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November 29, 2023

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 38th Public Meeting of the Gulf Hypoxia Task Force on December 6, 2023

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, thousands of individual supporters, and an at-large board of farmers, business owners, and conservationists. IEC works to build a safe, healthy environment and sustainable future for Iowa. IEC will also deliver public comments at the in-person meeting on December 6th.

Lack of Progress on Nutrient Reduction

The GHTF needs to do more to hold states like Iowa accountable for progress on its nutrient reduction strategy (NRS). This year is Iowa's 10th year of implementation of its NRS. While Iowa state agencies and agriculture groups have been on a media blitz celebrating the success of the strategy and the progress they claim has been made, Iowa continues to be nowhere close to reaching its actual water quality goals. Further, the state refuses to reevaluate the strategy and update it based on progress made or lack thereof, a crucial step for any successful or serious strategy. The GHTF should require states to develop benchmarks and timelines for evaluation and nutrient reduction targets.

A Holistic Approach to Addressing the Dead Zone

The GHTF has set a basin-wide goal for reducing the size of the Gulf hypoxic zone by 45%. However, the Task Force has not developed a coordinated, basin-wide approach to reducing the nutrient pollution that causes the hypoxic zone. Instead, it relies on individual states to develop and implement strategies for nutrient pollution reduction. The Task Force should create a whole-basin strategy to reduce nutrient pollution that identifies targets, provides tools for project development and evaluation, and creates a framework for states to standardize implementation and reporting. The capacity of the federal government should be leveraged through the EPA's role with the Task Force to implement and evaluate nutrient pollution reduction.

Numeric Nutrient Criteria

The Iowa Department of Natural Resources (DNR) is approaching its 2024-26 triennial review. 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 to develop locally appropriate NNC, with an Iowa case study using water quality monitoring data, 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 GHF 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 per year.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.

The GHF should also use BIL funds to support a coordinated, whole-basin approach to nutrient pollution reduction. EPA could fund staff to work with states to coordinate nutrient reduction work, provide tools and capacity, and increase efficiency and frequency of reporting.

Public Input and Accountability

Finally, we are disappointed that public feedback is not considered seriously by the Gulf Hypoxia Task Force. In the previous meetings we have participated in, the public has called on the Task Force to do more and take action to meaningfully address lack of progress on its goals. The Task Force has ignored those calls and done nothing to address the concerns. The Gulf Hypoxia Task Force meetings continue to be an opportunity for states and the EPA to share positive, isolated stories despite ongoing, systemic lack of progress, change, or improvement in water quality. As we approach the Task Force's 2025 interim goal of reducing nutrient pollution and the Dead Zone by 20%, the Task Force should honestly assess and explain why the goal will not be reached and how its approach must change going forward to have any hope of actually improving water quality and achieving its goals in the future.

¹ "Iowa Nutrient Reduction Strategy," Iowa DALs, Iowa DNR, and Iowa State University (updated Dec. 2017) at Section 1.1, page 12.

We appreciate the opportunity to provide comments to the Gulf Hypoxia Task Force and look forward to further discussion at the meeting in December. 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, flowing style.

Alicia Vasto
Water Program Director