DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

December 9, 2015

Regulatory Division
File Number: NAE-2015-01483

RECEIVED
DEC 29 2015
BY:

Frederick A. Miller, Jr.
Bridge Real Estate Investors
20 Blackmer Street
New Bedford, Massachusetts 02744-2614

Dear Mr. Miller:

We have reviewed your application to conduct work and place structures and fill below the mean high water mark of waters of the United States in order to construct and maintain a pile supported 5964 square foot concrete commercial fishing pier at 12 Fish Island, New Bedford, MA. The pier will cover a 213-foot x 28-foot area below the mean high water mark. It will be comprised of seventy-seven 4-foot x 20-foot concrete deck planks supported by forty-four 50-foot HP pile supports driven to depths from 37 feet to 43 feet or refusal. Cross bracing will be constructed on the piles, and curbing will be installed. 18-inch diameter timber fender piles spaced at 10-foot intervals will line the seaward face for protection from vessel strikes.

In addition, 20-inch wide sheet pile will be driven along 50 linear feet of an existing previously permitted bulkhead at the corner of the pier. This project is located in the Acushnet River at 12 Fish Island Road, New Bedford, Massachusetts. The work is shown on the enclosed plans entitled "STEEL HP GALAVANIZED PILINGS, CONC. DECK, AND TIMBER FENDER PILINGS", on four sheets, and dated "July 22, 2015" and enclosed plans entitled "STEEL SHEET PILE SPECIFICATION", on one sheet, and dated "August 14, 2015".

Based on the information you have provided, we have determined that the proposed activity, which includes a discharge of dredged or fill material into waters or wetlands, will have only minimal individual or cumulative environmental impacts on waters of the United States, including wetlands. Therefore, this work is authorized under the attached February 2015 General Permits for Massachusetts (GPs for MA), specifically GPs 1 & 3, under the pre-construction notification process. This work must be performed in accordance with the terms and conditions of the GPs and also in compliance with the following special conditions:

1. If the applicant or their contractor, during the construction of work authorized by this permit, encounters previously unidentified submerged cultural resources, the applicant will stop work and take steps to limit the adverse effects to this resource and will immediately notify the District Engineer, the Massachusetts Board of Underwater Archaeological Resources ("BUAR") [(617) 727-8470)], the Massachusetts State Historic Preservation Officer [(617) 727-8470)], and the Tribal Historic Preservation Officers of the Mashpee Wampanoag Tribe [(508) 477-6160]

and the Wampanoag Tribe of Gay Head (Aquinnah) [(508) 645-9265] in accordance with the BUAR's Policy guidance for the Discovery of Unanticipated Archeological Resources and General Condition 6 in the attached General Permit which addresses encounters with previously unidentified archaeological or other cultural resources.

2. Work below the high tide line shall not be conducted during the time of year (TOY) restriction of January 15th to June 30th in order to protect diadromous fish passage as well as winter flounder spawning, larval settlement, and juvenile development.

The National Marine Fisheries Service provided conservation recommendations regarding the effects of your project on Essential Fish Habitat (EFH) as designated under the Magnuson-Stevens Fishery Conservation and Management Act. These have been incorporated into the special conditions.

You are responsible for complying with all of the GP requirements. Please review the attached GPs for MA document carefully, in particular the general conditions beginning on Page 23, to familiarize yourself with its contents. You should ensure that whoever does the work fully understands the requirements and that a copy of the permit document and this authorization letter are at the project site throughout the time the work is underway.

This determination becomes valid only after the Massachusetts Department of Environmental Protection (MassDEP) issues or waives Water Quality Certification (WQC) as required under Section 401 of the Clean Water Act. In the event the MassDEP denies the 401 WQC, this determination becomes null and void. The address of the MassDEP Regional office for your area is provided on page 62 of the attached GP document.

Your project is located within, or may affect resources within the coastal zone. The Massachusetts Office of Coastal Zone Management (CZM) has already determined that no further Federal Consistency Review is required.

The GPs for MA expire on February 4, 2020. Activities authorized under the GPs that have commenced (i.e., are under construction) or are under contract to commence before the GPs expire will have until February 4, 2021 to complete the activity under the terms and general conditions. For work within Corps jurisdiction that is not completed by February 4, 2021, you will need to reference any reissued or new GPs to see if your project is still authorized or if a new application is required. If it is no longer authorized you must submit an application and receive written authorization before you can continue work within our jurisdiction. Please contact us immediately if you change the plans or construction methods for work within our jurisdiction. This office must approve any changes before you undertake them.

This authorization requires you to complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must also complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work.

This permit does not obviate the need to obtain other federal, state, or local authorizations required by law, as listed on Page 57 of the GP document. Performing work not specifically authorized by this determination or failing to comply with any special condition(s) provided above or all the terms and conditions of the GP may subject you to the enforcement provisions of our regulations.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Please contact Josh Helms, of my staff at Joshua.M.Helms@usace.army.mil or (978) 318-8211 if you have any questions.

Sincerely,

Alan R. Anacheka-Nasemann, PWS
Chief, Permits & Enforcement Branch
Regulatory Division

Attachments

cc:
David Davignon, N. Douglas Schneider & Associates, Inc., P.O. Box 480, Mattappoisett, Massachusetts 02739, dsquared3368@yahoo.com
Ed Reiner, U.S. EPA, Region 1, Boston, Massachusetts, reiner.ed@epa.gov
Jim Mahala, Acting Chief, DEP SERO, Wetlands and Waterways, Lakeville, Massachusetts, jim.mahala@state.ma.us
Michael Girvan, MassDEP-WRP, Boston, Massachusetts, michael.girvan@state.ma.us
Robert Boeri, Coastal Zone Management, Boston, Massachusetts, Robert.Boeri@state.ma.us
Alex Strysky, MEPA Office, Executive Office of Energy and Environmental Affairs, 100 Cambridge Street, Suite 900, Boston, Massachusetts, 02114
Sarah Porter, City of New Bedford Conservation Commission, 133 William Street, Room 304, New Bedford, Massachusetts 02740

US Army Corps of Engineers®
New England District

WORK-START NOTIFICATION FORM

(Minimum Notice: Two weeks before work begins)

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* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Permits and Enforcement Branch *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *

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Corps of Engineers authorization number NAE-2015-01483 was issued to Bridge Real Estate Investors, LLC. in December, 2015. This work is located in the Acushnet River at 12 Fish Island Road, New Bedford, Massachusetts. The permit authorizes the applicant to conduct work and place structures and fill below the mean high water mark of waters of the United States in order to construct and maintain a pile supported 5964 square foot concrete commercial fishing pier at 12 Fish Island, New Bedford, MA. The pier will cover a 213-foot x 28-foot area below the mean high water mark. It will be comprised of (77) 4-foot x 20-foot concrete deck planks supported by (44) 50-foot HP pile supports driven to depths from 37 feet to 43 feet or refusal. 18-inch diameter timber fender piles spaced at 10-foot intervals will line the seaward face. In addition, 20-inch wide sheet pile will be driven along 50 linear feet of the previously permitted bulkhead at the corner of the pier.

Those (e.g., contractor) listed below will do the work and understand the permit's terms and conditions.

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

_____

Business Address: _____

_____

_____

_____

Telephone Numbers: (___) _____ (___) _____

Email: _____

Proposed Work Dates: **Start:** _____ **Finish:** _____

Permittee/Agent Signature: _____ **Date:** _____

Printed Name: _____ **Title:** _____

Date Authorization Issued: _____ **Date Permit Expires:** 02/04/2020

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FOR USE BY THE CORPS OF ENGINEERS

PM: Josh Helms **Submittals Required:** No

US Army Corps
of Engineers®
New England District

(Minimum Notice: Permittee must sign and return notification within one month of the completion of work.)

COMPLIANCE CERTIFICATION FORM

Permit Number: NAE-2015-01483

Project Manager Joshua Helms

Name of Permittee: Bridge Real Estate Investors, LLC

Permit Issuance Date: December, 2015

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

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* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Permits and Enforcement Branch A *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *
****

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

_____ _____

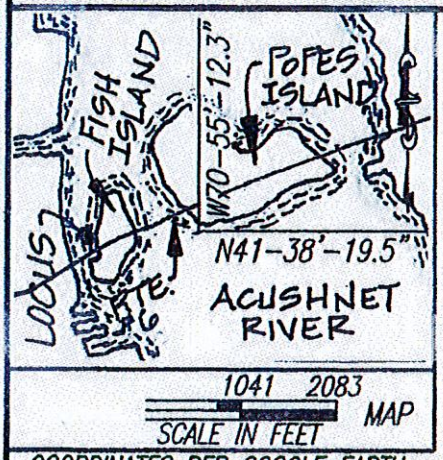
Signature of Permittee Date

_____ _____

Printed Name Date of Work Completion

(____) _____ (____) _____

Telephone Number Telephone Number

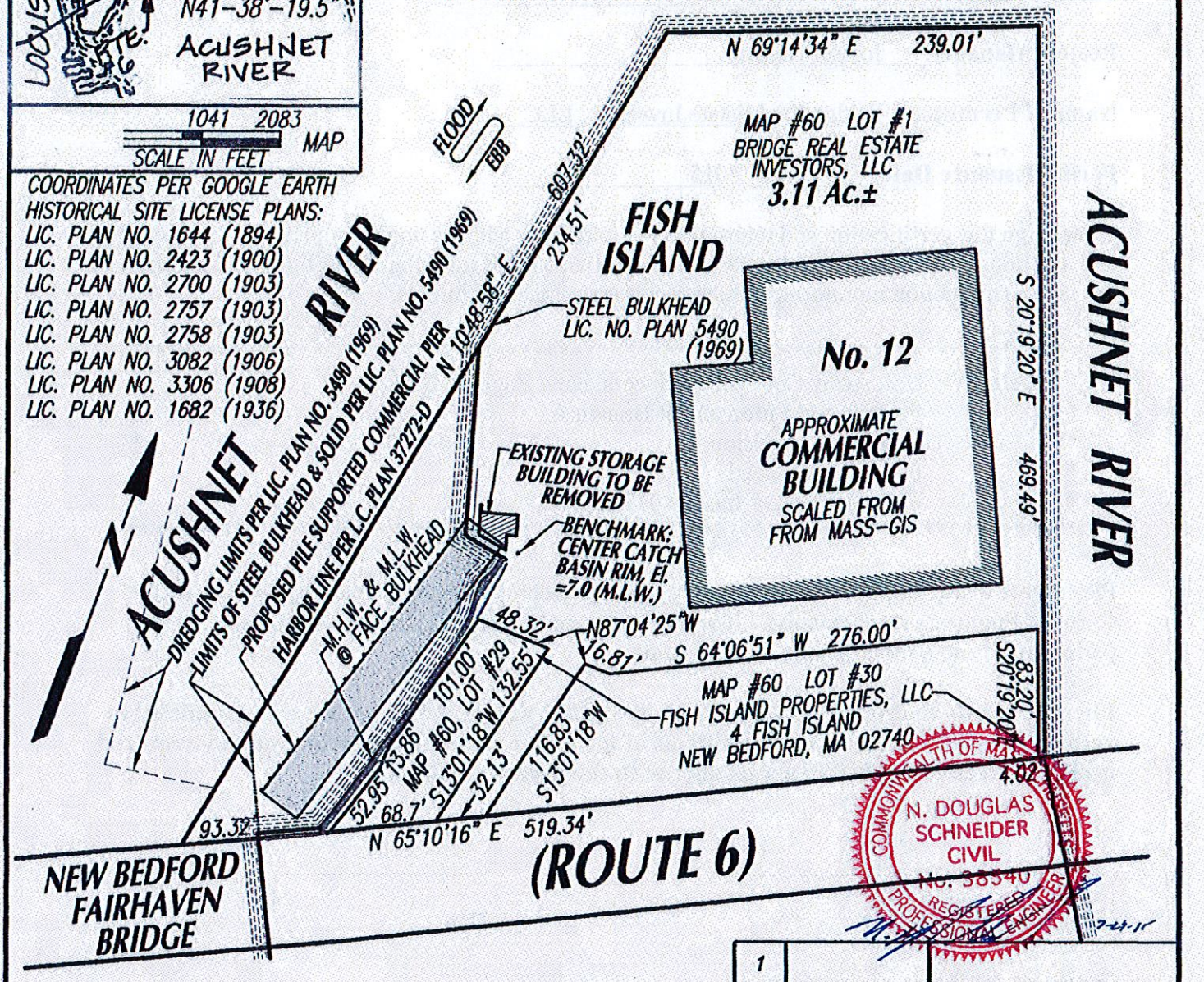


GENERAL NOTES:

1.) ALL ELEVATIONS REFER TO MEAN LOW WATER WATER DATUM AND WERE DERIVED FROM A N.A.V.D. '88' BENCHMARK.
2.) SOUNDINGS REFER TO DEPTHS BELOW THE PLANE OF MEAN LOW WATER (0.0)
3.) THE LOCATION OF HISTORIC MEAN HIGH WATER IS UNDETERMINED
4.) FISH ISLAND AND THE ADJACENT WATERWAY FALLS WITHIN FLOOD ZONE AE (El. 6) PER F.I.R.M. COMMUNITY PANEL NO. 25005C0393G.

COORDINATES PER GOOGLE EARTH

HISTORICAL SITE LICENSE PLANS:
LIC. PLAN NO. 1644 (1894)
LIC. PLAN NO. 2423 (1900)
LIC. PLAN NO. 2700 (1903)
LIC. PLAN NO. 2757 (1903)
LIC. PLAN NO. 2758 (1903)
LIC. PLAN NO. 3082 (1906)
LIC. PLAN NO. 3306 (1908)
LIC. PLAN NO. 1682 (1936)



NO.	REVISION DATE	DESCRIPTION
1		

PURPOSE: TO CONSTRUCT A COMMERCIAL PIER FACILITY

PREPARER: N. DOUGLAS
SCHNEIDER & ASSOCIATES, INC.
1 COUNTY ROAD, P.O. BOX 480
MATTAPOISETT, MA.. 02739
Ph. No. (508) 758-7866

"LOCUS VIEW", SCALE: 1"=100'
DATE: JULY 22, 2015
DATUM: MEAN LOW WATER

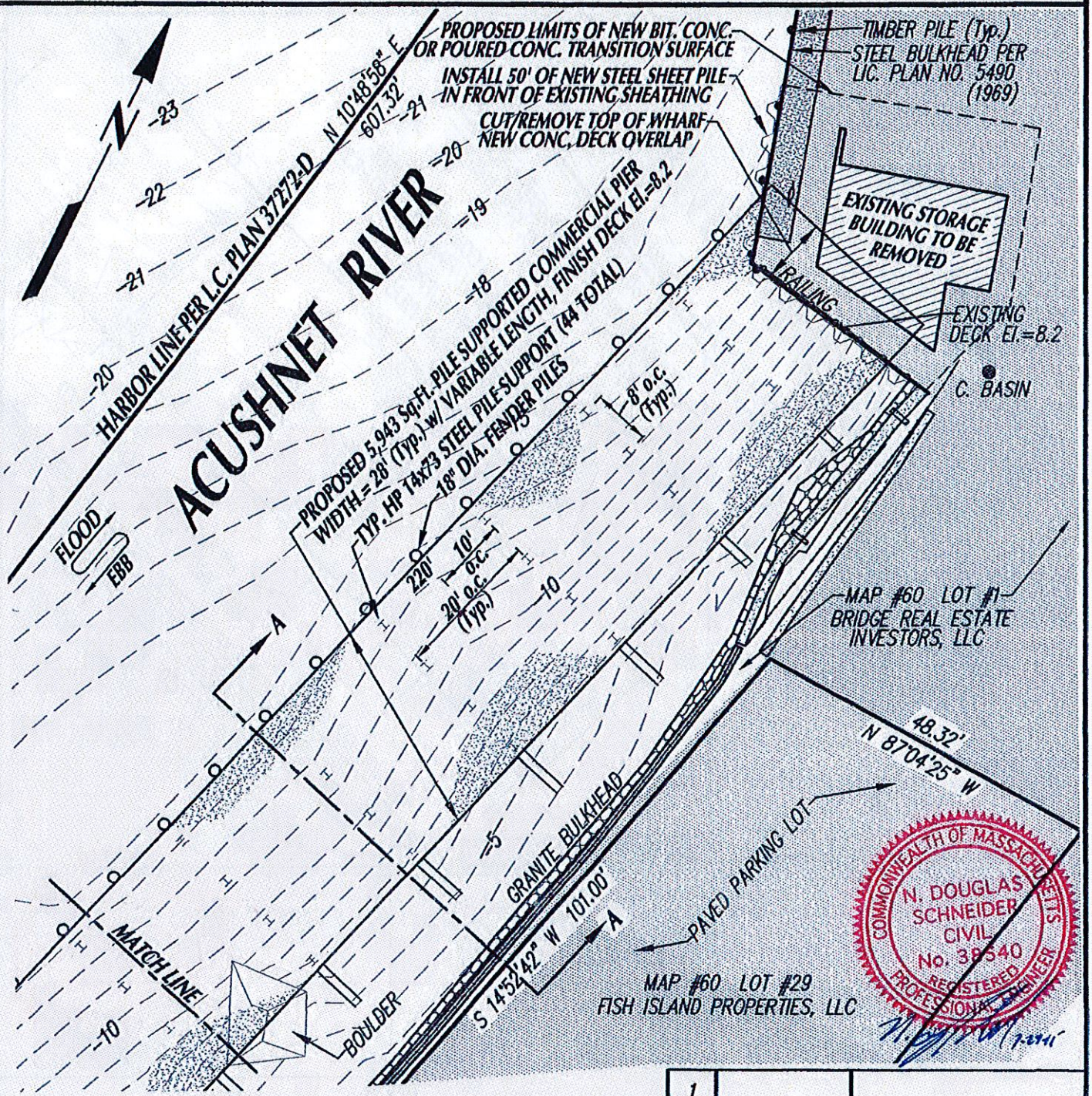
APPLICANT/OWNER:
BRIDGE REAL ESTATE INVESTORS, LLC
12 FISH ISLAND
NEW BEDFORD, MA 02740

STEEL HP GALVANIZED PILINGS, CONC. DECK AND TIMBER FENDER PILES

IN: ACUSHNET RIVER
COUNTY OF: BRISTOL, MA.
CITY OF: NEW BEDFORD

SHEET 1 OF 4 SHEETS

FILE NO. 2592



NO.	REVISION DATE	DESCRIPTION
1		

PURPOSE: TO CONSTRUCT A COMMERCIAL PIER FACILITY

PREPARER: N. DOUGLAS SCHNEIDER & ASSOCIATES, INC.
1 COUNTY ROAD, P.O. BOX 480
MATTAPOISETT, MA.. 02739
Ph. No. (508) 758-7866

"PLAN VIEW NORTH", SCALE: 1"=20'
DATE: JULY 22, 2015
DATUM: MEAN LOW WATER

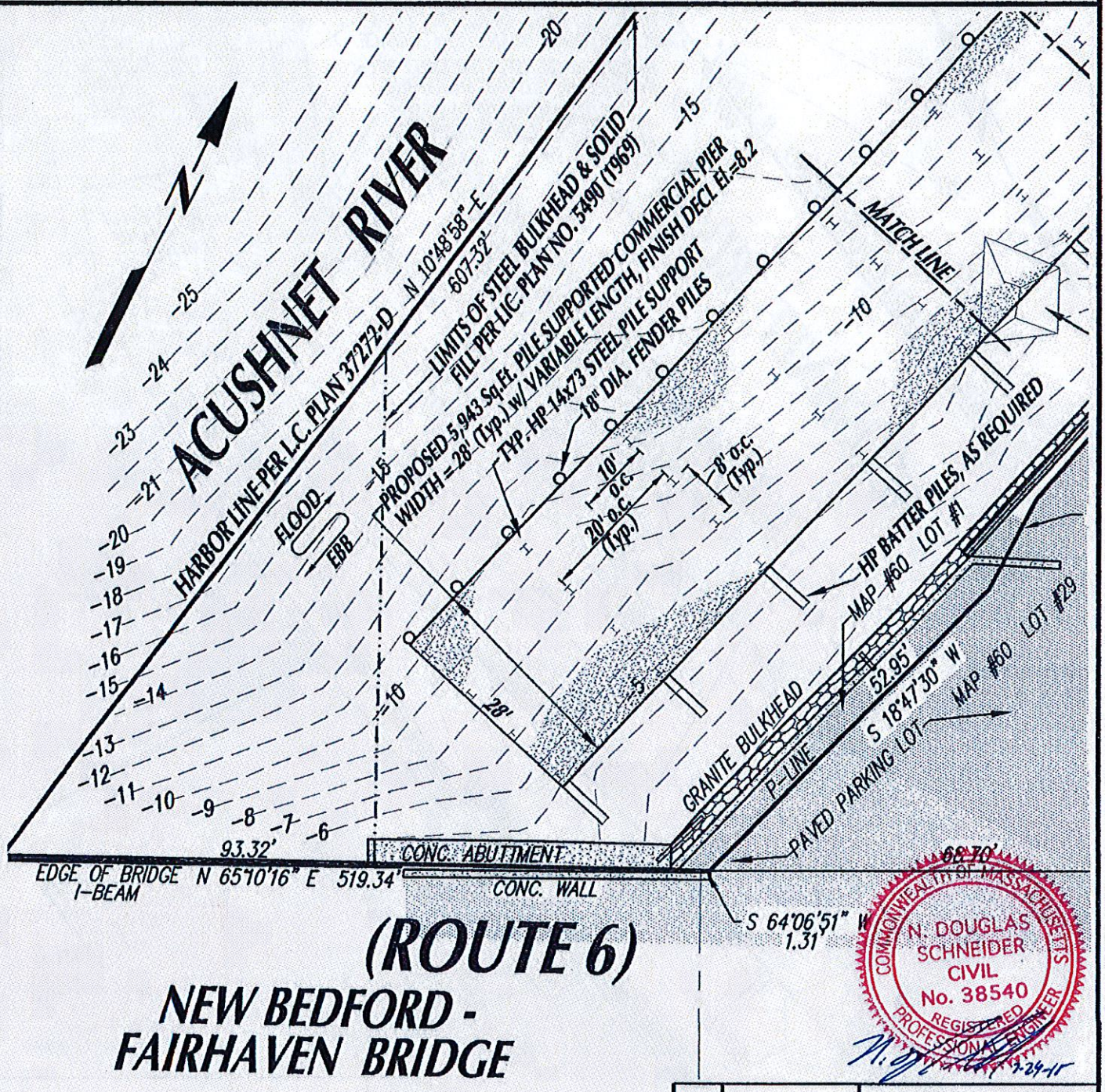
APPLICANT/OWNER:
BRIDGE REAL ESTATE INVESTORS, LLC
12 FISH ISLAND
NEW BEDFORD, MA 02740

STEEL HP GALVANIZED PILINGS, CONC. DECK AND TIMBER FENDER PILES

IN: ACUSHNET RIVER
COUNTY OF: BRISTOL, MA.
CITY OF: NEW BEDFORD

SHEET 2 OF 4 SHEETS

FILE NO. 2592



(ROUTE 6)
NEW BEDFORD - FAIRHAVEN BRIDGE

COMMONWEALTH OF MASSACHUSETTS
N. DOUGLAS SCHNEIDER
CIVIL
No. 38540
REGISTERED PROFESSIONAL ENGINEER
3-24-15

NO.	REVISION DATE	DESCRIPTION
1		

PURPOSE: TO CONSTRUCT A COMMERCIAL PIER FACILITY

PREPARER: N. DOUGLAS
SCHNEIDER & ASSOCIATES, INC.
1 COUNTY ROAD, P.O. BOX 480
MATTAPOISETT, MA.. 02739
Ph. No. (508) 758-7866

"PLAN VIEW SOUTH", SCALE: 1"=20'
DATE: JULY 22, 2015
DATUM: MEAN LOW WATER

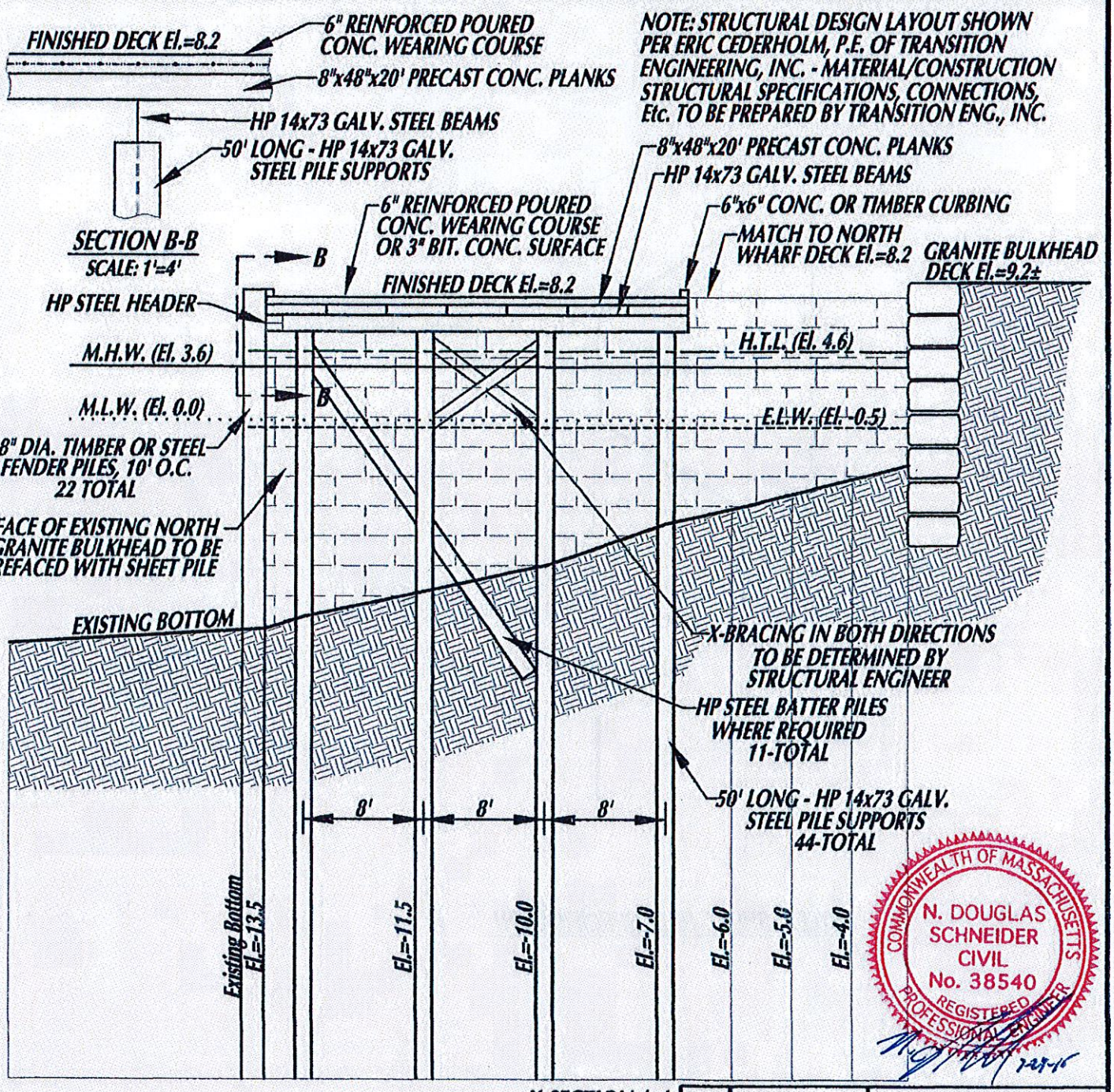
APPLICANT/OWNER:
BRIDGE REAL ESTATE INVESTORS, LLC
12 FISH ISLAND
NEW BEDFORD, MA 02740

STEEL HP GALVANIZED PILINGS, CONC. DECK AND TIMBER FENDER PILES

IN: ACUSHNET RIVER
COUNTY OF: BRISTOL, MA.
CITY OF: NEW BEDFORD

SHEET 3 OF 4 SHEETS

FILE NO. 2592



X-SECTION A-A

NO.	REVISION DATE	DESCRIPTION
1		

PURPOSE: TO CONSTRUCT A COMMERCIAL PIER FACILITY

PREPARER: N. DOUGLAS
SCHNEIDER & ASSOCIATES, INC.
1 COUNTY ROAD, P.O. BOX 480
MATTAPOISETT, MA.. 02739
Ph. No. (508) 758-7866

"X-SECTIONAL VIEW", SCALE: 1"=10'
DATE: JULY 22, 2015
DATUM: MEAN LOW WATER

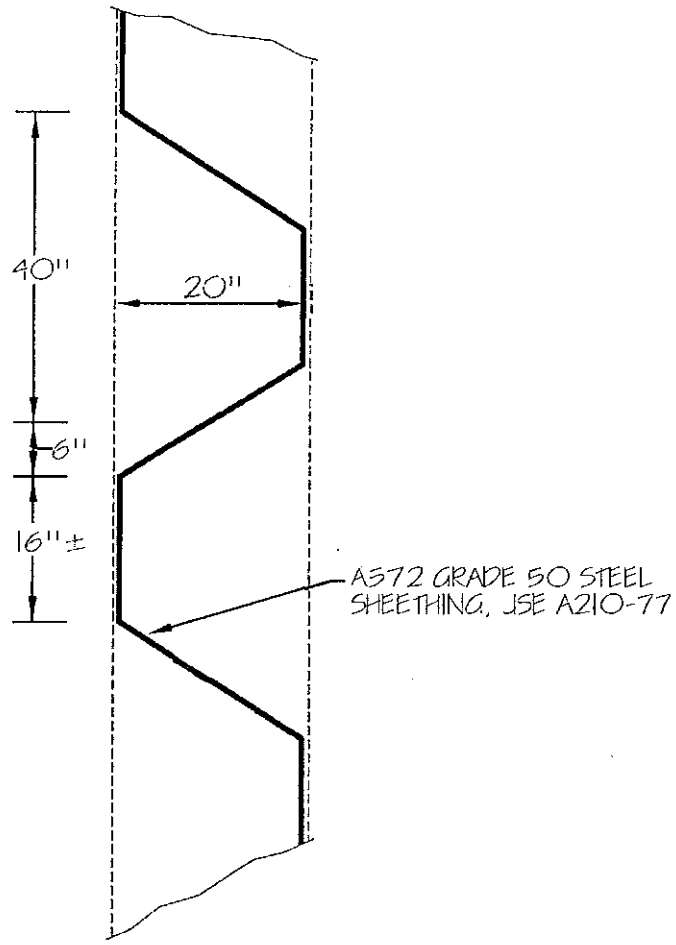
APPLICANT/OWNER:
BRIDGE REAL ESTATE INVESTORS, LLC
12 FISH ISLAND
NEW BEDFORD, MA 02740

STEEL HP GALVANIZED PILINGS, CONC. DECK AND TIMBER FENDER PILES

IN: ACUSHNET RIVER
COUNTY OF: BRISTOL, MA.
CITY OF: NEW BEDFORD

SHEET 4 OF 4 SHEETS

FILE NO. 2592



STEEL SHEET PILE SPECIFICATION