

**NOTICE OF
INTENT**

**Fisherman's Memorial
Improvements**

City of New Bedford

June 2014





50 Hampshire Street
Cambridge, Massachusetts 02139
tel: 617 452-6000
fax: 617 452-8000
cdmsmith.com

June 18, 2014

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

Subject: Notice of Intent – Fisherman's Memorial Improvements
City of New Bedford - Applicant

Dear Commission Members:

CDM Smith Inc. (CDM Smith) is pleased to submit this Notice of Intent (NOI) on the behalf of the City of New Bedford (the City) for the above referenced project. The Fisherman's Memorial Improvements Project consists of constructing an elevated promenade with a cobble stone wall, memorial statue, and plantings on top of Monkeys Island pier off East Rodney French Boulevard and pier restoration. The pier restoration involves removing and replacing the existing spalled and damaged concrete cap, replacing and/or resetting missing and/or displaced granite block masonry and re-grout, removing deteriorated grout above the mean high water (MHW) mark (el. 2.00 NBCD) and re-grout joints, and removing and replacing down to the existing concrete footing deteriorated and friable concrete from sections of the concrete wall along north edge of the pier.

We estimated that approximately 3,350 square feet of Coastal Beach, 724 linear feet of Coastal Bank, and 20,550 square feet of Land Subject to Coastal Storm Flowage (LSCSF) will be temporarily altered from the construction of the elevated promenade and associated pier improvements. Silt booms will be installed around the pier east of the MHW mark to prevent sediments from being discharged into the Acushnet River.

Please advertise this project for your next available scheduled meeting. We understand that the next available public hearing is scheduled for July 1, 2014.

Please call either Kim Drake or me at (617) 452-6000 if you want to schedule a site visit or if you have any questions regarding this NOI.

Very truly yours,

Magdalena Lofstedt
Environmental Scientist
CDM Smith Inc.

c: MassDEP - Southeast Regional Office
Ron Labelle - City of New Bedford
Kim Drake, Shawn Syde - CDM Smith



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WPA Form 3 – Notice of Intent

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

MassDEP File Number

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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):

East Rodney French Boulevard

a. Street Address

New Bedford

b. City/Town

02746

c. Zip Code

Latitude and Longitude:

6

f. Assessors Map/Plat Number

41 36' 01.044"

d. Latitude

70 54' 02.916"

e. Longitude

2

g. Parcel /Lot Number

2. Applicant:

Ronald H.

a. First Name

Labelle

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

508-976-1556

h. Phone Number

508-961-3054

i. Fax Number

ronaldi@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):

Magdalena

a. First Name

Lofstedt

b. Last Name

CDM Smith Inc.

c. Company

50 Hampshire Street

d. Street Address

Cambridge

e. City/Town

MA

f. State

02139

g. Zip Code

617-452-6597

h. Phone Number

617-452-6597

i. Fax Number

lofstedtmh@cdmsmith.com

j. Email address

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

--
a. Total Fee Paid

--
b. State Fee Paid

--
c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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A. General Information (continued)

6. General Project Description:

The City of New Bedford proposes to construct a new elevated promenade to be placed on top of the pier deck and consisting of light weight core with cobble stone wall and plantings along most of the north side and stepped granite block wall along the south facing side. Refer to Att. A.

7a. Project Type Checklist:

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input checked="" type="checkbox"/> Other |

7b. Is any portion of the proposed activity eligible to be treated as a 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:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Bristol	--
a. County	b. Certificate # (if registered land)
31	224
c. Book	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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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	2. square feet
	3. cubic yards dredged	

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
d. Bordering Land Subject to Flooding
e. Isolated Land Subject to Flooding
f. Riverfront Area
2. Width of Riverfront Area (check one)
3. Total area of Riverfront Area on the site of the proposed project:
4. Proposed alteration of the Riverfront Area:
5. Has an alternatives analysis been done and is it attached to this NOI?
6. Was the lot where the activity is proposed created prior to August 1, 1996?

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

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.

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
a. Designated Port Areas
b. Land Under the Ocean
c. Barrier Beach
d. Coastal Beaches
e. Coastal Dunes



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	App. 724 linear feet of temporary alteration	
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	App. 20,550 sf	
	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 BWV	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

C. Other Applicable Standards and Requirements

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.

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
100 Hartwell Street, Suite 230
West Boylston, MA 01583

2008 Edition

b. Date of map



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C. Other Applicable Standards and Requirements (cont'd)

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.1.d, 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).*

1. c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____

percentage/acreage

(b) outside Resource Area _____

percentage/acreage

2. Assessor's Map or right-of-way plan of site

3. 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

(c) MESA filing fee (fee information available at <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>). 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

d. 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, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

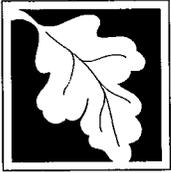
2. Separate MESA review ongoing.

a. NHESP Tracking # _____

b. Date submitted to NHESP _____

* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/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)

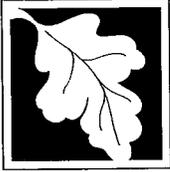
- 3. Separate MESA review completed. Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
2. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
a. Not applicable – project is in inland resource area only

- b. Yes No If yes, include proof of mailing or hand delivery of NOI to either:
South Shore - Cohasset to Rhode Island, and the Cape & Islands:
North Shore - Hull to New Hampshire:
Division of Marine Fisheries - Southeast Marine Fisheries Station
Division of Marine Fisheries - North Shore Office
Attn: Environmental Reviewer
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
30 Emerson Avenue
New Bedford, MA 02740-6694
Gloucester, MA 01930

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.

- 3. 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
4. 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
5. 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
6. 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

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



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C. Other Applicable Standards and Requirements (cont'd)

- 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

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.
- 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.

Sheets L-1 through L-5

a. Plan Title

N. Watkins

K. Drake

b. Prepared By

c. Signed and Stamped by

June 2014

1"=10'

d. Final Revision Date

e. Scale

Figures 1 through 4

June 2014

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.



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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

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

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

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.

Project: Fisherman's Memorial Improvements

Redevelopment Checklist

Existing Conditions

- On-site: For all redevelopment projects, proponents should document existing conditions, including a description of extent of impervious surfaces, soil types, existing land uses with higher potential pollutant loads, and current onsite stormwater management practices.

RESPONSE: See Attached Project Plans and Notice of Intent for the project description and depiction of existing conditions.

- Watershed: Proponents should determine whether the project is located in a watershed or subwatershed, where flooding, low streamflow or poor water quality is an issue.

The Project

Is the project a redevelopment project?

- Maintenance and improvement of existing roadways
- Development of rehabilitation, expansion or phased project on redeveloped site, or
- Remedial stormwater project

For non-roadway projects, is any portion of the project outside the definition of redevelopment?

RESPONSE: The proposed project consists of constructing a new elevated promenade on top of the existing stone pier and making structural repairs to the existing stone pier. No new impervious area is proposed as part of this project.

- Development of previously undeveloped area
- Increase in impervious surface

If a component of the project is not a redevelopment project, the proponent shall use the checklist set forth below to document that at a minimum the proposed stormwater management system fully meets each Standard for that component. The proponent shall also document that the proposed stormwater management system meets the requirements of Standard 7 for the remainder of the project.

The Stormwater Management Standards

The redevelopment checklist reviews compliance with each of the Stormwater Management Standards in order.

Standard 1: (Untreated discharges)

No new stormwater conveyances (e.g., outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.

Same rule applies for new developments and redevelopments.

Full compliance with Standard 1 is required for new outfalls.

- What BMPs are proposed to ensure that all new discharges associated with the discharge are adequately treated?
- What BMPs are proposed to ensure that no new discharges cause erosion in wetlands or waters of the Commonwealth?
- Will the proposed discharge comply with all applicable requirements of the Massachusetts Clean Waters Act and the regulations promulgated thereunder at 314 CMR 3.00, 314 CMR 4.00 and 314 CMR 5.00?

Existing outfalls shall be brought into compliance with Standard 1 to the maximum extent practicable.

- Are there any existing discharges associated with the redevelopment project for which new treatment could be provided?
- If so, the proponent shall specify the stormwater BMP retrofit measures that have been considered to ensure that the discharges are adequately treated and indicate the reasons for adopting or rejecting those measures. (See Section entitled “Retrofit of Existing BMPs”.)
- What BMPs have been considered to prevent erosion from existing stormwater discharges?

RESPONSE: The proposed project is not adding any new stormwater conveyances that may discharge untreated runoff to any outfall or cause any erosion.

Standard 2: (Peak rate control and flood prevention)

Stormwater management systems must be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates. This Standard may be waived for land subject to coastal storm flowage.

Full compliance for any component that is not a redevelopment

Compliance to the Maximum Extent Practicable:

- Does the redevelopment design meet Standard 2, comparing post-development to pre-development conditions?

RESPONSE: This Standard is waived since the proposed work is located within Land Subject to Coastal Storm Flowage.

- If not, the applicant shall document an analysis of alternative approaches for meeting the Standard. (See Menu of Strategies to Reduce Runoff and Peak Flows and/or Increase Recharge Menu included at the end of this chapter.)

Improvement of existing conditions:

- Does the project reduce the volume and/or rate of runoff to less than current estimated conditions? Has the applicant considered all the alternatives for reducing the volume and/or rate of runoff from the site? (See Menu.)
- Is the project located within a watershed subject to damage by flooding during the 2-year or 10-year 24-hour storm event? If so, does the project design provide for attenuation of the 2-year and 10-year 24-hour storm event to less than current estimated conditions? Have measures been

implemented to reduce the volume of runoff from the site resulting from the 2 year or 10 year 24 hour storm event? (See Menu.)

- Is the project located adjacent to a water body or watercourse subject to adverse impacts from flooding during the 100-year 24-hour storm event? If so, are portions of the site available to increase flood storage adjacent to existing Bordering Land Subject to Flooding (BLSF)?
- Have measures been implemented to attenuate peak rates of discharge during the 100-year 24-hour storm event to less than the peak rates under current estimated conditions? Have measures been implemented to reduce the volume of runoff from the site resulting from the 100-year 24-hour storm event? (See Menu.)

Standard 3: (Recharge to Ground water)

Loss of annual recharge to ground water shall be eliminated or minimized through the use of infiltration measures, including environmentally sensitive site design, low impact development techniques, best management practices, and good operation and maintenance. At a minimum, the annual recharge from the post-development site shall approximate the annual recharge from the pre-development conditions based on soil type. This Standard is met when the stormwater management system is designed to infiltrate the required recharge volume as determined in accordance with the Massachusetts Stormwater Handbook.

Full compliance for any component that is not a redevelopment

RESPONSE: This project will not add any impervious area or propose to collect and discharge any runoff that is currently percolating into the ground. Therefore there will not be a loss of groundwater recharge.

Compliance to the Maximum Extent Practicable:

- Does the redevelopment design meet Standard 3, comparing post-development to pre-development conditions?
- If not, the applicant shall document an analysis of alternative approaches for meeting the Standard?
- What soil types are present on the site? Is the site is comprised solely of C and D soils and bedrock at the land surface?
- Does the project include sites where recharge is proposed at or adjacent to an area classified as contaminated, sites where contamination has been capped in place, sites that have an Activity and Use Limitation (AUL) that precludes inducing runoff to the groundwater, pursuant to MGL Chapter 21E and the Massachusetts Contingency Plan 310 CMR 40.0000; sites that are the location of a solid waste landfill as defined in 310 CMR 19.000; or sites where groundwater from the recharge location flows directly toward a solid waste landfill or 21E site?¹
- Is the stormwater runoff from a land use with a higher potential pollutant load?
- Is the discharge to the ground located within the Zone II or Interim Wellhead Protection Area of a public water supply?
- Does the site have an infiltration rate greater than 2.4 inches per hour?

Improvements to Existing Conditions:

- Does the project increase the required recharge volume over existing (developed) conditions? If so, can the project be redesigned to reduce the required recharge volume by decreasing impervious surfaces (make building higher, put parking under the building, narrower roads,

¹ A mounding analysis is needed if a site falls within this category. See Volume 3.

sidewalks on only one side of street, etc.) or using low impact development techniques such as porous pavement?

- Is the project located within a basin or sub-basin that has been categorized as under high or medium stress by the Massachusetts Water Resources Commission, or where there is other evidence that there are rivers and streams experiencing low flow problems? If so, have measures been considered to replace the natural recharge lost as a result of the prior development? (See Menu.)
- Has the applicant evaluated measures for reducing site runoff? (See Menu.)

Standard 4: (80% TSS Removal)

Stormwater management systems must be designed to remove 80% of the average annual post-construction load of Total Suspended Solids (TSS). This standard is met when:

- a. Suitable practices for source control and pollution prevention are identified in a long-term pollution prevention plan and thereafter are implemented and maintained;***
- b. Stormwater BMPs are sized to capture the required water quality volume determined in accordance with the Massachusetts Stormwater Handbook; and***
- c. Pretreatment is provided in accordance with the Massachusetts Stormwater Handbook.***

Full compliance for any component that is not a redevelopment

Full compliance with the long-term pollution plan requirement for new developments and redevelopments.

- Has the proponent developed a long-term pollution plan that fully meets the requirements of Standard 4?
- Does the pollution prevention plan include the following source control measures?
 - Street sweeping
 - Proper management of snow, salt, sand and other deicing chemicals
 - Proper management of fertilizers, herbicides and pesticides
 - Stabilization of existing eroding surfaces

Compliance to the Maximum Extent Practicable for the other requirements:

- Does the redevelopment design provide for treatment of all runoff from existing (as well as new) impervious areas to achieve 80% TSS removal? If 80% TSS removal is not achieved, has the stormwater management system been designed to remove TSS to the maximum extent practicable?
- Have the proposed stormwater BMPs been properly sized to capture the prescribed runoff volume?
 - One inch rule applies for discharge
 - within a Zone II or Interim Wellhead Protection Area,
 - near or to another critical area,
 - from a land use with a higher potential pollutant load
 - to the ground where the infiltration rate is greater than 2.4 inches per hour
- Has adequate pretreatment been proposed?
 - 44% TSS Removal Pretreatment Requirement applies if:
 - Stormwater runoff is from a land use with a higher potential pollutant load
 - Stormwater is discharged
 - To the ground within the Zone II or Interim Wellhead Protection Area of a Public Water Supply

- To the ground with an infiltration rate greater than 2.4 inches per hour
 - Near or to an Outstanding Resource Water, Special Resource Water, Cold-Water Fishery, Shellfish Growing Area, or Bathing Beach.
- If the stormwater BMPs do not meet all the requirements set forth above, the applicant shall document an analysis of alternative approaches for meeting these requirements. (See Section on Retrofitting Existing BMPs (the “Retrofit Section”).

Improvements to Existing Conditions:

- Have measures been provided to achieve at least partial compliance with the TSS removal standard?
- Have any of the best management practices in the Retrofit Section been considered?
- Have any of the following pollution prevention measures been considered?
 - Reduction or elimination of winter sanding, where safe and prudent to do so
 - Tighter controls over the application of fertilizers, herbicides, and pesticides
 - Landscaping that reduces the need for fertilizer, herbicides and pesticides
 - High frequency sweeping of paved surfaces using vacuum sweepers
 - Improved catch basin cleaning
 - Waterfowl control programs
- Are there any discharges (new or existing) to impaired waters? If so, see TMDL section.

RESPONSE: Stormwater management improvements include constructing a planted bioretention area which will provide some TSS removal. Refer to Section 4.0 of Attachment A.

Standard 5 (Higher Potential Pollutant Loads (HPPL))

For land uses with higher potential pollutant loads, source control and pollution prevention shall be implemented in accordance with the Massachusetts Stormwater Handbook to eliminate or reduce the discharge of stormwater runoff from such land uses to the maximum extent practicable. If through source control and/or pollution prevention, all land uses with higher potential pollutant loads cannot be completely protected from exposure to rain, snow, snow melt and stormwater runoff, the proponent shall use the specific stormwater BMPs determined by the Department to be suitable for such use as provided in the Massachusetts Stormwater Handbook. Stormwater discharges from land uses with higher potential pollutant loads shall also comply with the requirements of the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53, and the regulations promulgated thereunder at 314 CMR 3.00, 314 CMR 4.00 and 314 CMR 5.00.

Full compliance for any component that is not a redevelopment.

Full compliance with pollution prevention requirements for new developments and redevelopments.

RESPONSE: Not applicable

Standard 6 (Critical Areas)

Stormwater discharges to a Zone II or Interim Wellhead Protection Area of a public water supply and stormwater discharges near or any other critical area require the use of the specific source control and pollution prevention measures and the specific stormwater best management practices determined by the Department to be suitable for managing discharges to such area, as provided in the Massachusetts Stormwater Handbook. A discharge is near a critical area if there is a strong likelihood of a significant impact occurring to said area, taking into account site-specific factors. Stormwater discharges to Outstanding Resource Waters or Special Resource Waters shall be set back from the

receiving water and receive the highest and best practical method of treatment. A “stormwater discharge,” as defined in 314 CMR 3.04(2)(a)1. or (b), to an Outstanding Resource Water or Special Resource Water shall comply with 314 CMR 3.00 and 314 CMR 4.00. Stormwater discharges to a Zone I or Zone A are prohibited unless essential to the operation of the public water supply.

Full compliance for component of project that is not a redevelopment

Full compliance with pollution prevention requirements for new developments and redevelopments.

RESPONSE: Not applicable.

Standard 8: (Erosion, Sediment Control)

A plan to control construction-related impacts, including erosion sedimentation and other pollutant sources during construction and land disturbance activities (construction period erosion, sedimentation, and pollution prevention plan), must be developed and implemented.

All redevelopment projects shall fully comply with Standard 8.

- Has the proponent submitted a construction period erosion, sedimentation and pollution prevention plan that meets the requirements of Standard 8?

RESPONSE: The Contractor will be required to submit a Storm Water Pollution Prevention Plan (SWPPP) as part of the NPDES Construction General Permit (CGP).

Standard 9: (Operation and Maintenance)

A long-term operation and maintenance plan must be developed and implemented to ensure that stormwater management systems function as designed.

All redevelopment projects shall fully comply with Standard 9.

- Has the proponent submitted a long-term Operation and Maintenance plan that meets the requirements of Standard 9?

RESPONSE: The proposed stormwater management improvements will be operated and maintained in accordance with the City of New Bedford’s standard stormwater operation and maintenance plans.

Standard 10 (Illicit Discharges)

All illicit discharges to the stormwater management system are prohibited.

All redevelopment projects shall fully comply with Standard 10.

- Are there any known or suspected illicit discharges to the stormwater management system at the redevelopment project site?

RESPONSE: Not Applicable.

- Has an illicit connection detection program been implemented using visual screening, dye or smoke testing?

RESPONSE: Not Applicable.

- Have an Illicit Discharge Compliance Statement and associated site map been submitted verifying that there are no illicit discharges to the stormwater management system at the site?

RESPONSE: Not Applicable.

Improvements to Existing Conditions:

- Once all illicit discharges are removed, has the proponent implemented any measures to prevent additional illicit discharges?



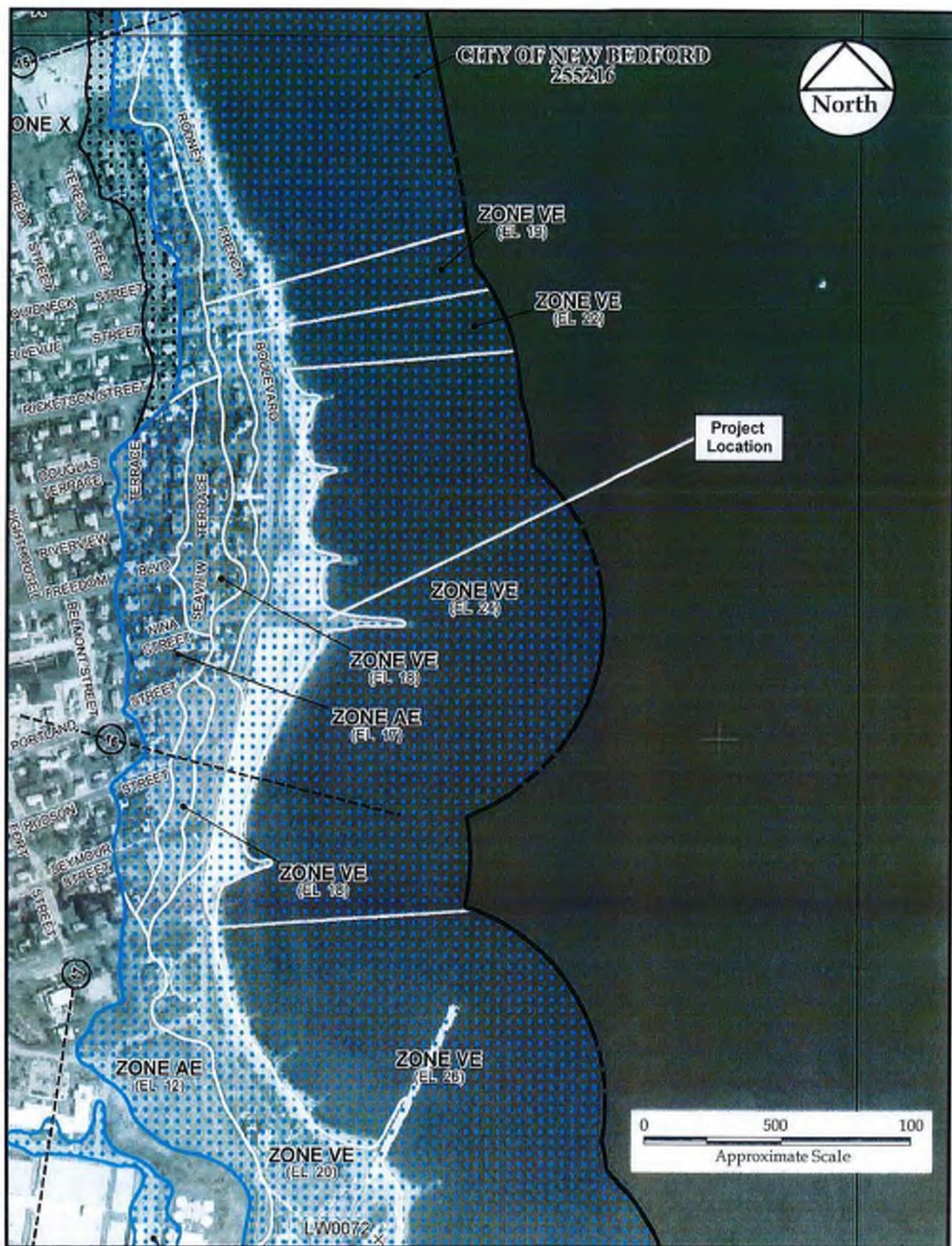
City of New Bedford, Massachusetts
Fishermans Memorial Improvements

Figure 1
Project Location Plan



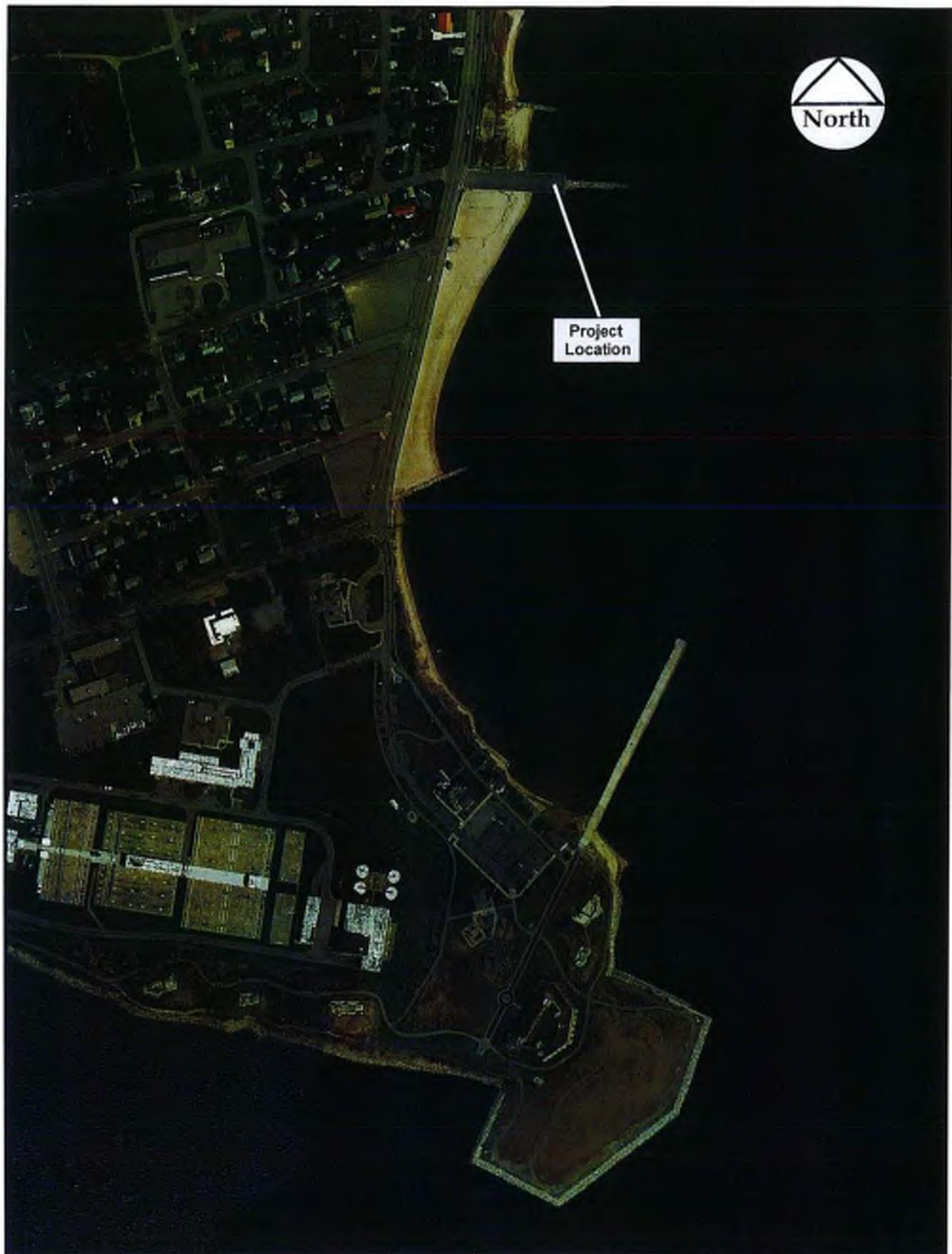
Source:
MassGIS

City of New Bedford, Massachusetts
Fishermans Memorial Improvements



Source: FEMA Flood Insurance Rate
Map Community Panel
25005C0481F, 25005C0482F

City of New Bedford, Massachusetts
Fishermans Memorial Improvements



Source: Google Earth Pro 2013

City of New Bedford, Massachusetts
Fishermans Memorial Improvements

Attachment A
Project Narrative

Attachment A

Project Narrative

1.0 Project Description

This Notice of Intent (NOI) is submitted to the New Bedford Conservation Commission on behalf of City of New Bedford (the City) for the Fisherman's Memorial Improvements located at Monkeys Island off East Rodney French Boulevard (Map 6 Lot 2). The City proposes to construct a new elevated promenade on top of the existing stone pier (see Figure 1: Project Location Map). The elevated promenade will consist of a light weight fill core with a cobble stone wall and plantings along the north side and a stepped granite block wall along the south facing side. The City also proposes structural repairs to the existing stone pier.

The project purpose is to honor the memory of fishermen lost at sea and improve the existing public waterfront park. The proposed work is located within Coastal Beach, Coastal Bank (i.e. concrete reinforced stone pier), Land Subject to Coastal Storm Flowage (LSCSF) and the 100-foot Buffer Zone to Coastal Bank (i.e. top of the pier).

The following sections address the project background, existing on-site wetland conditions, work proposed within and adjacent to wetland resource areas, proposed measures to mitigate construction impacts, and compliance with the performance standards of the *Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00)*.

2.0 Project Background

The existing stone pier was constructed prior to 1935. MassDEP Waterways License 1720 was issued on September 17, 1935, and authorized rebuilding of the stone pier, and to build and maintain four new stone jetties in the Acushnet River. Subsequent MassDEP Waterways License 2514, was granted and issued on August 4, 1942, to remedy discrepancies between the structures actually built and those authorized by License 1720. License 2514 also authorized maintenance of the stone pier and the four stone jetties in conformance with the plan approved as part of License 2514.

The existing Fisherman's Memorial is located on the existing stone pier which extends in a west to east direction into the outflow region of the Acushnet River off East Rodney French Boulevard, near the intersection of Nina Street. The existing memorial, which is a dedication to the East Beach from 1958, consists of a monument, a flagpole, and eight concrete benches. The monument and flag pole will be relocated to the south side of the new Fisherman's Memorial. The pier consists of stone fill granite ashlar masonry construction founded on firm beach sands and gravel. The outermost stone walls were placed atop a concrete footing at about the mean low water (MLW) level with the inshore portions founded directly on beach sand. The top of the stone walls perimeter is capped with a reinforced concrete curb/cap that extends approximately 10 inches above the deck surface. The deck surface is paved with bituminous concrete. The pier is approximately 64 feet wide by 330 feet long.

3.0 Existing Conditions

Wetlands in the project area were not flagged since wetland resource areas consists of Land Under Ocean, stone pier (Coastal Bank), Coastal Beach, and Land Subject to Coastal Storm Flowage, see Site Photographs in Attachment C. The Top of Coastal Bank was determined per the Wetlands Program Policy 92-1 (DWW Policy 92-1) dated March 3, 1992 and based on the existing survey.

3.1 Land Under Ocean

Land under the Ocean is defined as

"means land extending from the mean low water line seaward to the boundary of the municipality's jurisdiction and includes land under estuaries." [310 CMR 10.25 (2)]

The mean low water line is located at elevation -1.57 feet New Bedford City Datum (NBCD).

3.2 Coastal Beach

Coastal Beach is defined as:

"Unconsolidated sediment subject to wave, tidal and coastal storm action which forms the gently sloping shore of a body of salt water and includes tidal flats. Coastal beaches extend from the mean low water line landward to the dune line, coastal bankline or the seaward edge of existing man-made structures, when these structures replace one of the above lines, whichever is closest to the ocean." [310 CMR 10.27 (1) (2)]

Coastal beach is present both to the south and north of the existing stone pier, and extends from the mean low water elevation of -1.57 NBCD to the seaward edge of the stone pier.

3.3 Coastal Bank

Coastal Bank is defined as:

"the seaward face or side of any elevated landform, other than a coastal dune, which lies at the landward edge of a coastal beach, land subject to tidal action, or other wetland." [310 CMR 10.30 (2)]

Coastal Banks are presumed to be significant to "storm damage prevention and flood control... Coastal banks that, because of their height, provide a buffer to upland areas from storm waters are significant to storm damage prevention and flood control." [310 CMR 10.30 (1)]

There is no definition for "top of coastal bank" provided in the Act or the Regulations. *A Guide to the Coastal Wetlands Regulations*, prepared by the Massachusetts Coastal Zone Management Office, upon which Conservation Commissions and the Department have relied for guidance, states that the landward boundary of a coastal bank is "the top of, or first major break in, the face of the coastal bank." Since the coastal bank is a concrete reinforced stone pier/granite block retaining wall, the following standard applies to determining the top of coastal bank in the project area:

"A top of coastal bank will fall below the 100-year flood elevation and is the point where the slope ceases to be greater than or equal to 10:1." The top of coastal bank falls at the top of the granite

block sea wall to the north of the pier, along the perimeter of the concrete reinforced stone pier, and at the top of the concrete wall to the south of the pier.

3.4 Land Subject to Coastal Storm Flowage

Land Subject to Coastal Storm Flowage is defined as:

"land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record or storm of record, whichever is greater." [310 CMR 10.04 (2)]

The Federal Emergency Management Act (FEMA) Flood Insurance Rate Map (FIRM) (See Figure 3) identifies the 100-year storm event in the project area. According to the FIRM, the 100-year flood elevation associated with the stone pier is elevation 17 feet North American Vertical Datum of 1988 (NAVD 88) (15.28 feet NBCD). The top of the existing pier is 4.014 feet NBCD by the existing storm drain and elevation 5.353 feet NBCD at the inshore end.

4.0 Description of Proposed Improvements

4.1 Fisherman's Memorial

The City is proposing to construct a new elevated promenade to be placed on top of the pier deck. The elevated promenade will have a lightweight structural fill core with a cobble block stone wall and plantings along most of the north side of the existing pier. Along the south side of the pier there will be a granite block wall with seats and a staircase with lumen rail lighted handrail leading up to a sculpture. The fill area will gradually rise from existing grade of 5.35 feet near the inshore end of the pier to an elevated viewing area approximately 8 feet above the existing deck near the outshore end of the pier. The new memorial sculpture will be placed on a footing set at approximately elevation 13.5 feet. There will be a concrete walkway surrounding the sculpture. New lighting will be installed and the existing monument will be relocated on the south side of the pier. A decorative bollard and chain will be installed along the entrance to the memorial while a new reinforced concrete cap will be installed along the perimeter of the pier.

The plantings along the north side of the elevated walkway will be located within a bioretention area with granite curb and filled with a minimum of 4 feet of bioretention soils. The bioretention area will slope towards the cobble blocks to the north (See Detail Sheet L-3). The plantings will consist of a line of evergreens (a total of 9 Japanese black pines) and approximately 145 container grown beach rose (*Rosa rugosa*).

The improved stormwater drainage system on the existing pier is designed to pitch to the east, north, and south paved areas towards the water to allow stormwater to drain through weep holes in the concrete cap. The main path ramping up the middle of the elevated promenade and the platform at the top will pitch towards the planted bioretention area. The only new drainage structure will be an overflow structure in the bioretention area. Flow collected in the bioretention area will be conveyed to the existing drain manhole and discharged to the existing 18-inch diameter drain located parallel to the existing pier (see Sheet L-2).

There will be no new fill placed outside of the existing footprint of the existing pier as licensed and approved per License No. 2514. There will be no new fill placed below the Mean High Water line of

elevation 2.00 feet NBCD. A rendering of the elevated promenade and the new sculpture is included in Attachment B.

4.2 Pier Restoration

The stone pier was inspected for structural integrity by John Gaythwaite, P.E. of Maritime Engineering Consultants Inc. and determined to be in fair condition with some localized deficiencies due to missing and displaced stones primarily at the outshore end, damaged and deteriorated concrete cap, and substantially cracked pavement. Most of the displaced and missing stones are located along the outshore face and at the northeast end of the pier. The south side of the pier is generally in better condition than the north side except for a section of severely cracked and spalled concrete cap with exposed and corroded reinforcement near the outshore end.

The pier restoration involves:

1. Remove the existing spalled and damaged concrete cap that extends approximately 10 inches above the deck surface and the existing bituminous concrete deck surface and replace with a new reinforced concrete cap and 4-inch thick, fiber mesh reinforced concrete deck slab;
2. Replace and/or reset all missing and/or displaced granite block masonry and grout;
3. Remove deteriorated grout above the mean high water mark and re-grout joints; and
3. Remove deteriorated and friable concrete from sections of concrete wall along north edge of pier and place new more durable concrete down to existing concrete footing and repair footing as required.

4.2.1 Suggested Construction Sequence for Pier Restoration

Where possible all proposed pier restoration work would be completed from the landward side of the pier. As mentioned above, in the one area on the northeast face of the pier, the City will need access by excavator to remove the blocks (which can be done from the landward side of the pier following excavation of the granular fill material within the pier and removal of the concrete cap) and excavate the existing footing/material to place filter fabric and crushed stone as a sub-base for a new concrete footing (this area has been identified on the drawings as an approximate 60-ft section of existing concrete pier foundation to be repaired/replaced). Concrete will be placed, set, and once cured, the granite blocks will be reset – this can be done from the pier as well. These activities will be coordinated with the tide schedule. A concrete truck will not need to drive on the beach area. Access to the beach area will be kept to a minimum and if the City feels that they can do this without going into the area between MHW and MLW, then they will not do so.

The existing concrete cap will be saw cut and removed with an excavator from the landward side of the pier. Access to the beach south of the pier will not be required except for minor foot traffic. Beach access to the north of the pier is as described above.

Granite blocks that have fallen out of the face of the pier will be grabbed from the landward side of the pier with an excavator and claw. Blocks will be reset from the landward side of the pier. Joints will be repointed via boat.

The suggested construction sequence for resetting the displaced and/or missing granite block masonry down to the pier footings is as follows:

1. Work will only be performed during the low tide cycle;
2. Wooden boards will be set on the coastal beach in the 10-ft wide access area to protect any existing vegetation from construction traffic. The wooden boards will be removed during each tide cycle;
3. Construction vehicles on coastal beach to consist of rubber track excavator;
4. Remove concrete cap;
5. Remove granite pier face above area required for concrete foundation repair;
6. Saw cut and remove damaged/deteriorated concrete;
7. Excavate area, place filter fabric and crushed stone, and form new concrete foundation;
8. Pour new quick cure concrete foundation (to be sufficiently cured to withstand next tide cycle);
9. Reset granite block walls;
10. Backfill excavation area on landward side of pier;
11. Pour new concrete pier cap;
12. Grout joints; and
13. Restore any altered Coastal Beach in accordance to restoration plan in Section 5.1.1.

5.0 Work Proposed in Wetland Resource Areas and Compliance with Performance Standards

Proposed work will alter Land Subject to Coastal Storm Flowage, Coastal Bank (i.e. pier wall), and the 100-ft Buffer Zone to Coastal Bank, as well as temporarily alter Coastal Beach from access to pier restoration. There will be no alteration to Land Under Ocean (i.e. land below MLW elevation of -1.57 feet) from access to pier restoration since the MLW line is located seaward of the pier (See Sheet L-1).

5.1 Coastal Beach

Approximately 3,350 square feet of Coastal Bank will be temporarily altered from access for the pier repairs.

In accordance with 310 CMR 10.27 (2) (3) projects on coastal beaches *“shall not have an adverse effect by increasing erosion, decreasing the volume or changing the form of any such coastal beach or adjacent or down drift coastal beach.”*

Alterations to Coastal Beach will be temporary from access to areas of the pier that require restoration/repair. Work from the Coastal Beach will only be performed during the low tide cycle. Wooden boards will be set on the coastal beach access area to protect any existing vegetation from construction traffic. Wooden boards will be removed during each tide cycle. Only a rubber track excavator will be allowed on the Coastal Beach. Altered Coastal Beach will be restored to preconstruction conditions using the Coastal Beach Restoration Plan in Section 5.1.1 below, upon completion of the repairs.

5.1.1 Coastal Beach Restoration Plan

Spot elevations will be collected to define the slope of the Coastal Beach prior to commencement of construction. Altered Coastal Beach will be restored to pre-construction slope using existing beach sand and planted with 2 to 3 stems (culms) of American Beach grass (*Ammophila breviligulata*) at a spacing of 18 in by 18 in. The plantings will be staggered in alternate rows to provide for maximum erosion control potential and planted at 8 inch depth.

5.2 Coastal Bank

Approximately 724 linear feet of Coastal Bank will be temporarily altered from the proposed work.

There are two types of Coastal Banks, one that serves as a sediment source to down drift land forms and the other type is a Coastal Bank that serves only as a vertical buffer to storm waters. Since these Coastal Banks serve as vertical buffers to storm waters, work on the banks shall comply with 310 CMR 10.30 (6) through (8) which include:

- 6) *Any project on such a coastal bank or within 100 feet landward of the top of such coastal bank shall have no adverse effects on the stability of the coastal bank.*

Pier repairs are proposed as part of the proposed project which will improve the stability of the existing structure.

- 7) *Bulkheads, revetments, seawalls, groins or other coastal engineering structures may be permitted on such a coastal bank except when such bank is significant to storm damage prevention or flood control because it supplies sediment to coastal beaches, coastal dunes, and barrier beaches.*

The existing stone pier does not provide sediment to coastal beaches, coastal dunes, and/or barrier beaches.

- 8) *Notwithstanding the provisions of 310 CMR 10.30(3) through (7), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.*

The proposed project is not located within Estimated and Priority Habitat (see Figure 2).

5.3 Land Subject to Coastal Storm Flowage (LSCSF)

The entire project area is located within LSCSF. The elevation for the 100-year flood event is located at elevation 15.28 feet NBCD and V-Zone elevation is 16.28 feet NBCD (See Figure 3). Construction within LSCSF includes all activities described above. Approximately 20,550 square feet of LSCSF will be

altered for the proposed improvements since the entire pier is located within LSCSF. Excavation and trenching work associated with the improvements will require construction equipment to excavate the rock fill of the existing stone pier. The rock fill will be reused and any excess material will be disposed of off-site in accordance with applicable federal, state, and local regulations. Excavated areas within the rock fill will be lined with filter fabric before backfilled to prevent the backfill material from seeping/sinking into the rock fill. Backfill materials that will be used include processed gravel base, clean common fill, lightweight structural fill, planting soil, bioretention soil, and riprap as shown of the project plans in Attachment E.

All precautions will be taken to assure that impacts to resource areas are minimal. Silt booms will be installed around work areas to prevent migration of sediments into the Acushnet River. There are no performance standards for LSCSF. However, work is consistent with the "Interests of the Act", especially storm damage prevention and flood control. Construction will not impact flood flow and the project area will continue to provide an unrestricted flow of flood waters. The contract documents include detailed provisions for environmental protection, erosion and sedimentation control, and related topics. A City of New Bedford engineer will be on site throughout the construction phase to ensure the City crews adheres to these conditions. No adverse impacts to storm flooding will occur as a result of this project.

5.4 100-foot Buffer Zone to Coastal Bank

Work within the 100-foot Buffer Zone to Coastal Bank is described above. The proposed work will not affect the stability of the existing stone pier. Structural maintenance and repairs are proposed as part of the project to protect the interests of the Wetland Protection Act, specifically flood control and storm damage prevention.

6.0 Mitigation Measures

No adverse impacts to wetland resource areas are anticipated to occur as a result of this project. The following precautions will be taken to prevent impacts to adjacent wetland resource areas and to protect the interests of the Wetlands Protection Act:

- The City will be required to comply with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations;
- Fill used for this project will be clean lightweight structural fill, processed gravel base, or crushed stone;
- The work shall conform to the plans, project description and mitigation measures referenced in this NOI;
- The project is being constructed by City Department of Public Infrastructure crews. CDM Smith is contracted to provide construction ready, approximately 60% design, drawings for the City to use for construction. The construction ready drawings will be submitted to the Conservation Commission at least one week prior to the commencement of work for the Commission's files;
- The Conservation Commission Agent will be notified of the project schedule and will notified at least 48 hours prior to the start of work;

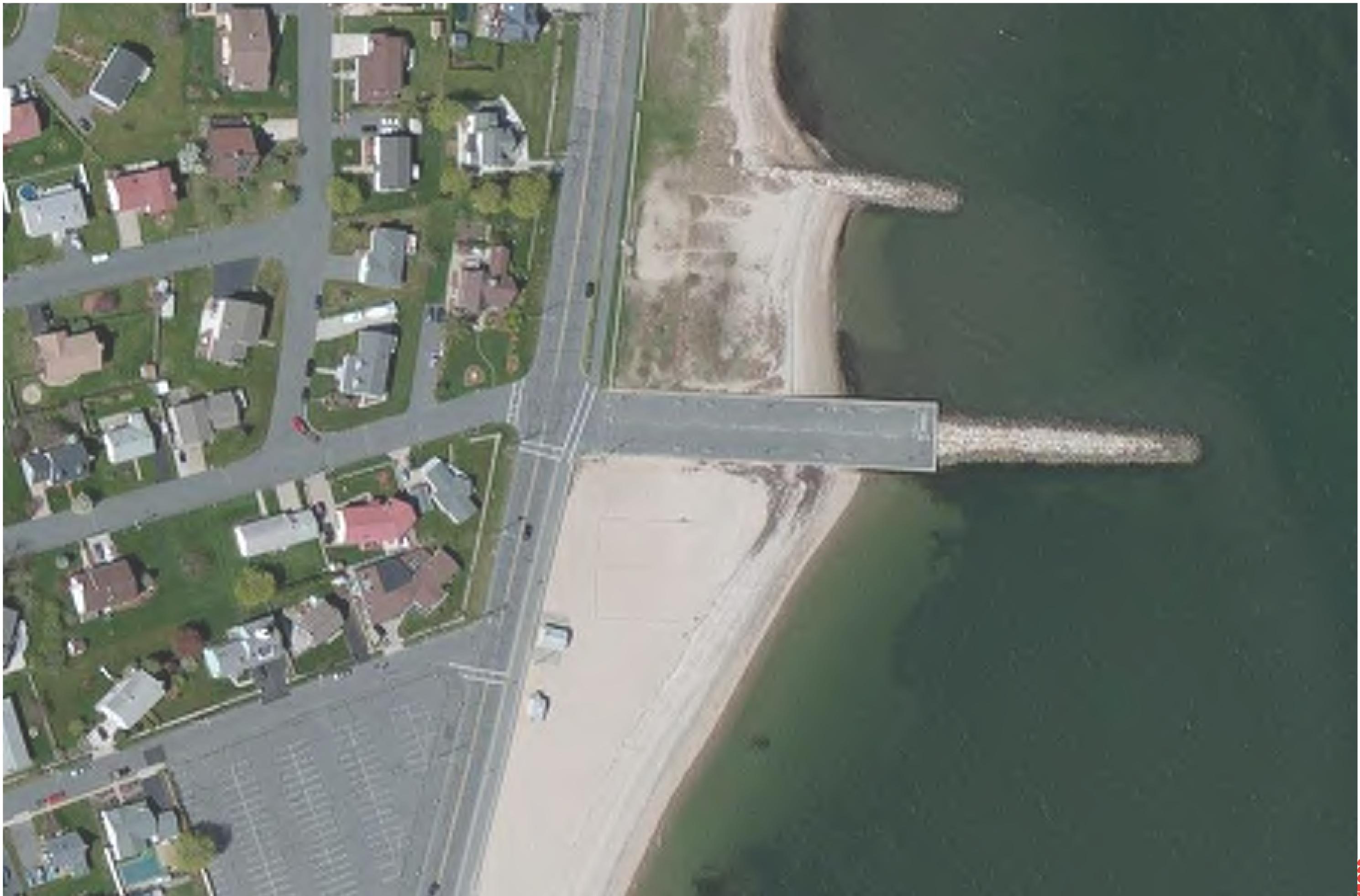
- The Conservation Commission Agent, members of the Conservation Commission and the Department of Environmental Protection will have the right to enter and inspect the area subject to the Order of Conditions (OOC) at reasonable hours to evaluate compliance with the OOC and construction ready drawings;
- All sedimentation barriers will be maintained in good repair until all disturbed areas have been fully stabilized. At no time will sediment be deposited in a wetland or water body. During construction, the applicant or his/her personnel will inspect the erosion controls on a daily basis and will remove accumulated sediments as needed. The applicant will immediately control any erosion problems that occur at the site. Orange construction fencing and the concrete cap will serve as the limit of work;
- Storm drain inlet protection will be provided for all storm drains which will collect runoff from the work area. This protection will prevent sediment from entering the storm drain system and being conveyed to wetlands or waterways;
- Silt boom will be installed around the pier east of the MHW mark to prevent sediment from being discharged to the Acushnet River.
- Temporary stockpiling of soil material will be upgradient of the sedimentation and erosion control barrier to prevent sediments from being transported to adjacent wetland resource areas;
- Orange construction fencing will be installed to demarcate the limits of the access on the Coastal Beach;
- Maintenance and refueling of vehicles will not occur on the stone pier;
- A supply of "speedy dry," oil absorbent pads, or an approved equivalent will be maintained with the construction equipment at all times which will be used to contain any accidental release of oil or other petroleum products during the field work; and
- Hydraulic lines and fuel lines on construction equipment and vehicles will be inspected at the end of each work to look for leaks. Any detected leaks will need to be repaired before the affected piece of equipment or vehicle can be used on the project site.

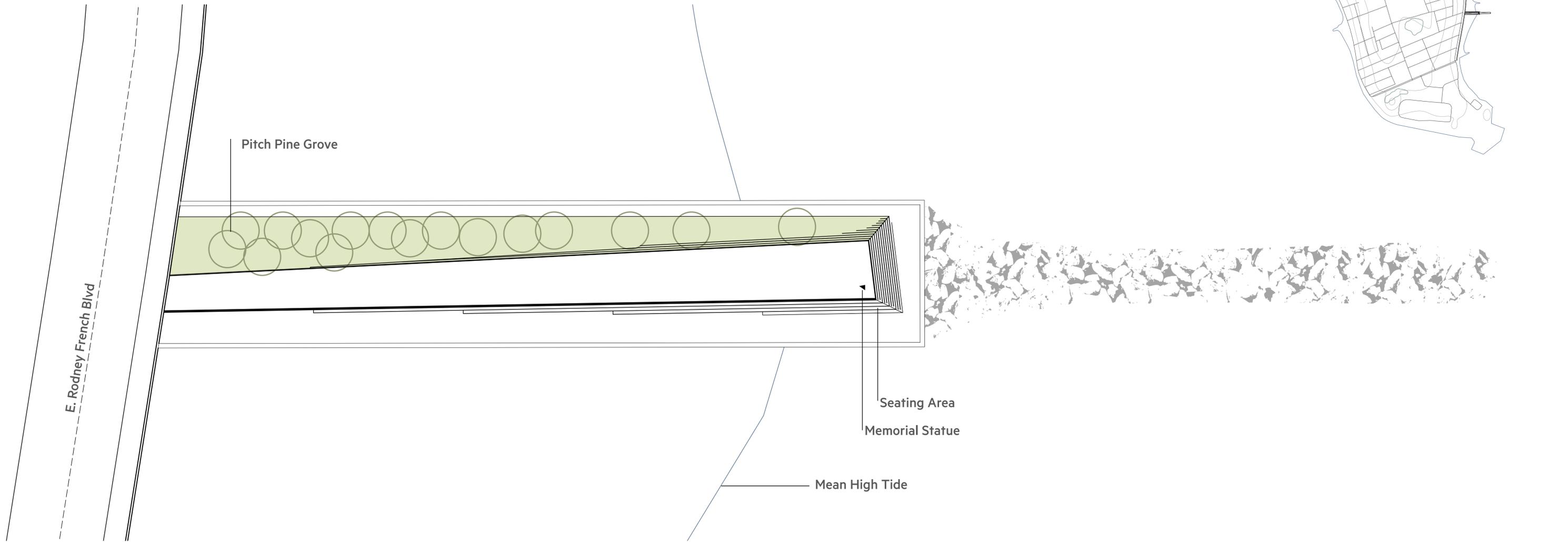
7.0 Summary

This project is proposed to improve the existing Fisherman's Memorial and waterfront park. The entire project is located in LSCSF and the 100-foot Buffer Zone to Coastal Bank (i.e., on the top of the stone pier). The proposed pier restoration will improve the stability of the Coastal Bank and assure that the construction of the elevated promenade will not affect the stability of the Coastal Bank. The proposed project has been designed to protect the interests of the Wetlands Protection Act and the City of New Bedford Wetlands Protection Ordinance amended in Chapter 15 Article VII, specifically the flood control and storm damage prevention interests.

Attachment B
Renderings of Fishermans Memorial

FISHERMAN'S MEMORIAL NEW BEDFORD, MA













Attachment C
Photographs

Photographs of Existing Stone Pier



Photograph No. 1: View of existing memorial facing east



Photograph No. 2: View of north side of existing stone pier



Photograph No. 3: View of landward end of existing pier and coastal beach, facing west



Photograph No. 4: View of north side of existing pier.



Photograph No. 5: View of existing concrete ramp and coastal beach, south side of pier



Photograph No. 6: View of coastal beach on south side of existing pier



Photograph No. 7: View of south side of pier



Photograph No. 8: View stone rubble mound groin at outshore end of the pier.



Photograph No. 9: Eroded and undermined concrete along north side of pier



Photograph No. 10: Existing 18-inch diameter drain parallel to south side of pier



Photograph No. 11: South side of existing pier, view facing north

Attachment D
Certified Abutters List

I, Concepcion Acosta, Administrative Assistant to the Board of Assessors of the City of New Bedford, do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Date: 5/21/2014

SUBJECT PROPERTY:

MAP 6 LOT 2

LOCATION ES East Rodney French Boulevard

OWNER'S NAME City of New Bedford

MAILING ADDRESS 131 William Street, New Bedford, MA

CONTACT PERSON Magdalena Lofstedt, CDM Smith

TELEPHONE NUMBER 617-452-6597

EMAIL ADDRESS lofstedtmh@cdmsmith.com

REASON FOR REQUEST

Request for Determination of Applicability to be filed with the New Bedford Conservation Commission

Please mail the certified list to Magdalena Lofstedt, CDM Smith Inc., 50 Hampshire Street, Cambridge, MA 02139

May 20, 2014

Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as ES East Rodney French Boulevard (6-2). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Parcel	Location	Owner and Mailing Address
6-21	3 NINA ST	VINAGRE CARLOS DASILVA, VINAGRE MARIA HELENA ✓ 3 NINA ST NEW BEDFORD, MA 02744
6-23	1147 E RODNEY FRENCH BLVD	KERTZMAN HARVEY, KERTZMAN NOREEN ✓ 1147 ROD FR BLVD NEW BEDFORD, MA 02744
6-24	1157 E RODNEY FRENCH BLVD	ESTUDANTE ARMANDO M "TRUSTEE", ESTUDANTE LUCILIA F "TRUSTEE" ✓ 1157 EAST RODNEY FRENCH BLVD NEW BEDFORD, MA 02744
6-25	1169 E RODNEY FRENCH BLVD	SOARES MARIA H, ✓ 1169 EAST RODNEY FR BLVD NEW BEDFORD, MA 02744
6-26	1177 E RODNEY FRENCH BLVD	FLOREK JOANNE L, ✓ 1177 EAST RODNEY FRENCH BLVD NEW BEDFORD, MA 02744
8-397	1234 E RODNEY FRENCH BLVD	OTOOLE MARY M, ✓ 15 RESERVOIR STREET UNIT 31 MANSFIELD, MA 02048
6-45	1185 E RODNEY FRENCH BLVD	MCNAMARA JOHN F "TRUSTEE", 380 CRAWFORD STREET TRUST ✓ 58 OLD PRINCETON ROAD WEST STERLING, MA 01564
6-46	1197 E RODNEY FRENCH BLVD	HELGELAND ROBERT C, ✓ 71 BELLEVUE ST NEW BEDFORD, MA 02744
8-248	E RODNEY FRENCH BLVD	VINJERUD LARS II, 20 BLACKMER STREET NEW BEDFORD, MA 02740 ✓
8-226	1219 E RODNEY FRENCH BLVD	FERNANDES JOHN JR, FERNANDES MARSHA F ✓ 1219 EAST RODNEY FRENCH BLVD NEW BEDFORD, MA 02744
8-225	1221 E RODNEY FRENCH BLVD	STONE MARGA L, ✓ 1221 EAST RODNEY FR BLVD NEW BEDFORD, MA 02744
6-2	E RODNEY FRENCH BLVD	CITY OF NEW BEDFORD, ✓ 131 WILLIAM ST NEW BEDFORD, MA 02740

8-253	1228 E RODNEY FRENCH BLVD	BEGIN JON E, BEGIN JOAN L ✓ 709 LAGOON DRIVE NORTH PALM BEACH, FL 33408
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Sincerely,



Patrick C. Day
Staff Planner



Notification to Abutters under the City of New Bedford
Wetlands Ordinance

In Accordance with the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112) you are hereby notified of the following.

The name of the applicant is: City of New Bedford

The applicant has filed a Notice of Intent _____ for the municipality of New Bedford, Massachusetts seeking permission to remove, fill, dredge or alter an _____ area subject to protection under the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112).

The address of the lot where the activity is proposed is: East Rodney French Boulevard
Assessor's Map 6 ; Lot 2

Copies of the Notice of Intent _____ may be examined at the New Bedford Conservation Commission, City Hall, 133 William St. Room 304 New Bedford, MA 02740 between the hours of 8:00 AM and 4:00 PM, Monday through Friday. For more information call (508) 991-6188.

Copies of the Notice of Intent _____ may be obtained from either (check one) the applicant _____ or the applicant's representative X by calling this telephone number (617) 452-6597 between the hours of 8:00 AM and 4:00 PM on the following days of the week: Monday through Friday.

Information regarding the date, time and place of the public hearing may be obtained from New Bedford Conservation Commission by calling 508-991-6188 between the hours of 8:00 AM and 4:00 PM Monday through Friday.

Note: Notice of the Public hearing, including its date, time and place, will be posted in the City Hall not less than forty eight (48) hours in advance of the meeting.

Note: Notice of the Public Hearing including its date, time and place, will be published at least five (5) days in advance in the Standard Times.

Note: You may also contact the New Bedford Conservation Commission at 508-991-6188 for more information about this publication or the City of New Bedford Wetlands Ordinance

Attachment E
Project Plans (Bound Separately)