

State Pier Amendment Prevails Paves way for MassDevelopment to Implement Mixed Use

Tonight, Senate Assistant Majority Leader and Rules Committee Chairman Mark C. Montigny (D-New Bedford) secured his longtime New Bedford State Pier mixed-use redevelopment plan in the final Economic Development Bill.

Despite significant opposition by the House of Representatives, Montigny rallied his Senate colleagues and fought to secure his Amendment #299. The measure authorizes the Commonwealth to lease State Pier to MassDevelopment for up to 35 years for public purposes that include mixed-use development. Mixed-use development is permitted by Montigny's 2014 \$25 million State Pier bond authorization that permits an array of projects including cargo, commercial fishing, marine educational facilities, fresh produce and fish markets, and capital improvements related to tourism and public recreation.

Furthermore, Montigny successfully extended his 2014 bond authorization in the recently released Environmental Bond Bill (H4835) through June 30, 2023. This will ensure mixed-use development remains law and properly funded.

Since 2008, Senator Montigny has been a tireless advocate of restoring and redeveloping State Pier into "a multi-use facility for water-dependent cargo, commercial fishing improvements, commercial marine transportation improvements, marine educational facilities, a fresh produce and fish market and capital improvements related to tourism, public recreation and other economic development within the port of New Bedford."

This project marks the third and final phase of an overall economic development vision Montigny has pursued, starting

with his legislation to rehabilitate the Star Store into a thriving college arts campus followed by the extensive redevelopment of Route 18.

In 2016, Montigny advocated for MassDevelopment to manage the pier, which Governor Baker later endorsed. The Senator has continually worked with the Baker Administration to ensure proper management, modern refrigeration facilities, and now further redevelopment to ensure State Pier can generate revenues and ultimately become self-sufficient.

Montigny secured Amendment #299 in the Senate version of the economic development bill last week. The House three times rejected state pier measures through their committee process and debate in their version of the bill. Last minute attempts in the House this afternoon sought to place unduly restrictive measures on Senate Amendment #299. Montigny, working with his Senate colleagues and leadership team, fought back against the restrictions to ensure his original work proceeds to Governor Baker's desk.

"We must maximize the true potential of State Pier, and this fight was worth every bit of the political capital necessary to finally connect downtown with our unique working waterfront," said Senator Montigny. "Existing industry will remain intact and we can finally make much better use of what is essentially empty space right now. The public deserves enhanced access to the waterfront and this gives MassDevelopment and the Baker Administration the tools they need to get it done."

Montigny's amendment now moves to the Governor's desk for his final signature.

S.2625, Economic Development Bill (2018)

Amendment 299

State Pier

Mr. Montigny moves that the proposed new draft be amended by

inserting the following new section:-

“SECTION __.

(a) Notwithstanding any general or special law to the contrary, the commissioner of capital asset management and maintenance, on behalf of and in consultation with the department of conservation and recreation, may lease, for a term not to exceed 35 years, inclusive of any options for renewal or extension of such lease, all or a portion of the land, tidelands and piers, together with the buildings, structures and appurtenances thereon, known as the New Bedford State Pier and the Fall River State Pier located in the cities of New Bedford and Fall River, respectively, to the Massachusetts Development Finance Agency established in chapter 23G of the Massachusetts General Laws, or any affiliated or subsidiary entity controlled by the Massachusetts Development Finance Agency.

(b) The lessee may sublease all or portions of the piers and buildings and facilities located thereon to one or more public or private entities for commercial, industrial and other uses that the lessee determines will serve a public purpose, including without limitation the public purpose of generating revenue for the upkeep, maintenance and improvement of the New Bedford State Pier and the Fall River State Pier; provided however, neither the New Bedford State Pier nor the Fall River State Pier shall be used to support facilities for offshore energy exploration or development; provided further that no person or entity or group of affiliated persons or entities shall be permitted the exclusive use of either the New Bedford State Pier or the Fall River State Pier; provided further, that the unexpended balance in item 6720-1350, as authorized pursuant to chapter 286 of the acts of 2014, shall be made available for the purposes of and subject to the conditions stated in the original authorizations and any amendments to such authorization; and provided further, that the lessee may sublease up to 20 per cent of the square footage on the west

side of New Bedford State Pier, adjacent to MacArthur Drive, for one or more accessory uses, as defined in 310 C.M.R. 9.12(3).”

2014 Environmental Bond Bill (Chapter 286 of Acts of 2014)

Mr. Montigny moved that the bill be amended by inserting the following:-

6720-1350....”provided further, that not less than \$25,000,000 shall be expended on capital improvements to the state pier facility in the city of New Bedford, which improvements shall be made to further economic development within the port of New Bedford; projects may include, but shall not be limited to, a multi-use facility for water-dependent cargo, commercial fishing improvements, commercial marine transportation improvements, marine educational facilities, a fresh produce and fish market and capital improvements related to tourism, public recreation and other economic development within the port of New Bedford”