



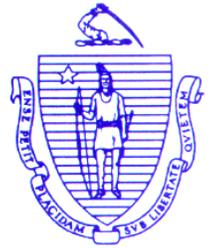
Paul J. Diodati
Director

Commonwealth of Massachusetts

Division of Marine Fisheries

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Deval Patrick
Governor
Maeve Valley Bartlett
Secretary
Mary B. Griffin
Commissioner

July 30, 2014

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

Dear Commissioners:

The Division of Marine Fisheries (*Marine Fisheries*) has reviewed the Notice of Intent by the City of New Bedford for the Fisherman's Memorial Improvements at Monkeys Island off East Rodney French Boulevard on New Bedford Harbor in the City of New Bedford. Improvements include repairs to an existing stone pier and the construction of a new elevated promenade on top of the existing pier. Existing marine fisheries resources and potential project impacts to these resources are outlined in the following paragraphs.

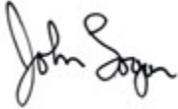
The project site lies within mapped shellfish habitat for bay scallop (*Argopecten irradians*) and quahog (*Mercenaria mercenaria*). Waters within the project site have habitat characteristics suitable for these species. This region is Conditionally Approved for shellfishing and currently supports both commercial and recreational harvest of quahogs. This region is also within the southern portion of the New Bedford Quahog Mitigation Project associated with the South Terminal Project. Land containing shellfish is deemed significant to the interest of the Wetlands Protection Act (310 CMR 10.34) and the protection of marine fisheries.

Marine Fisheries offers the following comments for your consideration:

- The project site currently houses a flag pole and flag used to show the status of the Conditionally Approved shellfishing area. Project plans did not identify this flag pole or indicate its proposed location post-construction. Without this flagpole in place, the Conditionally Approved area would need to be closed. Plans should verify that the flag pole will in fact be in place at this site post-construction.
- As noted in section 4.2.1, restoration work should be performed from the landward side of the pier whenever possible. Any work performed from the water side of the structure could interfere with nearby shellfish mitigation work. Any barge or boat-based construction should be done in coordination with the *Marine Fisheries* shellfish program to avoid any impacts to the mitigation project.

Questions regarding this review may be directed to John Logan in our New Bedford office at (508) 990-2860 ext. 141.

Sincerely,

A handwritten signature in black ink that reads "John Logan". The signature is written in a cursive style with a large initial "J" and "L".

John Logan
Fisheries Habitat Specialist

cc: Magdalena Lofstedt, CDM Smith Inc.
Robert Giard, Thomas Ringuette, New Bedford Shellfish Constables
Neil Churchill, Thomas Shields, Christian Petitpas, DMF

JL/cp