Commonwealth of Massachusetts

Division of Fisheries & Wildlife

MassWildlife

Jack Buckley, *Director*

March 25, 2016

New Bedford Conservation Commission
Room 304
133 William Street
New Bedford MA 02744

Charles Paradie
University of Massachusetts Building Authority
One Beacon Street, 31st Floor
Boston MA 02108

RE:	Applicant:	Charles Paradie, University of Massachusetts Building Authority
	Project Location:	706 & 838 Rodney French Blvd
	Project Description:	Upgrades to Seawater Pump System
	DEP Wetlands File No.:	049-0734
	NHESP File No.:	**15-34554**

Dear Commissioners & Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a Notice of Intent with site plans ("Construction Documents Progress Set, Pump House" dated January 29, 2016) in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37). The Division also received the MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18).

WETLANDS PROTECTION ACT (WPA)

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions.

Please note that this determination addresses only the matter of **rare** wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

MASSACHUSETTS ENDANGERED SPECIES ACT (MESA)

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not result in a prohibited "take"** of state-listed rare species. This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to

the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Emily Holt, Endangered Species Review Assistant, at (508) 389-6385.

Sincerely,

Thomas W. French

Thomas W. French, Ph.D.
Assistant Director

cc: Michael Hayes, University of Massachusetts Dartmouth
Michele Simoneaux, GZA GeoEnvironmental
MA DEP Southeast Region