



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

DEVAL L. PATRICK
Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

March 11, 2014

CDM Smith
260 West Exchange Street, Suite 300
Providence, RI 02903
Attn: Andrew R. Poyant, Environmental Scientist

RE: Minor Project Modification (**Denial**) to Hurricane Barrier Maintenance Improvements
Along East and West Rodney French Boulevards, New Bedford Harbor and Clark's Cove, New Bedford, Bristol

Dear Mr. Poyant:

The Department has reviewed your request dated February 12, 2014 for modifications to the above referenced structures, which as you have stated, have not been authorized under Chapter 91. The proposed changes involve the construction of a ten (10) foot wide reinforced concrete maintenance access path on top of the existing placed stone dikes, which run along East Rodney French Boulevard and West Rodney French Boulevard, respectively, as described in more detail in the request. The proposed work also includes access ramp work, installation of lighting, metal handrails anchored into the concrete slab, and electrical conduits within.

The Department has determined that pursuant to the Chapter 91 Waterways Regulations at 310 CMR 9.22(3), the proposed changes are considered to be a significant deviation from the original design parameters and use, and thus your Minor Modification request is hereby denied.

Therefore, the work proposed under this request **will require** an application for a Chapter 91 License pursuant to 310 CMR 9.0. Please be advised that other local, state, and federal requirements may apply.

If you have any questions pertaining to this matter please do not hesitate to contact me at (508) 946-2873.

Sincerely,

Carlos T. B. Fragata
Environmental Analyst
Waterways Program

Cc: New Bedford Conservation Commission
New Bedford Harbormaster
New Bedford Harbor Development Commission
Ben Lynch, Section Chief, DEP, Boston
File copy

MAR 13 2014