

# NEW BEDFORD HARBOR TRUSTEE COUNCIL RESTORATION PLAN ENVIRONMENTAL IMPACT STATEMENT

## Executive Summary

The New Bedford Harbor Trustee Council (NBHTC or Council) has developed a plan to restore natural resources injured by releases of polychlorinated biphenyls (PCBs) to New Bedford Harbor, Massachusetts. The Council, comprised of the U.S. Departments of Commerce and Interior as well as the Commonwealth of Massachusetts, has worked with the affected communities, state and local governments, local commercial interests, academic institutions, and others to identify, develop and select restoration priorities and actions. As a result of this cooperative process, the Council has proposed a series of actions to restore a wide range of natural resources and uses injured by PCBs in the New Bedford Harbor area.

New Bedford Harbor is a small, urbanized estuary and important commercial port on western Buzzards Bay, in Southeastern Massachusetts. From the late 1940s until 1977, manufacturers in New Bedford discharged industrial wastes containing PCBs into New Bedford Harbor and nearby coastal environments, resulting in widespread, severe contamination of the sediments, water column, and biota of the Harbor estuary and parts of Buzzards Bay. Cleanup (dredging) of the contaminated sediments is underway, led by the U.S. Environmental Protection Agency (EPA), and is expected to take about ten years.

Cleanup of the contaminated sediments will reduce levels of PCBs in New Bedford Harbor and Buzzards Bay. However, natural resources have been lost or degraded by years of PCB exposure. Without restoration, recovery of the Harbor ecosystem from the effects of the contamination may take decades or longer. The purpose of the proposed action, therefore, is to restore, replace or acquire the equivalent of natural resources injured by PCB releases in New Bedford Harbor. Specifically, the proposed restoration actions are intended to: (1) restore natural resources injured by PCB releases; (2) restore the habitats of living resources and the ecological services that they provide; and (3) restore human uses of natural resources, such as fisheries and public access. Together, these actions are expected to accelerate ecological recovery, enhance environmental quality, promote economic recovery, and improve the quality of life in the New Bedford Harbor area.

The geographic scope of the Council's actions is the "New Bedford Harbor Environment," defined as the area encompassed by the Acushnet River watershed, south through the Acushnet River Estuary and New Bedford Inner and Outer Harbors, out to the Area III fishing closure line, and adjacent shoreline areas (**Figure 1.1**). The Council's focus is on the resources most injured by PCB releases--estuarine (tidal) waters and adjacent coastal areas--as well as human uses of these resources. The four municipalities within the affected environment are Acushnet, Dartmouth, Fairhaven, and New Bedford, Massachusetts.

The source of funding for the Council's actions is a \$21 million restoration fund, established as a result of settlements between the Federal Government, the Commonwealth of Massachusetts, and the companies responsible for releasing PCBs into New Bedford Harbor. A separate account will fund the Harbor cleanup. By law and under the terms of the settlement agreements, the Council must finalize a restoration plan for the New Bedford Harbor Environment before funding restoration projects, although necessary plans and studies may be funded before

completion of the plan. The purpose of this plan, therefore, is to provide a blueprint for restoring natural resources injured by PCB releases to the New Bedford Harbor Environment, while satisfying relevant legal requirements.

The Council proposed a combination of near-term, future and emergency actions, and plans and studies, as appropriate, that together would form the basis of an estuary-wide plan to restore the affected environment. This plan evaluates general restoration alternatives as well as specific restoration actions, and establishes a process for the evaluation, selection, and implementation of future restoration actions.

The NBHTC identified six restoration priorities for the New Bedford Harbor Environment: 1) marshes or wetlands; 2) recreational areas; 3) the water column; 4) habitats; 5) living resources; and 6) endangered species. In 1995, the Council issued a public "Request for Ideas," inviting all parties to submit ideas for restoring natural resources injured by PCB releases to New Bedford Harbor. As a result, 56 restoration ideas were received from citizens, non-profit organizations, municipalities, academic institutions, State and Federal agencies, and private businesses.

A 15-member Community Restoration Advisory Board (CRAB) was established to represent community interests in the restoration and to help disseminate information to the public about the restoration process. The NBHTC then evaluated the ideas received, drawing upon the input of the CRAB as well as a Technical Advisory Committee of agency staff and the Council's legal advisors. Public meetings and a public comment period ensured a full exchange of information between project proponents, citizens, representatives of the private and public sectors, and the Council throughout the evaluation process.

From among the 56 ideas, the Council selected 12 preferred alternatives for near-term implementation. These ideas, along with approximate 2-year funding levels, are as follows:

- Marshes or Wetlands:
  - Hydrologic restoration of Padanaram Salt Marsh, Dartmouth: \$16,000
  - Hydrologic restoration of Nonquitt Marsh, Dartmouth: \$186,000
- Recreational Areas
  - Recreational and habitat improvements to Fort Taber Park, New Bedford: \$2,000,000
  - Riverside/Belleville Avenue Marine Recreational Park, New Bedford: Funding level to be determined
- Water Column
  - Hurricane Barrier Box Culvert: Funding level to be determined
- Habitats
  - Eelgrass habitat restoration, New Bedford Harbor and Clarks Cove: \$400,000
  - Land acquisition, Sconticut Neck, Fairhaven: \$380,000
- Living Resources
  - Restoration and management of the New Bedford area shellfishery: \$425,000 in Year 1
  - Restoration of the Acushnet River herring run: \$600,000
- Endangered Species
  - Buzzards Bay tern restoration and habitat stabilization: \$124,000
- Plans and Studies
  - Wetlands restoration planning and implementation: \$35,000
  - New Bedford/Fairhaven Harbor Master Plan (aspects related to natural resources): \$50,000

The Council invited public comment on the draft plan. Upon review of the public comment, the Council approved 11 of the 12 preferred alternatives. The Council approved:

Hydrologic restoration of Padanaram Salt Marsh: \$16,000	Approved
Hydrologic restoration of Nonquitt Marsh (Public comment raised questions that the Council wants explored before action is taken. Results from the wetlands restoration planning survey will be considered as well)	Deferred
Recreational and habitat improvements to Taber Park: \$2,000,000	Approved
Riverside/Belleville Avenue Marine Recreational Park: \$35,000	Approved
Hurricane Barrier Box Culvert: Funding level to be determined	Approved
Eelgrass habitat restoration, New Bedford Harbor and Clarks Cove: \$120,000 for first year	Approved
Land acquisition, Sciticut Neck, Fairhaven (Purchase up to fair market value.)	Approved
Restoration and management of the New Bedford area shellfishery: \$298,000/year for 2 years	Approved
Restoration of the Acushnet River herring run: \$600,000	Approved
Buzzards Bay tern restoration and habitat stabilization: \$124,000 for two years (Council imposed a prohibition on the use of toxicants and no lethal control on predators. If non-lethal measures are unsuccessful, Council must approve lethal measures.)	Approved
Plans and Studies	
Wetlands restoration planning: \$35,000 (Council requests justification if amount is greater.)	Approved
New Bedford/Fairhaven Harbor Master Plan: \$50,000 (Aspects related to natural resources)	Approved

Total cost of the Council's commitments is estimated at approximately \$4 million of the \$21 million restoration fund. In a number of cases, other state or federal agencies are providing matching funds or in-kind services to leverage restoration dollars. Finalization of this plan allows the NBHTC to begin implementation of the approved near-term alternatives, drawing on the Council's two-year funding commitment.

Since the Harbor cleanup is ongoing, restoration actions must be coordinated with that process to maximize environmental benefits while ensuring that neither process negates or interferes with the other. As cleanup of the Harbor proceeds, more restoration options will become practicable.

The Council proposes an event-based process of idea solicitation and selection to choose future restoration actions, periodically selecting restoration actions that are practicable, effective, and appropriate in the context of the ongoing cleanup. Full public involvement in Council decisionmaking will be maintained in all aspects of the process.

On completion by EPA of the Harbor cleanup, the Council will allocate the remainder of the restoration fund toward completion of the restoration process. The NBHTC will solicit, select and fund a final round of restoration actions; following necessary oversight or implementation, the Council will disband.

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