

## EPA Official Record

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**Notes ID:** DBC95511183D61D885257A3F006A247D

**From:** "Davis, Gary (DCR)" <gary.davis@state.ma.us>

**To:** Ann Williams/R1/USEPA/US@EPA

**Copy To:** "cmyers@apexcos.com" <cmyers@apexcos.com>; Jay Borkland <jborkland@apexcos.com>; "Weinberg, Philip (DEP)" <philip.weinberg@state.ma.us>

**Delivered Date:** 07/12/2012 06:58 AM EDT

**Subject:** RE: New Bedford/South Terminal

Good Morning Ann. To follow up on the wetlands information, I understand that the wetlands information was delivered to your office late yesterday afternoon. However, Jay called me last evening to report that after following up with his staff, he learned that we did not provide you with a complete packet of wetlands information. Please expect Apex to deliver to your office this morning a complete wetlands packet to replace the information provided to you yesterday. We apologize for any inconvenience that this may have caused you and your team. /gd

Gary Davis, Jr.

General Counsel

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**From:** Ann Williams [mailto:Williams.Ann@epamail.epa.gov]

**Sent:** Wednesday, July 11, 2012 11:56 AM

**To:** Davis, Gary (ENV)

**Cc:** cmyers@apexcos.com; Jay Borkland

**Subject:** Re: New Bedford/South Terminal

Dear Gary,

Thank you for offering to contact Apex this morning regarding the status of the wetland information. In addition needing to receive that information ASAP, we're also waiting for the results of your conversations regarding two issues:

1) Blasting to be limited to the November - February time frame to protect fish species including any Atlantic sturgeon that may be in the project area; and sequencing dredging to limit dredging in the deeper channel to that same time frame, and to limit to the maximum extent possible the dredging in the shallower areas to the June - November time frame.

2) Whether the 22.73 acre size of the winter flounder habitat mitigation will definitely occur or only if the expansions at the request of the City occur; and similarly, whether the 14.91 acre size of the shallow subtidal habitat mitigation will definitely occur or only if the expansions at the request of the City occur.

Thank you.

Ann

Ann H. Williams  
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▼ "Davis, Gary (DCR)" ---07/06/2012 12:21:46 PM---Hi Ann. I just spoke with Jay and we plan to provide you with additional information concerning the

From: "Davis, Gary (DCR)" <gary.davis@state.ma.us>  
To: Ann Williams/R1/USEPA/US@EPA  
Cc: "cmyers@apexc.com" <cmyers@apexc.com>, Jay Borkland <jborkland@apexc.com>  
Date: 07/06/2012 12:21 PM  
Subject: New Bedford/South Terminal

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Hi Ann. I just spoke with Jay and we plan to provide you with additional information concerning the wetlands by COB Tuesday. I hope you have a great weekend. /gd