKEN BY TIGHE & BOND ON MARCH 26, 2021.
- DETAILS AND FEATURES OF SUBSURFACE CONSTRUCTION ARE UNKNOWN.



Tighe&Bond

PERMIT DRAWINGS  
NOT FOR CONSTRUCTION



Fort Taber Pier  
- Stone  
Masonry  
Rehabilitation

City of New  
Bedford

New Bedford,  
Massachusetts

1	20210520	RELEASED FOR PERMITTING

MARK	DATE	DESCRIPTION
PROJECT NO:		N-1011-007
DATE:		05/20/2021
FILE:		N-1011-07-EXIST.DWG
DRAWN BY:		JAK/APG
CHECKED:		DGM
APPROVED:		JM

PROPOSED REPAIR  
SECTIONS - 1

SCALE:

C-102



City of New  
Bedford

New Bedford,  
Massachusetts

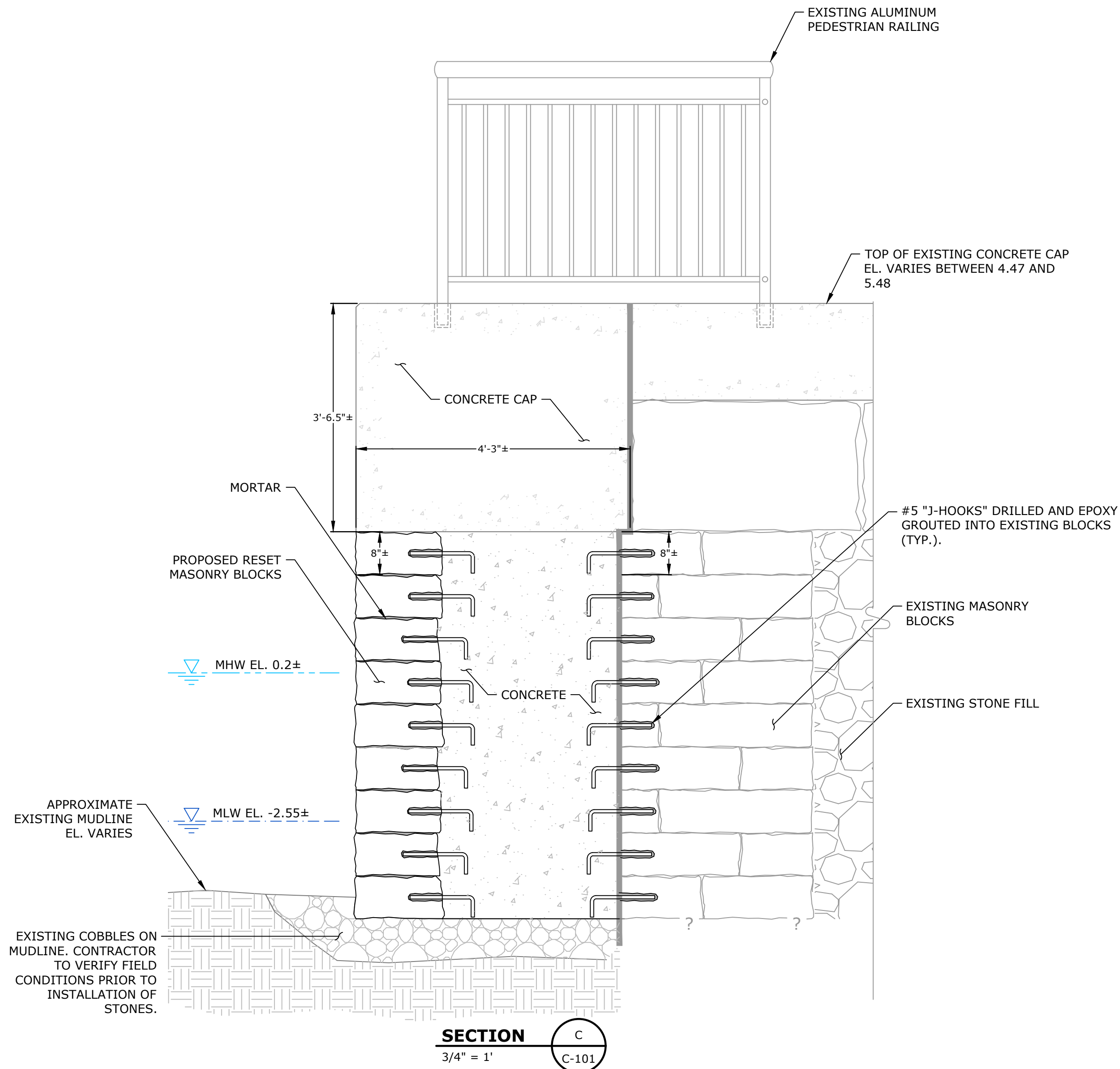
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MARK	DATE	DESCRIPTION

PROJECT NO:	N-1011-007
DATE:	05/14/2021
FILE:	N-1011-07-EXIST.DWG
DRAWN BY:	JAK/APG
CHECKED:	DCM
APPROVED:	IM

## PROPOSED REPAIR SECTIONS - 2

SCALE:

C-103



NOTES:

1. ALL ELEVATIONS REFERENCE N. B. DATUM.
2. THE EXISTING PIER WALL CONFIGURATION WAS TAKEN FROM THE PLAN SET TITLED FORT TABER PARK - PIER RESTORATION BY CAMP DRESSER & MCKEE, INC., DATED JULY, 2003 AND FROM FIELD MEASUREMENTS TAKEN BY TIGHE & BOND ON MARCH 26, 2021.
3. DETAILS AND FEATURES OF SUBSURFACE CONSTRUCTION ARE UNKNOWN.

# PERMIT SUBMISSION



# Photographic Log

**Client:** City of New Bedford

**Job Number:** 23-1011-007

**Site:** 1000 S Rodney French Blvd, New Bedford, MA

**Photograph No. 1**

**Date:** 03/26/21

**Description:** Representative view of damaged portion of Fort Taber pier and granite stone.



**Photograph No. 2**

**Date:** 03/26/21

**Description:** Representative view of damaged portion of Fort Taber pier and granite stone.






# Photographic Log

**Client:** City of New Bedford

**Job Number:** 23-1011-007

**Site:** 1000 S Rodney French Blvd, New Bedford, MA

<b>Photograph No. 3</b>	<b>Date: 03/26/21</b>	
<b>Description: Aerial view of damaged portion of Fort Taber pier.</b>		
		

<b>Photograph No. 4</b>	<b>Date: 11/23/2020</b>	
<b>Description: Aerial view of damaged portion of Fort Taber pier.</b>		
		



28384

BX 2941 PG 0253

## DEED

THIS DEED, made as of the 22nd day of October, 1992, by and between the United States of America, acting by and through the Secretary of the Army, under and pursuant to the powers and authority contained in Section 2834 of the Department of Defense Authorization Act for Fiscal Years 1992 and 1993, Public Law 102-190, hereinafter referred to as "Government", Grantor, and the City of New Bedford, a political subdivision of the Commonwealth of Massachusetts, Grantee;

*with an address of City Hall, 137 William Street, New Bedford, Mass.*

## WITNESSETH:

WHEREAS, pursuant to Section 2834 of Public Law 102-190, the Secretary of the Army may convey all right, title, and interest of the United States in and to certain parcels of land and improvements thereon, containing in the aggregate approximately 11.7 acres of land, and certain other real property interests, to the City of New Bedford, Massachusetts at the former U.S. Army Reserve Center, New Bedford, Massachusetts (the "Property"); and

WHEREAS, Section 2834 of Public Law 102-190 provides that as consideration for the conveyance, the City shall (a) accept the Property in its existing condition; (b) conduct any response actions with respect to the Property that are necessary (as determined under the laws of the Commonwealth of Massachusetts) to prevent the release or threat of release of any oil or hazardous material (the "Identified Hazardous Materials") identified in and described as being located on the Property in the "Phase One Limited Site Investigation United States Army Reserve Center Fort Rodman Parcel 5, New Bedford, Massachusetts" dated May 1991, and prepared by Tibbetts Engineering Corporation (the "Report"); (c) agree to indemnify the United States for all costs of necessary response actions with respect to the Property arising from the failure of the City to conduct any response action referred in (b); and (d) pay to the United States the amount, if any, by which the fair market value of the Property on the date of conveyance to the City exceeds the cost of the response actions referred to in (b);

WHEREAS, the Grantee proposes to use the Property for the construction, operation, maintenance and management of a wastewater treatment facility, for a public park and recreation facilities, and for other valid municipal purposes, provided that nothing contained herein shall be interpreted to create or imply any limitation on use of the Property.

NOW THEREFORE, the Grantor, in consideration of the provisions and conditions set forth in Section 2834 of Public Law 102-190, and the Grantee's performance of its obligations and agreements in an Offer to Purchase dated as of October 22, 1992, between the City of New Bedford, Massachusetts and the Grantor, does hereby remise, release and forever quitclaim unto the said



BK2961P00254

Grantee, its successors and assigns, subject to the exceptions and conditions hereinafter expressed and set forth, all the right, title, interest, claim or demand which the Grantor has or may have had in or to that property situate in the City of New Bedford, County of Bristol, Commonwealth of Massachusetts being a portion of the former military installation known as Fort Rodman and being more particularly described as follows:

**Parcel 5**

Beginning at a point in the northerly line of Parcel 5, which point is South 19° 31' 08" East 748.47 feet from a point at the intersection of the southerly line of Rodney French Boulevard and the most northerly point of Parcel 2, as shown on the Plan hereinafter defined; then

North 69° 11' 00" East 38.23 feet; then  
South 20° 18' 37" East 129.50 feet; then  
South 46° 27' 15" East 38.87 feet; then  
South 79° 02' 13" East 526.17 feet; then  
North 83° 04' 30" East 28.63 feet; then  
North 49° 13' 33" East 41.12 feet; then  
South 49° 13' 30" East 38.94 feet; then  
North 42° 37' 14" East 67.02 feet; then  
North 33° 50' 20" East 149.96 feet; then  
North 22° 51' 23" East 149.96 feet; then  
North 39° 15' 32" East 99.55 feet; then  
South 47° 59' 02" East 321.42 feet; then  
South 27° 39' 32" West 685.44 feet; then  
South 84° 02' 23" West 25.00 feet; then  
North 59° 36' 19" West 101.90 feet; then  
North 30° 47' 10" East 12.99 feet; then  
North 59° 59' 52" West 145.19 feet; then  
North 72° 56' 43" West 144.45 feet; then  
North 77° 19' 39" West 572.58 feet; then  
South 87° 39' 53" West 93.46 feet; then  
South 72° 36' 53" West 97.42 feet; then  
South 80° 00' 56" West 116.91 feet; then  
North 28° 10' 22" East 405.00 feet; then  
North 69° 11' 03" East 164.36 feet to the point of

beginning.

Meaning and intending to describe a portion of the property described in a deed from Bixby to the United States of America, recorded in the Bristol South District Registry of Deeds in Book 34, Page 431.

Being shown as "Parcel 5" on a plan of land entitled "Plan of Land in New Bedford, Massachusetts for the City of New Bedford - Sewerage Treatment Plant Site at Fort Rodman", scale 1" = 100', dated July 3, 1991, revised July 16, 1991 and September 18, 1992, and prepared by Tibbetts Engineering Corp., New Bedford, Massachusetts and recorded in the Bristol South District Registry of Deeds at Plan Book 29, Page 31 (the "Plan").

**Parcel 8**

Beginning at a point distant southeasterly 80.00 feet from the southeasterly face of Fort Taber as shown on the Plan; bounded as follows:

Northwesterly 50.00 feet; then  
Southwesterly 50.00 feet; then  
Southeasterly 50.00 feet; then  
Northeasterly 50.00 feet.

Said parcel is wholly contained in Parcel 7 and contains .06 acres of land.

Being the area shown as "Parcel 8" on the Plan.

Meaning and intending to describe a portion of the property described in a deed from Dixby to the United States of America recorded in the Bristol South District Registry of Deeds in Book 34, Page 431 and reserved to the United States of America in a deed without warranty from the United States of America to the City of New Bedford, recorded in the Bristol South District Registry of Deeds in Book 1552, Page 433.

**Easements**

A perpetual and assignable easement and right-of-way, in, on over and across the land hereinafter described, including the right of ingress and egress thereto, for the location, construction, operation, maintenance, alteration, repair and patrol of overhead electric and telephone lines and appurtenances thereto, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and other vegetation, structures or obstacles within the limits of the right-of-way; and including those utilities installed by the United States of America under the authority of the easement; being a strip of land 40 feet in width and approximately 1905 feet in length, 20 feet either side of the following described centerline:

Beginning at a point on the northwesterly side of Parcel 8 as shown on the Plan said point of beginning is about 15 feet northeasterly from the westerly corner of said Parcel 8; thence said center line runs along a new pole line North 78° West about 230 feet and North 13° East about 230 feet to an existing utility pole designated as P-59; then North 60° West along an existing pole line about 430 feet to an existing utility pole designated as P-53; then North 26° 30' West, along an existing line about 130 feet to an existing utility pole designated as P-52; then North 1° 30' East, along an existing line about 100 feet to an existing utility pole designated as P-44; then South 70° 30' West, along an existing line about 135 feet to a utility pole designated as P-43; then South 70° West, along an existing line about 150 feet to a utility pole designated as P-42; then North 20° 30' West, along an existing pole line about 535 feet to an

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existing utility pole designated as P-20; then westerly along an existing line about 75 feet to an existing utility pole designated as P-19; then northwesterly along an existing line about 260 feet to any existing utility pole designated as P-13; then northwesterly along an existing line about 100 feet to an existing utility pole designated as P-12; then northwesterly along an existing line about 110 feet to an existing utility pole designated as P-11; and then said center line continues northwesterly along an existing line about 10 feet to the southerly line of Rodney French Boulevard (South).

Meaning and intending to describe a certain easement reserved to the United States of America in deeds without warranty from the United States of America to the City of New Bedford, recorded in the Bristol South District Registry of Deeds in Book 1552, Page 433, and in Book 1670, Page 496.

Together with a perpetual and assignable easement for access and utility rights-of-way, on, over and under O'Reilly Avenue as shown on the Plan. Meaning and intending to describe an easement reserved to the United States of America in a deed without warranty from the United States of America to the city of New Bedford, recorded in the Bristol South District Registry of Deeds in Book 1670, Page 496.

Meaning and intending to convey all land and rights and interests therein held by the United States of America whether by deed from Bixby to the United States of America, recorded in the Bristol South District Registry of Deeds in Book 34, Page 431, or by deed or other instrument to or from the United States of America relating to and on or after such deed; excepting, however, the parcel shown as "Parcel 2" on the Plan and that portion of a private access way labeled "O'Reilly Ave." on the Plan adjacent to said Parcel 2 extending from Rodney French Boulevard (South) in a southeasterly direction 344.23 feet.

TO HAVE AND TO HOLD the said Property together with all improvements and appurtenances thereunto belonging, unto the Grantee and its successors and assigns forever; subject, however, to the following:

1. Existing easements and rights-of-way, if any, for streets, roads, highways, railroads, pipelines and public utilities.

2. That the Grantee agrees to comply with all requirements pertaining to historic buildings on the property contained in the Memorandum of Agreement executed among the National Park Service, The Advisory Council on Historic Preservation, the United States Environmental Protection Agency, the Massachusetts State Historic Preservation Office, the Department of the Army and the City of New Bedford dated October 1992.

3. That the Grantee acknowledges that it has reviewed the Report and other environmental reports prepared by the Grantee

and, to the extent delivered to the Grantee, such reports prepared by the Grantor and others, prior to accepting this deed, that it has inspected, is aware of, and accepts the physical condition and environmental status of the Property, subject to the terms and conditions of the offer to purchase and this deed, and, provided the remediation of the Identified Hazardous Materials is performed, deems it to be safe for the intended use.

4. Pursuant to the provisos under the "Environmental Restoration Defense" heading of the Department of Defense Appropriations Act, 1993 (Public Law 102-396), and except as provided hereafter, the Grantor shall hold harmless, defend and indemnify the Grantee from and against all claims, demands, losses, damages, liens, liabilities, injuries, deaths, penalties, fines and lawsuits and other proceedings, judgements, awards and costs and expenses arising out of, or in any manner predicated upon, the presence, release, or threatened release of any hazardous substance, pollutant or contaminant resulting from the activities of the United States Department of Defense, (including the activities of any lessee, licensee, or other person on the Property during any time that the Property was under the control of the Department of Defense); provided, that the terms "hazardous substances", "pollutant or contaminant" and "release" shall mean any hazardous waste, substance or toxic material, or their discharge or release, that is regulated under any environmental law or regulation applicable to the Property, and shall include petroleum, including crude oil; natural gas, liquified natural gas and asbestos; provided further that the term "Grantee" shall include the Grantee's successors, assigns, transferees and lessees, and any person who, without participating in the management of the Property, holds indicia of ownership primarily to protect its security interest in the property or improvements on the Property.

The Grantee covenants and agrees to indemnify the Grantor for all costs of necessary response actions with respect to the Property arising from the failure of the Grantee to conduct any response action referred to in subparagraph (b) of Section 2834 (b)(1)(B) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190). The Grantee covenants and agrees that it hereby waives any right of indemnification it may have, under the above provisos under the "Environmental Restoration, Defense" heading of the Department of Defense Appropriations Act, 1993 (Public Law 102-396) with respect to all costs of necessary response actions with respect to the Property arising from the failure of the City to conduct any response action referred to in subparagraph (b) of Section 2834 (b)(1)(B) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190). The Grantee covenants and agrees that the covenants and agreements in the preceding two sentences touch and concern the land and run with the land.

5. Pursuant to Section 120(h), of the Comprehensive Environmental Responses, Compensation, and Liability Act (CERCLA)

as amended, 42 U.S.C. 9620(h)(1), the Grantor has made a complete search of its records concerning the property subject to this deed. These records indicate that hazardous substances, as defined by Section 101(14) of CERCLA, have been stored, disposed, or generated on the property during the time the property was owned by the Government, to wit:

Friable asbestos was present in building T-17's boiler room, approximate quantity was 3 cubic yards.

The said friable asbestos has been removed and properly disposed.

The Grantor covenants and warrants that all remedial action necessary to ensure protection of human health and the environment with respect to friable asbestos contamination remaining on the property has been taken prior to the date hereof. Furthermore, excepting those situations where the Grantee hereunder is a potentially responsible party, as defined by CERCLA, any additional remedial action found to be necessary with respect to any environmental contamination occurring on the subject property prior to the date hereof and not identified in and described as being located on the parcels in the "Phase One Limited Site Investigation United States Army Reserve Center Fort Rodman Parcel 5, New Bedford, Massachusetts" dated May 1991, and prepared by Tibbetts Engineering Corporation shall be conducted by the Grantor.

6. The provisions of this deed shall bind and inure to the benefit of both Grantee and the Grantor and their respective distributees, executors, administrators, heirs, legal representatives, successors and permitted assigns.

7. This covenant shall run with the land for a period of three (3) years from the date of conveyance. With respect to the Property described in this deed, if at any time within a three (3) year period from the date of transfer of title by the Grantor, the Grantee or its successors or assigns shall sell or enter into agreements to sell the Property, either as a single transaction or in a series of transactions, it is covenanted and agreed that all proceeds received or to be received in excess of the Grantee's or a subsequent seller's actual allowable costs will be remitted to the Grantor. In the event of a sale of less than the entire Property, actual allowable costs will be apportioned to the Property based on a fair and reasonable determination by the Grantor. For purposes of this covenant, the Grantee or a subsequent seller's actual allowable costs shall include the purchase price of acquiring this real property, the financing costs associated with the acquisition, all reasonable, allowable and allocable costs of the remediation of the Identified Hazardous Materials, and the direct costs actually incurred and paid for physical improvements on the subject property, including the following:

a. Improvements on the Property, including road construction, storm and sanitary sewer construction, other public facilities or utility construction, building rehabilitation and demolition, landscaping, grading and other site or public improvements; and

b. Design and engineering services with respect to the improvements described in (i) above, provided, however, that none of these costs will be deductible if defrayed by Federal grants or if used as matching funds to secure Federal grants.

In order to verify compliance with the terms and conditions of this covenant, the Grantee, or its successors or assigns, shall submit an annual report for each of the subsequent (3) years to the Grantor on the anniversary date of the delivery of the deed. Each report will identify the property involved in the transaction, the sale price of any property resold, the purchaser and the proposed land use, and enumerate any allowable costs incurred for physical improvements on the property that would offset any profits realized. If no resale has been made, the report shall so state. Failure to file timely reports will extend the operation of the covenant for an additional one (1) year period for each late or omitted report. The Grantor may monitor the Property and inspect records related thereto to ensure compliance with the terms and conditions of this covenant and may take any actions which it deems reasonable and prudent to recover any excess profits realized through the resale of the Property.

This conveyance is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name and on its behalf by the Secretary of the Army this 22nd day of OCTOBER, 1992.

UNITED STATES OF AMERICA

BY: Michael P. W. Stone  
Secretary of the Army

COMMONWEALTH OF VIRGINIA )  
COUNTY OF ARLINGTON )

BEFORE ME, a Notary Public in and for the Commonwealth and County aforesaid, personally appeared Michael P. W. Stone, known to me to be the person who executed the foregoing instrument on behalf of the United States of America therein named and acknowledged to me that he executed the same as Secretary of the

Attest: John E. Jones Register

Commonwealth of Massachusetts

Registry of Deeds:

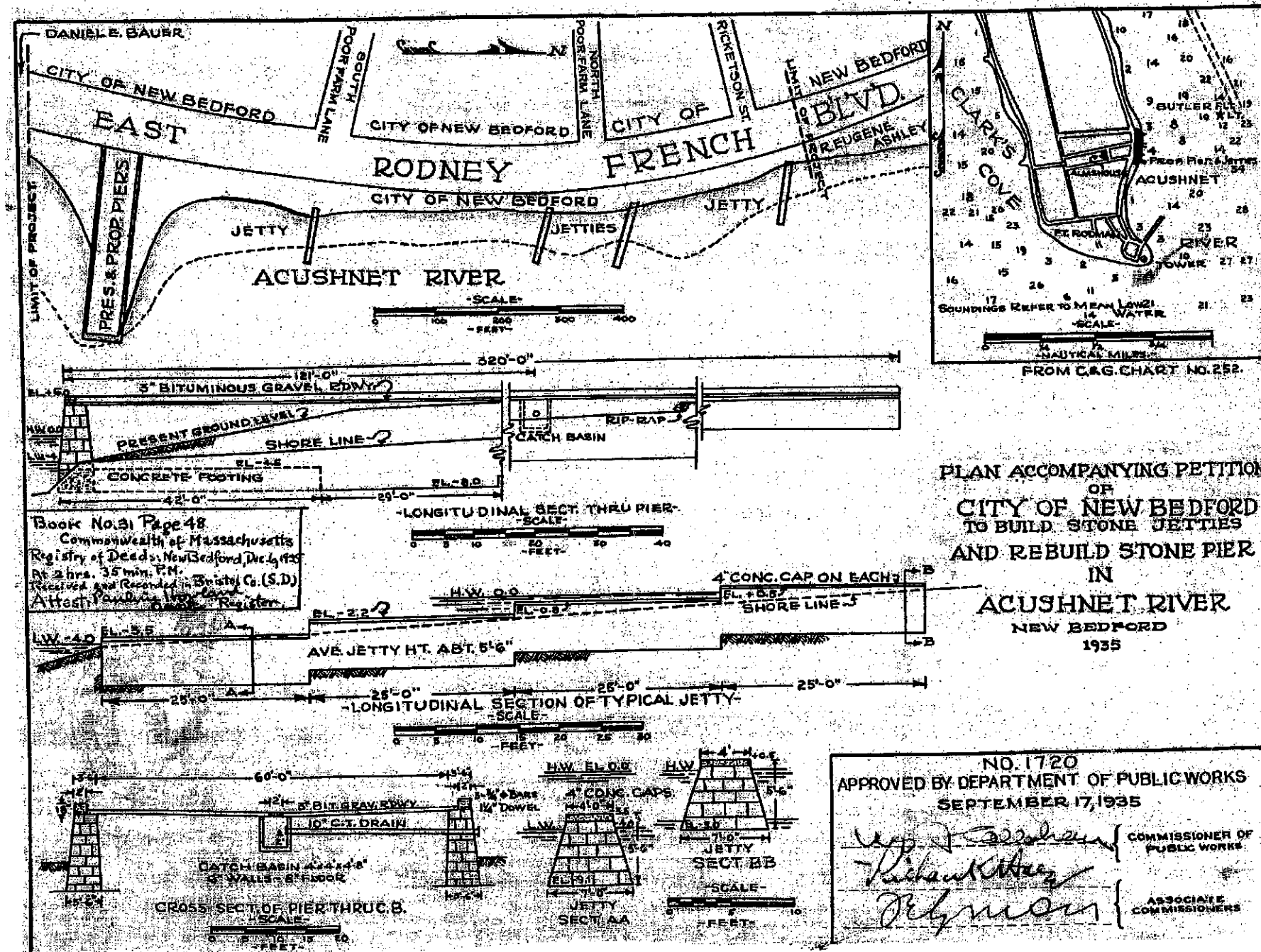
New Bedford, December 31, 1935.....

At 14 Hour - Min. 4 M.

Received and Recorded in *Bristol Co. (S.D.)*

Attest: Pauline Howland

Asst. Register.





**APPENDIX D**

ABUTTERS LIST – SEPARATELY BOUND



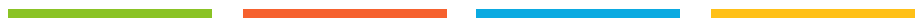


Fort Taber Pier Stone Masonry Rehabilitation Project  
1000 South Rodney French Boulevard  
New Bedford, Massachusetts

## Stormwater Report

City of New Bedford  
133 William Street  
New Bedford, Massachusetts

May 2021





# 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.<sup>1</sup> 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 8<sup>2</sup>
- 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.

<sup>1</sup> 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.

<sup>2</sup> 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.

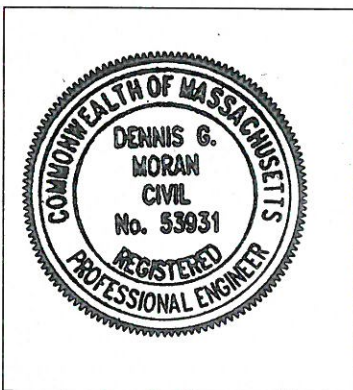
*Note:* Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that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

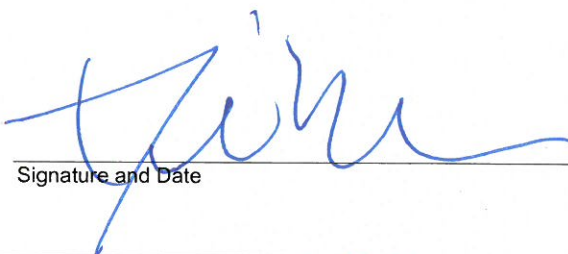
A complete checklist must include the Certification set forth below signed by the Registered Professional Engineer who prepared the Stormwater Report.

### 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



 5/20/21  
Signature and Date

### Checklist

**Project Type:** Is the application for new development, redevelopment, or a mix of new and redevelopment? ☒ **N/A –no new point source discharges**

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



# Checklist for Stormwater Report

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## 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

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## Checklist (continued)

### Standard 2: Peak Rate Attenuation

- ☒ **N/A –No new point source discharges or increases in impervious area**
- ☐ 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

- ☒ **N/A –No new point source discharges or increases in impervious area**
- ☐ 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 Field<sup>1</sup>
- ☐ 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.





# Checklist for Stormwater Report

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

## 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

- ☒ **N/A –No new point source discharges or increases in impervious area**

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

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## 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)

- ☒ **N/A – No new point source discharges or increases in impervious area or changes in land use**
- ☐ 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

- ☒ **N/A –No new point source discharges**
- ☐ 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

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## 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. **N/A – less than 1 acre of disturbance**
- ☐ 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

- ☒ **N/A –No new point source discharges**
- ☐ 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

- ☒ **N/A –No new point source 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.

## **Stormwater Checklist**

### **Section 1 Registered Professional Engineer's Certification**

### **Section 2 Project Type**

### **Section 3 LID Measures**

### **Section 4 Stormwater Management Standards**

## **Section 1**

### **Registered Professional Engineer's Certification**

The certification of the registered professional engineer that prepared the stormwater report is included on the stormwater checklist form.

## **Section 2**

### **Project Type**

The project proposes to repair the damaged portion of the Fort Taber pier. The pier contains an exposed portion along its northern face from the existing granite stone becoming dislodged, creating a void that undermines the structural integrity of the pier. The pier will be repaired by utilizing the existing granite stones that have been dislodged, replacing the stones to restore the pier. Following the resetting of the granite stones, stone fill will be placed between the stones and will be pressure-filled with grout to secure the stones in place.

The existing storm drainage system will be maintained, with no new collection systems or point source discharges.

## **Section 3**

### **LID Measures**

Not Applicable. No new development is proposed and no stormwater management options with less impact are available.

## **Section 4**

### **Stormwater Management Standards**

#### ***Standard 1: No New Untreated Discharges***

There are no new stormwater outfalls proposed as a part of this project. No new impervious area will result from the proposed activities.

#### ***Standard 2: Peak Rate Attenuation***

The project will not result in any changes in impervious area.

#### ***Standard 3: Recharge***

The project, which is a redevelopment project, will not result in a change in impervious area, therefore there is no recharge volume required for the site.

#### ***Standard 4: Water Quality***

This is a redevelopment project and there will be no change in impervious area or increase in pollutant loads discharging to resource areas via stormwater runoff.

#### ***Standard 5: Land Uses With Higher Potential Pollutant***

This proposed project is not situated within areas that qualify for consideration as a Land Use With Higher Potential Pollutant Loads.

***Standard 6: Critical Areas***

The proposed project is not located within a Critical Area.

***Standard 7: Redevelopments and Other Projects Subject to the Standards Only to the Maximum Extent Practicable***

This project is a redevelopment project. This Stormwater Report steps through each of the stormwater standards and explains how the proposed project applies to each standard, or meets each standard to the maximum extent practicable.

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

Construction Period Pollution Prevention and Erosion and Sedimentation Control measures are discussed in the Notice of Intent project narrative and are presented on the project drawings. The project will not result in overall disturbance greater than 1 acre, and therefore will not require registration under the EPA Construction General Permit and preparation of a Stormwater Pollution Prevention Plan.

Appropriate erosion and sediment controls will be implemented during construction, including:

- Designation of a site manager by the contractor, who will serve as the responsible party for installing, monitoring, inspecting, and correcting problems with erosion and sediment controls.
- Installation of erosion and sediment controls prior to initiation of construction.
- No staging of equipment is proposed in tidal resource areas or in the water.

***Standard 9: Operation and Maintenance Plan***

Not applicable. The proposed redevelopment project does not include any BMPs.

***Standard 10: Prohibition of Illicit Discharges***

No illicit discharges will result from the proposed project. If any are found, they will be disconnected.

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