Exhibit 5

The Nature Conservancy
Protecting nature. Preserving life.™

The Nature Conservancy in Connecticut
55 Church Street, Third Floor
New Haven, CT 06510-3029

Tel: (203) 568-6270
Fax (203) 568-6271
nature.org/connecticut

December 13, 2013

Robert Hust
Connecticut Department of Energy and Environmental Protection
Bureau of Water Protection and Land Reuse
Planning & Standards Division
79 Elm Street
Hartford, CT 06106-5127

(Submitted via email to deep.wqsreview@ct.gov)

Re: Triennial Review of Connecticut Water Quality Standards

Dear Mr. Hust:

Thank you for the opportunity to provide comments on the state of Connecticut's Water Quality Standards (WQS).

The Nature Conservancy (the Conservancy) is an international, nonprofit conservation organization. Our mission is to conserve the lands and waters on which all life depends. Our work is carried out in all 50 states and over 30 countries and is supported by more than 28,000 members in Connecticut and one million members worldwide. The Conservancy works on freshwater, coastal and marine science and management to support government agencies, water management agencies, industry, scientists, and other non-governmental organizations around the world to improve ecosystem health and implement sustainable solutions to environmental challenges.

Connecticut's WQS are critical for the protection of the state's water quality and aquatic resources. For this triennial review, we are particularly interested in the following areas of the Standards and offer the following comments and recommendations.

1. **Consistency of the WQS with federal water quality criteria established in accordance with section 304(a) of the federal Clean Water Act; and nutrient criteria development.**
   The Conservancy supports progressive and effective nutrient reduction and management strategies that protect the biodiversity, recreational and economic potential of our water resources. Excess nitrogen causes harmful algae blooms (red tides, brown tides, rust tides) and hypoxia that threaten Connecticut's economically, recreationally and ecologically valuable natural aquatic resources. Eutrophication has degraded Connecticut's coastal and aquatic habitats and caused recurring hypoxia in Long Island Sound. Millions of dollars have been invested in upgrading sewage treatment plants to reduce nitrogen loading into the Sound; yet dead zones persist and salt marshes, seagrass meadows and shellfish beds continue to decline. Scientists have repeatedly verified the connection between nitrogen pollution and degraded water quality and marine life over the last few years (Deegan et al. 2012, Heisler et al. 2008, Latimer and Charpentier 2010, Short et al. 2012) and we know that

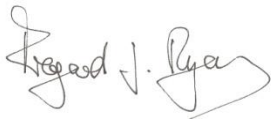
reducing nitrogen enables coastal and marine habitats to recover and rebound (Greening et al. 2011, Vaudrey et al. 2010, Vega Thurber et al. 2013). We applaud the State's efforts to reduce nitrogen from point sources and strongly urge that these actions be expanded and amplified to reduce nitrogen from the multiple and wide-spread non-point sources across the state - ranging from septic systems in the Saugatuck River watershed to agricultural fertilizer use in the Mystic River watershed. In addition to numeric limits, we support nutrient criteria informed by biological response and the Department of Energy and Environmental Protection's effort to develop biological standards.

2. **Expansion of wastewater disinfection period.**
   The May 1-October 1st blanket timeline for disinfection north of Interstate 95 is not a protective window for all rivers in the state. On some, like the Connecticut River, significant usage occurs much earlier in the spring and later into the fall. The Conservancy supports the establishment of an expanded disinfection season responsive to use, and year-round where possible, especially where UV disinfection has replaced chlorine disinfection and reduced negative impacts to aquatic life. All sewage treatment plants should be required to have adequate backup power generation.

3. **Inclusion of "inland wetlands and watercourses" in the definition of surface waters.** These areas are a critical watershed component, providing habitat, critical flood storage and stream recharge. We support the inclusion of these areas under the surface water classification.

Thank you for this opportunity to comment. We look forward to working with you to conserve Connecticut's health and our quality of life by taking action to protect and restore our water resources. If you have questions, please contact Shelley Green, Director of Conservation Programs at sgreen@tnc.org/ or 203-568-6288,

Sincerely,



Frogard Ryan
Connecticut State Director

Citations

Deegan, L.A., D.S. Johnson, R.S. Warren, B.J. Peterson, J.W. Fleeger, S. Fagherazzi, W.M. Wollheim. 2012. Coastal eutrophication as a driver of salt marsh loss. *Nature* 490: 388-392

Greening, H.S., L.M. Cross, E.T. Sherwood.2011. A Multiscale Approach to Seagrass Recovery in Tampa Bay, Florida. Ecological Restoration 29 (1-2):82-93

Heisler, J., P.M. Glibert, J.M. Burkholder, D.M. Anderson, W. Cochlan, W.C. Dennison, Q. Dortch, C.J. Gobler, C.A. Heil, E. Humphries, A. Lewitus, R. Magnien, H.G. Marshall, K. Sellner, D.A. Stockwell, D.K. Stoecker, M. Suddleson. 2008. Eutrophication and harmful algal blooms: A scientific consensus. *Harmful Algae* 8 (1): 3-13

Latimer, J.S. and M.A. Charpentier. 2010. Nitrogen inputs to seventy-four southern New England estuaries: Application of a watershed nitrogen loading model. *Est. Coast. & Shelf Sci* 89:125-136

Short, F.T, A.S. Klein, D.M. Burdick, and G.E. Moore. 2012. The eelgrass resource of Southern New England and New York: Science in support of management and restoration success. NOAA Restoration Center Community-based Restoration Program (CRP).

Vaudrey, J.M.P., J.N. Kremer, B.F. Branco, F.T. Short. 2010. Eelgrass recovery after nutrient enrichment reversal. *Aquatic Botany* 93: 237–243

Vega Thurber, R.L., D.E. Burkepile, C. Fuchs, A.A. Shantz, R. McMinds, J.R. Zaneveld. 2013. Chronic nutrient enrichment increases prevalence and severity of coral disease and bleaching. Global Change Biology: 1-11