

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application Number W95 - 4026-N**

Applicant: River Boys, LLC D/ba The Back Eddy Restaurant
F/ Windward Food Services Corp. (Moby Dick Restaurant)

Project Location: 1 Bridge Road, Westport, MA 02790

Scheduled Public Hearing: September 27, 2007

Public Comments Deadline: October 25, 2007 (incl. MEPA Env. Monitor Notice)

NOTIFICATION DATE: September 20, 2007

Public notice is hereby given of the Waterways application by River Boys, LLC D/ba The Back Eddy Restaurant F/ Windward Food Services Corp. (Moby Dick Restaurant) 2 Main Street, LLC to maintain a pile supported restaurant, piles, timber pier, pile platforms, licensed fill, timber walkway, floats and ramps at 1 Bridge Road in the municipality of Westport in and over Flowed Tidelands of Westport Harbor. Portions of the project are being reviewed under the Amnesty provisions of the regulations. The project has been determined to be Nonwater-Dependent.

The Department of Environmental Protection, Waterways Regulation Program, will conduct a public hearing on the aforesaid project proposal on Thursday, September 27, 2007, at 10:00 am in the Town Hall Annex Meeting Room at the Town Hall Annex, 856 Main Road, Westport, MA. 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 October 25, 2007 (Public Comments Deadline – includes the MEPA Environmental Monitor notice). Failure of any aggrieved person or group of ten citizens 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) 292 - 5500. 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: Ben Lynch, Program Chief, DEP Waterways Regulation Program, One Winter Street - 6th Floor, Boston, MA 02108.