

EXHIBIT 13 (H.70)

CHARGE QUESTIONS FOR BOYNTON AND HOWARTH REVIEW OF GREAT BAY, NEW HAMPSHIRE ESTUARINE CRITERIA

Please use the following questions to guide your review of the New Hampshire Department of Environmental Services document: “Numeric Nutrient Criteria for the Great Bay Estuary”. These should be considered points of departure and are not designed to constrain your review. Please feel free to answer these and comment on any aspect of the report you deem fit. A major goal of USEPA NSTEPS expert reviews is to evaluate the scientific defensibility behind the proposed criteria and criteria packages. To the extent that various elements may be policy oriented, please also feel free to comment as well, but focus principally on the scientific pros and cons of those elements.

Thank you again for your time and effort on this important review.

Questions:

Transparency

- Is the process for the development of the criteria well described and documented?

Defensibility

- Were accepted sampling and analysis methods used?
- Was a QA/QC process used and documented?
- Are the designated uses of the Great Bay clearly articulated?
 - Is there a clear discussion of the logic of how the criteria protect those designated uses?

Reproducibility

- Does analysis of the available data reproduce the results included in the report?

Protective

- Will the resultant nutrient criteria protect the uses of estuaries in New Hampshire?

Your review should focus on the technical document mentioned above. However, New Hampshire has graciously provided much of the underlying data, preliminary reports and comments, and other supporting information on their FTP site. Should you be interested or need to reference these materials, please see the directions below for accessing them.

Directions for Accessing the FTP Site:

The final report and all the supporting data and reports have been compiled on a publicly accessible FTP site. Directions for downloading files from this site are provided at the end of this email. On the FTP site you will find the following files and directories:

Filename	Explanation
“20090610 Nutrient Criteria for the Great Bay Estuary FINAL.pdf”	This file contains the DES proposal for nutrient criteria for the Great Bay Estuary
“Comments_Received” (Directory)	This directory contains the 12/30/08 draft of the

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	report and the comment letters received during the comment period.
“Documents” (Directory)	This directory contains the final reports from Morrison et al. and Pe’eri et al. summarizing the research completed under the EPA 104(b)(3) grant. The directory also includes the 2003 DES policy memo regarding interim chlorophyll-a criteria for primary contact recreation for estuaries.
“Raw_Data” (Directory)	This directory contains the complete water quality database for grab samples from the Great Bay Estuary from 2000-2008.
“Regressions_Graphs” (Directory)	This directory contains spreadsheets with regressions and graphs from the report.
“Summary_Statistics” (Directory)	This directory contains spreadsheets used to calculate summary statistics for each parameter in each assessment zone of the estuary.

If you have any questions, please contact Philip Trowbridge at (603) 271-8872 or via email at Philip.Trowbridge@des.nh.gov, please cc Michael Paul (Michael.Paul@tetrattech.com) and Steve Potts (Potts.Steve@epa.gov) on all direct correspondence with the state.

1) Go to this address using a web browser:

ftp://199.192.6.23/DES/wmb/Water%20Quality/Estuary_Nutrient_Criteria/. Please note that some may have to copy and paste this address into a browser for the link to work.

2) At the login window, click on the box in the lower left hand corner labeled “Login Anonymously”.

3) The User name will then be automatically filled in with the word “Anonymous”.

4) Type in your email address in the Email Address block.

5) Then click on the Log On button.

Note: If the site cannot be accessed, it could be due to security settings on your PC. Please check with your computer personnel to correct this issue.
