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U.S. Environmental Protection Agency  
via Regulations.gov

RE: Docket ID No. EPA-HQ-OW-2019-0675  
U.S. EPA (2020): Draft Ambient Water Quality Criteria Recommendations for Lakes and Reservoirs of the Conterminous United States: Information Supporting the Development of Numeric Nutrient Criteria (85 FR 31184)

Dear Agency Officials:

The Iowa Environmental Council (“IEC”) offers the following comments on EPA’s draft Ambient Water Quality Criteria Recommendations for Lakes and Reservoirs (“Recommendations” or “EPA Draft”). These comments represent the views of the Iowa Environmental Council, an alliance of 75 organizations, at-large board members from business, farming, the sciences and education, and over 500 individual members. IEC’s members hike, fish, paddle, swim, and recreate in and around lakes, rivers, and streams throughout the state. IEC regularly alerts its members to recreational advisories based on testing for microcystins in Iowa lakes. We write in support of the comments by the Mississippi River Collaborative, of which IEC is a member.

## **I. Microcystins Pose a Threat to Iowans.**

The Council appreciates EPA’s adoption of the numeric criteria for microcystins and cylindrospermopsin in 2019, as well as EPA’s efforts to facilitate state implementation through this technical support document. IEC has worked to address nutrient issues in Iowa for decades and appreciates EPA’s work to remedy the problems that result from harmful algae blooms (“HABs”).

The number of lake advisories in Iowa each year for microcystin has generally been increasing over the last decade, reflecting the increasing frequency of HABs.<sup>1</sup> Consistent with that trend, data show increasing nitrate loading in Iowa.<sup>2</sup> The annual warnings and increasing trend in Iowa underscore the need for adoption and implementation of a numeric water quality criterion to protect recreational uses. Many states, including Iowa, already have goals to reduce nutrients.

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<sup>1</sup> “Trends in Swim Advisories,” Iowa Environmental Council, available at <https://www.iaenvironment.org/our-work/clean-water-and-land-stewardship/swimming-advisories>.

<sup>2</sup> See Jones CS, Nielsen JK, Schilling KE, Weber LJ (2018) Iowa stream nitrate and the Gulf of Mexico. PLoS ONE 13(4): e0195930. <https://doi.org/10.1371/journal.pone.0195930>.

Preventing harm to human health and increasing the safety of recreation provide additional reasons to pursue state nutrient goals.

## **II. Iowa Needs Protective Numeric Criteria.**

It is imperative to protect against excess nutrients to ensure the health and safety of Iowans who recreate or otherwise interact with waters in the state's lakes. Iowa has claimed that adoption of nutrient criteria is a priority since at least 2008, and included it as a goal its Nutrient Reduction Strategy. However, the state has made no apparent progress on this effort and in fact denied repeated petitions to adopt numeric nutrient criteria. For the reasons provided in the comments of the Mississippi River Collaborative, we are concerned that the recommended criteria could allow Iowa to adopt criteria that are not protective of the state's designated uses.

EPA conducted extensive research and analysis to develop the Recommendations, but relies on a series of tenuous relationships and seeks to protect against only one negative effect of excess nutrients. Condoning nutrient pollution that leads to microcystin (MC) concentrations of 8 µg/L, as EPA targeted in its Recommendation, would allow nutrient concentrations that cause the same problems Iowa experiences today – chronic algae blooms, limitations on swimming, threats to public health, and impacts to biological communities. Due to the uncertainty in the relationship between nutrients and microcystin, EPA should recommend a more protective approach of designated uses, not just focus on a single effect of nutrient pollution.

By focusing on microcystin alone, EPA ignores the other consequences of excess nutrient pollution – including direct impacts to recreational uses and biological impacts resulting from the changed eutrophic state of a lake. Narrowly focusing on MC ignores biological factors relied on by other states, including Minnesota and Wisconsin.

## **III. Conclusion**

IEC applauds EPA for making efforts to update the science supporting numeric nutrient criteria. Iowa, like many other states, has a goal to reduce nutrient pollution. The new draft criteria provide additional reason to pursue that goal. However, the final Recommendation should be sufficiently stringent to actually protect the uses that are already being limited in Iowa.

Thank you for the opportunity to comment on the draft criteria. If you have questions or I can clarify these comments further, please feel free to email me at [gronstal@iaenvironment.org](mailto:gronstal@iaenvironment.org).

Sincerely,

/s/ Ingrid Gronstal Anderson

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