

Superfund Records Center

SITE: New Bedford

BREAK: 09.1

OTHER: 518406



Re: New Bedford Harbor S. Terminal 

Michael Stover to: Jackie Leclair

Cc: Carl Deloi, Cynthia Catri, Leann Jensen

05/25/2012 05:02 PM

Hello Jackie,

As you are aware, the meeting that was held with representatives from APEX and others last Tuesday did not allow for all of the questions posed by EPA programs to be asked and answered, and so I understand that a follow-up meeting will be held next week. As I will be in El Salvador next week, I spoke with Cindy Catri as to how the questions should be addressed, and she recommended that I contact Ched Meyers of APEX by phone and ask the questions directly.

Ched confirmed that both the Mashpee Wampanoag Tribe and the Wampanoag Tribe of Gay Head (Aquinnah) were sent the January 18, 2012 report, and no comments were received from the tribes. Mr. Meyers did indicate that the geophysical investigation for the expanded shipping channel dredging area was completed prior to the March 15, 2011 consultation meeting with both tribes and EPA present, and at this meeting, communication protocols between Mr. Gary Davis's office. Additionally, the tribes requested that one vibrocore sample that indicated a reddish hue be further analyzed to ensure that it was not indicative of cultural properties. The tribes requested ample notification to allow cultural monitoring during any further geotechnical investigations, requested information on the scope of work on how the sheet piling would be installed, and to establish protection protocols in the event that a discovery is made during investigations. Since that time, the State has been in contact with the Tribes, including sending copies of mall reports and attending a follow-up meeting at the Mashpee Tribe on 5 August 2011, and the tribes were informed and were present for monitoring during further core drilling investigations for proposed sheet piling. In summary, the expanded scope of dredging referred to in the report was in fact presented to the tribes with opportunity for input and comment, and since there has been no further activity since the last geotechnical investigation witnessed by the tribes,

In summary, the January 18th 2012 report appears to adequately address the tribal concerns raised during consultation sessions held in 2011 among the EPA, the Mashpee Wampanoag Tribe, the Wampanoag Tribe of Gay Head (Aquinnah), and the State. The tribes were presented with the January 18th report, and have not submitted any comments to date, according to the consultant. I have attempted to contact each THPO to confirm that they have no comment, but have not received responses from them. So regarding the draft decision memo, I do not see any issues to be raised, except that the communication and coordination protocols between the tribes and the state established at the March 15th meeting be maintained throughout the process.

Please let me know if you have any questions. I will be in El Salvador all of next week., and will check in upon my return on 4 June.

Thanks,

CAPT Michael A. Stover, PE
Indian Program Manager
EPA - New England, Region 1
5 Post Office Square, Suite 100
Mail Code OEP06-3
Boston, MA 02109-3912
(617) 918-1123
stover.michael@epa.gov

Jackie Leclair

From: Jackie Leclair/R1/USEPA/US To: Lois Ad...

04/29/2012 12:18:17 PM

From:
To:

Jackie Leclair/R1/USEPA/US
Lois Adams/R1/USEPA/US@EPA; Michael Stover/R1/USEPA/US@EPA



SDMS DocID

518406

STATE:

BREAK:

OTHER:

Cc: Carl Deloi/R1/USEPA/US@EPA
Date: 04/29/2012 12:18 PM
Subject: New Bedford Harbor S. Terminal

Hi Mike and Lois - would you mind taking a look at the most recent update to the State Enhanced Remedy for S. Terminal from the perspective of tribal/NHPA concerns (attached)? As you know, this project is on a fast track and we need to have a draft response to the application no later than the first week in July. There is a meeting 5/10 at 2:00PM location tbd to bring internal parties that are working on this decision together. If you could complete your review by then it would be greatly appreciated.

Thanks,
Jackie

Jackie LeClair, Manager
Wetlands Protection Unit
OEP-05
5 Post Office Square
Boston, MA 02109-3912
617-918-1549
Fax: 617-918-0549

leclair.jackie@epa.gov[attachment "State Enhanced Remedy New Bedford - South Terminal 1-18-12.pdf"
deleted by Michael Stover/R1/USEPA/US]