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December 8, 2022

Mississippi River/Gulf of Mexico Hypoxia Task Force
Radhika Fox (Co-Chair), U.S. Environmental Protection Agency
Mike Naig (Co-Chair), Iowa Department of Agriculture and Land Stewardship

Submitted via email to Katie Flahive at Flahive.Katie@epa.gov

Re: Comments for the 37th Public Meeting of the Gulf Hypoxia Task Force on December 14, 2022

Dear Gulf Hypoxia Task Force Chairs:

The Iowa Environmental Council (IEC) offers the following comments regarding nutrient pollution in Iowa to the Gulf Hypoxia Task Force (GHTF). These comments represent the views of the Iowa Environmental Council, an alliance of more than 100 organizations, over 500 individual members, and an at-large board of farmers, business owners, and conservationists. IEC works to build a safe, healthy environment and sustainable future for Iowa.

State Accountability and Progress on Nutrient Reduction

The GHTF needs to do more to hold states like Iowa accountable for progress on its nutrient reduction strategy (NRS). Iowa does not have benchmarks or timelines in its NRS to measure progress. The GHTF should require states to develop benchmarks and timelines for progress on nutrient reduction, as well as reporting requirements. Iowa has not issued a progress report or updated monitoring data since 2019.

The Gulf Hypoxia Task Force called for an interim nutrient reduction goal of 20% by 2025. How will the Task Force enforce this interim reporting period? What will it do to change its approach when Iowa and other states fail to meet the 20% goal? Iowa and other states will force these questions because they are not on track to meet the GHTF goals. Planning for this inevitability should start now.

Next year is the ten-year anniversary of the adoption of Iowa's NRS. In a [recent publication](#), IEC called on the state agencies responsible for the implementation and review of the Iowa NRS to conduct a ten-year evaluation and update of the strategy. In that report, we also called for the following changes to the Iowa NRS:

1. Adopt timelines for progress
2. Identify consequences for failing to meet targets
3. Conduct a ten-year review to prioritize conservation practices

4. Identify agricultural conservation practices to adopt universally
5. Implement a targeted watershed demonstration project
6. Develop a monitoring approach for targeted watersheds to track nutrient reductions
7. Adopt numeric nutrient criteria

The GHTF should encourage these measures and require reporting from states on progress toward their adoption.

Numeric Nutrient Criteria

We anticipate the Iowa Department of Natural Resources (DNR) will work on its triennial review of water quality standards for 2024-26 next year. As in previous years, we will call on Iowa DNR to include numeric nutrient criteria (NNC) in the triennial review. IEC has petitioned the state to adopt NNC in the past and the state has denied those petitions. We cannot wait any longer for Iowa to commit to adopting NNC. U.S. EPA has made it clear and our own experience demonstrates that states need to adopt NNC to successfully address nutrient pollution. After the latest EPA recommendations using Iowa data to develop locally appropriate NNC, the Iowa DNR has run out of excuses. U.S. EPA must ensure that Iowa DNR will include numeric nutrient criteria in its triennial review.

Bipartisan Infrastructure Law Funding to Address Gulf Hypoxia

The Bipartisan Infrastructure Law (BIL) has dedicated \$60 million over the course of five years for the Gulf Hypoxia Program. The GHTF must ensure that those funds are spent on strategic and efficient projects to address nutrient pollution. With less than \$1 million allotted to each state per year, this funding provides a small fraction of the funding necessary to implement Iowa's NRS, which is estimated to cost \$77 million to \$1.2 billion.¹ Instead, the funding should support water quality monitoring and tracking of progress toward NRS goals. In addition to tracking implementation of agricultural conservation practices, the other side of the ledger must be accounted for – the amount of new drainage tile installed annually, which accelerates delivery of fertilizer pollution to the state's waterways, and conversion of perennial vegetation and pasture to annual row crop production.

Public Input at Gulf Hypoxia Task Force Meetings

Finally, we are disappointed that the Gulf Hypoxia Task Force is meeting in Washington, D.C. instead of in one of the twelve states serving on the Task Force. This decision has limited public attendance and participation at the meeting. Further, the public comment period during the meeting is too short and verbal comments are not available to stakeholders that cannot attend the meeting in person. The GHTF should encourage public engagement and listen to the people in the states that are impacted by nutrient pollution. Here in Iowa, our water treatment facilities are struggling to provide clean water that meets drinking water standards. Our public beaches and lakes are choked with algae each summer, making many of the few public areas we have in our state unusable during the recreation season. Iowans are suffering from the consequences of

¹ "Iowa Nutrient Reduction Strategy," Iowa DALs, Iowa DNR, and Iowa State University (updated Dec. 2017) at Table 5, Section 2.1, page 9.

nutrient pollution in our waterways, and the GHTF does not provide an adequate opportunity to hear our voices. The focus during GHTF meetings on the positive stories of partnerships and project implementation without addressing the failure of progress renders these meeting ineffective and is a disservice to the public.

We appreciate the opportunity to provide comments to the Gulf Hypoxia Task Force. Please contact me anytime to further discuss these comments and our proposed solutions.

Sincerely,

A handwritten signature in black ink that reads "Alicia Vasto". The signature is written in a cursive style with a large, stylized initial 'A'.

Alicia Vasto
Water Program Director