



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 1  
Boston, Massachusetts

REGION 2  
New York, NY

OFFICES OF THE  
REGIONAL ADMINISTRATORS

August 14, 2018

Adam Krantz, Chief Executive Officer  
National Association of Clean Water Agencies  
1816 Jefferson Place NW  
Washington, DC 20036

Dear Mr. Krantz:

Thank you for your letter sharing NACWA's concerns regarding the process and ongoing scientific work addressing excess nitrogen in Long Island Sound. First and foremost, please know that EPA welcomes the involvement of NACWA and its members, and appreciates the significant efforts and financial commitments that have already been made to implement the 2000 TMDL and improve water quality in the Sound.

We have heard the broader concerns voiced through the Association and your member agencies and want to assure you that the studies currently underway are neither a proposed total maximum daily load (TMDL), nor proposed water quality criteria, nor recommended criteria. The studies are neither regulations nor guidance, and will not impose legally binding requirements on EPA, States, Tribes, or the regulated community. The studies, once finalized, may not apply to a particular situation or circumstance, but are intended as a source of relevant information to be used by water quality managers, at their discretion, in developing nitrogen reduction strategies.

We agree that any efforts to develop any of the above should be done so in a collaborative, transparent and coordinated approach with potentially affected stakeholders. To that end, based on stakeholder input, EPA has revised its approach for empirically modeling water quality endpoints. We have submitted this methodology for external, independent technical review and plan to use that input in considering further refinements in the technical approach and analysis. In addition, through the Long Island Sound Study, EPA has embarked on a major new initiative to address deficiencies in current circulation and water quality models of Long Island Sound. The work is being conducted by the New York City Department of Environmental Protection under a cooperative agreement with EPA established in 2017. A regional advisory group will provide continued oversight and input on the integrated LIS model development. It is expected that the LIS integrated modeling will encompass a system-wide model that includes the LIS estuary and the NY-NJ Harbor and Estuary connected system. The model can be used to strengthen development of LIS embayment nitrogen endpoints, support evaluation of the existing Sound-wide TMDL, and provide a tool to assess conditions in the NY-NJ Harbor and Estuary.

As mentioned above, EPA is still early in the information gathering and scientific analysis phase working to assess nitrogen-related water quality conditions in Long Island Sound and its embayments, based on the best scientific information reasonably available. As we move forward, in addition to the public webinars, posting draft deliverables on the LISS website, and hosting a comment box, EPA is planning a public response period in fall 2018 on all the deliverables including the Subtask F & G memo.

EPA has, and will continue to, actively engage the states, the municipal community, and other stakeholders in the technical work conducted under the strategy. Please know that we are still working internally to assess and respond to comments on our contractor's draft work products and technical analyses (including the specific technical comments listed in your letter). We take these submissions seriously and are dedicated to ensuring an open and deliberative engagement.

In closing, we would be very happy to meet with you and your team to discuss these issues. We welcome your input on how to best leverage and nest our various activities, with the goal of continuing progress on nitrogen endpoint development and applications, while integrating the water quality modeling initiative with local and regional nitrogen management efforts. Please contact Lynne Hamjian at (617) 918-1601 or Beth Soltani at (212) 637-5000 if you would like to schedule a call or meeting. They will be sure to coordinate within EPA Regions 1 and 2. Thank you again for your commitment to clean water and specifically, to Long Island Sound nitrogen issues.

Sincerely,



Alexandra Dapolito Dunn  
Regional Administrator  
Region 1



Peter D. Lopez  
Regional Administrator  
Region 2

cc: David Ross, Assistant Administrator, Office of Water, EPA HQ  
John Goodin, Acting Director, Office of Wetlands, Oceans and Watersheds, Office of Water, EPA HQ  
Deborah Nagle, Acting Director, Office of Science and Technology, Office of Water, EPA HQ  
Andrew Sawyers, Director, Office of Wastewater Management, Office of Water, EPA HQ