



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100  
BOSTON, MA 02109-3912

September 30, 2010

Mr. Tom Chapman  
Supervisor  
New England Field Office  
U.S. Fish and Wildlife Service  
70 Commercial Street, Suite 300  
Concord, New Hampshire 03301

Dear Mr. Chapman:

The U.S. Environmental Protection Agency (EPA) currently is informally consulting under Section 7 of the Endangered Species Act (ESA) on the New Bedford Harbor-South Terminal Project (South Terminal Project), a proposed multiple use marine terminal located in New Bedford, Massachusetts. By notice of this letter, the EPA is advising the Fish and Wildlife Service (FWS) of the endangered and threatened species we expect to include in a Biological Assessment for this project and seeking concurrence from the FWS that this list is complete and accurate.

Project Description: The South Terminal Project (Figure 1, attached) would develop a multi-purpose marine terminal, a primary purpose of which would be to provide critical infrastructure to serve offshore renewable energy facilities. The proposed facility would also be capable of supporting other industries within New Bedford, and would beneficially re-use sand from navigational dredging and/or the construction of a confined aquatic disposal facility (to the extent approved by EPA).

The aquatic resource areas to be impacted directly by construction of this project are:

- 1.43 acres of intertidal area, 4.73 acres of shallow, near-shore sub-tidal area, and 0.18 acres of salt marsh would be filled by construction of the CDF/marine terminal;
- 6.65 acres of shallow, near-shore, sub-tidal area would be dredged from -1 to -6 MLLW to -20 MLLW;
- 2.35 acres of shallow, near-shore, sub-tidal area would be dredged from -1 to -6 MLLW to -30 MLLW; and,
- 6.39 acres of deeper sub-tidal area would be dredged from -20 to -25 MLLW to -30 MLLW.

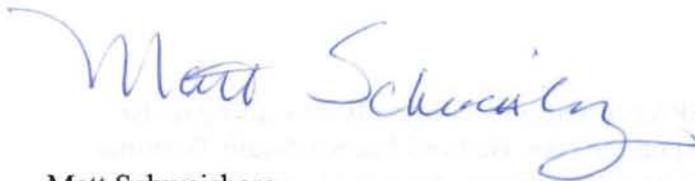
ESA-Listed Species in the Project Area: The EPA is aware of the following endangered and threatened species under FWS jurisdiction that have the potential to occur in the area and may be adversely affected by the proposed action.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Roseate Tern	<i>Sterna dougallii</i>	E
Piping Plover	<i>Charadrius melodus</i>	T
Northeastern Beach Tiger Beetle	<i>Cicindela dorsalis dorsalis</i>	T

To the best of our knowledge, there is no designated critical habitat in the project area.

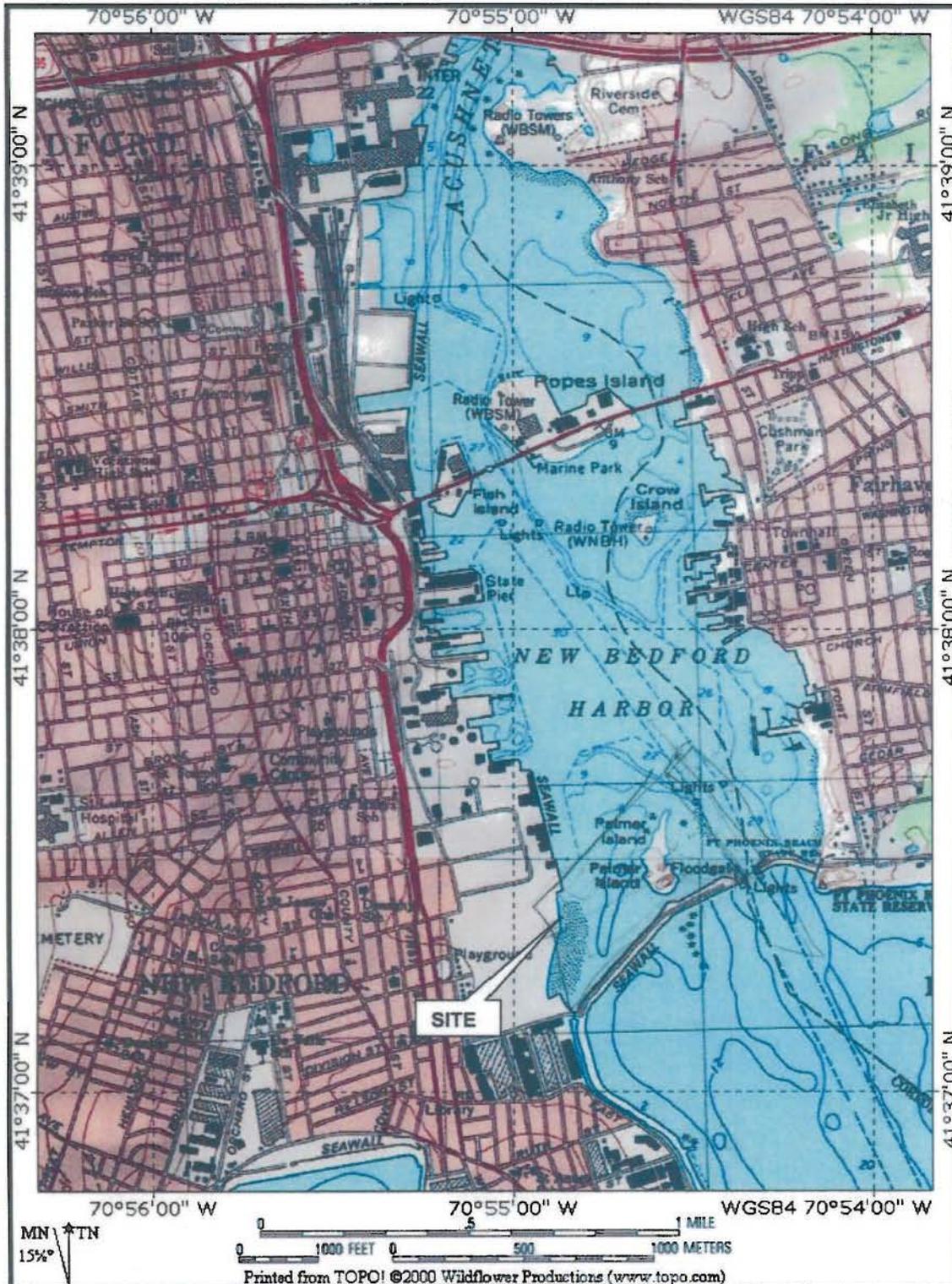
Please notify us of your concurrence with, or necessary revisions to, the above list of species and add any critical habitats which you believe need to be considered in our assessment. If you have any questions or require additional information, please contact me at 617-918-1628.

Sincerely,



Matt Schweisberg  
Manager, Wetlands Protection Program

cc: Ira Leighton, EPA  
Stephen Perkins, EPA  
Carl Dierker, EPA  
James Owens, EPA  
Michael Amaral, USFWS



**Figure 1: Site Location Map**  
 South Terminal CDF Proposed Location  
 City of New Bedford, New Bedford, Massachusetts

