



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**Region 1**  
**5 Post Office Square, Suite 100**  
**Boston, MA 02109-3912**

November 17, 2014

Betsey Wingfield, Chief  
Bureau of Water Protection and Land Reuse  
Connecticut Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106

Dear Ms. Wingfield:

Thank you for your submittal of the 2014 Clean Water Act (“CWA”) Section 303(d) list, Connecticut’s 2014 List of Water Bodies Not Meeting Water Quality Standards. In accordance with Section 303(d) of the CWA and 40 CFR §130.7, the U.S. Environmental Protection Agency, Region 1 (EPA) conducted a complete review of Connecticut’s 2014 Section 303(d) list and supporting documentation. Based on this review, EPA has determined that Connecticut’s list of water quality limited segments still requiring total maximum daily loads meets the requirements of Section 303(d) of the CWA and EPA’s implementing regulations. Therefore, by this letter, EPA hereby approves Connecticut’s 2014 Section 303(d) list.

The Section 303(d) list was submitted as Table 3-4 of the Connecticut’s 2014 Integrated Water Quality Report. Chapter 3 of the report includes a list of those waters for which technology based and other required controls for point and nonpoint sources are not stringent enough to attain or maintain compliance with the state’s water quality standards. The submittal also presents Connecticut’s total maximum daily load strategy which describes the priority setting approach and identifies those waters for which total maximum daily loads will be completed and submitted during the next two years and beyond. The statutory and regulatory requirements, and EPA’s review of Connecticut’s compliance with each requirement, are described in detail in the enclosed approval document.

The Connecticut Department of Energy and Environmental Protection (“CT DEEP”) has also successfully completed a public participation process during which the public was given the opportunity to review and comment on the 2014 Section 303(d) list. As a result of this effort, Connecticut has considered public comments in the development of the final list. The public comments and CT DEEP’s responses to those comments were included in the state’s final submittal.

We are pleased with the quality of your submittal and appreciate the level of effort that CT DEEP has devoted to preparing the 2014 Section 303(d) list. Your staff has prepared a comprehensive and informative list, and has also provided EPA with supporting

documentation and assistance to aid us in our review and approval. My staff and I look forward to continued cooperation with CT DEEP in implementing the requirements under Section 303(d) of the CWA.

Please feel free to contact Mary Garren at 617-918-1322 if you have any questions about or comments on our review.

Sincerely,

*/s/ Lynne Hamjian for,*

Ken Moraff, Director  
Office of Ecosystem Protection

Enclosure

cc: Chris Bellucci, CT DEEP  
Traci Iott, CT DEEP  
Rob Hust, CT DEEP  
Denise Rudzicka, CT DEEP  
Ralph Abele, EPA

# **EPA NEW ENGLAND'S REVIEW OF CONNECTICUT'S 2014 CWA SECTION 303(d) LIST**

## **I. INTRODUCTION**

EPA has conducted a complete review of Connecticut's (CT) 2014 Section 303(d) list and supporting documentation and information and, based on this review, EPA has determined that Connecticut's list of water quality limited segments (WQLSs) still requiring total maximum daily loads (TMDLs) meets the requirements of Section 303(d) of the Clean Water Act ("CWA" or "the Act") and EPA implementing regulations. Therefore, by this order, EPA hereby approves Connecticut's final 2014 Section 303(d) list, included as part of the *2014 State of Connecticut Integrated Water Quality Report pursuant to Sections 305(b) and 303(d) of the Federal Clean Water Act (IWQR)*, dated October 1, 2014. The final IWQR was received by on EPA on October 2, 2014. The statutory and regulatory requirements, and EPA's review of Connecticut's compliance with each requirement, are described in detail below.

## **II. STATUTORY AND REGULATORY BACKGROUND**

### **Identification of WQLSs for Inclusion on Section 303(d) List**

Section 303(d)(1) of the Act directs states to identify those waters within its jurisdiction for which effluent limitations required by Section 301(b)(1)(A) and (B) are not stringent enough to implement any applicable water quality standard, and to establish a priority ranking for such waters, taking into account the severity of the pollution and the uses to be made of such waters. The Section 303(d) listing requirement applies to waters impaired by point and/or nonpoint sources, pursuant to EPA's long-standing interpretation of Section 303(d).

EPA regulations provide that states do not need to list waters where the following controls are adequate to implement applicable standards: (1) technology-based effluent limitations required by the Act, (2) more stringent effluent limitations required by state or local authority, and (3) other pollution control requirements required by state, local, or federal authority. See 40 CFR Section 130.7(b)(1).

### **Consideration of Existing and Readily Available Water Quality-Related Data and Information**

In developing Section 303(d) lists, states are required to assemble and evaluate all existing and readily available water quality related data and information, including, at a minimum, consideration of existing and readily available data and information about the following categories of waters: (1) waters identified as partially meeting or not meeting designated uses, or as threatened, in the state's most recent Section 305(b) report; (2) waters for which dilution calculations or predictive modeling indicate nonattainment of applicable standards; (3) waters for which water quality problems have been reported by governmental agencies, members of the public, or academic institutions; and (4) waters identified as impaired or threatened in any Section 319 nonpoint assessment submitted to EPA. See 40 CFR §130.7(b)(5). In addition to these minimum categories, states are required to consider any other data and information that is

existing and readily available. EPA's 2006 Integrated Report Guidance describes categories of water quality related data and information that may be existing and readily available. See EPA's September 3, 2013 memorandum on *Information Concerning 2014 Clean Water Act Sections 303(d), 305(b), and 314 Integrated Reporting and Listing Decisions* (<http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/2014-memo.cfm>) which recommends that the 2014 integrated water quality reports follow the *Guidance for 2006 Assessment, Listing and Reporting Requirements Pursuant to Sections 303(d), 305(b) and 314 of the Clean Water Act, issued July 29, 2005* (available at <http://www.epa.gov/owow/tmdl/2006IRG/report/2006irg-report.pdf>) as supplemented by the October 12, 2006 memorandum and attachments, the May 5, 2009 memorandum and attachments, the November 15, 2010 memorandum, and the March 21, 2011 memorandum and attachments. All guidance, memoranda and attachments may be found at: <http://www.epa.gov/owow/tmdl/guidance.html>. While states are required to evaluate all existing and readily available water quality related data and information, states may decide to rely or not rely on particular data or information in determining whether to list particular waters.

In addition to requiring states to assemble and evaluate all existing and readily available water quality related data and information, EPA regulations at 40 CFR §130.7(b)(6) require states to include, as part of their submissions to EPA, documentation to support decisions to rely or not rely on particular data and information and decisions to list or not list waters. Such documentation needs to include, at a minimum, the following information: (1) a description of the methodology used to develop the list; (2) a description of the data and information used to identify waters; and (3) any other reasonable information requested by the Region.

### **Priority Ranking**

EPA regulations also codify and interpret the requirement in Section 303(d)(1)(A) of the Act that states establish a priority ranking for listed waters. The regulations at 40 CFR §130.7(b)(4) require states to prioritize waters on their Section 303(d) lists for TMDL development, and also to identify those WQLSs targeted for TMDL development in the next two years. In prioritizing and targeting waters, states must, at a minimum, take into account the severity of the pollution and the uses to be made of such waters. See Section 303(d)(1)(A). As long as these factors are taken into account, the Act provides that states establish priorities. States may consider other factors relevant to prioritizing waters for TMDL development, including immediate programmatic needs, vulnerability of particular waters as aquatic habitats, recreational, economic, and aesthetic importance of particular waters, degree of public interest and support, and state or national policies and priorities. See 57 FR 33040, 33045 (July 24, 1992), and EPA's 2006 Integrated Report Guidance and the 2006, 2009, 2010, 2011 and 2013 memoranda and attachments.

### **III. REVIEW OF CONNECTICUT'S SECTION 303(d) SUBMISSION**

The Connecticut Department of Energy and Environmental Protection (CT DEEP) submitted the final 2014 Section 303(d) list to EPA, along with responses to comments, dated October 1, 2014. The integrated listing format (i.e., a combination of the state's 305(b) report and the state's

Section 303(d) list) allows states to provide the status of all assessed waters in a single multi-part list or document.

Chapter 1 of Connecticut's IWQR, Consolidated Assessment and Listing Methodology (CT CALM), describes the procedure used by the CT DEEP to assess the quality of the state's waters relative to attainment of Connecticut Water Quality Standards. Chapter 2, *305(b) Assessment Results*, provides a series of figures and tables presenting the results of CT DEEP's assessment of all readily available data relating to designated use attainment in Connecticut waters. Chapter 3, *Waterbodies indentified for restoration and protection strategies pursuant to Section 303 of the Clean Water Act*, provides additional information concerning those assessed waters that do not currently meet water quality standards and includes the state's 2014 Section 303(d) list.

States may include each waterbody or segment thereof into one or more of the following five categories as part of their IWQR; however, only waterbodies or segments placed in Category 5 (impaired by a pollutant and for which a TMDL is needed) constitute a state's Section 303(d) list:

- 1) *All designated uses are supported, no use is threatened;*
- 2) *Available data and/or information indicate that some, but not all of the designated uses are supported;*
- 3) *There is insufficient available data and/or information to make a use support determination;*
- 4) *Available data and/or information indicate that at least one designated use is not being supported or is threatened, but a TMDL is not needed;*
  - 4-A) *A state-developed TMDL has been approved by EPA or a TMDL has been established by EPA for any segment-pollutant combination*
  - 4-B) *Other required control measures are expected to result in the attainment of an applicable water quality standard in a reasonable period of time*
  - 4-C) *The non-attainment of any applicable water quality standard for the segment is the result of pollution and is not caused by a pollutant; and*
- 5) *Available data and/or information indicate that at least one designated use is not being supported or is threatened, and a TMDL is needed.*

The 2014 Section 303(d) list under review here is included in Chapter 3 of Connecticut's IWQR. The Section 303(d) list includes all waters that have been assigned to Category 5. The IWQR contains decision ranking criteria for prioritizing TMDL development for Category 5 waterbodies and segments and their associated impairments. Waters listed by Connecticut in Table 3-4 of the IWQR represent the state's 2014 Section 303(d) list, which the state is required to submit to EPA for review and approval or disapproval.

#### 1.) Final 2014 State of Connecticut Integrated Water Quality Report

Connecticut's IWQR includes extensive information on all waters assessed in the state. All waters known or suspected not to be meeting water quality standards have been included on the Section 303(d) list in the IWQR. Under its current listing approach, Connecticut keeps a water on its impaired waters list until it is shown that water quality standards are being attained,

revision of the water quality standards support a change in assessment status, data indicates that the designated uses of the waterbody are being met, criteria are met for its placement in Category 4, or the initial listing is confirmed as having been incorrect. TMDLs for listed waters will be completed in accordance with the schedule established, which reflects priority rankings and other relevant factors.

The IWQR specifies waters in Category 4. These are waters that are currently not meeting water quality standards but do not need a TMDL completed due to one of three reasons. Waters for which TMDLs have already been approved are listed in Category 4-A. Category 4-B includes waters for which a functionally equivalent control action has been developed, i.e., an impairment caused by a pollutant is being addressed through other pollution control requirements. Waters in Category 4-C are not attaining water quality standards but the cause is not associated with a pollutant. EPA reviews the Category 4 list to insure that the waters are categorized appropriately and do not belong in Category 5.

As noted above, Category 5 contains waters where available data and/or other information indicate that at least one designated use is not being supported or is threatened, and a TMDL is needed. Federal Regulations in 40 CFR Section 130.7 require EPA to review and approve or disapprove the Category 5 list of impaired waters.

## 2.) Response to Public Comments

CT DEEP published a draft *2014 Integrated Water Quality Report* on July 28, 2014. The state's *List of Connecticut Waterbodies Not Meeting Water Quality Standards* was included in Chapter 3 of the draft report. Stakeholders were notified by Email and by public notice in local newspapers. The public notice was sent directly to interested parties and published in five newspapers throughout Connecticut. A public informational meeting was held on August 13, 2014. Comments were accepted from the public until August 29, 2014. Nine parties submitted comments during the public comment period. The state published a detailed response to comments along with the final IWQR. CT DEEP provided EPA with a copy of each comment letter in addition to the response to comments. The text of the response to comments provided the public comments and the state's responses to each question or issue raised.

CT DEEP received comments during the public comment period from EPA New England, Quinnipiac River Watershed Association, North Central Conservation District, Connecticut River Watershed Council, John Kulhowick, Pomperaug River Watershed Coalition, Martha Smith, Clean Up Sound and Harbors, and Rivers Alliance of Connecticut. CT DEEP reviewed information provided by the commenters and made changes to the categorization of some waters. Three waterbody segment impairments were retained in Category 5 and one waterbody segment impairment was added to Category 5 in response to public comment. Language in the document was changed or refined based upon comments received. The state agreed to prioritize and collaborate on data collection in certain locations. The agency agreed to work with watershed groups on issues and evaluate programmatic suggestions. CT DEEP provided guidance to the public for obtaining other sources of relevant information. Finally, Connecticut provided answers to the questions raised by the public that were responsive and clarified why the state made decisions regarding listing or delisting of certain waterbody segment impairments.

EPA has reviewed the language within CT DEEP's IWQR addressing areas of public concern as well as CT DEEP's responses to public comments. EPA concludes that Connecticut has appropriately and adequately responded to the public comments and concerns.

#### **IV. IDENTIFICATION OF WATERS AND CONSIDERATION OF EXISTING AND READILY AVAILABLE WATER QUALITY-RELATED DATA AND INFORMATION**

EPA has reviewed the state's submission, and has concluded that the state developed its 2014 Section 303(d) list in compliance with Section 303(d) of the Act and 40 CFR Section 130.7. EPA's review is based on its analysis of whether the state reasonably considered existing and readily available water quality related data and information and reasonably identified waters required to be listed.

The State of Connecticut uses sources of data and information consistent with EPA regulations and EPA's 2006 Integrated Report Guidance when conducting the state's water quality assessments. As outlined in the IWQR, these data include:

- Results from recent ambient monitoring;
- Recent Sections 305(b) reports, 303(d) lists, and 319(a) nonpoint assessments;
- Reports of water quality problems provided by local, state, territorial or federal agencies, volunteer monitoring networks, members of the public or academic institutions;
- Fish and shellfish advisories, restrictions on water sports or recreational contact;
- Reports of fish kills;
- Safe Drinking Water Act source water assessments;
- Superfund and Resource Conservation and Recovery Act reports; and
- Results from predictive modeling, dilution calculations or landscape analysis.

The primary sources of assessment information for rivers are ambient monitoring data collected by CT DEEP monitoring staff, and physical, chemical and bacteria data collected at fixed sites by the United States Geological Survey (USGS). Lake assessments and trophic status are generally determined from studies conducted by CT DEEP, the Connecticut Agricultural Experiment Station, USGS and Connecticut College since 1979 (Frink and Norvell 1984, Canavan and Siver 1995, Healy and Kulp 1995, CT DEEP 1998) as well as recent studies by professional contractors. For estuaries, use assessments are based primarily on physical, chemical and biological monitoring by the CT DEEP for the Long Island Sound Study and National Coastal Assessment (Strobel 2000), bacterial monitoring for shellfish sanitation by the CT Department of Agriculture, Bureau of Aquaculture (CT DA-BA), and beach monitoring by state and local authorities. Reasonable efforts are also made to incorporate data from other state and federal agencies, municipalities, utilities, consultants, academia, and volunteer monitoring groups. (taken from Page 7 of the IWQR)

Connecticut relies upon data and/or other information from many sources to assess whether a water is meeting water quality standards and maintaining the water's designated uses. These sources are outlined above. The types of data used to assess the status of a water may include, but are not limited to: ambient physical and chemical, benthic invertebrate and fish community,

indicator bacteria, aquatic toxicity, tissue contaminant, sediment chemistry/toxicity and effluent analysis. The data and/or other information must meet the threshold of being “sufficient and credible,” meaning that they are scientifically defensible by an experienced professional. Data and/or other information that meet that requirement are then used to assess the status of the waterbody.

In order to prepare the 2014 Section 303(d) list, the State established a date by which data would be considered for this listing cycle. Data available to CT DEEP as of November 1, 2013 are relied upon for these assessments. Connecticut permits data from catastrophic events, such as fish kills and chemical spills, to be used in the assessment even if collected after November 1st. Assessment data are maintained by the state in the EPA Section 305(b) Assessment Database (ADB) Version 2, as well as a number of databases designed for CT DEEP use.

EPA has reviewed Connecticut’s description of the data and information considered in development of the 2014 Section 303(d) list, including but not limited to the state’s methodology for identifying waters, data in ADB, and the Connecticut water quality standards. EPA concludes that the state properly assembled and evaluated all existing and readily available data and information, including data and information relating to the categories of waters specified in 40 CFR Section 130.7(b)(5).

The state provided its rationale for not relying on particular existing and readily available water quality related data and information as a basis for listing waters. Details as to why certain waters were not listed are provided in CT DEEP’s response to comments. Waters included in Category 5 of the 2014 Section 303(d) list were assessed as impaired based upon failure of the water to attain its designated uses and attain water quality standards. Table 2-1 of the IWQR summarizes the status of Connecticut’s rivers, lakes, and estuarine waters.

**Waterbody Segment Impairments not listed on Connecticut’s 2012 Section 303(d) list that are being newly listed on Connecticut’s 2014 Section 303(d) list.**

The state added fifteen new waterbody segment impairments to Category 5 for the 2014 impaired waters list. There are twelve fresh waterbody segment impairments and three estuarine segment impairments. Each newly-listed waterbody segment impairment in the following table is for recreation or shellfish consumption.

**Table 1:** New waterbody segment impairments added to Connecticut’s 2014 Section 303(d) list (Category 5 of the IWQR)

<b>Segment ID#</b>	<b>Waterbody name</b>	<b>Impaired use listed and the associated pollutant</b>
CT1000-00_trib_01	Unnamed tributary Pawcatuck River (Stonington)-01	Recreation ( <i>E. coli</i> )
CT1000-01_01	Unnamed tributary Pawcatuck River (North Stonington)-01	Recreation ( <i>E. coli</i> )
CT1000-03_01	Unnamed tributary Pawcatuck River (Stonington)-01	Recreation ( <i>E. coli</i> )

CT1000-04_01	Unnamed tributary Pawcatuck River (Stonington)-01	Recreation ( <i>E. coli</i> )
CT1000-05_01	Unnamed tributary Pawcatuck River (Stonington)-01	Recreation ( <i>E. coli</i> )
CT2202-00_01	Latimer Brook (East Lyme)-01	Recreation ( <i>E. coli</i> )
CT2204-03_01	Stony Brook (Waterford)-01	Recreation ( <i>E. coli</i> )
CT3100-00_03	Willimantic River (Willington/Tolland)-03	Recreation ( <i>E. coli</i> )
CT3200-00_02	Natchaug River (Eastford)-02	Recreation ( <i>E. coli</i> )
CT3208-00_01	Sawmill Brook (Mansfield)-01	Recreation ( <i>E. coli</i> )
CT3208-02_01	Conantville Brook (Mansfield)-01	Recreation ( <i>E. coli</i> )
CT6806-00_01	Transylvania Brook (Southbury)-01	Recreation ( <i>E. coli</i> )
CT-C1_002-SB	LIS CB Inner - Inner Clinton Harbor, Clinton	Shellfish Consumption (fecal coliform)
CT-C3_005	LIS CB Midshore - Madison	Shellfish Consumption (fecal coliform)
CT-E1_003	LIS EB Inner - Inner Wequetequock Cove, Stonington	Recreation (Enterococcus)

The waterbody segment impairments noted above were identified by new assessments during this listing cycle and were thus newly placed in Category 5, the Section 303(d) list.

Additionally, EPA notes that while it is not acting to approve or disapprove Connecticut's listing methodology set forth in its CALM, EPA has reviewed all of the relevant material and concludes that the methodology CT DEEP used to develop the impaired waters list is reasonable and consistent with Connecticut's water quality standards, the Clean Water Act, and EPA Section 303(d) regulations and guidelines.

**Waterbody Segment Impairments not listed on Connecticut's 2014 Section 303(d) list that were listed on Connecticut's 2012 Section 303(d) list.**

EPA requested that Connecticut provide a rationale for its decision not to include on its 2014 Section 303(d) list previously listed waters. As discussed below, the state has demonstrated to EPA's satisfaction good cause for not listing those waters, consistent with 40 C.F.R. §130.7(b)(6)(iv).

Category 5 in 2012 and being delisted in 2014

For the 2014 Section 303(d) list cycle, in 19 fresh or estuarine waterbodies the state has delisted 21 waterbody segment impairments included on the state's 2012 Section 303(d) list. These waterbody segment impairments were listed in Category 5 in 2012 and are being delisted in this 2014 assessment cycle. CT DEEP supplied to EPA up-to-date information on all the state's waters as part of the 2014 assessment cycle. Summaries of this information can be found in the state's IWQR. Information regarding waters in the IWQR is also available for review in the EPA ADB at <http://www.epa.gov/waters/adb/>.

**Table 2:** Waterbody segment impairments in Category 5 in 2012 (i.e., on the 2012 Section 303(d) list) that are being delisted in 2014

<b>Segment ID#</b>	<b>Waterbody name</b>	<b>Impaired use restored and pollutant addressed</b>
CT2206-00_01 *	Bride Brook (East Lyme)-01	Habitat for Fish, Other Aquatic Life and Wildlife (cause unknown)
CT2206-00_02 *	Bride Brook (East Lyme)-02	Habitat for Fish, Other Aquatic Life and Wildlife (lead)
CT3200-00_01	Natchaug River (Windham/Mansfield)-01	Recreation ( <i>E. coli</i> )
CT3708-01_02	Muddy Brook (Woodstock)-02	Habitat for Fish, Other Aquatic Life and Wildlife (cause unknown)
CT4300-00_02 #	Farmington River (Bloomfield/Farmington)-02	Recreation ( <i>E. coli</i> )
CT4300-44_01	Munnisunk Brook (Simsbury)-01	Recreation ( <i>E. coli</i> )
CT4601-00-1-L2_01 **	Silver Lake (Berlin/Meriden)	Fish Consumption (mercury)
CT6806-00_02	Transylvania Brook (Southbury)-02	Recreation (Enterococcus)
CT6909-00-2-L1_01	Northfield (Reservoir) Brook Lake (Thomaston)	Recreation ( <i>E. coli</i> )
CT7105-00_04	Pequonnock River (Trumbull/Monroe)-04	Recreation ( <i>E. coli</i> )
CT7105-00_05	Pequonnock River (Monroe)-05	Recreation ( <i>E. coli</i> )
CT7109-02_01 #	Unnamed Tributary, Sasco Brook (Fairfield)-01	Recreation ( <i>E. coli</i> )
CT-C1_004-SB ***	LIS CB Inner - Hayden Creek, Clinton	Habitat for Marine Fish Other Aquatic Life and Wildlife (copper) Habitat for Marine Fish Other Aquatic Life and Wildlife (lead) Habitat for Marine Fish Other Aquatic Life and Wildlife (zinc)
CT-C1_010	LIS CB Inner - Branford River, Branford	Shellfish Consumption (fecal coliform)
CT-C1_011	LIS CB Inner - Farm River, East Haven	Shellfish Consumption (fecal coliform)
CT-C1_012 **	LIS CB Inner - Morris Creek, East Haven	Shellfish Consumption (fecal coliform)
CT-C1_016 **	LIS CB Inner - Cove River, West Haven	Shellfish Consumption (fecal coliform)
CT-C1_017 **	LIS CB Inner - Oyster River, Milford	Shellfish Consumption (fecal coliform)
CT-W1_015-SB	LIS WB Inner - Cove Harbor, Stamford	Shellfish Consumption (fecal coliform)

Note: Connecticut’s waters may be placed in multiple categories to reflect the attainment or non-attainment of different particular designated uses. All waterbody segments listed above are being placed in Category 2 unless otherwise noted.

- # Denotes water segments that are being placed in Category 1
- \* Denotes water segments that also remain in Category 5 due to impairments of recreational use
- \*\* Denotes water segments that also remain in Category 5 due to impairments of habitat for fish, other aquatic life and wildlife
- \*\*\* Denotes water segment that also remains in Category 5 due to impairment of shellfish consumption

Waterbody segment impairments delisted

EPA has reviewed the specific bases for the twenty-one waterbody segment impairments delisted from the 2014 Section 303(d) list and agrees with CTDEEP that these delistings are appropriate.

As noted, Connecticut’s waters may be placed in multiple categories to reflect the attainment or non-attainment of different particular designated uses. Accordingly, twelve waterbody segments

identified above are being fully delisted from Category 5, meaning that the segments are not impaired for any uses. Seven of the waterbody segments remain on the impaired waters list despite the restoration of the designated use identified above, because they are still impaired for at least one other use. The recreational uses of CT2206-00\_01 Bride Brook (East Lyme)-01 and CT2206-00\_02 Bride Brook (East Lyme)-02 remain impaired. Habitat for fish, other aquatic life and wildlife remains impaired in CT4601-00-1-L2\_01 Silver Lake (Berlin/Meriden), CT-C1\_012 LIS CB Inner - Morris Creek (East Haven), CT-C1\_016 LIS CB Inner - Cove River (West Haven), and CT-C1\_017 LIS CB Inner - Oyster River (Milford). CT-C1\_004-SB LIS CB Inner - Hayden Creek (Clinton) is still not meeting its designated use for shellfish consumption. These segments are still listed in Category 5 for the impairment that remains.

Twelve of the waterbody segment impairments being delisted because new monitoring data indicate applicable water quality standards are no longer exceeded based upon water quality data and designated use assessments. (Refer to Table 3-8 of IWQR for summary information supporting the delistings.)

CT-C1\_004-SB LIS CB Inner- Hayden Creek, Clinton is being delisted for three impairments in 2014 because the original listings were solely based upon the presence of an industrial discharge of metals. The discharge was eliminated in 2008. The source of copper, lead, and zinc has been removed from Hayden Creek and applicable water quality standards have been attained.

The delistings discussed above reflect the state's assessment that the waterbody segments are now meeting their designated use. Habitat for fish, other aquatic life, and wildlife has been restored in three fresh waterbodies and one estuarine segment. Fish consumption is now considered safe in one freshwater lake. Recreational use has been restored in eight fresh waterbodies.

Six waterbody segment impairments of coastal Long Island Sound are being delisted in 2014. CT DEP is moving these six waterbody segment impairments from Category 5 to Category 2. They were listed as impaired for shellfish consumption. The CT Bureau of Aquaculture is the governing agency for shellfishing in CT. Administrative actions previously taken by that agency had determined these areas to be classed as "inadequate use of Shellfish Harvest". While CT Bureau of Aquaculture categories and CT DEP Water Quality classifications are not directly comparable, CT DEP used the Bureau of Aquaculture's administrative closures of the shellfish beds as reason to list the waterbody segments as impaired on the Section 303(d) list. Original listings by CT DEP for these six coastal segments were not based on available monitoring data. The assessment status of the waterbody segment was changed to "not assessed" for shellfish consumption.

As with all of the state's waters, if any designated use is determined to be impaired in the next listing cycle it will be fully or partially returned to Category 5 (the Section 303(d) list).

#### Category 5 in 2012 to Category 4-A in 2014

As discussed earlier, Category 4 contains segments that remain impaired for one or more designated uses, but do not need a TMDL for one of three reasons specified. Waterbody segment impairments in Category 4-A have a state developed TMDL which has been approved

by EPA. Segments with specified impairments listed in Category 4-A in prior listing cycles remain in that category unless TMDL implementation has resulted in attainment of the appropriate water quality standards.

Two hundred and twenty waterbody segment impairments are being delisted from the impaired waters list for bacterial impairment and placed in Category 4-A due to EPA’s approval of TMDLs under the Connecticut statewide bacteria TMDL. Implementation of the TMDLs is expected to result in full attainment of the water quality standards. Standards attainment will be verified through follow-up monitoring. EPA approves the state’s 2014 Section 303(d) list without these waterbody segment-pollutant combinations because the delistings are consistent with EPA regulations and EPA guidance.

**Table 3:** Waterbody segment impairments delisted to Category 4-A because of an approved TMDL during this listing cycle

<b>Segment ID#</b>	<b>Waterbody Name</b>	<b>Impaired use and pollutant addressed by the TMDL</b>	
CT1004-00+A2+A+A28:D40	Shunock River (North Stonington)-01	Recreation	Escherichia coli
CT2000-30_01	Fenger Brook (Waterford)-01	Recreation	Enterococcus
CT2206-00_01	Bride Brook (East Lyme)-01	Recreation	Enterococcus
CT2206-00_02	Bride Brook (East Lyme)-02	Recreation	Escherichia coli
CT2206-03_01	Unnamed tributary to Bride Brook (East Lyme)-01	Recreation	Escherichia coli
CT3000-08_01	Flat Brook (Ledyard)-01	Recreation	Escherichia coli
CT3004-00_01	Oxoboxo Brook-01	Recreation	Escherichia coli
CT3100-00_06	Willimantic River-06	Recreation	Escherichia coli
CT3100-17_03	Cedar Swamp Brook (Mansfield)-03	Recreation	Escherichia coli
CT3100-19_02	Eagleville Brook (Mansfield)-02	Recreation	Escherichia coli
CT3102-00_01	Middle River (Stafford)-01	Recreation	Escherichia coli
CT3102-00_02	Middle River (Stafford)-02	Recreation	Escherichia coli
CT3103-00_01	Furnace Brook (Stafford)-01	Recreation	Escherichia coli
CT3103-00_02	Furnace Brook(Stafford)-02	Recreation	Escherichia coli
CT3106-00_01b	Skungamaug River-01b	Recreation	Escherichia coli
CT3106-06-1-L2_01	Crandall Pond (Cider Mill Pond) (Tolland)	Recreation	Escherichia coli
CT3108-00_01b	Hop River (Andover/Coventry/Bolton)-01b	Recreation	Escherichia coli
CT3110-00_01	Tenmile River (Willimantic)-01	Recreation	Escherichia coli
CT3206-00_02	Mount Hope River (Ashford/Union)-02	Recreation	Escherichia coli
CT3207-16-1-L1_01	Bicentennial Pond (Mansfield)	Recreation	Escherichia coli
CT3300-02_01	Long Branch Brook (Thompson)-01	Recreation	Escherichia coli
CT3500-00_03	Moosup River-03	Recreation	Escherichia coli
CT3503-00_01	Ekonk Brook-01	Recreation	Escherichia coli
CT3708-01_01	Muddy Brook (Woodstock)-01	Recreation	Escherichia coli
CT3708-08_01	Peckham Brook (Woodstock)-01	Recreation	Escherichia coli
CT3710-00_01	Mashamoquet Brook-01	Recreation	Escherichia coli
CT3710-00_02	Mashamoquet Brook (Pomfret)-02	Recreation	Escherichia coli
CT3710-11_01	Abington Brook (Pomfret)-01	Recreation	Escherichia coli
CT3710-13_01	Sap Tree Run (Pomfret)-01	Recreation	Escherichia coli
CT3710-18_01	White Brook (Pomfret/Brooklyn)-01	Recreation	Escherichia coli

CT3716-00_01	Broad Brook (Preston)-01	Recreation	Escherichia coli
CT3800-00_05	Shetucket River (Windham)-05	Recreation	Escherichia coli
CT3800-02_01	Obwebetuck Brook (Windham)-01	Recreation	Escherichia coli
CT4000-00_01	Connecticut River-01	Recreation	Escherichia coli
CT4000-00_03	Connecticut River (Portland/Suffield)-03	Recreation	Escherichia coli
CT4009-00-2-L4_01	Angus Park Pond (Glastonbury)	Recreation	Escherichia coli
CT4101-00_01	Muddy Brook (Suffield)-01	Recreation	Escherichia coli
CT4205-00_01	Buckhorn Brook (Enfield)-01	Recreation	Escherichia coli
CT4206-00_01	Broad Brook(East Windsor)-01	Recreation	Escherichia coli
CT4206-00_02	Broad Brook (East Windsor-Ellington)-02	Recreation	Escherichia coli
CT4300-32_01	Minister Brook (Simsbury)-01	Recreation	Escherichia coli
CT4300-33_01	Russell Brook (Simsbury)-01	Recreation	Escherichia coli
CT4300-39_01	Owens Brook (Simsbury)-01	Recreation	Escherichia coli
CT4302-00_01	Mad River (Winchester)-01	Recreation	Escherichia coli
CT4302-00_02a	Mad River (Winchester)-02a	Recreation	Escherichia coli
CT4302-00_03	Mad River (Winchester)-03	Recreation	Escherichia coli
CT4303-00_02	Still River (Colebrook)-02	Recreation	Escherichia coli
CT4303-00_03	Still River (Winsted)-03	Recreation	Escherichia coli
CT4303-00_04	Still River (Winsted/Torrington)-04	Recreation	Escherichia coli
CT4304-00_01a	Sandy Brook (Barkhamsted/Colebrook)-01a	Recreation	Escherichia coli
CT4305-00_01	Morgan Brook-01	Recreation	Escherichia coli
CT4305-00_02	Morgan Brook-02	Recreation	Escherichia coli
CT4305-00_04	Morgan Brook-04	Recreation	Escherichia coli
CT4309-00_01	Cherry Brook (Canton)-01	Recreation	Escherichia coli
CT4309-00_02	Cherry Brook (Canton)-02	Recreation	Escherichia coli
CT4316-00_02	Thompson Brook (Avon)-02	Recreation	Escherichia coli
CT4317-00_01	Nod Brook (Avon/Simsbury)-01	Recreation	Escherichia coli
CT4318-00_01	Hop Brook (Simsbury)-01	Recreation	Escherichia coli
CT4319-00_01a	Salmon Brook, West Branch (Granby)-01a	Recreation	Escherichia coli
CT4319-00_01b	Salmon Brook, West Branch (Granby/Hartland)-01b	Recreation	Escherichia coli
CT4321-00_01	Mill Brook (Windsor/Bloomfield)-01	Recreation	Escherichia coli
CT4400-00_01	Park River (Hartford)-01	Recreation	Escherichia coli
CT4400-01_01	South Branch Park River (Hartford)-01	Recreation	Escherichia coli
CT4400-01_02	South Branch Park River (Hartford)-02	Recreation	Escherichia coli
CT4402-00_01	Piper Brook (West Hartford)-01	Recreation	Escherichia coli
CT4402-00_02	Piper Brook-02	Recreation	Escherichia coli
CT4403-00_01	Trout Brook-01	Recreation	Escherichia coli
CT4403-00_02	Trout Brook-02	Recreation	Escherichia coli
CT4403-00_03	Trout Brook-03	Recreation	Escherichia coli
CT4404-00_01	North Branch Park River (Hartford)-01	Recreation	Escherichia coli
CT4404-00_02	North Branch Park River-02	Recreation	Escherichia coli
CT4600-27_trib_01	East Branch Willow Brook-01	Recreation	Escherichia coli
CT4607-00-UL_pond_01	Wadsworth Falls State Park Pond (Middletown)	Recreation	Escherichia coli
CT4607-08_01	Lyman Meadow Brook (Middlefield)-01	Recreation	Escherichia coli
CT4607-13_01	Laurel Brook (Middletown)-01	Recreation	Escherichia coli
CT4800-00_01	Eightmile River (Lyme)-01	Recreation	Escherichia coli
CT5105-00_01	Chatfield Hollow Brook (Killingworth)-01	Recreation	Escherichia coli
CT5107-00_01	Neck River-01	Recreation	Escherichia coli
CT5108-00_01	East River (Guilford)-01	Recreation	Escherichia coli
CT5112-00_01	Farm River (East Haven)-01	Recreation	Escherichia coli
CT5112-00_02	Farm River (North Branford)-02	Recreation	Escherichia coli
CT5202-00-1-L3_01	Mixville Pond (Cheshire)	Recreation	Escherichia coli

CT5302-00_02	Mill River (Hamden/Cheshire)-02	Recreation	Escherichia coli
CT5302-06_01	Shepard Brook (Hamden)-01	Recreation	Escherichia coli
CT5305-00_01	West River (New Haven/Woodbridge)-01	Recreation	Escherichia coli
CT5305-00-3-L1_01	Edgewood Park Pond (New Haven)	Recreation	Escherichia coli
CT5307-00_01	Wepawaug River-01	Recreation	Escherichia coli
CT5307-00_02	Wepawaug River-02	Recreation	Escherichia coli
CT5307-00_03	Wepawaug River-03	Recreation	Escherichia coli
CT5307-00_04	Wepawaug River-04	Recreation	Escherichia coli
CT5307-00_05	Wepawaug River-05	Recreation	Escherichia coli
CT6000-00_06	Housatonic River-06	Recreation	Escherichia coli
CT6000-00-5+L2_01	Zoar, Lake (Monroe/Newtown/Oxford/Southbury)	Recreation	Escherichia coli
CT6000-73_01	Curtiss Brook (Shelton)-01	Recreation	Escherichia coli
CT6019-00_01	Deep Brook (Newtown)-01	Recreation	Escherichia coli
CT6025-00_02	Farmill River-02	Recreation	Escherichia coli
CT6100-00_02a	Blackberry River (North Canaan)-02a	Recreation	Escherichia coli
CT6200-00_01	Hollenbeck River-01	Recreation	Escherichia coli
CT6302-00_02	Mill Brook (Sharon)-02	Recreation	Escherichia coli
CT6700-20_01	Walker Brook (Roxbury/Washington)-01	Recreation	Escherichia coli
CT6705-00_01	Bantam River-01	Recreation	Escherichia coli
CT6800-00_01	Pomperaug River-01	Recreation	Escherichia coli
CT6800-00_03	Pomperaug River-03	Recreation	Escherichia coli
CT6804-00_01	Weekeepeemee River-01	Recreation	Escherichia coli
CT6900-28_01	Hockanum Brook (Beacon Falls)-01	Recreation	Escherichia coli
CT6914-06_01	Lily Brook (Wolcott)-01	Recreation	Escherichia coli
CT6914-06-1-L1_01	Hitchcock Lake (Wolcott)	Recreation	Escherichia coli
CT7000-22_01	Indian River (Westport)-01	Recreation	Escherichia coli
CT7000-22_02	Indian River (Westport)-02	Recreation	Escherichia coli
CT7102-00_02	Bruce Brook (Bridgeport/Stratford)-02	Recreation	Escherichia coli
CT7105-00_02	Pequonnock River-02	Recreation	Escherichia coli
CT7105-00_03	Pequonnock River-03	Recreation	Escherichia coli
CT7109-00-trib_01	Unnamed tributary, Sasco Brook (Westport)-01	Recreation	Escherichia coli
CT7109-06_01	Great Brook (Fairfield)-01	Recreation	Escherichia coli
CT7109-06_02	Great Brook (Fairfield)-02	Recreation	Escherichia coli
CT7200-22_01	Beaver Brook (Weston)-01	Recreation	Escherichia coli
CT7200-24_01	Kettle Creek (Weston)-01	Recreation	Escherichia coli
CT7200-26_01	Poplar Plains Brook (Westport)-01	Recreation	Escherichia coli
CT7203-04_01	Cobbs Mill Brook (Weston)-01	Recreation	Escherichia coli
CT7302-00_02	Silvermine River (Norwalk/New Canaan)-02	Recreation	Escherichia coli
CT7401-00_01	Fivemile River (New Canaan)-01	Recreation	Escherichia coli
CT7401-00_02	Fivemile River (New Canaan)-02	Recreation	Escherichia coli
CT7401-00_03	Fivemile River (New Canaan)-03	Recreation	Escherichia coli
CT7401-02_01	Unnamed tributary to Fivemile River (New Canaan)-01	Recreation	Escherichia coli
CT7401-05_01	Holy Ghost Fathers Brook (Norwalk)-01	Recreation	Escherichia coli
CT7401-06_01	Keelers Brook (Norwalk)-01	Recreation	Escherichia coli
CT7401-07_01	Unnamed tributary to Keelers Brook (Norwalk)-01	Recreation	Escherichia coli
CT7411-00_01	Byram River-01	Recreation	Escherichia coli
CT8104-00_01	Titicus River-01	Recreation	Escherichia coli
CT-C1_003-SB	LIS CB Inner - Hammonasset River, Clinton	Shellfish Consumption	Fecal Coliform
CT-C1_004-SB	LIS CB Inner - Hayden Creek, Clinton	Shellfish Harvest	Fecal Coliform

CT-C1_005	LIS CB Inner - Clinton Harbor (SA Inputs), Clinton	Shellfish Consumption	Fecal Coliform
CT-C1_006	LIS CB Inner - East and Neck Rivers, Guilford	Shellfish Consumption	Fecal Coliform
CT-C1_007	LIS CB Inner - West River, Guilford	Shellfish Consumption	Fecal Coliform
CT-C1_009-SB	LIS CB Inner - Inner Branford Harbor, Branford	Shellfish Consumption	Fecal Coliform
CT-C1_013-SB	LIS CB Inner - New Haven Harbor, New Haven	Shellfish Consumption	Fecal Coliform
CT-C1_018-SB	LIS CB Inner - Milford Harbor & Gulf Pond, Milford	Shellfish Consumption	Fecal Coliform
CT-C1_019-SB	LIS CB Inner - Housatonic River (mouth), Milford	Shellfish Consumption	Fecal Coliform
CT-C2_003	LIS CB Shore - Clinton Beach, Clinton	Shellfish Consumption	Fecal Coliform
CT-C2_004	LIS CB Shore - Outer Clinton Harbor, Clinton	Shellfish Consumption	Fecal Coliform
CT-C2_005	LIS CB Shore - Hammonasset Beach, Madison	Shellfish Consumption	Fecal Coliform
CT-C2_006	LIS CB Shore - Madison Beaches (East), Madison	Shellfish Consumption	Fecal Coliform
CT-C2_007	LIS CB Shore - Madison Beaches (West), Madison	Shellfish Consumption	Fecal Coliform
CT-C2_008	LIS CB Shore - Guilford Harbor, Guilford	Shellfish Consumption	Fecal Coliform
CT-C2_009	LIS CB Shore - Indian Cove, Guilford	Shellfish Consumption	Fecal Coliform
CT-C2_010	LIS CB Shore - Joshua Cove & Island Bay, Guilford	Shellfish Consumption	Fecal Coliform
CT-C2_011	LIS CB Shore - Stony Creek (East), Branford	Shellfish Consumption	Fecal Coliform
CT-C2_012	LIS CB Shore - Stony Creek (West), Branford	Shellfish Consumption	Fecal Coliform
CT-C2_013	LIS CB Shore - Indian Neck, Branford	Shellfish Consumption	Fecal Coliform
CT-C2_023	LIS CB Shore - Walnut Beach, Milford	Shellfish Consumption	Fecal Coliform
CT-C3_002	LIS CB Midshore - Duck Island area, Clinton	Shellfish Consumption	Fecal Coliform
CT-C3_003	LIS CB Midshore - Outer Clinton Harbor, Clinton	Shellfish Consumption	Fecal Coliform
CT-C3_004	LIS CB Midshore - Hammonasset Beach area, Madison	Shellfish Consumption	Fecal Coliform
CT-C3_006	LIS CB Midshore - Outer Guilford Harbor, Guilford	Shellfish Consumption	Fecal Coliform
CT-C3_009-I	LIS CB Midshore - Thimble Islands, Branford	Shellfish Consumption	Fecal Coliform
CT-C3_010	LIS CB Midshore - Indian Neck, Branford	Shellfish Consumption	Fecal Coliform
CT-C3_011	LIS CB Midshore - East Haven	Shellfish Consumption	Fecal Coliform
CT-C3_017	LIS CB Midshore - Milford	Shellfish Consumption	Fecal Coliform
CT-C3_019-I	LIS CB Midshore - Outer Silver Sand Beach, Milford	Shellfish Consumption	Fecal Coliform

CT-C3_020	LIS CB Midshore - Milford Point, Milford	Shellfish Consumption	Fecal Coliform
CT-E1_003	LIS EB Inner - Inner Wequetequock Cove, Stonington	Shellfish Consumption	Fecal Coliform
CT-E1_005	LIS EB Inner - Inner Stonington Harbor, Stonington	Shellfish Consumption	Fecal Coliform
CT-E1_006	LIS EB Inner - Inner Quiambug Cove, Stonington	Shellfish Consumption	Fecal Coliform
CT-E1_009	LIS EB Inner - Beebe Cove (Mystic Harbor), Groton	Shellfish Consumption	Fecal Coliform
CT-E1_010	LIS EB Inner - Palmer Cove (Inner), Groton	Shellfish Consumption	Fecal Coliform
CT-E1_011-SB	LIS EB Inner - Mumford Cove (Inner), Groton	Shellfish Consumption	Fecal Coliform
CT-E1_012	LIS EB Inner - Poquonuck River (Mouth), Groton	Shellfish Consumption	Fecal Coliform
CT-E1_013	LIS EB Inner - Baker Cove, Groton	Shellfish Consumption	Fecal Coliform
CT-E1_014-SB	LIS EB Inner - Thames River (Mouth), New London	Shellfish Consumption	Fecal Coliform
CT-E1_017	LIS EB Inner - Alewife Cove, Waterford/New London	Shellfish Consumption	Fecal Coliform
CT-E2_002	LIS EB Shore - Stonington Point, Stonington	Shellfish Consumption	Fecal Coliform
CT-E2_003	LIS EB Shore - Outer Quiambug Cove, Stonington	Shellfish Consumption	Fecal Coliform
CT-E2_004	LIS EB Shore - Wilcox Cove (Mason Is.), Stonington	Shellfish Consumption	Fecal Coliform
CT-E2_005	LIS EB Shore - Mouth Mystic River, Stonington	Shellfish Consumption	Fecal Coliform
CT-E2_006	LIS EB Shore - West Cove (Groton Long Pt), Groton	Shellfish Consumption	Fecal Coliform
CT-E2_007	LIS EB Shore - Outer Mumford Cove, Groton	Shellfish Consumption	Fecal Coliform
CT-E2_008	LIS EB Shore - Bluff Point, Groton	Shellfish Consumption	Fecal Coliform
CT-E3_003	LIS EB Midshore - Groton, Mystic River	Shellfish Consumption	Fecal Coliform
CT-E3_004	LIS EB Midshore - Groton, Thames River	Shellfish Consumption	Fecal Coliform
CT-W1_001-SB	LIS WB Inner - Bridgeport Harbor, Bridgeport	Shellfish Consumption	Fecal Coliform
CT-W1_002-SB	LIS WB Inner - Black Rock Harbor, Bridgeport	Recreation	Enterococcus
CT-W1_002-SB	LIS WB Inner - Black Rock Harbor, Bridgeport	Shellfish Consumption	Fecal Coliform
CT-W1_005	LIS WB Inner - Southport Harbor, Fairfield	Shellfish Consumption	Fecal Coliform
CT-W1_008	LIS WB Inner - Sherwood Millpond, Westport	Shellfish Consumption	Fecal Coliform

CT-W1_010-SB	LIS WB Inner - Saugatuck River (mouth), Westport	Shellfish Consumption	Fecal Coliform
CT-W1_013-SB	LIS WB Inner - Norwalk Hrbr (Marvin Beach), Norwalk	Recreation	Enterococcus
CT-W1_022-SB	LIS WB Inner - Byram River (CT), Greenwich	Recreation	Enterococcus
CT-W1_022-SB	LIS WB Inner - Byram River (CT), Greenwich	Shellfish Consumption	Fecal Coliform
CT-W2_004	LIS WB Shore - Outer Bridgeport Harbor, Fairfield	Shellfish Consumption	Fecal Coliform
CT-W2_006	LIS WB Shore - Southport Harbor East	Shellfish Harvest	Fecal Coliform
CT-W2_007	LIS WB Shore - Southport Harbor West	Shellfish Harvest	Fecal Coliform
CT-W2_009	LIS WB Shore - Compo Cove, SISP, Westport	Shellfish Consumption	Fecal Coliform
CT-W2_010	LIS WB Shore - Compo Beach, Cedar Point, Westport	Shellfish Consumption	Fecal Coliform
CT-W2_011	LIS WB Shore - Canfield Island, Westport	Shellfish Consumption	Fecal Coliform
CT-W2_012	LIS WB Shore - Outer Norwalk Harbor(East), Norwalk	Shellfish Consumption	Fecal Coliform
CT-W2_013	LIS WB Shore - Outer Norwalk Harbor(West), Norwalk	Shellfish Consumption	Fecal Coliform
CT-W2_014	LIS WB Shore - Wilson Cove, Farm Creek, Norwalk	Shellfish Consumption	Fecal Coliform
CT-W2_015	LIS WB Shore - Fivemile River Estuary, Darien	Shellfish Consumption	Fecal Coliform
CT-W2_016	LIS WB Shore - Scott Cove, Darien	Shellfish Consumption	Fecal Coliform
CT-W2_017	LIS WB Shore - Darien Cove, Darien	Shellfish Consumption	Fecal Coliform
CT-W2_018	LIS WB Shore - Westcott Cove, Stamford	Shellfish Consumption	Fecal Coliform
CT-W2_019	LIS WB Shore - Stamford Harbor, Stamford	Shellfish Consumption	Fecal Coliform
CT-W2_020	LIS WB Shore - Stamford Harbor (West), Greenwich	Shellfish Consumption	Fecal Coliform
CT-W2_021	LIS WB Shore - Greenwich Cove, Greenwich	Shellfish Consumption	Fecal Coliform
CT-W2_022	LIS WB Shore - Cos Cob Harbor, Greenwich	Shellfish Consumption	Fecal Coliform
CT-W2_024	LIS WB Shore - Byram Harbor, Greenwich	Recreation	Enterococcus
CT-W2_024	LIS WB Shore - Byram Harbor, Greenwich	Shellfish Consumption	Fecal Coliform
CT-W2_025	LIS WB Shore - Byram Harbor (West), Greenwich	Shellfish Consumption	Fecal Coliform
CT-W3_001	LIS WB Midshore - Lordship, Stratford	Shellfish Consumption	Fecal Coliform
CT-W3_002	LIS WB Midshore - Bridgeport Hbr, East, Bridgeport	Shellfish Consumption	Fecal Coliform
CT-W3_003	LIS WB Midshore - Bridgeport Hbr, West, Bridgeport	Shellfish Consumption	Fecal Coliform
CT-W3_004	LIS WB Midshore - Shoal Point, Fairfield	Shellfish Consumption	Fecal Coliform
CT-W3_006	LIS WB Midshore - Sherwood Point, Westport	Shellfish Consumption	Fecal Coliform
CT-W3_008-I	LIS WB Midshore - Norwalk Islands, Norwalk	Shellfish Consumption	Fecal Coliform

CT-W3_009	LIS WB Midshore - Outer Fivemile R Estuary, Darien	Shellfish Consumption	Fecal Coliform
CT-W3_010	LIS WB Midshore - Outer Cove Harbor, Darien	Shellfish Consumption	Fecal Coliform
CT-W3_011	LIS WB Midshore - Outer Westcott Cove, Stamford	Shellfish Consumption	Fecal Coliform
CT-W3_012	LIS WB Midshore - Outer Stamford Harbor, Greenwich	Shellfish Consumption	Fecal Coliform
CT-W3_013	LIS WB Midshore - Outer Cos Cob Harbor, Greenwich	Shellfish Consumption	Fecal Coliform
CT-W3_015-I	LIS WB Midshore - Captain Harbor, Greenwich	Shellfish Consumption	Fecal Coliform

In summary, EPA recognizes that Connecticut’s delisting in 2014 of these previously listed waterbody segment impairments has been done in accordance with 40 CFR Section 130.7(b) and EPA guidance referenced above. For each of the waterbody segment impairments delisted from Category 5 to Category 4-A, EPA agrees that the state has reasonably concluded that the identified impairments no longer need to be on the 2014 Section 303(d) list because the impairment is now the subject of an EPA-approved TMDL.

EPA’s conclusion regarding review of the CT DEEP’s delistings from Category 5

Table 3-8 of the IWQR provides a full detailed reconciliation of all the changes made between the 2012 and 2014 Section 303(d) lists. For each of the waterbody segment impairments delisted from Category 5, EPA agrees that the state has reasonably concluded that the identified waterbody segment impairments no longer need to be on the 2014 Section 303(d) list because the segments are now meeting water quality standards for the identified impairments, the reason for the original listing has been addressed, the impairment did not originally require listing, or a TMDL for the impairment has been approved by EPA.

Waterbody Segments in Category 4-B or Category 4-C in 2014

Segments listed in Category 4-B have other required control measures which are expected to result in attainment of an applicable water quality standard in a reasonable period of time. Category 4-C contains water segments for which the state has demonstrated that the failure to meet water quality standards is not caused by a pollutant, but rather by other types of pollution. The IWQR does not include any waterbody segment impairments that are being added to either of those two categories in 2014.

Four fresh waterbody segments are being removed from Category 4-C in this listing cycle. They are CT3207-00\_01b Fenton River (Manfield)-01b, CT6000-45\_01 Wewaka Brook (Bridgewater)-01, CT6700-00\_02 Shepaug River (Washington/Litchfield/Warren)-02, and CT6800-02\_01 South Brook. These waters were listed in Category 4-C because they were not impaired by a pollutant. Flow regime alterations or physical substrate habitat alterations were responsible for impairments of habitat for fish, other aquatic life, and wildlife. These waterbodies are included in the IWQR and are included here for completeness sake. EPA is taking no action on the waters removed from Category 4-C.

### Waterbody Segment Correctly Defined

One waterbody segment listing was corrected in the IWQR. The waterbody ID number of Poquetanuck and Hewitt Brooks (Preston)-01 was corrected to read CT3003-01\_01. This was a typographical correction with no additional impact to the listing.

### **Priority Ranking**

EPA reviewed Connecticut's priority ranking of listed waters for TMDL development, and concludes that the state properly took into account the severity of pollution and the uses to be made of such waters, as well as other relevant factors such as the complexity of the impairment and availability of quality information on it, and the likelihood that a remedy might be implemented before a TMDL could be developed. In addition, EPA reviewed the state's identification of WQLSs targeted for TMDL development in the next two years, and concludes that the targeted waters are appropriate for TMDL development in this time frame.

Connecticut generally bases the development of its priority ranking on the severity of the pollution and the uses to be made of such waters, and the factors listed in EPA's 2006 Integrated Report Guidance, especially waters ranked as high priority ("H", See section below).

Connecticut includes other factors such as the availability and quality of data identifying the causes for non-attainment of water quality standards, the extent of the water quality problems, and input from the public. Connecticut also bases its ranking in part on the likelihood that a waterbody's impairment may be successfully resolved through completion of a TMDL.

There are 288 waterbody segments in Category 5 on the 2014 Section 303(d) list, impaired for one or more designated uses. The state assigns a priority for TMDL development to each (waterbody segment × impaired designated use) combination. Connecticut has prioritized those waters still requiring the development of TMDLs as high, medium, or low. This ranking is reflected in the state's schedule for TMDL development.

### High Priority Waters

Waterbodies and impairments that are assigned a high priority when it is determined that a TMDL may be needed to restore uses and solve the impairment. Waterbodies and impairments designated as high priority are targeted for TMDL development within 3 years.

40 C.F.R. §130.7(b)(4) requires that "the priority ranking shall specifically include the identification of waters targeted for TMDL development in the next two years." While the CT DEEP identifies their priority waters for the next three years, CT DEEP makes a yearly commitment to EPA, as part of their Performance Partnership Agreement, as to the number of TMDLs the state will submit during the coming year. CT DEEP shares with EPA the specific TMDLs that they are and will be working on in a tracking report submitted during the year. Table 3-9 of the 2014 Integrated Report details the priority ranking of waters for TMDL development. Their agreement to commit to a 3-year priority ranking system in the next listing cycle and their yearly specific commitments provide the basis for EPA's acceptance of their

priority ranking system this year. Table 3-9 of the IWQR outlines the priority list for TMDL development.

### Medium Priority Waters

Waterbodies and impairments assigned medium priority may have insufficient information to assess whether a pollutant is causing the impairment to these waterbodies, and other programs may remedy the water quality impairment. Waters and impairments designated as medium priority are targeted for TMDL development within 3-7 years.

### Low Priority Waters

Waterbodies and impairments assigned low priority for TMDL development because other programs are likely to remedy the water quality impairment. Waters and impairments designated as low priority are targeted for TMDL development within 7-11 years.

Connecticut's ambient monitoring and assessment program employs probabilistic monitoring, targeted monitoring, and a five year rotating basin monitoring cycle. As additional data are compiled, Connecticut is committed to re-prioritizing waters based on factors such as, but not limited to, the nature/severity of the impact, importance of unsupported use, the availability of data or models required for TMDL development, etc.

EPA concludes that Connecticut's prioritization and identification of waters targeted for TMDL study and/or development during the next 3 years is reasonable and sufficient for the purposes of the 2014 Section 303(d). CT DEEP properly examined and considered the severity of pollution and uses of the listed waters, as well as other relevant factors identified in EPA regulations. EPA has determined that CT DEEP properly ranked those waters listed for TMDL development within the next 3 years by considering the complexity of each TMDL. Further, EPA has determined that CT DEEP's priority ranking ensures reasonable progress in addressing high priority waters with challenging water quality problems (Memo from Geoffrey H. Grubbs, Supplemental Guidance on Section 303(d) Implementation, August 13, 1992). EPA and CT DEEP assess yearly the state's plans for TMDL development versus the universe of impaired waters in the state.

### **Water bodies on tribal lands**

EPA's approval of Connecticut's 2014 Section 303(d) list extends to all waterbodies on the list with the exception of those waters, if any, that are within Indian Country, as defined in 18 U.S.C. Section 1151. EPA is taking no action to approve or disapprove the state's list with respect to waters within Indian country at this time. EPA, or any eligible Indian Tribe, as appropriate, will retain responsibilities under Section 303(d) for those waters. There are two Federally-recognized Indian Tribes in Connecticut. They are the Mashantucket Pequot Tribal Nation and the Mohegan Tribe.

## **Waters impaired by nonpoint sources of pollution**

The state properly listed waters with nonpoint sources causing or expected to cause impairment, consistent with Section 303(d) and EPA guidance. Section 303(d) lists are to include all WQLSs still needing TMDLs, regardless of whether the source of the impairment is a point and/or nonpoint source. EPA's long-standing interpretation is that Section 303(d) applies to waters impacted by point and/or nonpoint sources. In 'Pronsolino v. Marcus,' the District Court for Northern District of California held that Section 303(d) of the Clean Water Act authorizes EPA to identify and establish total maximum daily loads for waters impaired by nonpoint sources. Pronsolino v. Marcus, 91 F. Supp. 2d 1337, 1347 (N.D.CA. 2000). This decision was affirmed by the 9th Circuit court of appeals in Pronsolino v. Nastri, 291 F.3d 1123 (9th Cir. 2002). See also *EPA Guidance for 2006 Assessment, Listing and Reporting Requirements Pursuant to Section 303(d), 305(b, and 314 of the Clean Water Act* – EPA Office of Water, July 29, 2005. Waters identified by the state as impaired or threatened by nonpoint sources of pollution (NPS) were appropriately considered for inclusion on Connecticut's 2014 Section 303(d) list. Connecticut properly listed waters with nonpoint sources causing or expected to cause impairment, consistent with Section 303(d) regulations and EPA guidance.

EPA concludes that CT DEEP properly considered waters identified by the state as impaired or threatened in nonpoint assessments under Section 319 of the CWA in the development of the 2014 Section 303(d) list.