Attachment A

Timeline for Nitrogen Criteria Development in Great Bay Estuary

Sept 2005 – Dec 2007: NHEP TAC conducts investigations into cause of eelgrass loss in Great Bay Estuary, determines that loss not due to TN-induced transparency changes.

Mar 2008 – Aug 2008: DES Listing Methodology and Impairment Determination conclude no Great Bay eelgrass impairment; transparency not issue.

May 2010: Coalition requests "Open" Peer Review of draft Nutrient Criteria and need to address SAB issues; denied by EPA.

Dec 2011: FOIA responses from EPA reveals basis for TN criteria – claimed research by Dr. Short. Request to Dr. Short to provide analysis but nothing provided.

Apr 2010: EPA SAB criticizes simplified nutrient criteria development as not "scientifically defensible."

Jan 2011: DES agrees to independent peer review.
Apr 2011: Memorandum of Agreement signed.
Sept 2011: MOA Technical Evaluation confirms original TAC findings – no TN-transparency concern.

Feb 2012: FOIA response from EPA confirms no information to support Great Bay transparency - TN claims.

2005 - 2008 | **2009** | **2010** | **2011** | **2012**

Oct 2008: CLF Letter to EPA urging more restrictive approach.

Nov 2008 – Jun 2009: DES-EPA develops revised TN-based criteria and expanded Impairment Listing based on TN-transparency impacts on eelgrass.

Aug - Sept 2009: DES submits and EPA approves revised Impairment Listing using new TN-transparency criteria, concluding Great Bay eelgrass impaired by TN.

Mar 2010: EPA initiates internal peer review;
Jun 2010: EPA rejects open peer review request.

Sept 2010: Internal Region I memorandum identifies major SAB-related deficiencies with 2009 Numeric Nutrient Criteria for Great Bay Estuary.

EPA Draft NPDES Permits based on un-adopted TN criteria:
Feb. 2011: Exeter
Sept 2011: New Market
Dec 2011: Dover
EPA action repeatedly ignores technical comments confirming no TN-algal-transparency impairment.

Vetted Public Process
No TN-Transparency Impairment;
No Basis for TN Criteria.

EPA Promotes Numeric Criteria Development and Revised Impairment Listings Contrary to TAC Findings.

EPA Drafts NPDES Permits; Misconduct Revealed.