



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Charles D. Baker
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Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

February 21, 2017

Mark Rasmussen
President
Buzzards Bay Coalition
114 Front Street
New Bedford, MA 02740

Dear Mr. Rasmussen,

I am writing in response to your letter to Secretary Matthew Beaton dated January 17, 2017 regarding the status of several Massachusetts' Estuary Project (MEP) Total Maximum Daily Loads (TMDLs) for Buzzards Bay. Specifically, you expressed concern regarding the timing of the issuance of the following TMDLs:

- Rands Harbor and Fiddlers Cove,
- Quissett Harbor,
- Wild Harbor,
- Slocums and Little Rivers,
- Nasketucket Bay, and
- Westport River.

MassDEP has been working diligently to draft and finalize TMDLs for these and other waterbodies in Southeastern Massachusetts and Cape Cod over the last three years. The release of draft MEP TMDLs was delayed until 2015, pending the resolution of legal challenges made to EPA regarding to existing MEP TMDLs. Since 2015, MassDEP finalized eight MEP TMDLs. These TMDLs may not have covered the Buzzard's Bay watershed; however, these were also priority MEP TMDLs for completion. An extensive review process is employed during the development of the MEP TMDLs. Pre-public comment draft TMDLs are provided to EPA for

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
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review and comment; a pre-public comment draft TMDL is subsequently provided to the Buzzard Bay Coalition (for the Buzzard's Bay TMDLs) and the town for review and comment; MassDEP then works to address those comments prior to issuing a draft TMDL for public comment. We believe that this extensive review process results in better TMDLs; however, it does add time to the development of final TMDLs.

As noted, MassDEP held a public meeting for the draft Westport River TMDL in June of 2016. Significant public comments were received during the public comment period and it has taken time to review and respond to those comments. In the interim, MassDEP has continued to meet with the Town of Westport to discuss the development of a Comprehensive Water Resources Management Plan (CWRMP) resulting in implementation strategies to meet the TMDL. MassDEP's most recent meeting with the Town was on January 18, 2017. MassDEP submitted the final Westport TMDL to EPA for approval **earlier this month**.

Both the Buzzards Bay Coalition and the Town of Dartmouth reviewed and commented on a draft Slocums and Little Rivers TMDL in July of 2016. MassDEP met with the Town of Dartmouth to discuss their questions and concerns in September of 2016 and have been working to resolve some of the outstanding issues identified during that meeting. We anticipate that we will issue the Slocums and Little Rivers TMDL for public comment in the **spring of 2017**.

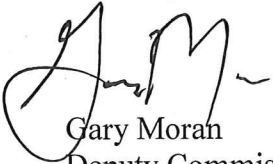
The Rands Harbor and Fiddlers Cove, Quissett Harbor, and Wild Harbor TMDLs are being drafted by MassDEP staff and we anticipate that these TMDLs will be ready for public comment in the **summer of 2017**; pre-public comment draft TMDLs will be provided to the town and Buzzards Bay Coalition in late spring/early summer. The MEP technical report developed for Nasketucket Bay did not indicate a nutrient impairment of that system; therefore, MassDEP does not plan to develop a nitrogen TMDL for that system. Fairhaven does have the MEP technical report which is an excellent tool for water resources planning.

Following the public meeting for the Westport River TMDL, MassDEP held public meetings on December 14, 2016 for the draft Parkers, Swan Pond, and Bass Rivers TMDL and December 15, 2016 for the draft West and East Monponsett Ponds System TMDL. MassDEP also anticipates completing additional draft MEP TMDLs available for public comment in the summer and fall of 2017 for systems that lie outside the Buzzards Bay watershed.

TMDLs are technical documents that can have significant implications for communities. Drafting a TMDL takes significant time and effort, as does reaching out the communities within the impaired watershed. MassDEP takes these activities very seriously and strives to do their due diligence so that the TMDL is the best possible planning tool for these communities. MassDEP is industriously working on nutrient TMDLs throughout Southeastern Massachusetts for both coastal and freshwater systems and are doing their best to complete these TMDLs as quickly as possible.

In the future, please do not hesitate to reach out to Rebecca Weidman, Director of the Division of Watershed Management, at 617-654-6612 if you have any questions or concerns about the status of any MEP or other TMDLs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary Moran', with a stylized flourish at the end.

Gary Moran
Deputy Commissioner

Cc:

MassDEP
EPA Region 1
Senator deMacedo
Senator Montigny
Senator Pacheco
Senator Rodrigues
Representative Cabral
Representative Gifford
Representative Fernandez
Representative Koczera
Representative Markey
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Town of Westport Conservation Commission
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Westport Fisherman's Association

