



The State of New Hampshire
Department of Environmental Services

Robert R. Scott Commissioner



February 18, 2022

Jacqueline LeClair, Chief
Water Quality and Wetlands Protection Section
EPA New England, Region 1
5 Post Office Square - Suite 100
Boston, MA 02109-3912

Re: Request for approval of the submittal of NHDES' combined 2020/2022 303(d) List

Dear Ms. LeClair:

The New Hampshire Department of Environmental Services (NHDES) is pleased to submit our combined 2020/2022 Section 303(d) List and justification material for your approval. All of the relevant files, including our response to public comments and the documents supporting our decisions, as well as the technical support document for the Great Bay Estuary can be found on our [website](#). All the material in addition to the assessment categories for each waterbody have also been uploaded to EPA's ATTAINS database.

As discussed during our February 3, 2022 meeting, NHDES has not received full approval of our 303(d) List since the 2012 assessment cycle. Since the submittal of the 2014 303(d) List, NHDES has proposed removing impairments from several assessment units in the Great Bay Estuary (GBE) from the 303(d) List due, in part, to changes in the methods for assessing state surface water quality standards. EPA deferred action on these assessment units in their [2014](#) and [2016](#) assessment cycle decisions. As part of the 2018 assessment, NHDES [withdrew from consideration](#) the 24 assessment units that had previously been deferred by EPA. The withdrawal was triggered by a delay in data processing resulting in only one year of new GBE data for the 2018 assessment. NHDES felt more data was needed in order to make an accurate assessment, which was forthcoming as part of the draft 2020/2022 assessment.

Following the methodology outlined in our Consolidated Assessment and Listing Methodology ([CALM](#)), NHDES believes that several assessment units in the Great Bay Estuary warrant removal from the 303(d) List as discussed in the [Great Bay Estuary Technical Support Document](#). NHDES relies on sound science and high-quality data in its assessment decisions. The data that has been gathered to date, in conjunction with our state water quality standards, does not yet afford us the opportunity to make a full assessment decision (category 2 or 5) for several assessment units in the GBE at this time. NHDES is committed to working with EPA in order to gather additional data so that a full assessment decision can be made in a future assessment cycle. As was discussed in our February 3, 2022 meeting, we will also begin discussions with EPA and others regarding ways to integrate macroalgal analysis into our assessments.

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Should you have any questions, please do not hesitate to contact me at (603) 271-3289 or ted.diers@des.nh.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ted Diers".

Ted Diers, Administrator
Watershed Management Bureau

cc (electronically distributed):

EPA – Alfred Basile, Mel Cote, Tom Faber

NHDES – Robert Scott, Mark Sanborn, Rene Pelletier, Matthew Wood