

For Office Use Only  
 Executive Office of Environmental Affairs  
 MEPA Analyst: *Anne Canaday*  
 Phone: 617-~~626~~-1035

# NPC

## Notice of Project Change

MAR 12 2008

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: Dredged Material Management Plan		EOEA #: 11669	
Street: N/A			
Municipality: New Bedford and Fairhaven		Watershed: Buzzards Bay	
UTM Coordinates: Zone 19		Latitude: 41° 38' 43" N	
X: 340,500 m E: Y: 4,612,100 m N		Longitude: 70° 55' 0" W	
Status of project construction: 20 %complete			
Proponent: New Bedford Harbor Development Commission			
Street: 106 Co-Op Wharf			
Municipality: New Bedford		State: MA	Zip Code: 02740
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Jay Borkland			
Firm/Agency: Apex Companies, LLC		Street: 115 Broad Street, Suite 200	
Municipality: Boston		State: MA	Zip Code: 02110
Phone: 617-728-0070	Fax: 617-728-0080	E-mail: jborkland@apexcos.com	

**In 25 words or less, what is the project change?**

Due to onsite limitations, specifically organic silt thickness, construction and logistical constraints, the proponents are requesting an enlargement of the Dredged Material Management Plan (DMMP) potential CAD cell placement area.

See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor: June 10, 1998

Was an EIR required?  Yes  No; if yes,  
 was a Draft EIR filed?  Yes (Date: May 8, 2002)  No  
 was a Final EIR filed?  Yes (Date: October 25, 2003)  No  
 was a Single EIR filed?  Yes (Date: )  No  
 Have other NPCs been filed?  Yes (Date: December 17, 2004)  No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to "ATTACHMENTS & SIGNATURES" on page 4.

**PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER**

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed:

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))

Yes     No; if yes, attach justification.

Please see attachment, dated 2/29/08, for additional information.

Are you requesting that a Scope in a previously issued Certificate be rescinded?

Yes     No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate?  Yes     No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
<b>LAND</b>			
Total site acreage	Approximately 95 acres (4,126,875 sq. ft.) calculated including 2005 Project Change	Approximately 87 Acres of additional area	Enlarged CAD Placement Area: Approx. 182 Acres (7,911,039 sq. ft.)
Acres of land altered	Approximately 95 acres, based on final design	Approximately 87 Acres of potential area	Approximately 182 acres; to be determined during final design
Acres of impervious area	0	0	0
Square feet of bordering vegetated wetlands alteration	0	0	0
Square feet of other wetland alteration	Approximately 95 acres (4,126,875 sq ft.)	Approximately 87 acres of potential area	Enlarged CAD Placement Area: Approx. 182 acres
Acres of non-water dependent use of tidelands or waterways	0	0	0
<b>STRUCTURES</b>			
Gross square footage	N/A	N/A	N/A
Number of housing units	0	0	0
Maximum height (in feet)	N/A	N/A	N/A
<b>TRANSPORTATION</b>			
Vehicle trips per day	N/A	N/A	N/A
Parking spaces	N/A	N/A	N/A
<b>WATER/WASTEWATER</b>			
Gallons/day (GPD) of water use	0	0	0
GPD water withdrawal	N/A	N/A	N/A
GPD wastewater generation/ treatment	N/A	N/A	N/A
Length of water/sewer mains (in miles)	0	0	0

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No
2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No
3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No\*
4. impact on any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?  
Yes No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No
5. impact upon an Area of Critical Environmental Concern? Yes No

If you answered 'Yes' to any of these 5 questions, explain below:

\*The project involves the expansion of the previously approved DMMP area. The enlargement of the proposed DMMP area does not extend the project boundaries into any new areas of Estimated Habitat of Rare Species; however, the expanded DMMP area occupies a larger footprint within an area previously identified as NHESP Priority Habitat of Rare Species and Estimated Habitat of Rare Wildlife, per MassGIS and the NHESP interactive viewer.

**PROJECT CHANGE DESCRIPTION** (attach additional pages as necessary). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

Please see attachment, dated 2/29/08, for additional information.

**Refer to Attachments for additional details/information to supplement the request for change in project.**

Please see attachment, dated 2/29/08, for additional information.

## **ATTACHMENTS & SIGNATURES**

Attachments:

1. Secretary's most recent Certificate on this project
2. Plan showing most recent previously-reviewed proposed build condition
3. Plan showing currently proposed build condition
4. Original U.S.G.S. map or good quality color copy (8-1/2 x 11 inches or larger) indicating the project location and boundaries
5. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7)

Signatures:

<u>Kristin Decas</u>	<u>3/12/08</u>	<u>Edward W. Pickering</u>	
Date	Signature of Responsible Officer or Proponent	Date	Signature of person preparing NPC (if different from above)

<u>KRISTIN DECAS</u>	<u>Edward W. Pickering</u>
Name (print or type)	Name (print or type)

<u>New Bedford Harbor Development</u>	<u>Apex Companies, LLC</u>
Firm/Agency	Firm/Agency

<u>106 Coop Wharf</u>	<u>115 Broad Street, Suite 200</u>
Street	Street

<u>New Bedford, MA 02740</u>	<u>Boston, MA 02110</u>
Municipality/State/Zip	Municipality/State/Zip

<u>(508) 941-3000</u>	<u>(617) 728-0070</u>
Phone	Phone