River Advocates
of South Central Connecticut

OUR PURPOSE IS TO *conduct public education, advocacy, policy development, events and recreation to promote and protect the watersheds of the lower Quinnipiac, Mill and West Rivers of South Central Connecticut.*

To: CT DEEP Water Quality Standards Regulatory Staff

From: River Advocates of South Central CT

Re: Comments on Topics under Consideration for Revision within the WQS Regulations

April 5, 2019

We generally concur with the comments of Rivers Alliance, with some additions.

1. Updates to Numeric Water Quality Criteria

If a federally recommended criterion is stricter or more complete than the current standard, to protect Connecticut's water better, CT DEEP should adopt it. This has been Connecticut's policy for decades.
Any of EPA's recommendations that are less protective should not be adopted.

2. Revise the Low Flow Statistic Applicable to Fresh Waters

Because the US Geological Survey Stream Stats are being used by more and more people every year, including through apps on their mobile phones, we agree with Rivers Alliance that this change makes sense.

We are unsure whether DEEP will use a river's annual Q99, as in its power-point presentation, or seasonal or monthly Q99s (as used in the Streamflow Regulations)? We concur with Rivers Alliance that DEEP should use the Q99 for whatever time period will best protect flow in the river.

3. Extended Disinfection Period

The disinfection period should be extended to include April and October. People are fishing and boating in these months. We want people to be safe from contamination as they engage in river recreation. Ideally, disinfection should be year-round. We ask that DEEP require non-chlorine disinfection whenever possible.

4. Define Highest Attainable Use

"…Highest Attainable Use is evaluated during a study of how a waterbody is used…"
This apparent change to the former goal of fishable/swimmable has the potential to eliminate improvement of polluted waterways and appears to be a weakening of the goals of the Clean Water Act. We oppose weakening the goals.

If Connecticut DEEP is mandated by the federal government to revise Highest Attainable Use to mean only the goal that regulators have achieved so far, that change amounts to surrendering our ultimate goal of clean rivers. If DEEP is being forced to abandon Clean Water Act goals, we need DEEP to clearly state this so that we may address this abandonment federally.

5. Downstream Protection

We agree with Rivers Alliance that DEEP should not allow pollution to cause degradation of downstream segments of a water body. But this concept should not be used in reverse to allow a lowered standard for water quality on an upstream segment where water quality is already degraded downstream. DEEP should not allow expansion of downstream degradation to upstream.

6. Water Quality Classification Maps

We agree with Rivers Alliance that Aquifer Protection Areas should have the appropriate groundwater designation. But since some public water supply wells are immediately adjacent to, and the recharge area of, rivers, shouldn't the upstream river segments also be classified as A or as having the goal of being A?

Shellfisheries are important to the state's economy and require as much clean water as possible. All existing and potential shellfisheries should have an SA classification or a goal of SA.

General comment. Water-quality policy and related designations are unclear in some cases due to the loss of the slash-goal designations. For example, if there has been a successful shellfishery in a given location from 1950 to 2017, in SA water, but the fishery has closed, and the water is now of lower quality, should DEEP be able to give the equivalent of SB/SA? If not, how can we promote high-quality, economically beneficial waters?

7. Newly recognized pollutants

In waste-receiving streams such as the Quinnipiac River in the South Central CT basin, there are detectable chemicals with impact to biological life, as demonstrated in testing by Dr. Courtney McGinnis and Dr. Pylypiw and their respective teams at Quinnipiac University. CT DEEP should consider setting a standard for phenothiazine, an endocrine disrupting toxin, found in 2015 and the plasticizer and phthalate bis (2-ethylhexyl) phthalate, found in 2018.

Thank you for your consideration of our comments and requests.

Sincerely,

Martin Mador, president

Mary Mushinsky, executive director