

Sarah Porter

From: Petitpas, Christian (FWE) [Christian.Petitpas@MassMail.State.MA.US]
Sent: Thursday, September 03, 2015 4:45 PM
To: Sarah Porter
Cc: 'snilson@cleengineering.com'; Churchill, Neil (FWE); Shields, Thomas (FWE)
Subject: NOI, VVK Realty, LLC, New Bedford

Dear Commissioners:

The Division of Marine Fisheries (*Marine Fisheries*) has reviewed the Notice of Intent by VVK Realty, LLC for proposed rehabilitation of an existing timber pier, addition of floating dock and gangway systems on the north and south of the existing pier, installation of moorings, and relocation of the seasonal tiki bar from adjacent property to the site at 1494 East Rodney French Boulevard, Buzzards Bay in the City of New Bedford. The project was reviewed with respect to potential impacts to marine fisheries resources and habitat.

The project site lies within mapped shellfish habitat for quahog (*Mercenaria mercenaria*) and bay scallop (*Argopecten irradians*) which is afforded protection under the Wetlands Protection Act (310 CMR 10.34). Mapped land containing shellfish is deemed significant to the interest of the Wetland Protection Act and the protection of marine fisheries. Additionally, the project site is in close proximity to a *Marine Fisheries* sampling station that consistently contains quahogs and is Conditionally Approved for shellfish harvest.

Based on the information provided, *Marine Fisheries* has no recommendations on the proposed scope of work at this time.

Questions regarding this review may be directed to Eileen Feeney in our New Bedford office at (508) 990-2860 ext. 117.

Sent on behalf of Eileen Feeney