

Mayor Mitchell Criticizes Decision on Riverwalk Funds

Says New Bedford Project Deserves Priority Support and Environmental Justice Concerns Are Being Ignored

Mayor Jon Mitchell has formally asked the Natural Resource Trustee Council to modify its draft plan of proposed restoration projects to be funded by the settlement from the April 2003 Bouchard Barge oil spill to include the New Bedford Harbor Riverwalk Project as a "Tier I" priority project. Mitchell criticized the draft plan for ignoring environmental justice considerations and wrongly prioritizing other projects that offer little or no environmental justice benefits.

"New Bedford's Riverwalk will create an active recreational resource along an over two-mile stretch of the Acushnet River which has been "off-limits" to New Bedford residents for generations. This community enhancement project has garnered broad public support. More than any other project submitted for review, the Riverwalk advances the Trustees' goals of promoting environmental justice and would provide recreational benefits to more people. At this point, the project has been partially funded and requires the requested funds to proceed," Mayor Mitchell wrote.

In February, the Trustees presented a Draft Restoration Plan for addressing the natural resource injustices that resulted from the Bouchard oil spill. The Plan categorized New Bedford's Riverwalk Project as Tier 2, a low priority project that would receive funding only if any remains after Tier 1 projects are funded, and committed just 56% of the funding requested.

On April 27, 2003, Bouchard Barge 120 hit an obstacle in Buzzards Bay, creating a 12-foot rupture in its hull and

spilling an estimated 98,000 gallons of No. 6 oil. The oil is known to have affected more than 98 miles of shoreline, aquatic intertidal and subtidal habitats, numerous bird species, and public recreational uses of the Bay, such as shellfishing, general shoreline use, and boating. The Oil Pollution Act (OPA) charges NOAA, USFWS, the states, and Indian tribes—collectively known as Trustees—with evaluating the environmental and cultural impacts resulting from oil spills.

While response agencies worked to contain and clean up the oil, the natural resource Trustees initiated a natural resource damage assessment (NRDA). NOAA, as the lead administrative Trustee for the Buzzards Bay oil spill, is coordinating Trustee efforts. Bouchard Transportation Company, the responsible party (RP) that owns and was operating the barge (B-120) at the time of the spill, has been cooperating with the Trustees and assisting with Natural Resource Damage Assessment (NRDA) activities. The Bouchard B-120 Trustees and the Bouchard Transportation Company, Inc., the Responsible Party (RP) for this spill, reached agreement on the injury assessment and restoration for several of the injuries resulting from the spill. These include injuries to shoreline and aquatic resources, piping plover, and lost recreational uses. The specific terms of this agreement were memorialized in consent decree executed on May 17, 2011.
