



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

February 3, 2016

Mr. Sherman Smith
Acushnet River Shipyard, Inc., Lessee
302 Herman Melville Boulevard
New Bedford, MA 02740

Dear Mr. Smith,

During a site inspection of 302 Herman Melville Blvd. on January 29th, 2016 with you, me and Sarah Porter, the Conservation Agent, we observed the Coastal Bank on the southeast side of the site to have been recently disturbed by activities associated with the removal of a tug boat from the Acushnet River. The Coastal Bank disturbance was discussed at the Conservation Commission meeting of February 2, 2016 and the Commission would like to see additional slope stabilization measures put in place. Hay bales have been placed at the top of the Bank and loose hay has been spread midway down the Bank. The Conservation Commission would like to see an erosion control blanket fastened onto the bare slope down to the Mean High Water Mark of the Acushnet River. Please have this blanket in place by February 10, 2016. It also appeared that rip rap stabilization had taken place on the northern Coastal Bank for a distance of approximately 8-10 linear feet. This is where an earthen slope had previously been observed to be eroded and was a conduit for stormwater entering the River.

Please be advised that the Coastal Bank is protected under the MA Wetlands Protection Act (M.G. 1 c.131 S40) and Regulations (310 CMR 10.00 et seq.) and the City of New Bedford Wetlands Ordinance (Section 15-101 through 15-112). A 100' Buffer Zone extends into the upland from the Top of the Coastal Bank. This Buffer Zone is also under the jurisdiction of the Conservation Commission. Please be advised that activities, including the disturbance of the Coastal Bank, placement of rip rap and/or stone on the Bank or within 100' of the Bank, require a permit from the Conservation Commission. Failure to receive a permit constitutes a violation of the State Act and Regulations and the local Ordinance.

Additionally, be advised that other State and Locally protected Resource Areas are present on the site and include Land Subject to Coastal Storm Flowage which is the 100 year FEMA floodplain, Land Under the Ocean (the bottom of the Acushnet River), a Designated Port Area, and Banks and Land Under Anadromous/Catadromous Fish Runs. If you have any questions regarding this correspondence, please don't hesitate to contact me or the Conservation Agent at 508-991-6188.

Sincerely

John G. Radcliffe, Chairman
New Bedford Conservation Commission

cc: Mr. Edward Anthes-Washburn, Director
City of New Bedford Harbor Development Commission, Lessor

Mr. Dave Hill
DEPSERO

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