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January 18, 2019

Environmental Protection Commission
Iowa Department of Natural Resources
Wallace Building
502 East 9th Street
Des Moines, IA 50319

RE: Petition for Rulemaking by the Iowa Environmental Council and the Environmental Law and Policy Center requesting the adoption of four numeric water quality standards

Dear Commissioners,

The below listed organizations thank you for the opportunity to provide comments on the petition for rulemaking filed with the Iowa Department of Natural Resources on November 1, 2018 by the Iowa Environmental Council and the Iowa Environmental Law and Policy Center requesting the Department establish new nutrient criteria for total nitrogen, total phosphorous, chlorophyll-a and secchi disk depth limits for Iowa's lakes.

We respectfully request that the Commission deny this petition for rulemaking.

The EPC considered similar proposals in 2008, 2011 and 2013. The 2008 and 2011 rulemakings were terminated, and the Commission formally denied the 2013 petition, citing its actions to address nutrients including the development of the nutrient reduction strategy, the inconclusive and unreliable nutrient science, and the need for the development of a fiscal and jobs impact statement for the proposed rulemaking.

We fail to see how another rulemaking petition should be granted now. The undersigned organizations and their members have expended great efforts to address water quality. The Iowa Legislature, Iowa Governor and leadership of the DNR and IDALS, have made water quality a top priority. The creation and implementation of the Nutrient Reduction Strategy for both point and non-point sources, the passage of SF 512 and the development and implementation of other key programs clearly shows progress has been made in the short timeframe since the denial of the 2013 petition. Some of these key programs and advancements with increased resources and attention include: targeted watershed projects, lake restoration projects, in-field and edge-of-field agricultural practices, technology upgrades and the continued development of new science and strategies to address water quality in lakes and watersheds across the state.

We believe setting numeric criteria that are not required and not based on sound science will create significant detrimental effects for agriculture, businesses and communities across the state of Iowa at a critical time when additional dollars, increased scientific research, the development of new strategies and implementation of existing programs are being utilized to improve water quality. These arbitrary numeric standards are a poor predictor of lake water quality and will only divert resources away from the accelerated progress that has been made. This momentum would not only come to a halt should the department adopt this strict and unnecessary criteria, but also create potentially crippling impacts to our state.

Thank you for your time and consideration of our request to deny this petition for rulemaking.

Sincerely,

Agribusiness Association of Iowa
Iowa Association of Business and Industry
Iowa Association of Municipal Utilities
Iowa Cattlemen's Association
Iowa Chamber Alliance
Iowa Corn Growers Association
Iowa Farm Bureau Federation
Iowa League of Cities
Iowa Pork Producers Association
Iowa Rural Water Association
Iowa Soybean Association
Iowa Turkey Federation

Cc: Bruce Trautman
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