



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

New Bedford

City/Town

WPA Form 1- Request for Determination of Applicability

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

A. General Information

Important:

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



1. Applicant:

Jessica Shahdan

Name

jessica.shahdan@mass.gov

E-Mail Address

49 State Pier

Mailing Address

New Bedford

City/Town

MA

State

02740

Zip Code

617-908-7685

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the New Bedford Conservation Commission make the following determination(s). Check any that apply:

- a. whether the area depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
b. whether the boundaries of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
c. whether the work depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any municipal wetlands ordinance or bylaw of:

City of New Bedford

Name of Municipality

- e. whether the following scope of alternatives is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

| | |
|---------------------------|--------------------|
| <u>49 State Pier</u> | <u>New Bedford</u> |
| Street Address | City/Town |
| <u>47</u> | <u>203</u> |
| Assessors Map/Plat Number | Parcel/Lot Number |

b. Area Description (use additional paper, if necessary):

The New Bedford State Pier is a contiguous area of approximately 8 acres and approximately 1,600 LF of wharves (North, East and South) located at the waterside terminus of Union Street – the City of New Bedford’s downtown commercial corridor – and abutting the Historic District and National Park. The entire property is owned by the Commonwealth of Massachusetts through its Department of Conservation and Recreation (“DCR”), and is currently managed by MassDevelopment through a Memorandum of Understanding with DCR. It is a multi-use pier that services ferry, cargo, fishing, and cruise operations. There is also 80,000+ sqft of warehouse storage.

c. Plan and/or Map Reference(s):

| | |
|---|-------------------|
| <u>New Bedford State Pier Project Location</u> | <u>06/08/2022</u> |
| Title | Date |
| <u>New Bedford State Pier Fema Map</u> | <u>06/08/2022</u> |
| Title | Date |
| <u>New Bedford State Pier Environmental Constraints</u> | <u>06/08/2022</u> |
| Title | Date |

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Please see attached Narrative



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C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

The work will entail the replacing five old piles with five new piles with little or no disturbance to the extent practicable by placing the new piles in the same location of the old piles.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

| | |
|---|--------------|
| <u>Priscilla Geigis Massachusetts Department of Conservation & Recreation C/O Jessica Shahdan</u> | |
| Name | |
| <u>251 Causeway Street</u> | |
| Mailing Address | |
| <u>Boston,</u> | |
| City/Town | |
| <u>MA</u> | <u>02114</u> |
| State | Zip Code |

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

| | |
|-------------------------|----------------------|
| <u>Michael Driscoll</u> | <u>July 20, 2022</u> |
| Signature of Applicant | Date |

| | |
|--------------------------------------|-------|
| _____ | _____ |
| Signature of Representative (if any) | Date |