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Notes ID: F2719C59803FB17285257AD80070F8DC

From: Christine Vaccaro <christine.vaccaro@noaa.gov>

To: Susan Tuxbury <susan.tuxbury@noaa.gov>

Copy To: Phil Colarusso/R1/USEPA/US@EPA

Delivered Date: 10/25/2012 03:04 PM EST

Subject: Re: Fw: South Terminal -- Additional Comments on Draft Mitigation Plans

ATTACHMENT: 18060669.gif

ATTACHMENT: 18915107.gif

All of these options are better than blasting and it looks as though passage will be available. Cutterhead dredging is usually our preferred dredge method for other projects because of low impingement risk and sound levels below the levels of concern for us. Since this isn't an area where Atlantic sturgeon are likely to be with any frequency, we feel pretty confident concurring with a NLAA with any of these alternative methods of rock removal.

-Chris

Chris Vaccaro
Fisheries Biologist
Protected Resources Division
NOAA Fisheries/NERO
Gloucester, MA
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On Thu, Oct 25, 2012 at 3:00 PM, Susan Tuxbury <susan.tuxbury@noaa.gov> wrote:
Phil,

Looks like the only acoustic monitoring was done for the cutter dredge. It's hard to provide a "preferred" option without analysis from the others.

However, if this modeling is accurate, it appears as though there will be limited impacts on anadromous fish since there is still a substantial portion of the harbor available for passage.

I will defer to Chris if there is any preferences for sturgeon.

Thanks.

Sue

On Tue, Oct 23, 2012 at 11:43 AM, <colarusso.phil@epamail.epa.gov> wrote:

Sue, Chris,

Here's the latest, which we received last night. It includes a quick summary of the acoustic analysis results, but is by no means the full report. It includes a biological assessment for Atlantic sturgeon and an amended EFH assessment. We didn't ask for either of those documents. We (EPA) have a number of decisions to make and we will be meeting this afternoon and hopefully will get some clarity on management's desires on a number of issues. As of right now, blasting is still off the table.

Phil

----- Forwarded by Phil Colarusso/R1/USEPA/US on 10/23/2012 11:38 AM -----

From: Chet Myers <cmyers@apexcos.com>
To: Ann Williams/R1/USEPA/US@EPA
Cc: Carl Dierker/R1/USEPA/US@EPA, Cynthia Catri/R1/USEPA/US@EPA, "Davis, Gary (DCR)" <gary.davis@state.ma.us>, Jackie Leclair/R1/USEPA/US@EPA, Jay Borkland <jborkland@apexcos.com>, Mike Marsh/R1/USEPA/US@EPA, "Sneeringer, Paul J NAE" <Paul.J.Sneeringer@usace.army.mil>, Phil Colarusso/R1/USEPA/US@EPA, Eric Macaux <EMacaux@MassCEC.com>
Date: 10/22/2012 09:01 PM
Subject: RE: South Terminal -- Additional Comments on Draft Mitigation Plans

Hi Ann,

Attached please find out latest "answer to questions" that includes the supplemental EFH Addendum as well as the Biological Assessment for the Atlantic Sturgeon.

The acoustic modeling was conducted by a separate firm, in concert with the firm that completed the BA. The results of the acoustic modeling are incorporated into the results of the BA.

Please call if you have questions.

We will have this included on the CDs we will deliver tomorrow.

Thanks,

Chet Myers
Apex Companies, LLC
125 Broad Street, 5th Floor
Boston, MA 02110

O) 617-728-0070 x113 M) 617-908-5778

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From: Williams.Ann@epamail.epa.gov [mailto:Williams.Ann@epamail.epa.gov]
Sent: Monday, October 22, 2012 5:58 PM
To: Chet Myers
Cc: Dierker.Carl@epamail.epa.gov; Catri.Cynthia@epamail.epa.gov; Davis, Gary (DCR); Leclair.Jackie@epamail.epa.gov; Jay Borkland; marsh.mike@epamail.epa.gov; Sneeringer, Paul J NAE; colarusso.phil@epamail.epa.gov
Subject: RE: South Terminal -- Additional Comments on Draft Mitigation Plans

Hi Chet,
I have to leave shortly. I think it would make sense to deliver the CDs tomorrow.
Thanks,
Ann

Chet Myers ---10/22/2012 05:49:08 PM---Hi Ann, Attached please find the text for the Final Mitigation Plan updated to respond to EPA commen

From: Chet Myers <cmyers@apexcos.com>
To: Ann Williams/R1/USEPA/US@EPA, Carl Dierker/R1/USEPA/US@EPA
Cc: Mike Marsh/R1/USEPA/US@EPA, Phil Colarusso/R1/USEPA/US@EPA, Jackie Leclair/R1/USEPA/US@EPA, Cynthia Catri/R1/USEPA/US@EPA, "Sneeringer, Paul J NAE" <Paul.J.Sneeringer@usace.army.mil>, "Davis, Gary (DCR)" <gary.davis@state.ma.us>, Jay Borkland <jborkland@apexcos.com>
Date: 10/22/2012 05:49 PM
Subject: RE: South Terminal -- Additional Comments on Draft Mitigation Plans

Hi Ann,

Attached please find the text for the Final Mitigation Plan updated to respond to EPA comments and the Construction Management Plan.

We are finalizing the Biological Assessment and the Addendum to the Essential Fish Habitat Assessment. They should be done in a few hours.

If we burn CDs, will anyone be at EPA to receive them? Otherwise, we will be

prepared to deliver them tomorrow morning, but electronic versions will go out tonight.

Thanks,

Chet Myers
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Boston, MA 02110
O) 617-728-0070 x113 M) 617-908-5778

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From: Williams.Ann@epamail.epa.gov [mailto:Williams.Ann@epamail.epa.gov]
Sent: Friday, October 19, 2012 10:23 PM
To: Davis, Gary (DCR); Jay Borkland; Chet Myers
Cc: Dierker.Carl@epamail.epa.gov; marsh.mike@epamail.epa.gov;
colarusso.phil@epamail.epa.gov; Leclair.Jackie@epamail.epa.gov;
Catri.Cynthia@epamail.epa.gov; Sneeringer, Paul J NAE
Subject: South Terminal -- Additional Comments on Draft Mitigation Plans

Gary, Chet, and Jay --

Attached are the Region's additional comments on the draft mitigation plans.

Please let me (617-918-1097) or Mike Marsh (617-918-1556) know if you have any questions.

Thanks and have a good weekend,

Ann

Ann H. Williams
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U.S. EPA Region 1
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[attachment "Final_Mitigation Plan.pdf" deleted by Ann Williams/R1/USEPA/US]
[attachment "NBMCT CMP.pdf" deleted by Ann Williams/R1/USEPA/US]

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(See attached file: Question-Answer
Responses-10-22-12_Acoustic_Modelingrev.pdf) - 18060669.gif - 18915107.gif