

Notes from 15 March 2011 2:00 pm meeting in New Bedford

- Meeting began with tribal concerns regarding design of bulkhead in relation to paleosols. Chuckie Green raised concern with new bulkhead location split between two paleosol areas. Bulkhead configuration was changed to avoid paleosols. First concern is acreage; second concern is the borings: red, dusty material that may be a burial site.
- Jonathan (Aquinnah) relayed that dredging and subsequent erosion that dredging would cause “slope effect;” also, frequency of testing was questioned; not enough testing to define limits in the report.
- Bettina Washington: concerned with lack of space between construction and paleosols; Tribe did not get information until they requested boring information, and the tribes can’t make a determination until provided an opportunity to review the data. Information from borings was obtained from the federal agency (EPA?) the “red, dusty substance” –Boring #2 – and additional borings undertaken – tribe was not notified, and fence was erected without notification.
- Chuckie Green: Tribes need to be notified. A change was made from original footprint to new footprint, and no rationale was provided.
- Gary Davis: When he first learned of the paleosol issue, it became evident that they needed to conduct outreach to the tribes. He called Lois Adams and requested a meeting – this meeting. With respect to recent borings, Gary assumes responsibility. He stated that the borings were near the paleosol area, but not within the area. He apologized and provided his direct phone number 617-626-4983 – and said that he is available anytime.
- Jay Borkland (Apex) stated that a large CDF is planned to fill in Palmers Cove and to expand port. Project will serve to create a permanent port in New Bedford because (1) a CDF is needed in harbor and (2) city needs a new shipping port.
- Joel Klein (JMA) described Phase 1 (upland) report – entire upland area is all previously disturbed offshore area. Concern is shipwreck potential and Native American historical sites. A shipwreck was found, but deemed not eligible for historic register.
- Peter Leach (JMA): described the geophysical method used. Working with APEX and a UMASS professor, they collected seismic data – but gasses proved problematic – and they used tight lines with 50’ spacing, but not straight lines. Sub-meter accuracy GPS was used and data analyzed by UMASS professor, and some targets identified. Of 5 areas studied, two were consistent with paleosols. They placed two cores through these area as well as three other areas. The two cores revealed “well presented paleosols.” The “dusty red” designation for the material was based on the Munsell color chart and was not indicative of a dry core sample.
- Both tribes stated that they did not receive copies of the report – hard copy or CD. Apex claims that the tribes were provided copies of the reports.
- Five draft geotechnical borings were being analyzed. No cultural materials were found in paleosols. They investigated the intertidal area also, a total of 116 cores, and in 90% of the area there were “modern” sands/gravels overlying till. Date on

- paleosol was 2680 BP. The disturbed area seemed to be from the industrial era, as coal and brick were found, and this implies that the area is sheltered from storms.
- Gary Davis: Detail was provided regarding avoidance of paleosols in relation to current borings. Location of paleosols discovered earlier was avoided during recent boring operation.
 - Lois Adams: A follow-up conference call would be appropriate, once Chuckie and Bettina have the opportunity to review.
 - Jay Borkland (Apex): The redesign was reconfigured to avoid paleosol vicinity – a bailing bridge is planned.... Considered “temporary” but not solely for construction access. How temporary it will be will be up to the City of New Bedford. City will use it for access to lower area.
 - Dredgeline accounts for the width of the vessels on either side and in between. Sheet Piling will be installed 10 feet from paleosols, but from shore.
 - Gary Davis: When this issue came up 4 weeks ago, he immediately set up this meeting.
 - Chuckie Green: He was not aware that the sheet piling would be installed from shore, so this being the case, the 10-foot separation is acceptable. However, he requested that (1) the activity needs to be monitored by a CRM; (2) the questionable core sample (dusty red) be analyzed to ensure that it is not culturally sensitive.
 - Lois Adams: the resulting to-do list from the meeting is as follows:
 - Tribes to call Gary Davis directly with concerns
 - All parties will receive copies of reports and findings from Gary Davis
 - A direct line of communication will be established between Tribes/Gary Davis
 - Aquinnah Wampanoag reserves comment at this time
 - Questionable core sample will be sent for analysis
 - Regular system of communication will be established
 - Cultural monitoring to take place
 - Scope of work on how sheet piling will be installed will be provided
 - Protection protocols to be spelled out in case something is discovered during geotechnical investigation

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