

EXHIBIT LIST

ORIGINAL COMMENTS

- EXHIBIT – 1 Original comments submitted by the Great Bay Coalition on 12-15-2011 to EPA Region 1
- EXHIBIT – 1A Memorandum of Agreement Between the Great Bay Coalition and New Hampshire Department of Environmental Services
- EXHIBIT - 1B Great Bay Freedom of Information Act Requests submitted to Region 1 on 11-10-11, 11-23-11, 12-06-11 and 12-08-11
- EXHIBIT – 1C Figure 6 – Eelgrass Habitat Suitability Model – Great Bay Restoration Compendium – 09-2006
- EXHIBIT – 1D Assessment of Appropriate Peer Review Charge Questions for the Evaluation of Proposed Numeric Nutrient Criteria for Great Bay
- EXHIBIT – 1E Evaluation of Proposed Numeric Water Quality Criteria for Great Bay – 06-30-10
- EXHIBIT – 1F EPA Region IV – Statement of WQS Changes Requiring EPA Approval
- EXHIBIT – 1G Diurnal DO Variation in the Squamscott River – July – October 2009
- EXHIBIT – 1H Measured Chl *a* and Secchi Disk at Adams Point – 1988-2009
- EXHIBIT - 1I Contributions of K_d (PAR) Measured at the Great Bay Buoy - 2008
- EXHIBIT – 1J HydroQual Report – 01-10-11
- EXHIBIT – 1K Trend Analysis - WWTP Loads/Flows – Total Flows Portsmouth POTWS
- EXHIBIT – 1L In-situ Measurements Refine Thresholds for DO Violations – DES 2011
- EXHIBIT – 1M Impediments to Eelgrass (*Zostera Marina*) Restoration
- EXHIBIT – 1N Relationship Between Light Attenuation Coefficient and TN at Trend Stations – DES 2009
- EXHIBIT – 1O Major Physical Differences in Sample Locations
- EXHIBIT – 1P Salinity/Dilution TN Covary in Great Bay System
- EXHIBIT – 1Q Covariation between Turbidity and TN at Datasonde Stations – DES 2009
- EXHIBIT – 1R Color-Salinity/Dilution Covary in Great Bay System – Tidal River Source

- EXHIBIT – 1S Transparency Versus Chl *a* in Squamscott River
- EXHIBIT – 1T Transparency, Macroalgae and Epiphyte Impacts to Eelgrass in the Piscataqua Estuary Assessment – Great Bay Meeting Minutes – 7-29-11
- EXHIBIT – 1U Great Bay Nitrogen Meeting Minutes – 09-26-11
- EXHIBIT – 1V Transparency v. Chl *a* – Lamprey River
- EXHIBIT – 1W DIN Loading Analysis of Lamprey River – (1990-2010)
- EXHIBIT – 1X DIN Load Reductions from 8mg/L TN Limit – (1990- 2005)
- EXHIBIT – 1Y Change in Rainfall Patterns – 1900-2010

SCIENTIFIC MISCONDUCT

- EXHIBIT - 2 Letter from John Hall to EPA Administrator Lisa Jackson and Inspector General, Arthur Elkins, Jr. sent 5-4-12

WITH ATTACHMENTS:

Timeline for Nitrogen Criteria Development in Great Bay Estuary

NH DES - Technical Advisory Committee Meeting Minutes – 09-30-05, 6-15-06, 02-20-07, 12-07-07, 06-10-08 and 11-17-08

Letter from Thomas Irvin, Senior Attorney to Stephen Silva, EPA Region 1 and Alfred Basile, EPA Region 1 on 10-06-08

Letter from Lynne Hamjian, Acting Director, Office of Ecosystem Protection to Harry Stewart, New Hampshire DES on 09-30-09

Email from Matt Liebman, EPA Region 1 to Alfred Basile, EPA Region 1, Phil Colarusso, EPA Region 1 and David Pincumbe, EPA Region 1 on 11-21-08 – RE: Matt Liebman's Comments on Great Bay Nutrient Criteria

Letter from EPA Director Stephen Perkins, Office of Ecosystem Protection to Director, Harry T. Stewart, Department of Environmental Services, Water Division on 12-09-09

Email from EPA Region 1, Stephen Silva to Carl Deloi, EPA Region 1, Brian Pitt, EPA Region 1, David Pincumbe EPA Region 1, Ken Moraff, EPA Region 1 on 02-11-2010 – RE: Great Bay SWA Legislation

Letters from E. Tupper Kinder, Counsel for City of Portsmouth to Commissioner Thomas Burack on 04-09-10 and 5-12-10

Email from Phil Colarusso, EPA Region 1 to Ellen Weitzler, EPA Region 1, Brian Pitt, EPA Region 1, Carl Deloi, EPA Region 1, Damien Houlihan,

EPA Region 1, Lynne Hamjian, EPA Region 1, Matt Liebman, EPA Region 1 on 07-06-10; RE: New Hampshire Nutrient Criteria Great Bay Response to E. Kinder Letter Comments

Memorandum of Agreement Between the Great Bay Coalition and New Hampshire Department of Environmental

Transparency, Macroalgae and Epiphyte Impacts to Eelgrass in the Piscataqua Estuary Assessment – Great Bay Meeting Minutes – 7-29-11

Great Bay Nitrogen Meeting Minutes – 09-26-11

Transparency Versus Chlorophyll *a* – Squamscott River

Transparency Versus Chlorophyll *a* – Lamprey River

Upper Piscataqua River Measured Chla and Kd (2003-2008)

Phone Log of Dr. Fred Short, dated 11-14-11, RE: Light Attenuation/Macro Algae Issues in the Great Bay

Phone Log of Dr. Fred Short, dated 11-18-11, RE: Eelgrass Issues in Great Bay

Letter from Dean Peschel, Representative for Great Bay Coalition to Dr. Fred Short, University of New Hampshire on 01-23-12

Evaluation of Eelgrass and Water Quality in Great Bay Estuary

Figure A. Eelgrass Coverage in the Great Bay (1990-2010)

Letter from Dean Peschel, Representative for Great Bay Coalition to Dr. Fred Short, University of New Hampshire on 02-09-12

Relationship Between Light Attenuation Coefficient and TN at Trend Stations (NH DES 2009)

EXHIBIT - 3 Letter from Senator Frank Guinta to EPA Administrator, Lisa Jackson sent 6-26-12

EXHIBIT – 4 Great Bay Municipal Coalition Meeting with EPA Administrator, Lisa Jackson sent 6-28-12

WITH ATTACHMENTS:

Email from S. Silva to C. Deloi on 02-11-10

Email from G. Comstock to Paul Currier on 11-26-08

Deposition Summary

Transparency-Phytoplankton Relationship Chart for the Squamscott River

Transparency-Phytoplankton Relationship Chart for the Upper Piscataqua River

Relationship Between Light Attenuation Coefficient and TN at Trend Stations (NH DES 2009)

Algal Levels in Great Bay and other Estuaries

EXHIBIT – 5 Letter from Mayors of Portsmouth and Dover to EPA Senior Policy Advisor, Ellen Gilinsky on 06-29-12

EXHIBIT – 6 Letter from John Hall to Ellen Gilinsky, Senior Policy Advisor, EPA Office of Water – sent 7-13-12

WITH ATTACHMENTS:

Email from Philip Trowbridge on 11-09-08 to Jim Latimer EPA, RE: Comments on NH Estuaries N Criteria Document

Transparency Chart for the Sqaamscott River

Transparency Chart for the Piscataqua River

Lamprey River Chl *a* Versus Transparency

EXHIBIT – 7 Letter from Jeanne Shaheen, U.S. Senator and Kelly A. Ayotte, U.S. Senator sent to EPA Administrator, Lisa Jackson sent 7-17-12

EXHIBIT – 8 Letter from John Hall to EPA Administrator, Lisa Jackson and Inspector General, Arthur Elkins, Jr. sent 8-30-12

EXHIBIT – 9 Letter from Nancy Stoner, Acting Assistant Administrator, sent to John Hall on 9-27-12

EXHIBIT – 10 No Exhibit

SUPPLEMENTAL COMMENTS

EXHIBIT – 11 Letter to EPA Director, Stephen Perkins dated 12-19-11 Attaching Additional Exhibits to Comments Submitted on 12-15-11 in Response to Request for Public Comment on Proposed Town of Newmarket, NH

EXHIBIT - 12 Email from JCH to EPA Director, Stephen Perkins dated 8-30-12 Transmitting Transcripts of Paul Currier, Philip Trowbridge and Fred Short

EXHIBIT – 13 Email dated 8-15-12 from John Hall to EPA Director, Stephen Perkins, Dan Arsenault EPA, Ellen Gillinsky EPA – with ATTACHMENTS – Concerning Great Bay Eelgrass, Great Bay Transparency Changes, Trowbridge Exhibits

EXHIBIT – 14 Email dated 08-15-12 from John Hall to EPA Director, Stephen Perkins, Dan Arsenault EPA, Ellen Gillinsky EPA – with ATTACHMENTS - Two Additional PREP TAC Studies RE: Nitrogen Confirming Changes

EXHIBIT – 15 Letter from John Hall to EPA Director, Stephen Perkins on 08-30-12 – with ATTACHMENTS - Supplemental Comments in Response to Proposed DRAFT NPDES Permits for the City of Dover NH – NPDES Permit No. NH0101311, Town of Exeter, NH NPDES Permit No. NH0100871 and Town of Newmarket NH NPDES Permit No. NH0100196

EXHIBIT – 16 Letter from John Hall to EPA Administrator Lisa Jackson on 08-30-12 RE: Great Bay Nutrient Criteria and Permit Development – Documentation of Apparent Scientific Misconduct and Agency Bias; Request for Transfer of

Matter to Chesapeake Bay Office for Independent Review

- EXHIBIT – 17** No Exhibit
- EXHIBIT – 18** Email dated 09-12-12 from John Hall to EPA Director, Stephen Perkins, Dan Arsenault EPA and Ellen Gilinsky EPA with ATTACHMENTS – Salinity Readings Great Bay Buoy 2005-2011, Excerpts from Trowbridge Depositions
- EXHIBIT – 19** Email dated 09-24-12 from John Hall to EPA Director, Stephen Perkins, Dan Arsenault EPA and Ellen Gilinsky EPA – with ATTACHMENTS – New Hampshire Fish and Game - (09-20-12)
- EXHIBIT – 20** Email dated 10-18-12 from John Hall to EPA Director, Stephen Perkins, Dan Arsenault EPA and Ellen Gilinsky EPA with ATTACHMENTS – Pictures of Lubberland Creek, Depot Road
- EXHIBIT – 21** Email dated 11-05-12 from John Hall to EPA Director, Stephen Perkins, Dan Arsenault EPA and Ellen Gilinsky EPA – with ATTACHMENTS – Great Bay Coalition Review Supplement Comments – Photograph of Salmon Falls, UNH Peer Review Response to Letter dated 10-16-12, and UNH Peer Review Letter dated 09-07-12, Nancy Stoner Letter dated 11-02-12 and Thomas Burack Response
- EXHIBIT - 22** Email dated 11-08-12 from Keisha Sedlacek to EPA Steven Perkins and Dan Arsenault EPA, with ATTACHMENTS – Supplemental Comments submitted on behalf of the Great Bay Municipal Coalition, Thomas Burack Letter and DES Slides from EPA Meeting

MISCELLANEOUS LIST

- EXHIBIT - 23** John Hall Letter to EPA Director Stephen Perkins on 08-12-11 RE: Supplemental Comments in Response to Request for Public Comment on Proposed Town of Exeter, NH NPDES Permit No. NH 0100871
- EXHIBIT – 24** Final 2012 PREP Report
- EXHIBIT – 25** PowerPoint Presentation by John Hall on 02-07-12, titled: Overview of Municipal Strategy on Great Bay Restoration
- EXHIBIT – 26** Memorandum – “EPA Overreach and the Impact on the New Hampshire Communities” from the Committee on Oversight and Government Reform – 06-14-12 at 9:00 a.m.

FOIA HEADQUARTER LIST

- EXHIBIT – 27** FOIA Request for Records Associated with EPA Region I's Draft NPDES Permits in the Great Bay Estuary dated – 09-26-12
- EXHIBIT – 28** FOIA Request for Records Associated with EPA's Response to the Great Bay Municipal Coalition's Scientific Misconduct Letter dated – 10-4-12
- EXHIBIT – 29** FOIA Request EPA-HQ 2013 000197 dated 10-05-12
- EXHIBIT – 30** FOIA Request EPA-HQ 2013-000711 dated 10-22-12
FOIA Request EPA-HQ 2013-000712 dated 10-22-12
FOIA Request EPA HQ 2013-000713 dated 10-22-12
FOIA Request EPA HQ 2013-000714 dated 10-22-12
FOIA Request EPA HQ 2013-000715 dated 10-22-12
FOIA Request EPA HQ 2013-000716 dated 10-22-12
FOIA Request EPA HQ 2013-000717 dated 10-22-12
FOIA Request EPA HQ 2013-000723 dated 10-22-12
- EXHIBIT – 31** Email from John Hall to EPA Director Stephen Perkins RE Great Bay Municipal Coalition Peer Review – Supplemental Comments with ATTACHMENTS – Salmon Falls Photograph, SWA-UNH Peer Review Response Letter dated 10-16-12, Nancy Stoner Letter dated 11-2-12 and Thomas Burack Response Letter
- EXHIBIT – 32** FOIA Response to Keisha Sedlacek RE: EPA Office of Water Response to Great Bay FOIA Request – dated 11-30-12 with ATTACHMENTS – FOIA's Signed Response, FOIA Bill Form, Letter to EPA Ellen Gilinsky dated on 6-29-12, CLF Letter to EPA Administrator Lisa Jackson and Arthur Elkins, EPA Scientific Integrity Policy,

FOIA REGION 1

- EXHIBIT 33** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0252-12
- EXHIBIT - 34** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0253-12 – Request #2
- EXHIBIT - 35** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0254-12 – Request #3
- EXHIBIT – 36** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0255-12 – Request #4

- EXHIBIT – 37** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0256-12 – Request #5
- EXHIBIT – 38** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0257-12 – Request #6
- EXHIBIT – 39** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0258-12 – Request #7
- EXHIBIT – 40** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0259-12 – Request #8
- EXHIBIT – 41** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0260-12 – Request #9
- EXHIBIT - 42** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0261-12 – Request #10
- EXHIBIT – 43** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0262-12 – Request #11
- EXHIBIT - 44** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0263-12 – Request #12
- EXHIBIT – 45** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-02564-12 – Request #13
- EXHIBIT - 46** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0265-12 – Request #14
- EXHIBIT – 47** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0266-12 – Request #15
- EXHIBIT - 48** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0267-12 – Request #16
- EXHIBIT – 49** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0268-12 – Request #17

- EXHIBIT – 50** FOIA Request for Request Associated with EPA Region 1's Draft NPDES Permits in the Great Bay Estuary – dated 09-26-12 – FOIA Request 01-FOI-0269-12 – Request #18
- EXHIBIT – 51** FOIA Response to John Hall dated 10-22-12 – to FOIA Request: 01-FOI-00252-12 to 01-FOI-00269-12
- EXHIBIT – 52** FOIA Request from John Hall dated 11-6-12 – RE FOIA's 01-FOI-00252-12 to 01-FOI-00269-12
- EXHIBIT – 53** FOIA Response to John Hall dated 11-30-12 – RE FOIA's 01-FOI-00252-12 to 01-FOI-00269-12