

New Hampshire Department of Environmental Services

**SUBSTANTIVE DIFFERENCES BETWEEN THE DRAFT AND FINAL 2012 SECTION
303(D) LIST OF THREATENED OR IMPAIRED WATERS**

July 19, 2013

In accordance with Section 303(d) of the federal Clean Water Act, States must prepare a list of impaired waters that require a Total Maximum Daily Load study every 2 years (i.e., the 303(d) List). The last approved 303(d) List was prepared by the New Hampshire Department of Environmental Services (DES) in 2010. A draft of the 2012 Section 303(d) List of impaired waters was issued for public comment on April 20, 2012. Downloadable copies of the final list are available on the DES website for review (<http://des.nh.gov/organization/divisions/water/wmb/swqa/index.htm>). This document provides a list of all the changes that were made to the 2012 303(d) between the release of the draft list for public comment and the final 303(d) submitted to EPA for approval.

SUMMARY OF SUBSTANTIVE DIFFERENCES BETWEEN THE DRAFT AND FINAL 2012 SECTION 303(D) LIST

TABLE 1: PARAMETER LEVEL SUBSTANTIVE CHANGES MADE TO ASSESSMENT UNITS (AUs)						
Assessment Unit ID	Assessment Unit Name	Use Description	Impairment Name	Draft 303(d) DES Category	Final 303(d) DES Category	Parameter Comments
NHLAK700060905-01-02	Baboosic Lake - Town Beach	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-P	4A-P	Added to 303(d) in 2006. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40277.
NHLAK700060905-01-03	Baboosic Lake - Young Judaea CAMP	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-P	4A-P	Added to 303(d) in 2008. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40277.
NHLAK700061403-03-02	Country Pond - Town Beach	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-P	4A-P	Added to 303(d) in 2006. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40279.
NHLAK700061403-03-03	Country Pond - Lone Tree Scout Resv. Beach	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-M	4A-M	Added to 303(d) in 2008. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40279.
NHLAK700061403-03-04	Country Pond - Tasker Day Camp Beach	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-M	4A-M	Added to 303(d) in 2008. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40279.
NHLAK700030504-02-02	French Pond - Public Access	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-M	4A-M	Added to 303(d) in 2008. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40283.
NHLAK700061203-06-02	Robinson Pond - Town Beach	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-P	4A-P	Added to 303(d) in 2006. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40295.
NHLAK700060101-02-02	Sondogardy Pond - Glines Pond	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-M	4A-M	Added to 303(d) in 2008. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40299.
NHLAK700010804-02-02	Webster Lake - Griffin Town Beach	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-M	4A-M	Added to 303(d) in 2004. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #41472.
NHLAK700010804-02-03	Webster Lake - Lagace Town Beach	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-M	4A-M	Added to 303(d) in 2004. This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #41472.

NHLAK700061203-06-02	Robinson Pond - Town Beach	Aquatic Life Use	Dissolved Oxygen Saturation	5-M	4A-M	<p>Dissolved Oxygen Saturation was added as an impairment to Robinson Pond (NHLAK700061203-06-01) to Aquatic Life Use Support during the 2006 assessment cycle at a time when beaches on a lake inherited the aquatic life use assessment of their parent waterbodies. As such, Robinson Pond - Town Beach (NHLAK700061203-06-02) and Robinson Pond - Camp Winahupe Beach (NHLAK700061203-06-03) inherited all of the data used for the assessment from the non-beach area Robinson Pond.</p> <p>This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40295.</p>
NHLAK700061203-06-03	Robinson Pond - Camp Winahupe Beach	Aquatic Life Use	Dissolved Oxygen Saturation	5-M	4A-M	<p>Dissolved Oxygen Saturation was added as an impairment to Robinson Pond (NHLAK700061203-06-01) to Aquatic Life Use Support during the 2006 assessment cycle at a time when beaches on a lake inherited the aquatic life use assessment of their parent waterbodies. As such, Robinson Pond - Town Beach (NHLAK700061203-06-02) and Robinson Pond - Camp Winahupe Beach (NHLAK700061203-06-03) inherited all of the data used for the assessment from the non-beach area Robinson Pond.</p> <p>This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40295.</p>
NHLAK700060905-01-02	Baboosic Lake - Town Beach	Primary Contact Recreation	Excessive Algae Growth	5-M	4A-M	<p>This beach is on a lake covered by the 'Lake Phosphorus TMDL' (approved May 12, 2011). TMDL ID for this particular waterbody is #40277.</p>
NHRIV600030607-01	Isinglass River	Primary Contact Recreation	Escherichia coli	5-P	2-G	<p>AUID is covered by the "NEW HAMPSHIRE STATEWIDE BACTERIA TMDL" established September 21, 2010 under TMDL_ID # 39273.</p> <p>Original impairment based on data at 07-ISG in 2004. Since 2004, 27 samples have been collected (11 at 07-ISG) in the AU and all are below the SSMC. Together that data since 2004 makes 4 geomeans and all are below criteria.</p>
NHRIV600030901-02	Winnicutt River – Barton Brook – Marsh Brook – Thompson Brook	Primary Contact Recreation & Secondary Contact Recreation	Escherichia coli	5-P & 5-M	2-G	<p>AUID is covered by the "NEW HAMPSHIRE STATEWIDE BACTERIA TMDL" established September 21, 2010 under TMDL_ID # 39272.</p> <p>Original impairment based on data at SF1000 in 1996 due to the manure runoff from Scamman Dairy Farm. Herd was sold off around 2001. Data collected in 2011 (n=3) at 11-WNC (100 ft downstream of SF1000) shows E. coli well below the 406 cts/100mL criteria. In total the AU has 5 SSMC and 1 geomean all well blow criteria.</p>

NHRIV801070503-02	Partridge Brook – Unnamed Brook	Primary Contact Recreation	Escherichia coli	5-P	4A-P	<p>AUID is covered by the "NEW HAMPSHIRE STATEWIDE BACTERIA TMDL" established September 21, 2010 under TMDL_ID # 39273.</p> <p>Original listing based on two MAGEX exceedences at 04-PTB in 2002, (1500, & 2000 cts/100mL). Many samples have been collected two miles upstream at SPOCHEO but 04-PTB has not been resampled since 2002.</p>
NHIMP600030608-02	Cochecho River – Watson Waldron Dam	Primary Contact Recreation	Escherichia coli	5-M	2-M	<p>AUID is covered by the "NEW HAMPSHIRE STATEWIDE BACTERIA TMDL" established September 21, 2010 under TMDL_ID # 39272.</p> <p>Original listed in 2006 based on a geomean exceedence in 2005. Since 2006, 14 grab samples have been collected at the same station, 4 geomeans are calculable from the data and all are below the geomean criteria of 126 cts/100mL and SSMC of 406 cts/100mL.</p>
NHRIV600030602-03	Axe Handle Brook – Howard Brook	Primary Contact Recreation & Secondary Contact Recreation	Escherichia coli	5-M & 5-M	2-M	<p>AUID is covered by the "NEW HAMPSHIRE STATEWIDE BACTERIA TMDL" established September 21, 2010 under TMDL_ID # 39272.</p> <p>Originally listed in 2002 (or before) based on leachate discharges from Scrutons Dairy Farm. Several 319 project at the site have resulted in collection of leachate for treatment into a constructed wetlands which do not discharge. In the absence of the leachate discharge we rely on the 18 grab samples collected in the AU and 2 geomeans calculable from the data all of which are below the geomean criteria of 126 cts/100mL and SSMC of 406 cts/100mL.</p>
NHRIV700030101-05	Townline Inlet to Contoocook Lake	Primary Contact Recreation	Escherichia coli	5-P	4A-P	<p>AUID is covered by the "NEW HAMPSHIRE STATEWIDE BACTERIA TMDL" established September 21, 2010 under TMDL_ID # 39272.</p> <p>Originally listed in 2002 based on 2000 exceedences of the geomean at CONJAF6. Additional exceedences in 2005 (geomean) and 2006 (SSMC). Need site review and targeted sampling.</p>
NHRIV802010101-08	Ashuelot River	Primary Contact Recreation	Escherichia coli	5-P	4A-P	<p>AUID is covered by the "NEW HAMPSHIRE STATEWIDE BACTERIA TMDL" established September 21, 2010 under TMDL_ID # 39273.</p> <p>While a normal grab sample in this AU is < 30 cts/100mL (n=74 from 2001-2011) there are periodic readings of 800-1,500 cts/100mL (2002, 2004, 2011). Site investigation is needed.</p>
NHIMP600030603-01	Cochecho River – City Dam I	Primary Contact Recreation	Escherichia coli	5-M	2-M	<p>AUID is covered by the "NEW HAMPSHIRE STATEWIDE BACTERIA TMDL" established September 21, 2010 under TMDL_ID # 39272.</p> <p>All samples for this AU have been from 21-CCH. This AU was listed on slight exceedences of the SSMC (2000 & 2004) and geomean (2005). However, since 2005 the have been 17 grab samples and 6 geomeans covering all years except 2010 without a single exceedence.</p>

NHRIV801030403-11	Ammonoosuc River	Primary Contact Recreation	Escherichia coli	5-M	4A-M	AUID is covered by the "NEW HAMPSHIRE STATEWIDE BACTERIA TMDL" established September 21, 2010 under TMDL_ID # 39272. Original listed in 2002 based upon exceedences at 15-AMM in 1997 and 2000. However, 15-AMM has not been sampled since 2000.
NHLAK700061203-03-01	Hoods Pond	Primary Contact Recreation	Cyanobacteria hepatotoxic microcystins	5-M	2-M	Erroneous Listing in 2006. 38 beach inspections have been conducted since 2002, no cyanobacteria ever noted by DES staff. An inspection from 7/18/11 revealed green filamentous algae only. Microscopic analysis data books back to 2000 were checked and no records of cyanobacteria in samples collected at Hoods Pond were found. No records of confirmed cyanobacteria issues at Hoods Pond found in DES Complaints database.
NHIMP700060901-07	Souhegan River - Otis Dam	Aquatic Life Use	Dissolved Oxygen (mg/L)	5-P	2-G	Listed in 2006. Sporadic exceedences 2002, 2003, & 2005. Some suspect given temperature and flow. Several years of data demonstrating improved condition and water quality standard attainment.
NHIMP700060904-08	Souhegan River - Pine Valley Mill	Aquatic Life Use	Dissolved Oxygen (mg/L)	5-P	2-G	Listed in 2006. Exceedences in 2002. Seven years of newer data demonstrating improved condition and water quality standard attainment.
NHRIV700060901-09	Souhegan River - Furnace Brook	Aquatic Life Use	Dissolved Oxygen (mg/L)	5-P	2-G	Listed in 2006. Exceedences in 2002 and one suspect exceedence in 2005. Several years of data demonstrating improved condition and water quality standard attainment.
NHRIV700060902-05	Souhegan River - Tucker Brook	Aquatic Life Use	Dissolved Oxygen (mg/L)	5-P	2-G	Listed in 2006. Exceedences in 2002. Seven years of newer data demonstrating improved condition and water quality standard attainment.
NHRIV700060906-13	Souhegan River	Aquatic Life Use	Dissolved Oxygen (mg/L)	5-P	2-G	Listed in 2006. Exceedences 2002 & 2003. Six years of newer data demonstrating improved condition and water quality standard attainment.
NHRIV700060804-04	Little Cohas Brook	Aquatic Life Use	Benthic Macroinvertebrates (Streams)	5-P	3-ND	Little Cohas Brook (NHRIV700060804-04) was mistakenly placed on the Draft 2012 303(d) based on a poor Index of Benthic Integrity score at station 00M-50 sampled in 2009 by the Biomonitoring section within the department.. Per review with Biomonitoring the assigned assessment unit ID was a spreadsheet key-in error. The site description confirms that the sample was indeed collected from Little Cohas Brook (NHRIV700060804-05). As NHRIV700060804-05 has been on the impaired waters list since 2004 due to Benthic-Macroinvertebrate Bioassessments (Streams) the 2009 data simply confirms the exiting impairment. No other benthic macroinvertebrate data exists for NHRIV700060804-04.

TABLE 2: PARAMETER LEVEL SUBSTANTIVE CHANGES MADE DUE TO ASSESSMENT UNIT (AU) CHANGES						
Assessment Unit ID in Draft 303(d) (This is the AU that was deleted)	Assessment Unit Name	Assessment Unit ID in Final 303(d) (This is the replacement AU)	Use Description	Impairment Name	Final 303(d) DES Category	Comments
NHRIV802010301-11	Ashuelot River – Otter Brook to South Branch	NHRIV802010301-38 (Ashuelot River – Keene WWTF to South Branch)	Aquatic Life	pH	5-M	This AUID was split off of NHRIV802010301-11 and represents the conditions downstream of the Keene WWTF.
NHRIV802010301-11	Ashuelot River – Otter Brook to South Branch	NHRIV802010301-38 (Ashuelot River – Keene WWTF to South Branch)	Aquatic Life	Dissolved oxygen saturation	2-M	This AUID was split off of NHRIV802010301-11 and represents the conditions downstream of the Keene WWTF.

TABLE 3: PARAMETER LEVEL CHANGES TO TMDL DATES						
Assessment Unit ID	Assessment Unit Name	Designated Use	Impairment Name	TMDL Date in 2010 303(d)	Cycle First Listed	New TMDL Date for 2012 303(d)
NONE						

TABLE 4: SUBSTANTIVE CHANGES MADE TO THE CONSOLIDATED ASSESSMENT AND LISTING METHODOLOGY (CALM)
NO PROCESS CHANGES WERE MADE.