CITY OF PORTSMOUTH

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John P. Bohenko
City Manager

October 11, 2019

Mr. Dennis Deziel
Regional Administrator
USEPA Region I
5 Post Office Square
Suite 100
Boston, MA 02109-3912

RECEIVED
OCT 17 2019
OFFICE OF THE REGIONAL ADMINISTRATOR

Mr. David Ross
Assistant Administrator for Water
US EPA Headquarters
1200 Pennsylvania Avenue, N.W. (4101M)
Washington, D.C. 20460

Re: Peer Review Request for Great Bay Estuary Regarding New Nutrient Loading and Modeling Approach for Eelgrass Restoration.

Dear Regional Administrator Deziel and Assistant Administrator Ross:

The City of Portsmouth ("Portsmouth") writes to support, in part, the request of the City of Dover New Hampshire and the City of Rochester New Hampshire to conduct an independent peer review as outlined in their letter to you of September 30, 2019.

It is Portsmouth's understanding that EPA Region 1 proposes to utilize a loading methodology and target of 100 kg/ha-yr for purposes of a total nitrogen general watershed permit. Portsmouth understands that a draft of that permit is due to be issued soon and this communication is not intended to derail the issuance of that draft.

That stated, Portsmouth has repeatedly expressed its concerns with regard to the methodology and target of the 100 kg/ha-yr. Unlike Dover and Rochester, Portsmouth is prepared to work within a total nitrogen general framework based on a potentially flawed methodology as long as there is a true adaptive management approach incorporated into the permit structure. That adaptive management approach would include a mechanism for a robust review by a third party science panel. This review would include the goals, methodology and all the gathered data (not just nitrogen data) annually. This would insure that adjustments could the made to the permit structure/targets as appropriate; a target or limit could be lowered or raised to best achieve the intended environmental goals as determined at that time. It should come as no

surprise given Portsmouth's historical role in this discussion that Portsmouth has long supported the use of hydrodynamic modelling for this Estuary and independent peer reviews as needed.

Portsmouth has been, and will continue to be, prepared to work collaboratively and creatively to meet both the wastewater demands of its customers and the water quality needs of the Great Bay Estuary.

Sincerely,

John P. Bohenko
SMW

John P. Bohenko
City Manager

Cc: Governor Sununu
NHDES Commissioner Robert Scott
NHDES Commissioner Clark Friese
Mike Joyal, Dover City Manager
Blaine Cox, Rochester City Manager
Suzanne Woodland, Deputy City Attorney
Terry Desmarais, City Engineer