



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATERWAYS REGULATION PROGRAM**

*Notice of License Variance Application pursuant to M. G. L. Chapter 91  
Waterways License Application Number W07-2048-N*

**Applicant:** Mass. DCR Office of Waterways, 349 Lincoln Street, Building 45, Hingham, MA

**Agent:** Mr. Chet Meyers, Apex Companies LLC, 115 Broad Street, Boston MA 02110

**Project Location:** New Bedford State Pier

**Scheduled Public Hearing:** Thursday, January 22, 2009

**Public Comments Deadline:** Friday, February 6, 2009

**NOTIFICATION DATE: January 7, 2009**

Public notice is hereby given of the Waterways application by Mass. Department of Conservation and Recreation Office of Waterways to demolish the north, south and east faces of the New Bedford State Pier and replace with an approximately 65,430 cubic yard of solid fill structure, bulkhead and rip rap, to rehabilitate and expand Buildings 1, 2, and 3, to install two sets of floating docks and stormwater collection system, and to dredge approximately 27,500 cubic yards of material at the New Bedford State Pier in the Designated Port Area of the City of New Bedford in and over filled and flowed tidelands of the New Bedford Harbor. No change in use is proposed from the existing water-dependent industrial use. The proposed project has been determined to be water-dependent. The applicant is requesting a variance of 310 CMR 9.32(1)(b)(2), solid fill structure in a Designated Port Area, and to extend beyond a Mass. Harbor Line.

The Department of Environmental Protection, Waterways Regulation Program, will conduct a public hearing on the aforesaid project proposal on Thursday, January 22, 2009, at 10:00 AM in the Harbor Development Commission Office, 106 Coop Wharf in New Bedford. The Department will conduct this public hearing in order to receive information to be used in its decision on whether to grant a Waterways License pursuant to M.G.L. Chapter 91.

The Department will consider all written comments on this Waterways application received by Friday, February 6, 2009 (Public Comments Deadline). Failure of any aggrieved person or group of ten citizens

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

MassDEP on the World Wide Web: <http://www.mass.gov/dep>

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or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (617) 556-1134. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Andrea Langhauser, DEP Waterways Regulation Program, One Winter Street - 5th Floor, Boston, MA 02108.