

February 3, 2010

Mr. Paul E. Stacey  
Department of Environmental Protection  
Bureau of Water Protection and Land Reuse  
Planning and Standards Division  
79 Elm Street  
Hartford, CT 06106-5127

RE: CTDEP Proposed Revisions To Connecticut Water Quality Standards, Public Notice dated December 22, 2009

Mr. Stacey,

The Pomperaug River Watershed Coalition (PRWC) is a non-profit group dedicated to the continued protection of our water resources. Our organization is diverse but we all understand the great importance of high quality water and the integrity of the systems that deliver it.

For ten years the PRWC has conducted significant science-based research and developed actionable initiatives to further better stewardship. However all we do is critically dependent upon the regulatory and policy decisions made at the State level. We consider the CT DEP to be a vital partner and one that is tasked with creating a baseline for protection of our resources statewide.

We commend your continued efforts to improve your regulatory and enforcement tools in addressing water quality concerns. As you know we are in an age where single polluters are difficult to identify and address, but that watersheds and watercourses are bearing the brunt of our society's collective burdens. The significant task is to not only protect what we have but to repair what has been damaged, thus the importance of better criteria and limits, as well as antidegradation policies. This is a continual process as science improves and we have a better understanding of the issues.

The following are specific comments regarding the proposed changes pertaining to thermal impacts.

In One Respect, DEP's Temperature Criteria For Class AA, A, and B Surface Waters Fail To Protect Cold Water Fisheries, Including Trout, And Should Be Modified Accordingly

With one exception, we are satisfied with the new numeric temperature criteria in Appendix F of the Proposed Revisions. They appear to be substantially more protective of cold water fisheries than the numeric criteria in DEP's current water quality standards. The one exception is the 4 degree F allowable temperature increase criterion, which is also set

forth in Appendix F of the Proposed Revisions, and which provides in sections F2 and F4 that, in any case, the ambient instream temperature should not be raised by more than 4 degrees F. This language is a holdover from DEP's current water quality standards, and it is our understanding that the 4 degree criterion has been applied cumulatively, rather than from a baseline temperature. Nothing in Appendix F, as drafted, indicates that this will not continue to be the case.

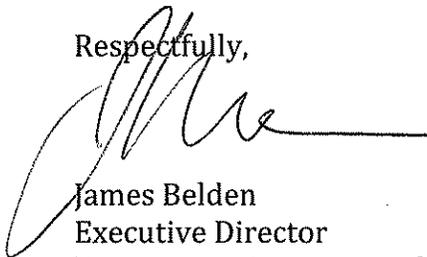
We are very concerned that if the 4 degree F allowable temperature increase criterion continues to be applied cumulatively, this will permit long-term incremental increases in water temperature far beyond 4 degrees F, and in excess of the other numeric criteria in sections F2 and F4, which temperatures will be lethal to trout. This adverse, unprotective consequence of the 4 degree F criterion can be avoided, however, if it is made clear in the Proposed Revisions that application of the 4 degree F criterion is limited by the other numeric criteria in sections F2 and F4, i.e., the average weekly maximum temperature of 65 degrees F, and the maximum daily temperature of 75 degrees F.

In short, the proposed, revised temperature provisions fail to provide any assurance that the 4 degree F criterion will not be applied cumulatively, as in the past, to the serious detriment of cold water fisheries. This problem can be readily corrected, however, by modifying the relevant sentences in both sections F2 and F4 as follows. In any case, the ambient instream temperature should not be raised by more than 4 degrees F, and in no case may the ambient instream temperature be raised in excess of the numeric criteria cited above.

Thermal degradation is a primary threat to water quality. The dual impacts of water withdrawals and warm water inputs combine to raise temperatures to lethal levels for aquatic species and increase nutrient and pollutant loads. The resulting biological activity from warm water, nutrients and bacteria lead to eutrophication and contamination of our water bodies, which affects humans as well as wildlife. Public health, recreation and economic impacts are included in the dire consequences of allowing waterways to accept the cumulative inputs of our activities.

Thank you for this opportunity and we encourage the Department to continue its efforts to ensure the integrity of the state's natural resources and communities.

Respectfully,



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