Message

From: Cote, Mel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=84DE4808DB594869902F3FD6E4ED54C4-COTE, MEL]
Sent: 1/14/2020 3:30:10 PM
To: Gutro, Doug [Gutro.Doug@epa.gov]; Moraff, Kenneth [Moraff.Ken@epa.gov]
CC: Melanson, Kate [Melanson.Kate@epa.gov]; Deegan, Dave [Deegan.Dave@epa.gov]
Subject: RE: FYSA: Bass River article in Gloucester Times

Ken and I are tied up in meetings until 1 pm and can call you then, or you can stop by during our office hours in Ken's office from 1-2 pm. We have a significant role in this and other related projects and it's why our program is extremely vulnerable because of staff capacity.

-----Original Message-----
From: Gutro, Doug <Gutro.Doug@epa.gov>
Sent: Tuesday, January 14, 2020 9:59 AM
To: Moraff, Kenneth <Moraff.Ken@epa.gov>; Cote, Mel <Cote.Mel@epa.gov>
Cc: Melanson, Kate <Melanson.Kate@epa.gov>; Deegan, Dave <Deegan.Dave@epa.gov>
Subject: FW: FYSA: Bass River article in Gloucester Times

Can you fill me in on our role

-----Original Message-----
From: Gosselin, Elizabeth (Beth) CIV USARMY CENAE (USA) <Elizabeth.D.Gosselin@usace.army.mil>
Sent: Tuesday, January 14, 2020 9:52 AM
To: Conde, William M COL USARMY CENAE (USA) <William.M.Conde.COL@usace.army.mil>; Turley, Tammy R CIV USARMY CELRN (USA) <Tammy.R.Turley@usace.army.mil>; DeSista, Robert J CIV USARMY CENAE (USA) <Robert.J.Desista@usace.army.mil>; Gillman, Mark D MAJ USARMY CENAE (USA) <Mark.D.Gillman.MAJ@usace.army.mil>; Acone, Scott E CIV USARMY CENAE (US) <Scott.E.Acone@usace.army.mil>; Byars, Julie A CIV USARMY (USA) <Julie.A.Byars@usace.army.mil>; Killman, Ryan T CIV USARMY CENAE (US) <Ryan.T.Killman@usace.army.mil>
Cc: Gutro, Doug <Gutro.Doug@epa.gov>; Belmont, Jonathan Thomas (Jon) CIV USARMY CENAE (USA) <Jonathan.T.Belmont@usace.army.mil>; Hasic, Albinko CIV USARMY CENAE (USA) <Albinko.Hasic@usace.army.mil>; Dugan, Timothy J CIV USARMY CENAE (USA) <Timothy.J.Dugan@usace.army.mil>
Subject: FYSA: Bass River article in Gloucester Times

Sir,

The local newspaper ran an article about the Bass River dredging and used Tim's quote which was coordinated internally. However, I wanted to ensure to flag for those involved as the contractor is quoted and this may get larger press. We will keep an eye on it over the next couple of days and monitor if it makes it to other outlets.

Bass River dredging called off
Contractor seeks $450K for cost to deploy equipment, crew By Paul Leighton Staff Writer BEVERLY - The contractor who was hired to dredge the Bass River says the company is owed nearly half a million dollars after the project was canceled before it ever began.

Burnham Associates has billed the city for a $450,000 "mobilization payment" because it said it had eight vessels with full work crews standing by and ready to work for 17 days before the project was finally called off. The city said it would not agree to the billing "given what led to the current situation," according to an email from the city's director of purchasing to Burnham Associates.

The U.S. Army Corps of Engineers issued a permit for the project two years ago, but changed course last month as the project was about to start. The agency said a review of testing data revealed that the dredged material is contaminated and cannot be dumped in the ocean as originally planned.

Kyle Burnham, the head of Burnham Associates in Salem, said he is actually impressed that the Army Corps is holding the project to high environmental standards, "but under the circumstances, somebody's still got to make us whole."

"It's not right to have the city enter into an agreement with us and then they collapse on it," Burnham said. "We should be receiving the mobilization portion of the payment right now."

The Bass River, which runs from the Danvers River near the Beverly-Salem bridge to Elliott Street near the Cummings Center, was scheduled to be dredged for the first time in more than 60 years. The city announced in July that it had been awarded a $1.4 million state grant to dredge a portion of the river, and the City Council approved spending $1.5 million to match the grant.

The city issued a "notice to proceed" to Burnham Associates through its engineering consultant on Nov. 15, prompting the company to begin mobilizing its crews and equipment. But when the company requested coordinates from the Army Corps for where to dump the sediment, the agency did not immediately respond.

On Dec. 10, the Army Corps wrote a letter to Mayor Mike Cahill informing him that a review of previous testing data showed that samples of the sediment from the river were contaminated and could not be dumped in the ocean. The letter said "alternative disposal options" would be considered but would require a permit modification.

Nine days later, Beverly's purchasing agent, David Gelineau, sent an email to Burnham Associates saying the project would not proceed this season and that the city believed it was in "everyone's best interest" for the company to demobilize.

Burnham said his company spent $450,000 mobilizing vessels and crew from the time they received the notice to proceed to the time they were told to de-mobilize. He said his company has been involved in 75 dredging projects and he has never seen one canceled after a company was granted a notice to proceed.

Cahill said Monday he could not comment on whether the city will pay the bill. "We're working through the appropriate channels to sort through that," he said.

It is unclear when and if the Bass River will now be dredged. Cahill said the project won't be done this year because of a Feb. 15 deadline in order to minimize impacts to winter flounder and shellfish resources. But he said the city is exploring other options for where to dump the sediment.

"It's not to say that we'll never be able to dredge the river, but it's not possible this year," Cahill said. "Obviously we're all disappointed that the dredging isn't happening right now."

Tim Dugan, of the Corps of Engineers New England District, said in an email that the next step is up to the city. He said the city has a permit to dredge and could pursue other disposal options, either on land or what is called a "confined aquatic disposal cell."

"But they can't dispose of the dredge material at the Massachusetts Bay Disposal Site (in the ocean)," he wrote.

The Bass River - which is home to 14 commercial fishing vessels, about 70 private moorings and slips, and Hill's Yacht Yard and the Bass Haven Yacht Club - needs to be dredged because it is difficult to navigate at low tide. The Beverly harbormaster responds about 30 times a year to boats that have been grounded.

The dredging of an estimated 38,000 cubic yards of sediment from the bottom of the river was intended to return the river's channel to its historic depth of 9 feet and width of 100 feet, making navigation safer and more reliable. The first phase of dredging was to take place from the Danvers River to the Hall-Whitaker Bridge on Bridge Street.

The Army Corps, which has authority over dredging in navigable waterways, first issued a permit for the project in March 2018. At the time, the agency said tests had "satisfied the criteria for ocean disposal of dredged material."

But with the project about to get underway last month, the agency said a further review of the testing data showed that all four samples exceeded Environmental Protection Agency thresholds and three samples indicated "carcinogenic risk." As a result, the sediment is not suitable for ocean disposal and cannot by dumped at the original site, located 12 miles off the coast, as was planned, according to the Army Corps

https://www.gloucestertimes.com/bass-river-dredging-called-off/article_55b9fe16-a98c-58d5-b9e1-0d8093bf04f6.html

Beth Gosselin
Chief, Public Affairs
U.S. Army Corps of Engineers, New England District
(978) 318-8657 (Desk)
(978) 941-5103 (Cell)
Elizabeth.d.gosselin@usace.army.mil
Visit us on Facebook @CorpsNewEngland and Instagram @usacenewengland