



David E. Pierce, Ph.D.
Director

Commonwealth of Massachusetts

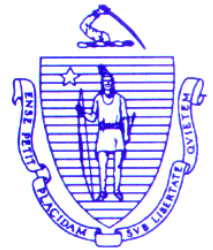
Division of Marine Fisheries

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March 19, 2019

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

Dear Commissioners:

The Division of Marine Fisheries (MA DMF) has reviewed the Notice of Intent by Bridge Real Estate Investors LLC, 12 Fish Island, to replace 340 feet of deteriorated timber fender system in the same footprint on New Bedford Harbor in the City of New Bedford with respect to potential impacts to marine fisheries resources and habitat.

The project site lies within mapped shellfish habitat for quahog (*Mercenaria mercenaria*). Subtidal waters within the project site have habitat characteristics suitable for this species. Land containing shellfish is deemed significant to the interest of the Wetlands Protection Act (310 CMR 10.34) and the protection of marine fisheries.

MA DMF has identified New Bedford Harbor as winter flounder (*Pseudopleuronectes americanus*) spawning habitat. Winter flounder enter the area and spawn from January through May, laying clumps of eggs directly on the substrate. These demersal eggs hatch approximately fifteen to twenty days later. The Atlantic States Marine Fisheries Commission has designated winter flounder spawning habitat as "Habitat Areas of Particular Concern" (HAPC). A recent stock assessment has determined that Southern New England/Mid Atlantic winter flounder populations are at only 16% of the recommended recovery level [1]. Because of the winter flounder stock status, every effort should be made to protect winter flounder and their spawning habitat.

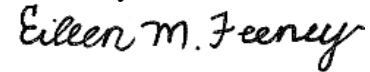
Additionally, the Acushnet River has been identified by MA DMF as diadromous fish passage, migration and spawning habitat for alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), rainbow smelt (*Osmerus mordax*), and white perch (*Morone americanus*). MA DMF has placed a ban on river herring (alewife and blueback herring) harvest due to population declines [2]. Habitat impacts should be minimized to aid recovery of these species.

MA DMF offers the following comments for your consideration:

- Appropriate containment techniques should be used to prevent construction debris, stormwater runoff and loose sediments from entering the marine environment during construction.

Questions regarding this review may be directed to Eileen Feeney in our New Bedford office at (508) 742-9721.

Sincerely,



Eileen M. Feeney
Fisheries Habitat Specialist

cc: Richard FitzGerald, AGM Marine Contractors, Inc.
Robert Giard & Thomas Ringuette, Shellfish Constables
Barbara Newman, ACOE
Robert Boeri, CZM
Neil Churchill, DMF
Tom Shields, DMF
Ryan Nuttall, DMF

EF/m

References

1. Northeast Fisheries Science Center (2011) 52nd Northeast Regional Stock Assessment Workshop (52nd SAW) Assessment Report. 962 p.
2. Taylor K, Hendricks M, Patterson C, Winslow S (2009) Review of the Atlantic States Marine Fisheries Commission fishery management plan for shad and river herring (*Alosa* spp.). October, 2009. Washington, D.C.