

5

Department of Environmental Protection  
Division of Wetlands and Waterways  
1 Winter Street  
Boston, MA 02108  
(617) 292-5893  
Attn: Ken Chin

Department of Environmental Protection  
Wetlands and Waterways Program  
20 Riverside Drive  
Lakeville, MA 02347  
(508) 946-2873  
Attn: Carlos T. B. Fragata

Joint 401 WQC and Chapter 91 Public Notice: **January 7, 2009**

Pursuant to 33 U.S.C. 1341 and M.G.L. c. 21 §43, notice is given of a 401 Water Quality Certification (WQC) application for AGM Marine Contractors, Inc. (Fish Island Nominee Trust) to dredge approximately 6,000 cubic yards of sediments from two locations on the south side of Fish Island in New Bedford Harbor by BRP WP 07, 08, 09. Gui Rev. 11/95 and M.G.L. Chapter 91, 310 CMR 9.00 Dredge Permit application for AGM Marine Contractors, Inc. (Fish Island Nominee Trust), 7 Fish Island, New Bedford, MA 02740) to dredge approximately 6,000 cubic yards of sediments from two locations on the south side of Fish Island in New Bedford Harbor and to dispose of sediments in a New Bedford Harbor Confined Aqueous Disposal (CAD) cell, the proposed project has been determined to be water-dependent pursuant to 310 CMR 9.12(2)(a). Additional information about this project may be obtained from Christopher Morris, C/o Apex Companies, LLC, 115 Broad Street, Suite 200, Boston, MA 02110 and (617) 728 - 0070.

Written comments on the 401 WQC must be sent within **twenty-one (21) days of this notice to: [DEP – DWW, Boston office]**

Written comments on the Chapter 91 Dredge Permit must be sent within **fifteen, (15) days of this notice to: [DEP- WWP, Lakeville office].**

Any group of ten persons, any aggrieved person, or any governmental body or private organization with a mandate to protect the environment who submits written comments may appeal the Department's Certification and Dredge Permit. Failure to submit written comments before the end of the public comment period may result in the waiver of any right to an adjudicatory hearing.