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**To:** ["Ann Williams"](#); [Cynthia Catri](#)  
**Cc:** ["Phil Colarusso"](#); [ElaineT Stanley](#)  
**Subject:** FW: South Marine Terminal Subject Application - Additional Questions for Apex Companies in Preparation for Next Tuesday's Meeting (UNCLASSIFIED)  
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Classification: UNCLASSIFIED  
Caveats: NONE

Ann and Cynthia:

Enclosed is my list of questions for Apex Companies concerning the January 2012 subject application for the State Enhanced Remedy/ South Marine Terminal Project in New Bedford, Massachusetts. Feel free to share this list with other on the EPA team and contact me if you have any questions concerning this list. Thanks.

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Jurisdictional Issues:

The resource area overview map (Figure #5) identifies the mean higher high water ("MHHW") boundary line at the South Marine Terminal project area. NOTE: The landward limit of Section 404 jurisdiction is the high tide line ("HTL") (aka the highest predicted tide of the year) or adjacent wetlands. Please document a high tide line value and provide revised impact values for the South Marine Terminal Project.

Please identify a typical tidal range for South Marine Terminal project area?

On page 123 of the subject application, you indicate that the "high water mark" is the limit for the New Bedford Superfund site. The high water mark is an unknown datum for me. Please specify what this datum represents.

On pages 121 and 122 of the subject application there is a discussion of an "isolated wetland". Please provide a location for this resource area as well as information on why this area has been determined to be "isolated" rather than adjacent and neighboring.

On page 124 of the subject application, there is documentation that the South Marine Terminal will impacts 1.43 acres of intertidal shoreline areas. What water levels (MLLW, MLW, MHW, MHHW, and/or HTL) were used to determine the boundaries of intertidal shoreline areas?

On pages 126-129 of the subject application there is a description of mudflat areas. What size gradation limits were used to define "fines"? How did you use the presence or absence of benthic invertebrates to define "mudflats"?

Project Description:

Please provide a plan drawing depicting existing bathymetry throughout the South Marine Terminal project area. I am concerned about existing depths where the Gifford Street Channel Relocation and

New Mooring Area are proposed (See Figure #5). Does the navigation channel shown on Figure #5 include the proposed Tug Channel?

Please provide documentation on the locations of previously dredged navigational channels (outside of the New Bedford Federal Navigation Project) in and adjacent to the South Marine Terminal Property?

Are more detailed plans (other than plan-view overview drawings) available for the proposed South Marine Terminal/Confined Disposal Facility? I am looking for typically cross-sections that show proposed fill areas, the proposed steel-sheet bulkhead, any adjacent riprap scour protection, and the proposed dredged areas. Please provide these plans if they are available.

Please provide a better description of how the South Marine Terminal will need to be organized up to support the construction of offshore wind turbines. Where will wind turbine components be stock-piled? How will the ancillary properties be used? Where will the wind turbine components be put together? Where will cranes be located? How will cargo ships be unloaded and jack-up barges be loaded?

Please provide a better description 1.) on how cargo ships and the jack-up barges will use the turning basin in front of the New Bedford State Pier to access and to egress the proposed South Marine Terminal Channel. and 2.) on how these vessels will be moored at the South Marine Terminal Basin when the site is used to support the installation of offshore wind energy projects.

Section 4.3 of the subject application gives a description of why a gravel fill design has been recommended for the South Marine Terminal. This narrative details a range of potential ground loading values which are associated with typical offshore wind turbine construction areas. Based upon this discussion, it is clear that the trend in wind power is to install larger and larger wind turbines. Does the current gravel fill design provide for an appropriate range of live loading values that would allow for the construction of larger wind turbines at the proposed South Marine Terminal?

Please provide more details on the location and design of the Confined Aquatic Disposal ("CAD") cell where contaminated sediments from the South Marine Terminal Project and adjacent navigation channels will be deposited. Should impacts associated with the construction of this CAD cell be considered as part of this project? or Were they already reviewed as part of the existing Superfund Project

Mitigation Issues:

Winter Flounder Spawning Habitat Mitigation - Section 7.2.1 of the South Marine Terminal subject application describes the basic design for the winter flounder spawning habitat mitigation area. This sub-tidal area is proposed to be filled to a depth of approximately -16.0 feet mean low lower water ("MLLW"). Please explain how this mitigation area is suppose to provide a positive impact for Roseate and Common Terns, who typically plunge dive only 1-2 feet to feed?

Intertidal Habitat Creation and Near-Shore, Shallow, Sub-tidal Enhancement Mitigation - Please provide an overview map of Superfund site OU-3, a 17,000 acre area outside of the New Bedford Hurricane Barrier. (see page 321 of the subject application)

Successional Marsh Area Restoration/Enhancement - Please provide a better description of this proposed mitigation. Based upon a review of Figures #14 - #16, I am uncertain if this work is a fill and/or excavation activity. Please explain how the proposed work will enhance the hydraulic capacity of this tidal tributary. Has an invasive species management plan been developed for this mitigation yet?

Tern Survey: What is the status of the tern survey planned for the Spring/Summer of 2012? (see pages 325-326 of the subject application)

Shellfish Mitigation: A mean shellfish distribution is used to estimate/extrapolate a value for the number of shellfish to be impacted by the South Marine Terminal Project. Based upon the results of the

shellfish survey (Appendix 52), it doesn't appear that shellfish distribution was not consistent throughout the survey area. Please explain why a mean shellfish value is an appropriate way to estimate the scope of potential impacts for the purposes of determining the scope of shellfish mitigation.

Floodplain Mitigation: What mitigation is the State proposing to compensate for the 27.33 acre-feet of lost flood storage associated with the South Marine Terminal Project (see pages 112-114 of the subject application)? Please explain how the floodwater rise calculations were done. I thought that the flood water rise should be closer to 0.5 inch under 100-year flood conditions.

Miscellaneous Questions:

Please provide more detailed information on why Boston Blue Clays provide inadequate stability for the jack-up barge spuds. (see pages 34-35 of the subject application)

Contaminated Sediments - The South Marine Terminal subject application sometimes refers to contamination in regards to parts per million ("ppm") and other times as mg (milligram?) per kilogram. Please provide a conversion factor between these two data.

New Bedford Hurricane Barrier - What is status of coordination with the U.S. Army Corps of Engineers Levee Safety Office regarding potential impacts from the South Marine Terminal Project on the adjacent New Bedford Hurricane Barrier?

Endangered Species Analysis - Why were piping plover, Northeastern Beach Tiger Beetles, and Atlantic Sturgeon not discussed as part of your endangered species analysis? (see pages 227-232 of the subject application)

Fisheries Concerns - Is the South Marine Terminal project area considered spawning, nursery, and/or foraging habitat for estuarine - dependent species such as winter flounder, summer flounder, scup, black sea bass and/or rainbow smelt? Is the project area mainly a migration pathway for anadromous fish? or Does it serve as a more important foraging habitat?

Historic Properties - Have any adjacent historic properties and/or historic districts been identified within the upland area of potential effect? Have either the Wampanoag (Aquinnah) or the Mashpee Wampanoag Tribal Historic Preservation Officer ("THPO") requested an additional survey of "Palesols" in and adjacent to the South Marine Terminal project area? (see pages 107-111 of the subject application)

Neighborhood Analysis - Please identify any substantial existing traffic problems within the community of concern. Please provide additional description of the Cove Street Residential Area. (see pages 116-120 of the subject application); Please provide more details on what the State is doing to improve intersections along Route 18 adjacent to the New Bedford State Pier to improve access to the waterfront (see page 295 of the subject application).

Construction Sequence - Please give a more detailed description of how siltation curtains and booms will be used to minimize turbidity impacts associated with in-water work. Given the range of tidal cycles within New Bedford Harbor, will siltation curtains be very effective in containing turbidity? (see pages 251-252 of the subject application); Please give more details on how tackifiers and polymer emulsions will be used to temporarily stabilize construction areas (see page 253-254 of the subject application); Has an overall invasive species management plan been developed for the South Marine Terminal Project?

Similar Habitats - Where is Fort Taber site? (see page 300 of the subject application).

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