May 2, 2018

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

Dear Commissioners:

The Division of Marine Fisheries (MA DMF) has reviewed the Notice of Intent by the City of New Bedford – Department of Public Infrastructure to emplace approximately 1,900 cy of beach fill over an approximately 103,500 sf area of East Beach on Buzzards Bay in the City of New Bedford with respect to potential impacts to marine fisheries resources and habitat. The fill will be placed above the MHW line.

The project site lies within and adjacent to mapped shellfish habitat for soft shell clam (*Mya arenaria*), quahog (*Mercenaria mercenaria*), razor clam (*Ensis directus*), bay scallop (*Argopecten irradians*), and American oyster (*Crassostrea virginica*). Subtidal waters within the project site have habitat characteristics suitable for these species. Land containing shellfish is deemed significant to the interest of the Wetlands Protection Act (310 CMR 10.34) and the protection of marine fisheries.

East Beach is mapped as a horseshoe crab (*Limulus polyphemus*) spawning area. Horseshoe crabs deposit their eggs in the upper intertidal regions of sandy beaches from late spring to early summer during spring high tides (Barlow Jr., et al., 1986). The eggs hatch approximately two to four weeks later. Nesting habitat is sensitive to several abiotic factors (e.g., sand particle size, dissolved oxygen concentration, temperature, moisture) (Avissar, 2006; Penn and Brockmann, 1994). Recent stock assessments show a decline in horseshoe crab abundance in the New England region (ASMFC Horseshoe Crab Stock Assessment Subcommittee, 2013), highlighting the need to protect spawning assemblages.

*MarineFisheries* offers the following comments for your consideration:

- MA DMF recommends no beach fill be placed on mapped horseshoe crab spawning beaches from **May 1 – July 30** to protect horseshoe crab spawning and development (Evans et al., 2011).
- Disposal of beach fill should be consistent with DEP’s Beach Nourishment Guide (Haney et al., 2007). Beach fill material should be of equal grain size and appropriate slope to avoid premature loss from the beach and impacts to near shore bottom habitat.
Questions regarding this review may be directed to Eileen Feeney in our New Bedford office at (508) 742-9721.

Sincerely,

Eileen M. Feeney
Fisheries Habitat Specialist

cc: David Fredette, City of New Bedford, Dept. of Public Infrastructure
    Robert Giard & Thomas Ringuette, Shellfish Constables
    Barbara Newman, ACOE
    Robert Boeri, CZM
    Neil Churchill, DMF
    Tom Shields, DMF
    Pooja Potti, DMF

EF/pp

References


