

STATE OF CONNECTICUT INTEGRATED WATER QUALITY REPORT

Summary of Public Comments and Responses to Comments

FINAL December 17, 2012



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BACKGROUND

The Department of Energy and Environmental Protection (DEEP) published a draft version of the *State of Connecticut Integrated Water Quality Report* (“*Report*”) on September, 19, 2012 and accepted comments until October 29, 2012. The *Report* was prepared by DEEP to fulfill a requirement of the Federal Clean Water Act under Sections 305(b) and 303(d). The *Report* was posted on the Department’s website and made available for downloading by interested parties. Paper copies were also made available on request. Letters noticing the availability of these documents were sent to 385 interested parties including: citizens; conservation organizations; universities; environmental consulting firms; water supply companies; tribal nations; and federal, state, and local officials. Notices were sent via email when possible and printed mailings if electronic communication was not possible with the party. The 385 parties include the Chief Elected Official of each of Connecticut’s 169 Municipal governments. An informational meeting for the general public was held at DEEP Headquarters on October 11, 2012. The notice of the availability of the *Report* as well as the notice of the informational meeting was published in the Norwich Bulletin, Connecticut Post, Hartford Courant, Waterbury Republican American, and New Haven Register.

During the draft review process, formatting, typographical and grammatical errors were corrected in the *Report* as needed. Copies of the comment letters received from the general public as well as the Department's response to each letter are included herein. Comments are paraphrased with the Department's responses immediately following each comment. The complete text of these comments is attached as Appendix A.

PUBLIC COMMENTS

- 1) *The Moosup River flows from Rhode Island in Connecticut and is listed by both states as impaired for bacteria. Rhode Island completed its TMDL in September 2011 as part of its Statewide Bacteria TMDL. Please refer to this document or contact RIDEM for the most recent data collected from the Moosup River for additional information.- Elizabeth Scott, RIDEM Deputy Chief, Office of Water Resources*

CT DEEP staff recently completed and received approval for the Connecticut Statewide Bacteria TMDL which included the Moosup River portion that flows in Connecticut. The Department was unable to include the updated information in the Draft IWQR due to the timing of the final approvals for the Connecticut documents. CT DEEP staff will review the Rhode Island documents to consider if a revision of the Moosup TMDL Appendix is an appropriate course of action. There are no changes made to the DRAFT 2012 IWQR based on this comment.

- 2) *Greenfall River becomes the Ashaway River when it crosses from Connecticut into Rhode Island. Connecticut has not assessed this River for recreational uses, while RIDEM lists the River as impaired and completed its bacteria TMDL in September 2011. Please refer to this document or contact RIDEM for the most recent data collected from the Ashaway River for additional information. - Elizabeth Scott, RIDEM Deputy Chief, Office of Water Resources*

CT DEEP staff will review the RIDEM TMDL document to determine if the segment should be listed for Connecticut in accordance with Connecticut assessment methodologies. There are no changes made to the DRAFT 2012 IWQR based on this comment.

- 3) *Connecticut lists the lower, shared segment of the freshwater Pawcatuck River as fully supporting for aquatic life uses, while Rhode Island lists this segment as impaired for aquatic life use due to iron, lead, and invasive aquatic plants (this cause does not require a TMDL). A review of data available after Rhode Island completed the 2012 Integrated Report assessments indicates that this segment is now meeting iron criteria however, dissolved lead is still violating chronic criteria. Rhode Island data indicate that due to low hardness at stations in this river segment, the chronic criteria for several metals in this area are very low (< 1 ppb). RIDEM has worked with the RI HEALTH lab to obtain low metal detection limits enabling accurate measurement and assessment of low level metal concentrations in the State's waters. Rhode Island can provide this data to Connecticut. Both states are preparing bacteria TMDLs for this segment. - Elizabeth Scott, RIDEM Deputy Chief, Office of Water Resources*

CT DEEP staff will review Rhode Island data and monitoring collection locations to compare with Connecticut criteria and standards. These comparisons will be made during the upcoming assessment cycle for the FY 2014 IWQR. There are no changes made to the DRAFT 2012 IWQR based on this comment.

- 4) *RIDEM supports Connecticut's decision to extend the boundary of the upper tidal Pawcatuck River segment (CT-E1_001-SB) to the Route 1 crossing where the upstream freshwater segment ends. The expanded segment is now consistent with the adjacent Rhode Island segment and includes developed areas in Pawcatuck, Connecticut. Rhode Island and Connecticut assessments*

are consistent for several waterbodies that are located partly in each state- Elizabeth Scott, RIDEM Deputy Chief, Office of Water Resources

It is important to coordinate assessment and implementation efforts with Connecticut's neighbors. CT DEEP appreciates the notification of additional waterbodies that have potential for collaboration of water quality projects. The agreement in CT and RI assessment results further validates the processes utilized by each State in their water quality protection efforts. There are no changes made to the DRAFT 2012 IWQR based on this comment.

- 5) *For the 2014 assessment cycle, RIDEM will utilize water chemistry data collected by CTDEEP at sampling locations found to also be representative of the Rhode Island's tidal Pawcatuck waters. - Elizabeth Scott, RIDEM Deputy Chief, Office of Water Resources*

The Department is glad to be able to share resources and information with RIDEM. The collaboration on water quality projects and investigations will provide stronger assessments and implementation plans during future efforts. There are no changes made to the DRAFT 2012 IWQR based on this comment.

- 6) *On page 27, the report uses but does not define the term "conventional treatment" in stating that "Unless there is evidence to the contrary, DEEP presumes that the drinking water use is fully supporting for Class AA drinking water reservoirs and Class AA tributaries with conventional treatment" and "The presumption of full support for the AA designation due to conventional treatment reflects the source to tap approach..." Conventional treatment is defined by Part 141 of the National Primary Drinking Water Regulations as "a series of processes including coagulation, flocculation, sedimentation and filtration resulting in substantial particulate removal". A number of treatment plants in Connecticut are direct filtration plants, which have no sedimentation step but generally function very well in treating cleaner source waters to meet drinking water standards. The intended use of the term "conventional treatment" for the purpose of the assessment methodology should be clarified. -John Hudak, Environmental Planning Manager, South Central Connecticut Regional Water Authority*

The Department removed the term conventional treatment and has substituted the following language:

Unless there is evidence to the contrary, DEEP presumes that the drinking water use is fully supporting for Class AA drinking water reservoirs and Class AA tributaries when filtration and disinfection is reliably maintained in accordance with State Public Drinking Water Standards (Regulations of Connecticut State Agencies Section 19-13-B102).

- 7) *Would it be possible for the Report to include a section documenting the streams for which a watershed management plan has been prepared? – Alicia Mozian, Conservation Director, Town of Westport*

Through the IWQR, CT DEEP is committed to achieving the reporting requirements of the federal Clean Water Act while striving to efficiently document the State's water quality

information. Watershed management plans are an important step in implementation and enhancement of the State's water quality, but the plans are beyond the scope of the IWQR. For the best available information, see the section on watershed management plans on the CT DEEP website at: www.ct.gov/deep/watershed. There are no changes made to the DRAFT 2012 IWQR based on this comment.

- 8) *The chapters listing the individual watercourse segments refer to a map but I was not able to locate that in the document other than those maps showing the whole state and even then, at a scale that was impossible to read. Is it possible to have a link to GIS mapping of these stream segments so interested parties can know exactly where these impaired sections are located? This would also help with pollution detection and improvement efforts. – Alicia Mozian, Conservation Director, Town of Westport*

Segment level maps are not included in the IWQR due to scale of mapping and resultant size of document. The information can be found by using the web-based viewer, CT ECO, at http://www.cteco.uconn.edu/advanced_viewer.htm. Through this web-based software it is possible to locate the stream segments included in the CT 303(d) Impaired Waters List, or any other components of the IWQR. There are no changes made to the DRAFT 2012 IWQR based on this comment.

- 9) *Little River in Putnam (3708-00_01) is listed as impaired for recreation due to exceedances of E. coli bacteria. I reviewed what existing data I could find prior to ECCD preparing the Little River/Muddy Brook Watershed Based Plan (2009). The most current data for E. coli in that stretch of the river at the time was from beach monitoring at Murphy Park in Putnam. The last year of beach monitoring was in 2006. The impoundment in Little River was damaged in the 2005 flood and the remaining dam structure was removed a few years after. The conditions in Little River at that monitoring station no longer resemble the conditions when the beach monitoring took place. Was Little River assessed in 2009 when DEEP was in the upper Thames Basin doing their more comprehensive review of water quality conditions, or is that impairment based on the older beach monitoring data?- Jean Pillo, Watershed Conservation Coordinator, Eastern Connecticut Conservation District*

Little River (CT3708-00_01) is listed as impaired based on beach data collected prior to 2001. Since we do not have data that show that this segment meets water quality criteria, it remains on the IQWR for this reporting cycle. The Department will target collecting new data in Little River 3708-00_01, as staff resources allow, for the 2014 report. The Department also welcomes ECCD to assist the Department with bacteria sampling in Little River 3708-00_01 if interest, time and funding allows which would assist with a new assessment for the 2014 reporting cycle. There are no changes made to the DRAFT 2012 IWQR based on this comment.

- 10) *Muddy Brook in North Woodstock (CT3708-01_02) is listed for not meeting aquatic life support. What is the date of the most current data for this impairment? Again, I am curious if this segment of the monitored by CT DEEP in 2009, or if this impairment is based on old data. The most current data we had when investigating Muddy Brook in North Woodstock*

was from 1999. - Jean Pillo, Watershed Conservation Coordinator, Eastern Connecticut Conservation District

Muddy Brook (CT3708-01_02) was originally listed based upon data collected prior to 2002. For the 2012 IWQR, biological (fish and macroinvertebrates) and water chemistry data were collected in 2009 and 2010 and the outcome of the assessments from these data is that this section of Muddy Brook will remain impaired in the IWQR. There are no changes made to the DRAFT 2012 IWQR based on this comment.

11) Roseland Lake (CT3708-00-1-L1_01) is in Woodstock, CT downstream of Muddy Brook (CT 3708-01_01). It is a non-bathing area due to CT DPH drinking water regulations (within 2 miles of a public drinking water supply intake). The lake borders were severely impacted by Phragmites australis but the CT DEEP WHAMM program treated the lake shores in 2006 and the aesthetics of the lake have improved immensely. The lake is visible from the shoreline again. The Connecticut Agriculture Experiment Station conducted an aquatic weed survey in 2012 and reported no aquatic invasive species were found during their survey work. The lake is commonly used for boating and fishing. DEEP staff conducted a National Lake Assessment in 2007 and repeated it again in 2012. The lake was experiencing a severe algae bloom during their 2012 data collection, which may be related to a minimal amount of submerged aquatic plants present. I am unaware of any bacterial sampling in Roseland Lake. Since the lake is not used as a bathing area, and fishing and boating are the only recreation in the lake, should Roseland Lake still be listed as impaired for recreation? - Jean Pillo, Watershed Conservation Coordinator, Eastern Connecticut Conservation District

Roseland Lake was listed based upon data collected and observations made prior to 2002 reporting cycle. The recreational use assessment was based upon excess nutrients, aquatic plants and algae, but not bacteria data. The recreational use impairment will remain on impaired list for the 2012 IWQR for Roseland Lake since new data have shown that the assessment should not change. The Department collected new data in 2012 on Roseland Lake that were not available at the time assessments were made, but will be used to reassess the lake for the 2014 reporting cycle. There are no changes made to the DRAFT 2012 IWQR based on this comment.

12) Page 1: Water Pollution Control Programs, first paragraph: referencing a series of online documents has its benefits for saving narrative space, but actually providing some information and a discussion of specifics of activities in the CWA§305(b) report is needed. As it is this does not meet CWA§305(b) requirements for the report. There isn't useful information from the paragraph and the link to the website with multiple documents and links. EPA recommends at least 1-2 paragraphs of information about what has been transpiring over the last couple of years, and any new challenges, and recommendation as the statute requires. -Mary Garren, Region 1 EPA

The Department has added additional language in the Introductions, pages 1-4 on a discussion of specifics of activities.

13) Page 2, Paragraph 4: *The lack of information about the Nonpoint Program's activities, progress, successes, challenges and recommendations for changes does not meet CWA§305(b) requirements. As with the Pollution Control Programs, there is information available and funding applied toward this water program, so a good presentation is warranted.* –Mary Garren, Region 1 EPA

The Department has added additional language in the Introductions, pages 1-4 on a discussion of specifics of activities.

14) Table 3-6, Page 277: *Ruby Lake outlet stream_01 and Unnamed trib to Oyster River (Milford)-02 will be reassessed by EPA during the next listing cycle for sufficient current progress to remain in category 4b.* –Mary Garren, Region 1 EPA

These two segments are affected by implementation of remediation outcomes on the releases that caused the original impairments. The Department appreciates the additional consideration and review of these segments and will deliver additional documentation if requested by EPA. There are no changes made to the DRAFT 2012 IWQR based on this comment.

15) Table 3-8, Page 289: *CT is delisting North Running Brook to category 2 (fully supporting). The segment had been listed for aquatic life use impairment based on benthic assessments. New benthic assessments and water chemistry data from "2009-2010" time frame show criteria are met. The write-up indicates that there is no "fish community data available" for this segment from the same time frame. Was there data to indicate that the fish community was meeting the aquatic life use standard at the time of the original listing? Please explain how the segment is "fully supporting" for aquatic life use with respect to the fish community.* . –Mary Garren, Region 1 EPA

This segment was listed as impaired for aquatic life based on benthic macroinvertebrate samples collected in 2003. No fish samples were used in this impaired assessment. Follow up sampling for benthic macroinvertebrates in 2009 and 2010 met aquatic criteria and the impairment has been requested to be removed. Per our CALM, assessments are based on all information available and this assessment is based primarily on benthic macroinvertebrates data as fish data were unavailable for this assessment. There are no changes made to the DRAFT 2012 IWQR based on this comment.

16) Table 3-8, Page 295: *The write-up on Salmon River states that Station 6234 and 6324 were crossed, but corrected before assessment. Please clarify.* –Mary Garren, Region 1 EPA

Station 6234 and 6324 we attributed to the wrong streams due to an error at time when these stations were initially assigned in our database. This error was corrected in this listing and is noted as a book keeping note to avoid any confusion in the future. There are no changes made to the DRAFT 2012 IWQR based on this comment.

17) Table 3-8, Page 296: Please explain regarding Housatonic Lake what is meant by “includes extra - error was removed.” –Mary Garren, Region 1 EPA

The original listing of this segment included an additional hyphen (-) in the segment ID #. The updated report included the corrected and accurate ID#. There was no change to assessment data or location due to this typographical error. The text has been edited in the 2012 IWQR to clarify this note.

18) Table 3-8, Page 296: Please provide further justification for delisting of the Naugatuck River_05. The table states that the segment was not supporting in 2010 and that segments above and below remain listed as impaired. When was the USGS data obtained that indicated segment_05 now meets the recreational use standard? –Mary Garren, Region 1 EPA

Naugatuck River_05 had a leaking sewer pipe crossing under the river that has contributed to high bacteria levels within the segment in the past. The leaking pipe has been fixed and samples collected after completion of repairs meet the conditions of our CALM for assessment of this waterbody type and therefore the segment is recommended for delisting. Samples were collected by USGS during 2010- 2011 sampling seasons. There are no changes made to the DRAFT 2012 IWQR based on this comment.

19) Table 3-8, Page 298: Connecticut is delisting LIS WB Mid-shore Offshore Norwalk Islands, which had been impaired for the shellfish harvest for consumption use. The write-up is very long and confusing, and even seems contradictory in one place. The middle of the paragraph reads, “...the 0.697 sq miles=11.86% of the segment now classified as Conditionally Approved means the segment is impaired.” Please clarify that this part of the assessment is not related to the current condition of the segment. –Mary Garren, Region 1 EPA

The Department has inserted the following new language to clarify that new data collected and assessed for this cycle show that the data meet assessment criteria and the use is met resulting in an Approved shellfishing area.

DELIST 2012. Segment CT-W3_007 first listed in 2008 (prior to 2008 reporting cycle, area formerly tracked under segment CT7010-E-_03). Entire segment now Approved for shellfishing. Sampling in this segment at multiple locations from 2007-2009 by Connecticut Department of Agriculture, Bureau of Aquaculture show bacteria results met assessment criteria returning this area to an Approved classification for the 2012 assessment cycle and the use is fully supporting.