

New Bedford-Fairhaven Designated Port Area

An area of land and water within New Bedford-Fairhaven Harbor and located in the municipalities of New Bedford and Fairhaven in the Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point located at the northeasterly corner of Parcel 21-48ⁱ (an associated parcel of Parcel 21-47ⁱ) on the southerly line of Gifford Street in the municipality of New Bedford;

Thence southwesterly and westerly along the southerly line of Gifford Street to the intersection of the westerly projection of said line and the westerly line of South Front Street;

Thence northerly along the westerly line of South Front Street to the intersection of the northerly projection of said line and the northerly line of Potomska Street;

Thence easterly along the northerly line of Potomska Street to the intersection of said line and the westerly line of MacArthur Drive;

Thence generally northerly along the westerly line of MacArthur Drive to the intersection of said line and the easterly projection of the northerly line of Parcel 59-76;ⁱ

Thence northerly by a straight line to the northeasterly corner of Parcel 59-77;ⁱ

Thence northerly along the westerly line of Herman Melville Boulevard to the northeasterly corner of Parcel 72-264;ⁱ

Thence easterly by a straight line to the southwest corner of Parcel 79-5;ⁱ

Thence easterly along the southerly line of Parcel 79-5ⁱ to the southeasterly corner of said parcel located at approximate coordinates N41°38'56.5" W70°55'18.4", NAD83;

Thence easterly by a straight line to an angle point on the New Bedford/Fairhaven municipal boundary at approximate coordinates N41°38'57.1" W70°55'09.6", NAD83;

Thence southerly by a straight line, following generally the easterly 12-foot contour line of the channel in the Acushnet River,ⁱⁱ to a point located at approximate coordinates N41°38'43.3" W70°55'11.1", NAD83, in the municipality of New Bedford;

Thence southeasterly by a straight line, following generally the easterly 12-foot contour line of the channel in the Acushnet River,ⁱⁱ to a point located at approximate coordinates N41°38'39.1" W70°55'02.1", NAD83;

Thence southerly by a straight line, following generally the easterly 12-foot contour line of the channel in the Acushnet River,ⁱⁱ to a point located at approximate coordinates

N41°38'32.7" W70°55'02.1", NAD83, approximately at the intersection of said contour line and the northerly shorelineⁱⁱⁱ of Popes Island;

Thence easterly and southeasterly along the shorelineⁱⁱⁱ of Parcels 60-12 and 60-13ⁱ to the interior corner of said shoreline proximate to the northwesterly corner of Parcel 60-19;ⁱ

Thence northeasterly, northerly, and northeasterly along the northwesterly lines of Parcels 60-19 and 60-22ⁱ to the northeasterly corner of Parcel 60-22;ⁱ

Thence northeasterly along the northwesterly line and southeasterly along the northeasterly line of Parcel 60-20ⁱ to the intersection of the southeasterly projection of the northeasterly line of Parcel 60-20ⁱ and the southeasterly line of U.S. Route 6 (Popes Island);

Thence southwesterly along the southeasterly line of U.S. Route 6 (Popes Island) to the intersection of said line and the northeasterly line of the federal navigation channel (shown as "NEW BEDFORD REACH 24 FT APR 2004" on National Oceanic and Atmospheric Administration [NOAA] Chart #13229ⁱⁱ);

Thence southeasterly along the northeasterly line of the federal navigation channel (shown as "NEW BEDFORD REACH 24 FT APR 2004" on NOAA Chart #13229ⁱⁱ) to a point on said line at approximate coordinates N41°38'06.0" W70°54'50.7", NAD83, located at the northerly point of the adjacent dredged area, proximate to Navigation Buoy 6ⁱⁱ (R "6" Fl R 4s at approximate coordinates N41°38'04.9" W70°54'48.8", NAD83);

Thence southeasterly along the northerly line of the dredged areaⁱⁱ to a point on said line located at approximate coordinates N41°37'59.1" W70°54'36.2", NAD83, approximately at the intersection of said line and the westerly line of the formerly dredged area, as shown on the 31st edition of NOAA Chart #13230^{iv} (dated May 10, 1980), in the municipality of Fairhaven;

Thence northerly by a straight line, following generally the westerly line of the formerly dredged area, as shown on the 31st edition of NOAA Chart #13230^{iv} (dated May 10, 1980), to a point located at approximate coordinates N41°38'09.2" W70°54'35.4", NAD83;

Thence northeasterly by a straight line, following generally the northwesterly line of the formerly dredged area, as shown on the 31st edition of NOAA Chart #13230^{iv} (dated May 10, 1980), to a point located at approximate coordinates N41°38'13.8" W70°54'30.5", NAD83;

Thence northerly by a straight line, following generally the westerly line of the formerly dredged area, as shown on the 31st edition of NOAA Chart #13230^{iv} (dated May 10, 1980), to a point located at approximate coordinates N41°38'16.4" W70°54'31.2", NAD83;

Thence easterly by a straight line, following generally the northerly terminus line of the formerly dredged area, as shown on the 31st edition of NOAA Chart #13230^{iv} (dated May 10, 1980), to a point located at approximate coordinates N41°38'16.3" W70°54'29.2", NAD83;

Thence southerly by a straight line, following generally the easterly line of the formerly dredged area, as shown on the 31st edition of NOAA Chart #13230^{iv} (dated May 10, 1980), to a point located at approximate coordinates N41°38'13.5" W70°54'28.5", NAD83, approximately at the intersection of said easterly line of the formerly dredged area and the westerly projection of the westernmost segment of the southerly line of Parcel 09-002;^v

Thence easterly by a straight line to the westernmost corner along the southerly boundary of Parcel 09-002;^v

Thence easterly, southeasterly, southerly, and easterly along the southerly lines of Parcel 09-002^v to the southerly corner of said parcel located at approximate coordinates N41°38'13.1" W70°54'23.3", NAD83;

Thence easterly by a straight line to the northwesterly corner of Parcel 09-056;^v

Thence southerly along the easterly line of Water Street to the intersection of the southerly projection of said line and the southerly line of Ferry Street;

Thence westerly along the southerly line of Ferry Street to the intersection of said line and the westerly line of Water Street;

Thence southerly along the southerly projection of the westerly line of Water Street to a point located at approximate coordinates N41°38'00.1" W70°54'21.2", NAD83, at the intersection of said line and the easterly projection of a line constructed perpendicular to said line from an angle point on the westerly line of Parcel 07-014^v at approximate coordinates N41°38'00.0" W70°54'21.9", NAD83;

Thence westerly by a straight line to an angle point on the westerly line of Parcel 07-014^v at approximate coordinates N41°38'00.0" W70°54'21.9", NAD83;

Thence southwesterly along the generally westerly line of Parcel 07-014^v to the westerly corner of said parcel located at approximate coordinates N41°37'58.8" W70°54'23.7", NAD83;

Thence southwesterly along the southwesterly projection of the westerly line of Parcel 07-014^v to the intersection of said line and the easterly line of the dredged areaⁱⁱ at approximate coordinates N41°37'57.4" W70°54'26.7", NAD83;

Thence southeasterly along the easterly line of the dredged areaⁱⁱ to an angle point on said line at approximate coordinates N41°37'51.7" W70°54'20.5", NAD83;

Thence southerly along the easterly line of the dredged areaⁱⁱ to the intersection of said line and the southerly line of said dredged area at approximate coordinates N41°37'45.3" W70°54'20.4", NAD83;

Thence westerly along the southerly line of the dredged areaⁱⁱ to an angle point on said line at approximate coordinates N41°37'44.5" W70°54'26.3", NAD83, in the municipality of New Bedford;

Thence southerly along the easterly line of the dredged areaⁱⁱ to the intersection of said line and the northeasterly line of the federal navigation channel (shown as "NEW BEDFORD REACH 24 FT APR 2004" on NOAA Chart #13229ⁱⁱ) at approximate coordinates N41°37'39.4" W70°54'26.3", NAD83;

Thence southeasterly along the northeasterly line of the federal navigation channel (shown as "NEW BEDFORD REACH 24 FT APR 2004" on NOAA Chart #13229ⁱⁱ) to the northeasterly corner of the Hurricane Barrier surge gate, as shown on the Massachusetts Office of Geographic Information (MassGIS) ortho imagery^{vi} in the municipality of Fairhaven;

Thence southeasterly along the northeasterly line of the Hurricane Barrier surge gate, as shown on the MassGIS ortho imagery,^{vi} to the southeasterly, seaward corner of said surge gate;

Thence southwesterly by a straight line to the southwesterly, seaward corner of the Hurricane Barrier surge gate, as shown on the MassGIS ortho imagery,^{vi} in the municipality of New Bedford;

Thence northwesterly along the southwesterly line of the Hurricane Barrier surge gate, as shown on the MassGIS ortho imagery,^{vi} to the northwesterly corner of said surge gate;

Thence northwesterly along the southwesterly line of the federal navigation channel (shown as "NEW BEDFORD REACH 24 FT APR 2004" on NOAA Chart #13229ⁱⁱ) to a point on said line located at the southeasterly corner of the westerly-adjacent dredged areaⁱⁱ at approximate coordinates N41°37'44.7" W70°54'36.4", NAD83;

Thence northwesterly and westerly along the southerly line of the dredged areaⁱⁱ to a point on said line proximate to Navigation Buoy 1ⁱⁱ (G C "1" at approximate coordinates N41°37'44.8" W70°54'50.1", NAD83) at approximate coordinates N41°37'44.5" W70°54'50.0", NAD83;

Thence southerly by a straight line to a point located at approximate coordinates N41°37'34.4" W70°54'50.6", NAD83, proximate to private Navigation Buoy 1ⁱⁱ (G C "1" Priv at approximate coordinates N41°37'34.4" W70°54'50.6", NAD83);

Thence southerly by a straight line to a point located at approximate coordinates N41°37'26.4" W70°54'47.9", NAD83, proximate to private Navigation Buoy 3ⁱⁱ (G C "3" Priv at approximate coordinates N41°37'26.4" W70°54'47.9", NAD83);

Thence southeasterly by a straight line to a point located at approximate coordinates N41°37'24.0" W70°54'46.4", NAD83, proximate to private Navigation Buoy 4ⁱⁱ (R N "4" Priv at approximate coordinates N41°37'24.0" W70°54'46.4", NAD83);

Thence southwesterly by a straight line to a point located at approximate coordinates N41°37'18.5" W70°54'47.3", NAD83, proximate to private Navigation Buoy 5ⁱⁱ (G C "5" Priv at approximate coordinates N41°37'18.5" W70°54'47.3", NAD83);

Thence southwesterly by a straight line to the point of beginning.

The above described New Bedford-Fairhaven Designated Port Area contains an area of 597.2 acres more or less and is shown generally on a plan entitled: "New Bedford-Fairhaven Designated Port Area (DPA)," Scale: 1" = 800' +/-, Prepared by: Massachusetts Office of Coastal Zone Management, 251 Causeway Street, Suite 800, Boston, MA 02114, Date: March 2011.

Please note: In the event of conflict between this written description and the accompanying map, CZM shall issue a written clarification pursuant to the Designated Port Area (DPA) regulations at 301 CMR 25.00.

ⁱ The City of New Bedford Assessor's parcel data were extracted from the Massachusetts Office of Geographic Information (MassGIS) Assessors' Parcels data layer, which is a collection compiled by MassGIS of digital parcel data that were provided by municipalities and regional planning agencies. The data were last updated for New Bedford in 2006 and were accessed March 10, 2010, from the MassGIS website (<http://www.mass.gov/mgis/parcels.htm>). Please note: These data were used for planning purposes only and should not be used for, and are not intended for, survey and engineering purposes. The data do not take the place of a legal survey or other primary source documentation.

ⁱⁱ U.S. Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), Office of Coast Survey (OCS). *South Coast of Cape Cod and Buzzards Bay: Acushnet River, MA* [folio small-craft chart]. 30th ed. 1:20,000. Chart #13229, page G, inset 6. Washington, D.C.: DOC, NOAA, NOS, OCS, Apr. 2008.

ⁱⁱⁱ Refers to the present mean high water shoreline. See M.G.L. c. 91: Public Waterfront Act; 310 CMR 9.00: Waterways Regulations.

^{iv} U.S. Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS). *Buzzards Bay* [nautical chart]. 31st ed. 1:40,000. Chart #13230. Washington, D.C.: DOC, NOAA, NOS, May 10, 1980. Online. Office of Coast Survey (OCS) Historical Map and Chart Collection. Available at: http://historicalcharts.noaa.gov/historicals/historical_zoom.asp (accessed September 26, 2008).

^v The Town of Fairhaven Assessor's parcel data were provided by the Town of Fairhaven's Planning and Economic Development Department on October 9, 2009. The data were based on plans updated through January 1, 2009. Please note: These data were used for planning purposes only and should not be used for, and are not intended for, survey and engineering purposes. The data do not take the place of a legal survey or other primary source documentation.

^{vi} MassGIS. "1:5,000 Color Ortho Imagery" [aerial photograph]. 1:5,000. Boston, MA: MassGIS, Apr. 2001. Available at: <http://www.mass.gov/mgis/colororthos2001.htm>.