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Iowa Department of Natural Resources  
Attn: IR Comments  
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**RE: Draft 2022 List of Impaired Waters**

Dear Water Quality Monitoring and Assessment Section:

The Iowa Environmental Council (Council or IEC) offers the following comments on the draft 2022 list of the Section 303(d) impaired waters. These comments represent the views of the Iowa Environmental Council, an alliance of 100 organizations, at-large board members from business, farming, the sciences and education, and over 500 individual members.

**GENERAL COMMENTS**

The Council makes the following general comments about the draft 2022 impaired waters list:

- **A high proportion of assessed waters are impaired.**  
The 2022 303(d) list shows that 54% of assessed waters are impaired for one or more designated uses. Waters are not being removed from the list at a reasonable rate, nor has there been a serious effort on behalf of the state to develop and implement Total Maximum Daily Loads (TMDLs) and water quality improvement plans to lead to enough waters to be considered for removal. Instead, state leadership expects Iowans to accept that more than half the waters in Iowa are impaired. This indicates that the state does not take seriously its duty to protect water quality for Iowans. **The Council calls on the state to take stronger leadership to improve Iowa's water quality and significantly reduce the number of impairments.**
- **A high proportion the state's A1 primary recreational waters are impaired.**  
Of Iowa's waters that have been assessed for A1 recreational use, 80% (496 of 619) are impaired. Public lands and waters are owned by the people of Iowa under the care of the state. Iowans are not getting the full benefits of the state's primary recreational waters due to poor water quality. The state has done an inadequate job of protecting public lands and waters for public recreational use. **The Council calls on DNR to prioritize TMDL completion for Iowa's recreational waters and improve Iowa's recreational water quality for the benefit of Iowans.**
- **Iowa still does not have numeric nutrient criteria or a microcystin standard.**

The EPA issued recommendations for microcystin and numeric nutrient water quality standards that would protect recreational users from harmful algae blooms. In fact, the EPA’s numeric nutrient criteria recommendations relied heavily on Iowa water quality data. When the DNR released the 2020 impaired waters list, IEC called on the state to adopt microcystin and numeric nutrient criteria. DNR has not indicated that it will adopt those standards, and while DNR staff has indicated that they are evaluating the recommendations, no timeline or formal process has been set to begin the process of adopting criteria. . DNR left those priorities out of the 2021-2023 Triennial Review. **Again, IEC calls on the state to adopt numeric nutrient and microcystin criteria.** DNR has all the information it needs to begin the work of adopting criteria, which are necessary to understand the condition of Iowa’s waters and make progress on protecting Iowans from negative health impacts.

- **The state’s monitoring program is not rigorous and does not allow for comparison over time.** When the impaired waters list is released, DNR staff takes the position that the results cannot be interpreted to give Iowans an understanding of Iowa’s water quality. This is due at least partially to using data that is collected haphazardly from all available sources instead of being collected through a standardized, rigorous monitoring scheme that allows comparison over time.<sup>1</sup> If the state had a common monitoring plan that used a watershed approach to collect data and assess water quality, the impaired waters list would be a much more useful tool for actually understanding the state’s water quality and progress toward meeting water quality standards. **IEC urges the DNR to develop a standardized monitoring plan using the watershed approach that is scientifically rigorous, allows interpretation of results, and is useful to the public.** Such a plan might resemble Minnesota’s watershed lake and stream monitoring program, which fully assesses watersheds on a 10-year cycle.
- **Support for removal of the confusing “partially supported” level from assessments.** Since the previous reporting cycle, Iowa DNR has done away with the “partially supporting” level of assessment that caused confusion in previous reports. The definition of that terminology was unclear and it was not applied consistently across assessments. IEC supports the simpler monitored assessments of “fully supported” or “not supported,” and “fully supported” or “WINOFI” for evaluated assessments. Designating the magnitude of impairments as “slight,” “moderate”, or “high” is much more clear and understandable for the public.

**COMMENTS ON IOWA’S RECREATIONAL LAKES**

The Iowa Environmental Council completed detailed reviews of the DNR assessment information for state park recreational beaches. Based on our review, IEC has identified several waterbodies for which the state should to do more to protect and improve our water quality.

**Many of the state’s premier recreational lakes continue to be impaired due to indicator bacteria.**

The following table lists when state park lakes were added to the impaired waters list for indicator bacteria (*E. coli*) and when a TMDL was completed, if any.

Lake	Cycle Added	TMDL completed	TMDL Priority
Backbone	2004	N/A	Tier II

<sup>1</sup> Iowa DNR. “Methodology for Iowa’s 2022 Water Quality Assessment, Listing, and Reporting Pursuant to Sections 305(b) and 303(d) of the Federal Clean Water Act.” 9 Feb. 2022. Pg. 11-16.

Beeds	2002	2006	N/A
Keomah	2008	N/A	Tier II
Lower Pine	2006	N/A	Tier II
Macbride	2006	N/A	Tier I
West Okoboji (06-LSR-2066)	2006	N/A	Tier II

These six lakes continue to experience chronic *E. coli* contamination, resulting in swim advisories during the summer recreation season that turn visitors away from safely recreating and enjoying Iowa’s state parks. Lake Macbride is considered a Tier I priority for TMDL completion due to the impairment’s high social impact and relatively low complexity or cost for development.<sup>2</sup> Yet more than a decade later, the state still has not completed a TMDL for indicator bacteria for this lake. The other lakes, although highly visited by Iowans, are only considered to be Tier II priorities.

DNR added Backbone Lake to the impaired waters list in 2004. Backbone was Iowa’s first state park, dedicated by the state in 1920. It has many unique features including limestone cliffs and Civilian Conservation Corps buildings constructed in the 1930s. Water quality in Backbone Lake, Iowa’s flagship park, has been so poor for decades, the beach is under swim advisories more than 75% of the recreational season every summer, and there is no TMDL to address this chronic impairment.

Beeds Lake is another particularly unfortunate example of the state’s lack of progress toward meaningfully protecting and improving recreational water quality. Although DNR added Beeds Lake to the impaired waters list in 2002 and completed a TMDL in 2006, the lake continues to be plagued by *E. coli* contamination more than a decade later. For the 2016-2020 reporting period covered by the 2022 assessment, Beeds Lake was under swim advisories for half of every summer recreation season on average.

Number of Weeks under <i>E. coli</i> Swim Advisory Out of 15 or 16 Week Recreational Season (exceeding single sample 235 MPN/100 mL or 5-week geometric mean 126 MPN/100 mL) <sup>3</sup>					
	2016	2017	2018	2019	2020
Backbone	14	13	14	13	14
Beeds	13	7	8	6	7
Keomah	4	3	6	5	7
Lower Pine	9	6	9	1	6
Macbride	5	4	11	2	4
West Okoboji (Emerson Bay Beach)	7	6	7	3	7

**We urge the DNR to not only complete TMDLs for these lakes, but for the state to provide adequate resources to implement water quality improvement plans, demonstrate water quality improvement in these lakes, and remove them from the impaired waters list.**

<sup>2</sup> Iowa DNR. “Long-term vision for assessment, restoration, and protection under the Clean Water Act Section 303(d) program.” Oct. 2015. Pg. 4-5.

<sup>3</sup> Iowa DNR. Beach Monitoring Program. Data available at <https://programs.iowadnr.gov/aquia/>.

Thank you for the opportunity to comment on the draft 2022 impaired waters list. If you have questions or we can clarify these comments further, please feel free to call.

Sincerely,

/s/ Alicia Vasto

Alicia Vasto

Water Program Associate Director

Iowa Environmental Council