

Sarah Porter

From: Saunders, Bradford <bsaunders@geiconsultants.com>
Sent: Tuesday, March 12, 2019 11:49 AM
To: Sarah Porter
Cc: Titmuss, Russell; Buruchian, Kevin
Subject: New Bedford State Pier - request to amend Order of Conditions
SE49-0755

Sarah:

This is to follow up on a telephone message I left for you today regarding the desire of the MA Department of Conservation and Recreation (DCR) to seek an amendment to the Order of Conditions issued under DEP File #SE49-0755 for the reconstruction of the eastern edge of the State Pier in New Bedford. The specific request is to amend the TOY restriction specified in Special Condition 50 of the Order to allow the installation of 19 fender piles in the northeast corner of the pier structure during the period of April 1 to April 15, 2019.

You may recall that a similar request to amend the Order was made by email to you dated 12/17/18, in which it was requested that the TOY be revised to allow for the installation of the same 19 fender piles during the period of January 15 to February 15, 2019. The commission authorized that change via an email from you dated 12/20/18. Unfortunately, a response to a similar request, having been filed with the U.S. Army Corps of Engineers, was delayed due to the Federal government shutdown in effect during January. As a result, the Corps' authorization of that change was not issued until February 5, 2019. This left little time for the contractor to complete the work. Further preventing the completion of the work during the January – February period were the cold weather conditions then experienced. Those weather conditions affected the scheduling of the concrete seawall reconstruction in the northeast corner of the wharf, which in turn, delayed the fender pile installation tasks.

DCR now wishes to reschedule the fender pile installation work to occur during the two-week window in the beginning of April. As originally proposed, all piles will be installed using a vibratory hammer with a soft start approach to allow fish to leave the area of impact during installation. Further, a silt curtain will be installed around the installation to prevent the migration of silts outside of the work area. In the absence of the requested amendment, completion of the reconstruction work will be delayed until mid-June.

Please let me know what additional information may be needed for the commission to consider this request and whether someone needs to attend a meeting with the commission to discuss it. Thank you for your consideration of this request.

We have moved - please note our new address.

Bradford O. Saunders

Regulatory Specialist



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