PUBLIC PARTICIPATION RESPONSIVENESS SUMMARY

FOR IOWA'S 2022

SECTION 303(d) LIST OF IMPAIRED WATERS

IOWA DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL SERVICES DIVISION

WATER QUALITY BUREAU

WATER QUALITY MONITORING & ASSESSMENT SECTION

March 31, 2022

Table of Contents

Introduction: 3

Changes made to Iowa's final 2022 Integrated Report: 3

Responses to comments received on the draft 2022 Impaired Waters List: 5

COMMENTER 1: Tom Scherer, private citizen 5

COMMENTER 2: John Hylton, Staff Environmental Engineer, Arconic - Davenport Works & Satellites 7

COMMENTER 3: Curt Wells, Senior Director of Regulatory Affairs, The Aluminum Association 12

COMMENTER 4: Alicia Vasto, Water Program Associate Director, Iowa Environmental Council 16

COMMENTER 5: Susan Heathcote, private citizen, Polk County Snapshot Coordinator 23

General water quality emails and letters received: 30

COMMENTER 6: Julie Sisco, private citizen 30

COMMENTER 7: Lynnda Millard-Sanborn, private citizen 30

COMMENTER 8: Jim Walters, private citizen 31

COMMENTER 9: Gretchen Reeh-Robinson, private citizen 31

COMMENTER 10: Pam Mackey Taylor, Director, Iowa Chapter of the Sierra Club 32

COMMENTER 11: Shari Viktora, private citizen 35

COMMENTER 12: Anne Tews, private citizen 35

COMMENTER 13: Carolyn Walker, private citizen 36

COMMENTER 14: Debra Henderson, private citizen 36

COMMENTER 15: John Klein, private citizen 37

Introduction:

The following is a summary of the Iowa Department of Natural Resources' (DNR) responses to the comments received regarding the draft 2022 Section 303(d) list of Impaired Waters developed by the DNR. Notice of availability of the draft 2022 list was released for public review and comments on February 18, 2022 in a video press release. A recording of the press release video was uploaded to the DNR's YouTube account and released via the DNR EcoNewsWire on February 18, 2022 (https://content.govdelivery.com/accounts/IACIO/bulletins/30b46be). In addition, notice of the availability of the list was posted on the DNR's Twitter feed on February 22, 2022 (https://twitter.com/iowadnr/status/1496128646960062477?cxt=HHwWmoC5xfvEqMMpAAAA). Additional materials for the draft 2022 list were available on the DNR's "impaired waters" website (https://programs.iowadnr.gov/adbnet/Assessments/Summary/2022). Public comments were accepted from February 18, 2022 through March 19, 2022. As distributed for public comment, DNR's draft 2022 Section 303(d) list included 594 water segments with a total of 783 impairments.

This responsiveness summary provides a discussion of the issues raised by the comments received and how the comments were incorporated into the development of DNR's final 2022 Integrated Report (IR) and Impaired Waters List (https://programs.iowadnr.gov/adbnet/Assessments/Summary/2022).

Changes made to Iowa's final 2022 Integrated Report:

There were changes made to 12 draft assessments following the public comment period and discussions with Region 7 of the US Environmental Protection Agency (EPA). Based on information provided, the final assessments were modified according to IR methodology. Table 1 details the changes that were made to the DNR's final 2022 IR.

Table 1. Changes to the DNR's final 2022 Integrated Report.

ADBNet Code	Waterbody Name	Designated Use	Draft IR Category	Final IR Category	Rationale
IA 02-CED-469	Cedar River	A1	4a	5a	Bacteria impairment - Not covered by TMDL
IA 02-CED-477	Cedar River	A1	4a	5a	Bacteria impairment - Not covered by TMDL
IA 02-CED-579	Little Cedar River	A1	4a	3b	Potential Bacteria impairment - Not covered by TMDL
IA 02-IOW-640	Iowa River	A1	4a	5a	Bacteria impairment - Not covered by TMDL
IA 02-SHL-787	Shell Rock River	A1	4a	5a	Bacteria impairment - Not covered by TMDL
IA 04-LDM-1089	Meadow Lake	A1	4a	5a	Turbidity impairment - Not covered by TMDL
IA 04-RAC-1196	Springbrook Lake	A1	2	5*	EPA disagreed with DNR's Class A1 assessment of Full Support
IA 05-NSH-1462	Prairie Rose Lake	A1	5*	4a	Algae impairment -

					Covered by TMDL
IA 05-NSH-1462	Prairie Rose Lake	A1	5*	4a	Turbidity impairment - Covered by TMDL
IA 06-WED-1702	Arrowhead Pond	A1	5*	4a	Algae impairment - Covered by TMDL
IA 06-WEM-1714	Carter Lake	HH	5a	3a	NE PCB fish consumption advisory removed
IA 06-WEM-1714	Carter Lake	BLW	3b	3a	2010 potential fish kill impairment removed based on data age (10 years)

Responses to comments received on the draft 2022 Impaired Waters List:

The DNR acknowledges and thanks all for their comments on the draft 2022 Impaired Waters List.

COMMENTER 1: Tom Scherer, private citizen
Date Received: Mar 3, 2022, 2022, e-mail
Comment:

North Racoon River
1 message

thomas scherer <thomas.scherer1@outlook.com> Thu, Mar 3, 2022 at 11:07 AM
To: "IRcomment@dnr.iowa.gov" <IRcomment@dnr.iowa.gov>

In the 2022 Assessment Summary Impaired Map, I do not see the North Racoon River listed? The North Racoon River isn't listed as a category four or five. Can you provide recent testing that would support the indication that this portion of the Racoon River is not impaired in any way?

Thankyou,

Tom Scherer

Des Moines

DNR Response:
The DNR thanks Tom Scherer for commenting on the draft 2022 Impaired Waters List and IR methodology. The following response was provided to Tom explaining where the data are located showing both use impairment and use attainment in the segments of the North Racoon River. It was also expressed that segments without data were not assessed and segments with limited data showing potential impairment were placed on the State's WINOFI (Waters In Need Of Further Investigation) list.

Re: North Racoon River
1 message

IRcomment, DNR <ircomment@dnr.iowa.gov> Wed, Mar 23, 2022 at 3:40 PM
To: thomas scherer <thomas.scherer1@outlook.com>

Hi Tom,
Thank you for your comment. The North Racoon River is broken up into 13 segments. Seven of the 13 segments had data to complete assessments. Below you will find links to the 13 segments and their 2022 IR assessments. The data used for the segments can be found summarized in the assessments. Links to the raw data can be located on the segment's main page under the "AQuIA Monitoring Sites" header. As you can see in the list, the overall assessments ranged from Category 2 "Fully Supported" to Category 4 "Not Supported". For segments with no data or not enough data, they were listed as "Not Assessed" or "Category 3 - Insufficient data exist to determine whether any designated uses are met". Based on Iowa IR methodology, it is inappropriate to assess segments with insufficient data as "Not Supported / Impaired" or "Fully Supported." With that said, if a segment had some data and showed potential impairment it was listed on the State's WINOFI (Waters In Need Of Further Investigation) list. Two of the North Raccoon River segments were placed on the State's WINOFI list.

https://programs.iowadnr.gov/adbnet/Segments/1123/Assessment/2022 Overall Category 3 - Insufficient data exist to determine whether any designated uses are met.
https://programs.iowadnr.gov/adbnet/Segments/1124/Assessment/2022 Overall Category 3 - Insufficient data exist to determine whether any designated uses are met. Contains Winofi (3b)

https://programs.iowadnr.gov/adbnet/Segments/1125/Assessment/2022 Overall Category 3 - Insufficient data exist to determine whether any designated uses are met.
https://programs.iowadnr.gov/adbnet/Segments/1126/Assessment/2022 Overall Category 3 - Insufficient data exist to determine whether any designated uses are met.
https://programs.iowadnr.gov/adbnet/Segments/1127/Assessment/2022 Overall Category 4 - Water is impaired or threatened and a TMDL has been completed or is not needed.
https://programs.iowadnr.gov/adbnet/Segments/1128/Assessment/2022 Overall Category 2 - Some of the designated uses are met but there is insufficient data to determine if remaining designated uses are met.
https://programs.iowadnr.gov/adbnet/Segments/1129/Assessment/2022 Overall Category 3 - Insufficient data exist to determine whether any designated uses are met.
https://programs.iowadnr.gov/adbnet/Segments/1130/Assessment/2022 Overall Category 2 - Some of the designated uses are met but there is insufficient data to determine if remaining designated uses are met.
https://programs.iowadnr.gov/adbnet/Segments/1131/Assessment/2022 Overall Category 4 - Water is impaired or threatened and a TMDL has been completed or is not needed.
https://programs.iowadnr.gov/adbnet/Segments/1132/Assessment/2022 Overall Category 4 - Water is impaired or threatened and a TMDL has been completed or is not needed.
https://programs.iowadnr.gov/adbnet/Segments/1138/Assessment/2022 Overall Category 3 - Insufficient data exist to determine whether any designated uses are met.
https://programs.iowadnr.gov/adbnet/Segments/1139/Assessment/2022 Overall Category 4 - Water is impaired or threatened and a TMDL has been completed or is not needed.
https://programs.iowadnr.gov/adbnet/Segments/1140/Assessment/2022 Overall Category 3 - Insufficient data exist to determine whether any designated uses are met. Contains Winofi (3b)

Again thank you for your comment,
Dan Kendall

Daniel Kendall • Environmental Specialist Senior
Water Quality Bureau
Iowa Department of Natural Resources
c 515-491-2226
502 E 9th St, Des Moines, IA 50319

On Thu, Mar 3, 2022 at 11:07 AM thomas scherer <thomas.scherer1@outlook.com> wrote:

> In the 2022 Assessment Summary Impaired Map, I do not see the North Racoon River listed? The North Racoon River isn't listed as a category four or five. Can you provide recent testing that would support the indication that this portion of the Racoon River is not impaired in any way?
>
> Thankyou,
>
> Tom Scherer
>
> Des Moines

COMMENTER 2: John Hylton, Staff Environmental Engineer, Arconic - Davenport Works & Satellites
Date Received: Mar 11, 2022, 2022, e-mail
Comment:

Arconic Davenport LLC Draft Iowa 2022 Impaired Waters List Public Comments

1 message

Hylton, John A <John.Hylton@arconic.com> Fri, Mar 11, 2022 at 3:45 PM
To: "IRcomment@dnr.iowa.gov" <IRcomment@dnr.iowa.gov>

Greetings,

Please see public comments submitted on behalf of Arconic Davenport LLC on the Iowa Draft 2022 Impaired Waters List and Draft 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 prepared by the Iowa Department of Natural Resources (IDNR).

If you have any questions concerning these comments, please contact John Hylton at 563-459-3208.

John Hylton

Staff Environmental Engineer

Arconic - Davenport Works & Satellites

4879 State Street

Bettendorf, IA 52722 USA

+1 563 459 3208 Office

+1 563 232 2635 Mobile

Arconic.com | John.Hylton@arconic.com

ARCONIC
Innovation, engineered.
www.arconic.com

Arconic Davenport LLC Draft Iowa 2022 Impaired Waters List Public Comments.pdf
1087K

Steven Jennings
Manufacturing Director
Davenport Works and Satellite Facilities
Steven.Jennings@arconic.com
+1 563 459 2201 Office
4879 State Street
Davenport, IA 52722

3/11/2022

Iowa Department of Natural Resources
Water Quality Monitoring & Assessment Section
502 East 9th Street
Des Moines, IA 50319
Attn: IR Comments

Arconic Davenport LLC
Draft Iowa 2022 Impaired Waters List
Public Comments

This letter is submitted by Arconic Davenport LLC (Arconic) to provide comment on the Iowa's Draft 2022 Impaired Waters List and Draft 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 prepared by the Iowa Department of Natural Resources (IDNR).

Arconic has reviewed this draft list and methodology and requests the following comments be taken under consideration, in support of Iowa's aluminum criteria, prior to finalizing the report.

Methodology for Assessment of Water Quality Attainment for Aluminum

IDNR updated its Water Quality Standard (WQS) for Aluminum in 2020. This updated standard is based on the Environmental Protection Agency's (EPA) 2018 Final Aquatic Life Ambient Water Quality Criteria for Aluminum. IDNR established the Aluminum WQS as 890 ug/L for Chronic conditions and 2,500 ug/L for Acute conditions. The criteria are expressed as the bioavailable portion of aluminum.

IDNR has stated that it expressed the criteria as the "bioavailable portion of aluminum" to ensure the flexibility needed for measuring the appropriate portion of aluminum applicable to the criteria. It is the DNR's position that current research shows that the expression of aluminum criteria as total aluminum is overly stringent[1]. In support of this position, IDNR cites the 2018 EPA criteria document which states that "applying the aluminum criteria to total recoverable aluminum is considered conservative because it includes monomeric (both organic and inorganic) forms, polymeric and colloidal forms, as well as particulate forms and aluminum sorbed to clays. However, under natural conditions not all of these forms would be biologically available to aquatic species (e.g., clay-bound aluminum)". This corroborates with the Oregon State University, 2018 research, which was also cited by IDNR, which states that " the bioavailable portion of aluminum that is toxic to aquatic life can be less than the total aluminum"[2].

[1] Iowa Department of Natural Resources, *Public Participation Responsiveness Summary for Rulemaking on 567 IAC 61.3(3) Aquatic Life Criteria Water Quality Criteria for Metals*, August 28, 2020.
[2] Oregon State University Aquatic Toxicology Laboratory. 2018. *Analytical method validation for determining bioavailable aluminum in freshwater*. Prepared by Oregon State University Aquatic Toxicology Laboratory, Corvallis, OR, USA. Prepared for Aluminum Reach Consortium, Brussels, Belgium.

EPA approved the use of the revised Iowa Water Quality Standard in March of 2021. With this approval EPA found and validated that Iowa's supporting methods and assumptions were scientifically sound and that data from analytical methods that measure the bioavailable fraction of aluminum can be used to characterize the aluminum concentrations in ambient waters for attainment assessment purposes. The EPA affirmed that the science supporting the EPA's 304(a) recommended aluminum criteria support the conclusion that Iowa's aluminum criteria will be protective of aquatic life. In the approval letter to IDNR, "[t]he EPA acknowledged that the 2018 304(a) national recommended criteria for aluminum is based on aluminum toxicity laboratory studies where aluminum was analyzed using total recoverable analytical methods. However, the EPA also acknowledged that under natural conditions not all of these forms of aluminum would be biologically available to aquatic species". The EPA expects that an analytical method that uses a less aggressive initial acid digestion that liberates bioavailable forms of aluminum (including amorphous aluminum hydroxide), yet minimizes dissolution of mineralized forms of aluminum such as aluminosilicates associated with suspended sediment particles and clays (referred to as a bioavailable analytical method), will better estimate the bioavailable fraction of aluminum in ambient waters. The EPA then concluded its commentary on the bioavailable portion of aluminum by stating that Iowa's expression of the criteria as the "bioavailable portion of aluminum" as determined by a bioavailable analytical method will be protective of aquatic life[3].

EPA's regulations require that states assemble and evaluate all existing and readily available water quality related data and information for use in developing their CWA Section 303(d) list. EPA's existing regulations applicable to implementation of CWA Section 303 programs, which include assessment and listing of waters, do not require use of analytical test methods promulgated at 40 CFR Part 136, nor do the regulations that apply to the determination of the need for a WQBEL. A state or authorized tribe is not required to use all available data and information to make listing decisions, including total recoverable data, where it can provide a technical, science-based rationale for the exclusion of such data and information. For example, a state or authorized tribe may be able to demonstrate that total recoverable aluminum samples are not representative of water quality conditions because non-toxic forms of aluminum are leading to an exceedance above the criteria. In such cases, the state or authorized tribe may decline to rely on total recoverable data, or may assign a greater weight to bioavailable data if it is more representative of water quality for listing purposes[4]. Over the last three decades, the scientific consensus has been that the total recoverable method for aluminum potentially overestimates the biologically available fraction and that a method that better addresses dissolved aluminum and aluminum bound to particulate matter would be

[3] United States Environmental Protection Agency Region 7, *Approval of Iowa Department of Natural Resources submission of new and revised Iowa Water Quality Standards received March 22, 2021*, May 5, 2021.
[4] Environmental Protection Agency. *Draft Technical Support Document: Implementing the 2018 Recommended Aquatic Life Water Quality Criteria for Aluminum*. EPA- 800-D-21-001

useful and more accurately reflect toxicity under natural instream conditions (e.g., He and Ziemkiewics 2016; Ryan *et al.* 2019)[5].

Arconic believes designation of a water as impaired where newly emerging data shows no impairment is present has a direct immediate financial impact on the regulated community due to overly stringent NPDES permitting requirements and inability to satisfy Iowa's Anti-Degradation Policy. This further leads to confusion among the community on water quality concerns.

Arconic requests that IDNR update the 2022 Draft Methodology to specify that where Bioavailable Available Aluminum data has been obtained in accordance with a test method approved by an analytical method consensus organization which publishes standards for water quality testing (e.g. the American Society for Testing and Materials, or Standard Methods for the Examination of Water and Wastewater) and with Iowa's Credible Data Law, this data will be used for water quality assessment.

In addition to the above stated reasons, total aluminum data should be considered less favorable because it is overly stringent and used only when bioavailable aluminum data is unavailable. Where total recoverable data has shown prior non-attainment, and current bioavailable data indicates attainment, IDNR should consider bioavailable data as a new condition which corrects a flaw due to analytical limitations from a previous assessment cycle and assess the WQS as in attainment. This principle is expressly stated in 2022 Draft Methodology procedures for removal (delisting) of waters from the 2020 Section 303(d) list.

Clarification of this process will allow the regulated community to plan accordingly for newly emerging bioavailable analytical methods while minimizing the impact to the assessment process. Such methods are anticipated to be available in 2022 with data available for the 2024 assessment cycle.

If you have any questions concerning these comments, please contact John Hylton at 563-459-3208.

Sincerely,

Steven Jennings
Manufacturing Director
Davenport Works and Satellite Facilities

---

[5] He YT, Ziemkiewicz PF. 2016. Bias in determining aluminum concentrations: Comparison of digestion methods and implications on Al management. Chemosphere 159:570–576; Ryan AC, Santore RC, Tobiason S, WoldeGabriel G, and Groffman AR. 2019. Total recoverable aluminum: not totally relevant for water quality standards. *Integrated Environmental Assessment and Management*. 15(6): 974–987.

DNR Response:
The DNR thanks John Hylton (Arconic Davenport LLC) for commenting on the draft 2022 Impaired Waters List and IR methodology.

Following validation and publication of an analytical method for measuring bioavailable aluminum by a credible analytical method consensus organization (e.g., through the American Society for Testing and Materials or Standard Methods for the Examination of Water and Wastewater), the DNR intends to use any available credible data for bioavailable aluminum for completing assessments to ensure consistency with Iowa's water quality numeric criteria. For the 2022 IR, without a validated, published bioavailable aluminum method available (and thus, without bioavailable aluminum data available), available total recoverable and dissolved aluminum data were reviewed.

Total recoverable aluminum data were only used to determine if any impairments could be removed based on measurements being less than the water quality criteria. Total recoverable aluminum data was not used to impair segments for aluminum, as total recoverable aluminum is known to include more aluminum than the portion that is bioavailable.

Because dissolved aluminum is known to be part of the bioavailable portion of aluminum, dissolved aluminum data were directly compared to the bioavailable aluminum criteria to look for measurements exceeding the criteria, but did not result in any impairments this cycle. Dissolved aluminum data were not used to remove any impairments as the bioavailable portion of aluminum can include more than the dissolved fraction.

For future IRs, if and when current bioavailable aluminum data are available for a segment and meet credible data requirements (including meeting the minimum number of samples required by the IR methodology), they will be used to assess attainment. Total recoverable aluminum data may continue to be reviewed to determine if any impaired segments can be delisted, and dissolved aluminum data may continue to be reviewed to determine if any segments are impaired. These approaches for use of dissolved and total recoverable aluminum data do not conflict with the use of bioavailable data, when available. Table 9b has been added to the methodology to show the use of data for these purposes when criteria have a specified fraction or portion in 567 IAC Chapter 61.

To be assessed against aluminum criteria during an IR cycle, 10 temporally representative samples are required. As the 2024 IR will utilize stream data from 2020 to 2022 for assessments, it is not anticipated that bioavailable aluminum data will be available. However, if a method is validated and published (e.g., by ASTM or Standard Methods) by the end of 2023, it is anticipated that 10 temporally representative bioavailable aluminum samples for the 2026 IR (with stream data used from 2022 to 2024 for assessments) could be collected and be available. Such data would be required to meet Iowa's credible data law requirements.

COMMENTER 3: Curt Wells, Senior Director of Regulatory Affairs, The Aluminum Association
Date Received: Mar 17, 2022, 2022, e-mail
Comment:

Iowa Water Quality Assessment Methodology: Aluminum Association Comments
1 message

Curt Wells <cwells@aluminum.org> Thu, Mar 17, 2022 at 9:25 AM
To: "IRcomment@dnr.iowa.gov" <IRcomment@dnr.iowa.gov>
Cc: "Bruner, Roger" <roger.bruner@dnr.iowa.gov>

Attached find comments of the Aluminum Association on the draft Iowa Water Quality Assessment Methodology document as noticed on February 21, 2022.

Thanks.

The Aluminum Association

Curt Wells

Senior Director of Regulatory Affairs

The Aluminum Association

1400 Crystal Drive, Suite 430

Arlington, VA 22202

T 703.358.2976 | C 804-385-6351

JOIN THE CONVERSATION:

Visit our new website at www.aluminum.org

IA Water Quality Assessment Methodology TAA Comments 031722.pdf
216K

The Aluminum Association

703.358.2960
1400 Crystal Drive, Suite 430
Arlington, Virginia 22202

March 17, 2022

via email to: IRcomment@dnr.iowa.gov

Iowa Department of Natural Resources
Attn: Impaired Waters/Segment List Water Quality Monitoring & Assessment Section
Wallace State Office Building
502 E. Ninth St.
Des Moines, IA 50319

The Aluminum Association (the 'Association') and its member companies appreciate the opportunity to provide input on the draft *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* as noticed for public comment on February 21, 2022.

The Association, based in Arlington, VA, represents US producers and sellers of primary aluminum, aluminum recyclers, producers of fabricated aluminum products, and industry suppliers. The Association's Water Workgroup has had significant involvement with EPA on revision of the aluminum water quality criteria, its related implementation guidance development, and consideration of a bioavailable aluminum test method that more accurately represents aluminum toxicity in natural waters. In addition, the Association has several member companies that operate major aluminum manufacturing facilities in Iowa. From that background, the Association has the following input on the draft methodology:

Planning for the Availability of Additional Data

The Association is supporting efforts to obtain ASTM approval of the bioavailable aluminum test method. At this point in time, the draft method has been balloted, comments received and addressed, and approval is now pending completion of an inter-laboratory round robin method validation and reproducibility study. While this work has been slowed due to pandemic delays, holding time studies have been completed and validation samples are being prepared. Looking at the path forward, there is no reason to believe that the method will not ultimately obtain ASTM approval.

Given the above, the Association asks that Iowa include provisions in its water quality assessment methodology that contemplate the availability of this method and data obtained through its use.

A possible template for how to address this is the water quality assessment methodology available through the work that Oregon DEQ has done in considering this issue. In the Oregon draft methodology, it notes:

> *EPA considers the 304(a) criteria protective for both total recoverable and bioavailable aluminum when applied to characterize ambient concentration of receiving waters. In the event the bioavailable method is not available for the 2024 Integrated Report listing cycle, if total recoverable aluminum data indicate a waterbody is impaired, then it will be listed in Category 5. When a*

bioavailable method becomes available and sufficient bioavailable data are collected, a waterbody may be delisted based on such data.

Only bioavailable aluminum
For water bodies with sufficient bioavailable aluminum results to evaluate the data, DEQ will assess the data according to the aquatic life toxics method.

Only total recoverable aluminum
For water bodies where only total recoverable aluminum data are available, if > 5% of total recoverable samples exceed criteria with 90% confidence according to the exact binomial test, the assessment unit will be placed in Category 3B and DEQ will pursue development of a total recoverable to bioavailable aluminum translator and further study the influence of TSS on instream aluminum concentrations for future assessment cycles.

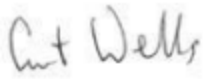
Both bioavailable and total recoverable aluminum
For water bodies with insufficient bioavailable aluminum results, but where a combination of bioavailable and total recoverable, or only total recoverable data is available and > 5% of the combined samples exceed criteria with 90% confidence according to the exact binomial test, the assessment unit will be placed in Category 3B and DEQ will prioritize collection of bioavailable data.

The Association recommends that concepts similar to those presented above be considered for integration into the Iowa water quality assessment methodology such that bioavailable aluminum data collected using an ASTM method:

- is available for use in Iowa water quality assessments,
- is considered 'credible data' under Iowa's Credible Data Law, and,
- is considered to be a new condition that corrects a flaw due to analytical limitations from a previous assessment cycle.

On behalf of the Association and its member companies, we appreciate the opportunity to provide these comments to the Iowa DNR on revision of the water quality assessment methodology. For further dialogue and/or questions regarding them, please contact me at cwells@aluminum.org, 703-358-2976, or 804-385-6351.

Sincerely,



Curt Wells
Senior Director of Regulatory Affairs
The Aluminum Association

DNR Response:
The DNR thanks Curt Wells (the Aluminum Association) for commenting on the draft 2022 Impaired Waters List and IR methodology.

As stated in the response to Commenter 2, when an ASTM bioavailable aluminum method is validated and published, and credible bioavailable aluminum data are available, bioavailable aluminum data will be used for assessment to determine if delisting or impairment is appropriate. As the 2022 IR followed adoption and approval of Iowa's new aluminum criteria, total recoverable aluminum data were only used to determine if a segment can be delisted, and dissolved aluminum data were only used to determine if a segment is impaired. This approach, now shown in the new Table 9b in the methodology, prevented addition of new impairments based on speculation from total recoverable aluminum data. Total recoverable aluminum data did not result in the delisting of any segments historically impaired for aluminum in the 2022 IR, but the DNR will use bioavailable aluminum data for assessing historically impaired segments if/when it is available and credible. As mentioned in the response to Commenter 2, data must be credible, temporally representative, and within the time period being assessed for the particular IR (e.g., 2022 to 2024 stream data will be used for the 2026 IR).

COMMENTER 4: Alicia Vasto, Water Program Associate Director, Iowa Environmental Council
Date Received: Mar 18, 2022, 2022, e-mail
Comment:

2022 Impaired Waters List comments

1 message

Alicia Vasto <vasto@iaenvironment.org> Fri, Mar 18, 2022 at 3:58 PM
To: "IRcomment@dnr.iowa.gov" <IRcomment@dnr.iowa.gov>
Cc: Ingrid Gronstal <Gronstal@iaenvironment.org>, Michael Schmidt <schmidt@iaenvironment.org>, Angelisa Belden <belden@iaenvironment.org>

Good afternoon,

Please see attached for the Iowa Environmental Council's comments on the 2022 draft 303(d) list.

Thank you for the opportunity to comment. Please let us know if you have any questions or would like to discuss our comments.

Sincerely,

Alicia Vasto

Alicia Vasto (she/her) | Water Program Associate Director

515-244-1194 x 206 | vasto@iaenvironment.org

Iowa Environmental Council

505 Fifth Avenue Suite 850

Des Moines IA 50309

iaenvironment.org

IEC comments - 2022 303d draft list.pdf
647K

Iowa Environmental Council

505 Fifth Avenue, Suite 850
Des Moines, Iowa 50309-2317
515.244.1194 phone
iecmail@iaenvironment.org
www.iaenvironment.org

March 18, 2022

Iowa Department of Natural Resources
Attn: IR Comments
Wallace State Office Building
502 East 9th Street
Des Moines, IA 50319
Email: IRcomment@dnr.iowa.gov

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.[1] 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

[1] 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.[2] 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 *E. coli* 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)[3]					
	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.

[2] Iowa DNR. "Long-term vision for assessment, restoration, and protection under the Clean Water Act Section 303(d) program." Oct. 2015. Pg. 4-5.
[3] 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

DNR Response:
The DNR thanks Alicia Vasto (Iowa Environmental Council) for their general and specific comments on the draft 2022 Impaired Waters List and IR methodology.

Monitoring / Data Analysis
With respect to the general comments about the state's monitoring programs, the DNR continues to implement standardized and robust ambient stream monitoring, ambient lake monitoring, wetland monitoring, shallow lakes monitoring, fish tissue monitoring, targeted and random stream biological sampling, and beach human health surveillance programs. In addition to the data collected as a part of Iowa's monitoring programs, the DNR utilizes data from external agencies and sources to complete Iowa's Impaired Waters List. The DNR routinely collaborates with many of these external agencies to coalign the needs of the various sampling programs.

The DNR houses the majority of its water monitoring data in its public facing water quality database AQuIA (https://programs.iowadnr.gov/aquia/). The DNR does not recommend using the Impaired Waters List for trend analysis due to its threshold-based analysis of the site specific data. AQuIA contains an abundance of data (significantly greater in quantity relative to many states' data) to use in performing long-term trend analysis. Additionally, the AQuIA website contains graphing tools to look at trends for all analytes at each sampling location. In addition to the ambient stream and lakes monitoring programs, the DNR also began collecting water quality information at additional lakes (starting in 2018) on a rotational basis. Additional stream water quality data collection began in 2021. Of note, it takes 3 to 5 years for sufficient data to be collected at new sites prior to inclusion in the IR, and an additional 2 years for the first monitored assessments to be completed. Prior to that time, the additional monitoring data will be assessed as evaluated, and potential impairments will be placed on the Waters in Need of Further Investigation (WINOFI) list.

Numeric Nutrient Criteria
With respect to the comment on adoption of numeric nutrient criteria, the DNR continues to review the EPA's recently finalized lake numeric nutrient criteria.

Progress to date has involved working with the EPA to use national and Iowa lake data to estimate chlorophyll-a and microcystin relationships. Preliminary results showed that combining state and national data can improve the performance of EPA's new models. The documentation and review of the underlying science is now completed, and the research behind this effort, titled "Combining national and state data improves predictions of microcystin concentration," was published in 2019 (Yuan, et. al., 2019). EPA released the draft lake numeric nutrient criteria document that incorporates this research, in addition to other published research, in May of 2020 for public comment. The DNR submitted comments

to the EPA during the comment period. EPA released the finalized lake numeric nutrient criteria document in August of 2021, along with a response to comments. EPA continues to hold informational webinars about the relatively new lake numeric nutrient criteria and has reached out to states, territories, and tribes to gauge preliminary interest in technical support via EPA's Nutrient Scientific Technical Exchange Partnership & Support (N-STEPS) program for developing numeric nutrient criteria. The DNR continues to participate in the EPA/States Lake NNC Workgroup which is currently focused on creating a lake NNC implementation document that will be available for public comment by this fall. The DNR is continuing to review the finalized criteria to decide on further action, as stated in the Public Participation Responsiveness Summary for Rulemaking on the 2021-2023 Triennial Review (https://www.iowadnr.gov/Portals/idnr/uploads/watermonitoring/standards/Iowas%20Triennial%20Review%20Work%20Plan%202021-2023.pdf). Also as stated in that document, the DNR continues to collect and analyze lake nutrient data as part of the ambient lake monitoring and the lake restoration programs. The development of quantitative indicators of lake health, including nutrient status, remains a high priority within these programs. This continued data collection is anticipated to inform and support the DNR's review of the criteria.

Microcystin Criteria
With respect to the comment on further action on the use of the microcystin values in EPA's 304(a) criteria, the DNR continues to utilize EPA's recommended criteria for beach advisories.

In March of 2019, the EPA issued recommendations for recreational water quality criteria and swimming advisories for cyanotoxins, which included magnitudes (i.e., cyanotoxin concentrations) along with guidance for selecting frequency and duration for the criteria. The DNR, along with other state agencies, submitted comments during the public comment period for this document. The finalized recommended criteria, issued in May of 2019, allows for adoption as state criteria and/or as swimming advisory thresholds, but states are not mandated to adopt the recommended criteria in either capacity. In early 2020, after a detailed review of the criteria and underlying science, the DNR and Iowa Department of Public Health agreed to utilize the microcystin threshold value in its beach monitoring program for the purpose of posting swimming advisories. The DNR is continuing to evaluate the recommended criteria to decide on further future action on the subject.

Partial Supported Level
The DNR acknowledges IEC support of this change to the State's IR methodology.

Beach TMDLs
The DNR submitted the first group of lakes for the Statewide Beach Bacteria TMDL in 2020, receiving EPA approval on August 6, 2020. The TMDL document outlines the approach the DNR will consider for all bacteria impaired beaches in the state if the data analysis reveals consistency with the fingerprint observed in the original three study lakes. The DNR has submitted the second set of lakes for the statewide beach TMDL in 2021, including Lake Macbride, Brushy Creek Lake, and Lake Ahquabi, and is waiting for final approval from EPA. The DNR is working on the third set of lakes for the statewide beach TMDL, including Prairie Rose, Lake Keomah, and North Twin Lake. The information has been gathered to make the final determination. As resources allow, DNR plans to evaluate all bacteria impaired beaches including the beaches listed by IEC, and if the data analysis fits with the Statewide Beach Bacteria approach, TMDLs for those beaches will be added to the document.

Please note that due to the complexity of the statewide approach, all beach bacteria impairments should be TMDL Tier (or priority group) II, not Tier I, and the DNR changed the status of Lake Macbride to reflect that. For a full breakdown of how the impaired waters are sorted into priority tiers, please see pages

33-35 in the 2022 IR Methodology document found on the publications page in Iowa's Water Quality Assessment Database ADBNET (https://programs.iowadnr.gov/adbnet/Docs/Publications).

References

US. EPA. 2017. Information concerning 2018 Clean Water Act Section 303(d), 305(b), and 314 integrated reporting and listing decisions. Memorandum of December 22, 2017 from John Goodin, Acting Director /s/, Office of Wetlands, Oceans and Watersheds to Water Directors of Regions 1-10. 2 p. (https://www.epa.gov/sites/production/files/2018-01/documents/final_2018_ir_memo.pdf)

Lester L. Yuan, Amina I. Pollard. (2019). Combining national and state data improves predictions of microcystin concentration. Elsevier, Harmful Algae 84 (2019), 75-83.

COMMENTER 5: Susan Heathcote, private citizen, Polk County Snapshot Coordinator
Date Received: Mar 18, 2022, dropped off at front desk
Comment:

To: Iowa Department of Natural Resources
Attn: Impaired Waters/Segment List Quality Monitoring & Assessment Section
Wallace State Office Building
502 E. Ninth St., Des Moines, IA 50319

MAR 18

From: Susan Heathcote
2012 E. 12th St.
Des Moines, Iowa 50316
515-491-8980

Comments regarding the Draft 303d Impaired Waters List

Background

Since 2004 I have been the organizer and coordinator for the Polk County Snapshot that has recruited volunteers to sample 60 to 88 small streams, lakes and ponds in Polk County, Iowa. In addition to volunteer conducted field tests, the Des Moines Water Works has provided laboratory analysis for 34 of the snapshot stream sites. In most years, snapshots were conducted twice a year in the spring and fall.

The initial snapshots included 60 – 70 sites and were coordinated with help from the DNR IOWATER program, and all data was entered into the IOWATER volunteer database by DNR IOWATER staff. After the IOWATER program was disbanded in 2016, I continued to conduct Polk County snapshots with surplus equipment provided to me by Iowa DNR and with help from the Izaak Walton League's Save Our Streams (SOS) program. All of the monitoring data in the IOWATER database, including the Polk County Snapshot data prior to 2016, was migrated into the Izaak Walton League's volunteer SOS database.

Polk County Conservation has entered data from the Polk County Snapshots into the EPA database for snapshots conducted from 2018-2021 and plans to continue that effort for future snapshots. As Polk County Snapshot coordinator, I have also kept data summaries and spreadsheets for most of the Snapshots, including samples analyzed using field test kits as well as laboratory data analysis by Des Moines Waterworks.

In the Fall of 2021, the Polk County Snapshot was merged with Polk County Conservation's volunteer water monitoring program. With the addition of Polk County volunteers, the number of sites sampled by volunteers in the fall of 2021 increased to 88 sites. While I plan to stay involved with the Polk County Snapshot, Polk County Conservation staff will be taking over the coordination and data management of future Polk County Snapshots.

Draft Impaired Waters List comments

I have reviewed the draft impaired waters list and I am concerned that many of the Polk County waters that are regularly sampled as part of the Polk County Snapshot have pollution problems documented through the snapshot sampling, but are not listed as impaired. Beaver Creek in Polk County is listed as impaired by bacteria and low Dissolved Oxygen and has a TMDL plan approved by EPA. I am also aware that Yeader Creek has a TMDL Cleanup plan for priority organics discharged from the Des Moines Airport but I am not sure what the current status of that TMDL is. I did not see any other waters included in the Polk County Snapshot on the current draft impaired waters list.

RECEIVED

MAR 21 2022

As I transition from my role as Polk County Snapshot coordinator, I want to be sure that Iowa DNR has a chance to review the Polk County Snapshot water quality data as part of your current review of impaired waters in Iowa. To facilitate this, I have attached summary reports for the 2 most recent snapshots in the Spring and Fall of 2021 that include data tables of the field and laboratory test results. I have also attached the field and laboratory data tables of 7 snapshots conducted from the fall of 2016 through the fall of 2020.

I request that DNR review the 2021 reports and the field test data and Des Moines Waterworks lab data for 2016 – 2021 to determine if additional waters should be added to the Impaired Waters list or to a list for follow-up monitoring to determine the impairment status.

Polk County Snapshot Waters with E. coli bacteria impairment

I am particularly concerned that several of the Polk County Snapshot streams have a history of high E. coli bacteria which presents an ongoing health concern, especially for young children who may be playing in these streams. Polk County is an urban county and most of the waters we sample during the snapshot are in parks and residential areas where children and others are very likely to be exposed to harmful bacteria that can make them sick.

I have attached a summary table of the E. coli lab data for 34 Polk County Snapshot sites where we have E. coli lab analysis from Des Moines Waterworks for the nine Polk County Snapshot events conducted over the past six years from 2016 through 2021.

This table shows that many of the snapshot sites have a history of high E. coli bacteria with frequent violations of the primary contact standard of 235 E. coli colonies/100 ml as well as some violations of the secondary contact standard of 2880 E. coli colonies per 100 ml. Of the 291 Polk County Snapshot E. coli samples analyzed by Des Moines Waterworks over the past 6 years 205 samples (70%) exceeded the one-time maximum E. coli limit of 235 E. coli colonies per 100 ml for protection of primary contact recreation uses and a total of 38 E. coli samples (13%) also exceeded the one-time maximum E. coli limit of 2880 E. coli colonies per 100 ml for protection of secondary contact recreational uses.

Following is a list of Polk County Snapshot sites where E. coli levels have exceeded the primary and secondary contact recreational standards indicating impairment of recreational uses.

<u>Beaver Creek and Little Beaver Creek</u>

Beaver Creek (BC) and Little Beaver Creek (LBC) are designated as PA1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 26 samples from 3 sites on Beaver Creek with 18 of the samples (69%) exceeding the primary contact recreation standard and 1 sample also exceeding the secondary contact recreation standard. Beaver Creek is already listed as impaired for bacteria.

Polk County Snapshot data also includes lab analysis of 14 samples from 2 sites on Little Beaver Creek, which is a tributary of Beaver Creek, with 12 of the samples (86%) exceeding the primary contact recreation standard and 2 samples also exceeding the secondary contact recreation standard. Beaver

Creek is already listed as impaired for bacteria. If the Little Beaver Creek tributary is not already included in that listing, it should be added to the impaired list for bacteria.

Camp Creek

Camp Creek (CC) is designated as PA1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 16 samples from 2 sites on Camp Creek with 14 of the samples (87%) exceeding the primary contact recreation standard. Based on documented bacteria impairment of primary contact recreational uses, Camp Creek should be added to the impaired waters list as impaired for bacteria.

Fourmile Creek

Fourmile Creek (FMC) is designated as A1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 45 samples from 5 sites on Fourmile Creek with 29 of the samples (64%) exceeding the primary contact recreation standard and 6 samples also exceeding the secondary contact standard. Based on the documented bacteria impairment of primary and secondary contact recreational uses, Fourmile Creek should be added to the impaired waters list as impaired for bacteria.

Little Fourmile Creek

Little Fourmile Creek (LFMC) is a tributary of Fourmile Creek and is designated PA1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 18 samples from 2 sites on Little Fourmile Creek with 14 of the samples (78%) exceeding the primary contact recreation standard and 2 samples also exceeding the secondary contact standard. Based on the documented bacteria impairment of primary and secondary contact recreational uses, Little Fourmile Creek should be added to the impaired waters list as impaired for bacteria.

Frink Creek

Frink Creek (FRC) is designated as A1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 9 samples from 1 site on Frink Creek with 7 of the samples (78%) exceeding the primary contact recreation standard and one sample also exceeding the secondary contact recreation standard. Based on the documented bacteria impairment of primary and secondary contact recreational uses, Frink Creek should be added to the impaired waters list as impaired for bacteria.

Grays Trib

This small unnamed tributary of Grays Lake does not appear to be designated for any uses. This small tributary flows south out of a drainage pipe on the south side of the Wakonda Golf Course through a residential area where children have easy access to the creek from their backyards. The creek then flows through the Unitarian Church on Bell Avenue where there is easy access to the creek and children associated with the church often play in the water. After exiting the church property, the stream enters

an underground pipe at Bell Avenue which outlets into Grays Lake. Grays Lake is designated A1 for Primary Contact Recreation and is heavily used for recreation and has a public swimming beach.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 9 samples from 1 site on Grays Trib with 7 of the samples (87%) exceeding the primary contact recreation standard and 3 samples also exceeding the secondary contact recreation standard. Based on the existing children's recreation uses of the stream and the documented bacteria impairment of primary and secondary contact recreational uses, Grays Trib should be designated for primary contact recreation and should be added to the impaired waters list as impaired for bacteria.

Jordan Creek

Jordan Creek (JC) is designated as PA1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 9 samples from 1 site on Jordan Creek with 6 of the samples (67%) exceeding the primary contact recreation standard and one sample also exceeding the secondary contact recreation standard. Based on the documented bacteria impairment of primary and secondary contact recreational uses, Jordan Creek should be added to the impaired waters list as impaired for bacteria.

Leetown Creekway (aka 7th Ward Ditch)

Leetown Creekway does not appear to be currently designated for any uses.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 5 samples from 1 site on Leetown Creekway with 4 of the samples (80%) exceeding the primary contact recreation standard and one sample also exceeding the secondary contact recreation standard. Leetown Creekway passes through industrial and residential areas on the east side of Des Moines near my home. Children (including my children when they were young) frequently play in this stream during the summer. Based on the existing uses of the stream and the documented bacteria impairment of primary contact recreational uses, Leetown Creekway should be designated for primary contact recreation and should be added to the impaired waters list as impaired for bacteria.

Mud Creek

Mud Creek (MC) is designated as PA1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 15 samples from 2 sites on Mud Creek with 11 of the samples (73%) exceeding the primary contact recreation standard and one sample also exceeding the secondary contact recreation standard. Based on the documented bacteria impairment of primary and secondary contact recreational uses, Mud Creek should be added to the impaired waters list as impaired for bacteria.

Rock Creek

Rock Creek (RC) is designated as PA1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 9 samples from 1 site on Rock Creek with 7 of the samples (78%) exceeding the primary contact recreation standard and one sample also exceeding the secondary contact recreation standard. Based on the documented bacteria

impairment of primary and secondary contact recreational uses, Rock Creek should be added to the impaired waters list as impaired for bacteria.

Saylor Creek

Saylor Creek is designated as PA1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 9 samples from 1 site on Saylor Creek with 6 of the samples (67%) exceeding the primary contact recreation standard. Based on the documented bacteria impairment of primary contact recreational uses, Saylor Creek should be added to the impaired waters list as impaired for bacteria.

Spring Creek

Spring Creek is designated as PA1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 17 samples from 2 sites on Spring Creek with 11 of the samples (65%) exceeding the primary contact recreation standard and one sample also exceeding the secondary contact recreation standard. Based on the documented bacteria impairment of primary and secondary contact recreational uses, Spring Creek should be added to the impaired waters list as impaired for bacteria.

Walnut Creek

Walnut Creek is designated as A1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 36 samples from 4 sites on Walnut Creek with 20 of the samples (55%) exceeding the primary contact recreation standard and 4 samples also exceeding the secondary contact recreation standard. Based on the documented bacteria impairment of primary and secondary contact recreational uses, Walnut Creek should be added to the impaired waters list as impaired for bacteria.

Little Walnut Creek

Little Walnut Creek (LWC) is a tributary of Walnut Creek and does not appear to be currently designated for any uses.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 9 samples from 1 site on Little Walnut Creek with 4 of the samples (44%) exceeding the primary contact recreation standard and 1 sample also exceeding the secondary contact recreation standard. Based on the existing recreational uses of the stream and the documented bacteria impairment of primary and secondary contact recreational uses, Little Walnut Creek should be designated for primary contact recreation and added to the impaired waters list as impaired for bacteria.

North Walnut Creek

North Walnut Creek (NWC) is a tributary of Walnut Creek and is designated PA1 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 26 samples from 3 sites on North Walnut Creek with 23 of the samples (88%) exceeding the primary contact recreation standard

and 2 samples also exceeding the secondary contact recreation standard. Based on the documented bacteria impairment of primary and secondary contact recreational uses, North Walnut Creek should be added to the impaired waters list as impaired for bacteria.

Walnut Creek Trib

This unnamed tributary of Walnut Creek (Walnut Creek Trib) does not appear to be currently designated for any uses.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 9 samples from 1 site on Walnut Creek Trib with 4 of the samples (44%) exceeding the primary contact recreation standard. Based on the existing uses of the stream and the documented bacteria impairment of primary contact recreational uses, Walnut Creek Trib should be designated for primary contact recreation and should be added to the impaired waters list as impaired for bacteria.

Yeader Creek

Yeader Creek is designated as A3 for primary contact recreational use.

Polk County Snapshot data from 2016-2021 includes E. coli lab analysis of 9 samples from 1 site on Yeader Creek with 6 of the samples (67%) exceeding the primary contact recreation standard and 3 samples also exceeding the secondary contact recreation standard.

Yeader Creek has a TMDL Cleanup plan for priority organics discharged from the Des Moines Airport but is not currently listed for impairment of recreational uses. Based on the documented bacteria impairment of primary and secondary contact recreational uses, Yeader Creek should be added to the impaired waters list as also impaired for bacteria.

Polk County Snapshot Waters with Low Dissolved Oxygen

I am concerned about several Polk County snapshot sites with low dissolved oxygen which can harm aquatic life. This was a particular concern during the most recent Polk County Snapshot on Sept. 21, 2021. Water levels at the time of the snapshot were lower than normal at most sites and flow was reported to be slow to stagnant at many sites. On Sept. 21, 2021, 19 of the 88 sites tested, (22%) had a DO of less than 5 mg/l, which is the water quality standard for protection of aquatic life.

In order to evaluate if low dissolved oxygen is a chronic problem at Polk County Snapshot sites, I reviewed all Polk County Snapshot DO data from 2016-2021 where at least one DO reading was less than 5 mg/l. I have attached a summary table of the 24 Polk County Snapshot sites with one or more dissolved oxygen less than 5 mg/L over the past 6 years. For 18 of the sites, there was only 1 DO reading less than 5 mg/l. Grandview Pond, Greenwood Pond Outflow, LWC1, WC8, and YC2 had 2 DO readings less than 5 mg/l, and Witmer Park Pond had 3 DO readings less than 5 mg/l.

Additional data is needed from other sources or future monitoring to determine if any of these sites have an aquatic life impairment due to low DO. This is especially true for 9 of the sites with low DO that are new to the Polk County snapshot.

Summary

I have appreciated the opportunity to submit these comments on the 2022 Draft Impaired Waters List. If you have any questions or would like to review any of the Polk County Snapshot data prior to 2016, please let me know.

*Additional scanned pages containing the data summarized above are available upon request.

DNR Response:
The DNR thanks Susan Heathcote (Polk County Snapshot Coordinator) for commenting on the draft 2022 Impaired Waters List and IR methodology. The DNR has reviewed the data supplied by Susan Heathcote and disagrees with the recommendation to add the segments, Little Beaver Creek (Seg ID's IA 04-UDM-3037; IA 04-UDM-1236), Camp Creek (Seg ID IA 04-LDM-1070), Fourmile Creek (Seg ID's IA 04-LDM-3031; IA 04-LDM-1113; IA 04-LDM-1112), Little Fourmile Creek (Seg ID's IA 04-LDM-3033; IA 04-LDM-1114), Frink Creek (Seg ID IA 04-RAC-3032), unnamed tributary to Grays Lake (no segment ID), Jordan Creek (Seg ID IA 04-RAC-1982), Leetown Creekway (aka 7th Ward Ditch) (no segment ID), Mud Creek (Seg ID IA 04-LDM-1081), Rock Creek (Seg ID IA 04-UDM-1240), Saylor Creek (Seg ID IA 04-UDM-1240), Spring Creek (Seg ID IA 04-LDM-3036), Walnut Creek (Seg ID's IA 04-RAC-6450; IA 04-RAC-1121), Little Walnut Creek (Seg ID IA 04-RAC-3029), North Walnut Creek (Seg ID's IA 04-RAC-3035; IA 04-RAC-3034), unnamed tributary to Walnut Creek Trib (no segment ID), and Yeader Creek (Seg ID IA 04-LDM-1115) to the 303(d) list for indicator bacteria (E. coli) based on Polk County Volunteer Snapshot data. While some of the segments contained multiple sampling locations, each segment only contained two temporally different samples per year per segment. For the 2022 IR, the data assessment window is from 2018 to 2020. With that assessment window, only samples from six sampling events over the three years would be potentially available for assessment purposes. For conventional pollutants, a minimum of 10 samples are required to have a monitored assessment and place that pollutant on the 303(d) impaired waters list. Indicator bacteria additionally requires a minimum of 7 samples in at least one of the assessment years to have a monitored assessment. Furthermore, in Iowa, volunteer monitoring data must meet Iowa's credible data law (2001 Iowa Code, Section 455B.194, subsection 1) for 303(d) listing purposes. This includes Quality Assurance Project Plans (QAPPs), field audits, samples analyzed by certified laboratories using certified methods, etc. The Polk County Snapshot data were not collected under a DNR-approved QAPP and therefore the data cannot be used for impairing water and adding them to the 303(d) impaired waters list.

With regard to the snapshot data other than indicator bacteria data, the in-field test strip data are not approved analytical methods for 303(d) listing purposes in Iowa. While these data can give a general idea of the condition of the system and can show potential trends, their accuracy and reliability are not robust enough for 303(d) listing purposes. If there were enough different temporal volunteer samples collected in a segment that were analyzed by a certified laboratory, and there was overwhelming evidence of impairment, those segments could be listed as potentially impaired and placed on the State's WINOFI (Waters In Need Of Further Investigation) list. However, with only two samples per year, these waters cannot be added to the State's WINOFI list.

General water quality emails and letters received:
The DNR received the following emails and letters on general water quality during the public comment period. The DNR acknowledges receipt of the comments; however, these comments do not directly apply to Iowa's Draft 2022 Impaired Waters List or IR methodology.

COMMENTER 6: Julie Sisco, private citizen
Date Received: Feb 18, 2022, e-mail
Comment:

Water Quality
1 message

setterluv <setterluv@gmail.com> Fri, Feb 18, 2022 at 12:38 PM
To: IRcomment@dnr.iowa.gov

I sure do wish Iowa still had the volunteer program, IOWATER. What a great way it was to get Iowans involved in clean water issues. I always kind of wondered if water polluters wanted the program killed. Now I wonder if the program would have been able to detect covid in water sources. A long shot, I'm sure, but it would have made an interesting study.

Julie Sisco
Van Buren County

COMMENTER 7: Lynnda Millard-Sanborn, private citizen
Date Received: Feb 22, 2022, e-mail
Comment:

Impaired waters
1 message

Lynnda Sanborn <llmillardsanborn@yahoo.com> Tue, Feb 22, 2022 at 10:56 AM
To: IRcomment@dnr.iowa.gov

To Whom It May Concern,

This issue of cleaning up our water really need to be taken care of! How can clean water not be a good thing? The thing is, the longer taking care of the issue is delayed the more expensive it will be to fix it. And by then it may not be fixable. We have to stop kicking this can down the road!

I know "Big Ag" and the Farm Bureau seem to want to do anything to sabotage measures to want to improve our natural resources. But we all need clean water for our health and the health of the land.

I know Iowa is a farm state and that our state economy is highly dependent upon farmers and the farm industries that support them. I grew up on an Iowa farm. But it's different now. Most of Iowa farm land now is acre upon acre of corn and beans and large cafos. That type of farming plunders the land and water it needs.

The powers that be in Des Moines are always whining about attracting people to come live in Iowa. Well, I have news for them: People that will move to Iowa won't come here because they want to farm. It will be for other reasons (Lord knows what now; who would want to move here now? I wouldn't !) and other job opportunities than in farming. People that come here will want well-maintained state parks and recreation areas. They want clean beaches for swimming and streams for fishing. I honestly don't see how hard this is to understand. Ok, I do, money and power talk, right?

Shaking my head at what Iowa is turning into,
Lynnda Millard-Sanborn

Sent from my iPad

COMMENTER 8: Jim Walters, private citizen
Date Received: Feb 22, 2022, e-mail
Comment:

Public Input on Water Quality
1 message

Jim Walters <jcmwalt@infionline.net> Tue, Feb 22, 2022 at 1:30 PM
To: IRcomment@dnr.iowa.gov
Cc: kayla.lyon@dnr.iowa.gov

Dear Friends:

I didn't know whether to laugh or cry when I read in yesterday's Gazette that you were seeking "public input" on Iowa's water quality problems. People from every corner of this state have been trying to give meaningful input on this matter for years - all to no avail. We've formed organizations like the Iowa Environmental Council, we've gone repeatedly to the legislature, we've attended meetings of the Environmental Protection Commission (now entirely dominated by ag biz interests), we've written letters (to you and to the papers), we've demonstrated and circulated petitions.

What's the point of any more "public" input?

Jim Walters

COMMENTER 9: Gretchen Reeh-Robinson, private citizen
Date Received: Feb 22, 2022, e-mail
Comment:

2022 draft of impaired waters
1 message

Gretchen Reeh-robinson <reehsong@gmail.com> Tue, Feb 22, 2022 at 7:31 PM
To: IRcomment@dnr.iowa.gov

Dear DNR,
Animal waste, pesticides, ammonia -- all impairing Iowa's waters. We must do better. We must make water quality a priority. The lack of urgency in the current legislature is more than concerning, it's negligent. Agriculture, our farmers, are in the driver's seat. They dictate priorities and why they don't prioritize water quality is shameful. Our legislature -- some farmers themselves -- clearly ignore the need for repairing our waters.

As stewards of the land, we have to respect the entire ecosystem, all its constituent parts, in order to repair the damage done to Iowa's waters. Growing corn and beans are not an island unto themselves. Raising livestock is not an island unto itself. No legislation is currently addressing the need to repair Iowa's waters. Our House and Senate and Governor are negligent in their duties to protect our state.

Sincerely,
Gretchen Reeh-Robinson

COMMENTER 10: Pam Mackey Taylor, Director, Iowa Chapter of the Sierra Club
Date Received: Mar 2, 2022, e-mail
Comment:

Sierra Club's comments about the 2022 Draft impaired waters list
1 message

Pamela Mackey Taylor <pamela.mackey.taylor@sierraclub.org> Wed, Mar 2, 2022 at 10:11 AM
To: Ircomment@dnr.iowa.gov

Please see the attached comments from the Sierra Club regarding the 2022 draft impaired waters list.

Thank you for reviewing this letter.

Pam Mackey Taylor
Director, Iowa Chapter of the Sierra Club

2022impairedwaterscomments.pdf
399K

SIERRA CLUB

IOWA CHAPTER

March 1, 2022

Iowa Department of Natural Resources
Attn: Impaired Waters/Segment List
Water Quality Monitoring & Assessment Section
Wallace State Office Building
502 E. Ninth St.
Des Moines, IA 50319
Via email to IRcomment@dnr.iowa.gov

Re: Draft 2022 Impaired Waters List

Dear DNR staff:

The purpose of the Impaired Waters List is to trigger action to improve water quality. Although the Department of Natural Resources wants to limit comments on the Impaired Waters List to the accuracy and completeness of the list, there is a broader discussion that needs to happen.

As I look at the impairments for the rivers and streams segments that are on the impaired waters list, I note that many of the impairments are related to agriculture - bacteria, organic enrichment, nutrients, dissolved solids, algal growth, and turbidity. Given that these are non-point sources, it is imperative that the state, with DNR's leadership, undertake a serious effort to reduce the pollutants entering our waters and streams from agricultural sources.

I also note that for the majority of fish kills being reported, agricultural runoff was the largest contributor - animal waste, pesticides, fertilizer spill, silage runoff. In fact, more than a third of the fish kills were due to animal waste.

The Nutrient Reduction Strategy is a start. Yet, after almost 10 years, we have seen little to no reduction of nutrients. In fact, we may be seeing increases in nitrogen entering Iowa's waterbodies. Dr. Christopher Jones' research shows, "nitrate loss in Iowa has increased more than 70 percent since 2003"[1]

- We have made no progress in establishing criteria for nutrients, along with a reasonable date to meet the standards. Neighboring states have begun establishing numerical standards for nutrients - Wisconsin, Minnesota, Illinois, Missouri, and Nebraska.
- Iowa's own nutrient reduction strategy plan has no target date for reaching a 45% reduction in nutrients entering the waterbodies, even the Mississippi River Gulf of Mexico Watershed Nutrient Task Force, which spawned our nutrient strategy, has set the goal of a 45% reduction in nutrients delivered to the Gulf by 2035 with an interim goal of 20% reduction by 2025.[2]
- The calculation for the amount of manure that can be applied to farm fields has not been updated to reflect the current research. As a result, the DNR allows excess manure to be applied, which ultimately runs into our waterbodies.

---

[1] Christopher S. Jones, "Elephants in the room", The Gazette Iowa Ideas, Cedar Rapids, Iowa, August 25, 2019
[2] "Mississippi River Gulf of Mexico Watershed Nutrient Task Force New Goal Framework", December 3, 2014, www.epa.gov/sites/production/files/2015-07/documents/htf-goals-framework-2015.pdf

Sierra Club Iowa Chapter, PO Box 1058, Marion, IA 52302
3839 Merle Hay Road, Suite 280, Des Moines, Iowa, 50310. 515-277-8868
Email: iowa.chapter@sierraclub.org Web: www.sierraclub.org/iowa Facebook: Iowa Chapter Sierra Club

- Iowa does not require farmers to adhere to the Iowa State University fertilization guidelines for nitrogen – the Maximum Return to Nitrogen. When excess fertilizer is applied, that excess runs off the fields and into our waterbodies.

Implementing Iowa's Nutrient Reduction Strategy is expected to cost $5 billion. Making matters worse, when reports about the progress of nutrient reduction are issued, the report counts base programs that were in effect prior to the induction of the strategy, and, thus, implies more progress is being made than what is actually happening on the ground. "Iowa Nutrient Reduction Strategy 2018-19 Annual Progress Report"[3] reported

- In total $1,510,000,000 was spent on the Nutrient Reduction Strategy in 2017, 2018, and 2019.
- "The majority of public programs described in this report are considered base programs and have, in general, been in existence for decades. In addition, these estimates include the farmer and landowner contribution to the implementation of cover crops, terraces, water and sediment control basins (WASCOBs), and grade stabilization structures that received cost-share funding. . ."
- $20,120,000 was spent in 2019 on publicly-funded projects focused on the Nutrient Reduction Strategy.

The total $1,510,000,000 that was spent on the Nutrient Reduction Strategy in 2017, 2018, and 2019 make up 30.2% of the expected $5 billion cost to fully implement the Nutrient Reduction Strategy. It seems that the funds are being spent on solutions that simply do not work in reducing nutrients.

The point sources are not off the hook either. The Department of Natural Resources has a backlog of expired NPDES permits, dating back to 2002. The reason that most of the expired permits have not been renewed is that the Use Attainability Analysis (UAA) has not been completed for the receiving streams. Why? Because there are not enough employees to perform the needed work on gathering information, analyzing it, and completing the UAA process.

- Iowa has issued 1,613 NPDES permits
- 372 permits had expired on or before January 31, 2022 – 23%
- The oldest permits expired in 2002 – 19 years ago, having been issued in 1997.[4]

Once a waterbody is put on the 303(d) list of impaired waters, the next step is to perform a TMDL calculation. Iowa has gone a step further in creating Water Quality Plans. Those calculations and plans do us no good if they just sit on a shelf or a computer database within the DNR. We, as a state, need to get serious about implementing the policies we need to really improve water quality in Iowa's rivers, streams, lakes, reservoirs, and wetlands.

All of these items point to a lack of funds within the DNR to support water quality work, to a lack of will by the DNR leadership and the administration in charge of the DNR, and a lack of interest within the Iowa legislature. Unfortunately all of this leads to high levels of impaired waters within Iowa. As a state, we should be doing better.

Sincerely,
Pamela Mackey Taylor
Director, Iowa Chapter of the Sierra Club

---

[3] "Iowa Nutrient Reduction Strategy 2018-19 Annual Progress Report", Iowa Department of Agriculture, Iowa Department of Natural Resources, Iowa State University, June, 2020, page 10

[4] DNR last updated the database on February 1, 2022; data for this letter were pulled February 27, 2022; Database is found at www.iowadnr.gov/Environmental-Protection/Water-Quality/NPDES-Wastewater-Permitting/Current-NPDES-Permits

Sierra Club Iowa Chapter, PO Box 1058, Marion, IA 52302
3839 Merle Hay Road, Suite 280, Des Moines, Iowa, 50310. 515-277-8868
Email: iowa.chapter@sierraclub.org Web: www.sierraclub.org/iowa Facebook: Iowa Chapter Sierra Club

COMMENTER 11: Shari Viktora, private citizen
Date Received: Mar 2, 2022, e-mail
Comment:

impaired waters

shari viktora <quakermom@outlook.com> Wed, Mar 2, 2022 at 11:34 AM
To: "IRcomment@dnr.iowa.gov" <IRcomment@dnr.iowa.gov>

Gov. Kim Abbott gets her kickbacks and we're left with the pollution she leaves whenever she opens her mouth. I think the rent free Governors mansion that she occupies should be moved to Clayton Co. so she can reap what she sowed.

Sent from Mail for Windows

COMMENTER 12: Anne Tews, private citizen
Date Received: Mar 3, 2022, e-mail
Comment:

Protect Iowa waterways
1 message

Anne Tews <amtews@gmail.com> Thu, Mar 3, 2022 at 8:17 PM
To: IRcomment@dnr.iowa.gov

Hello-
Please double down on efforts to protect our waterways. Holding Big AG accountable for their pollution will make the water situation better for humans, wildlife, and livestock.
While I don't know how much more it costs to clean polluted water to make it potable than less polluted, I really don't want my tax dollars paying to fix a problem after it worsens. I also know that people like to hunt in Iowa, I would think they would appreciate catching or shooting fish, birds, deer, etc. which are healthy and edible. Why catch fish, for example, if it's full of manure, chemicals, and other contaminants? I wouldn't want to eat it!

Thank you for strengthening clean water protections.
Anne

--
http://www.linkedin.com/in/annettemtews
http://researchlibrarianne.wordpress.com/news-from-the-stacks/

COMMENTER 13: Carolyn Walker, private citizen
Date Received: Mar 8, 2022, 2022, e-mail
Comment:

Why continued "715 Impaired Waters" in Iowa?
1 message

Carolyn Walker <carolynruw@gmail.com> Tue, Mar 8, 2022 at 6:48 PM
To: IRcomment@dnr.iowa.gov

To whom it may concern:
When the DNR comes out and says there are 715 impaired waterways in Iowa, that is pretty "darn" sad for all Iowans especially
the young ones coming up! We aren't showing much of any improvement with our "voluntary" measures that farmers are following including cover
crops, prairie strips, bio-reactors, saturated buffer zones, wetlands and more. I know some farmers are really trying, but...
I mentioned above this was "sad", but it is more than "sad"- it's tragic and when is the DNR going to come out and advocate for a better program that really works!? And let's face it, you might have to promote required methods of
farming like I mentioned across the state of Iowa, so we can have "clean" water and "healthy fish and other creatures of
the waterways! All Iowans have that common value-no matter their party-Republican or Democrat- and that is CLEAN WATER for DRINKING, ETC.!!!!!!
Carolyn Uhlenhake Walker
4111 Ingersoll Ave. #1110
Des Moines, Iowa 50312
515-779-1680

COMMENTER 14: Debra Henderson, private citizen
Date Received: Mar 13, 2022, e-mail
Comment:

Iowa waterways
1 message

Gary Henderson <dega54@yahoo.com> Sun, Mar 13, 2022 at 7:29 PM
To: ircomment@dnr.iowa.gov

I'm writing as a concerned citizen of Iowa, to ask the DNR to increase its efforts to protect our waterways and restore them so they may be there for many more generations. Please hold big Ag and anyone polluting our waterways accountable! Once our water is gone, we have nothing. It's the source of all life.

Thank you for your consideration.

Debra Henderson

Sent from my iPhone

COMMENTER 15: John Klein, private citizen
Date Received: Mar 18, 2022, mail
Comment:

RECEIVED
MAR 18 2022

Impaired Waters Public Comment March 15, 2022
John Klein 712-309-5992 iowakleins@gmail.com
P.O. Box 175, Treynor, IA 51575

My Comments:

Despite the avalanche of blind denial from the Iowa Governor, Legislators, Iowa DNR, Farm Bureau, and the Big-Ag industry, it is now painfully clear that the Impaired Waters List is growing, not shrinking. While any result can be justified somehow, the absolute truth is that Iowa's water quality problems are not improving to ANY significant degree. The past voluntary management measures to be taken by the agriculture industry may be very slowly implemented, but not to the degree that any significant wholesale improvement has been recognizable. In some areas, the problem is worse.

Given this persistent ongoing failure in government policy, it is well apparent that "If we do what we've always done, we'll get what we've always got."

None of us should be satisfied with that, and especially not the conservation minded citizens of Iowa that rely on the IDNR and IDALS to protect our valuable natural resources.

I call on our Governor and Legislature first to lead, not kowtow. Second, I call on our federal, state, county, and soil district agencies to grow some backbone and take a conservationist stand. But I also call on the Iowa Farm Bureau, commodity organizations, big ag business and each farmer agriculturalist to do much more collectively to reduce the degradation of our water and soil resources. Big AG Lobbying and public relations campaigns for improved "image" do not solve the real problems of our state's resources.

Voluntary tax-payer supported measures for resource protection may have slowly grown from none to a small percentage. But if we want to see improvements in our lifetime, we need to implement mandatory regulations. Spineless legislators in power now, and strong agricultural self-protection lobby efforts are only preventing any real conservation progress.

As a farmland owner myself, I am willing to accept resource conservation for the greater good of our current resources, and the prolonged sustainability of our future generations.

DNR releases latest draft of 303d impaired waters list

DES MOINES -- The Iowa Department of Natural Resources is seeking public comment on the newly released draft impaired waters list. Data released by the Iowa DNR today shows 48 impairments are recommended to be removed from the 2020 303d impairment list, once the removals are approved by the EPA.
This report identifies surface waters that do not fully meet all applicable state water quality standards for their intended use and that need a water quality improvement plan. Of the 1,382 water segments studied, which include portions of rivers, streams, lakes, reservoirs, and

wetlands, 15 segments fully met the Iowa water quality standards for their intended use, 321 segments did not have an impairment; while 295 segments were identified as needing further investigation, and 594 segments did not fully meet one or more of the standards needed for all their intended uses and were impaired.
"An increase or decrease in impaired waters does not necessarily mean that the water quality in the state is worsening or improving. It could be a reflection of the additional monitoring we are conducting, changes in water quality standards, and changes in assessment methodologies," said Roger Bruner, supervisor of the DNR's Water Quality Monitoring and Assessment section. "Impaired segments are often used for recreation and fishing, among other uses, so impairment doesn't mean that the segments are unusable."

3-Step Process for Impaired Waters Study
The DNR uses fixed station river monitoring, lake monitoring and beach monitoring, wadeable stream biological monitoring, fish tissue monitoring and wetland/shallow lakes monitoring. Several other data are also analyzed before determining whether a water segment does or does not meet the requirements like the Iowa DNR's Fish Kill Database, along with federal (Army Corps of Engineers and US Geological Survey) and municipal (drinking water supplies) data and surrounding states' data.

DNR's process is to compile all available credible data in the correct time frame. The data from many different sources are reviewed and assembled into a standard format. Then, these results are compared to appropriate criteria for each designated use. The final assessment for each segment is a compilation of all these results (2,399 use assessments in this report).

Most Iowa waters are designated for both aquatic life protection and water contact recreation. Others also may include one or both designations for drinking water or human health protection.

"The DNR has a long history of working with Iowans across the state to help address our water quality challenges," said Lori McDaniel, DNR Water Quality Bureau Chief. "The importance of this collective, persistent work is clear and will continue to be a priority for the DNR."

Success stories: Get involved!
To keep the positive momentum moving forward to improve water quality in Iowa, the DNR is encouraging citizens to get involved. The DNR Watershed Improvement program provides assistance on how to start a water quality effort and seek grant opportunities.
Iowa has several water quality success stories including watershed improvements. To qualify as a success, there must be evidence of water quality improvement that led to an impairment delisting.
Public comment is welcomed now through March 19, 2022, and should be sent to:

Email: IRcomment@dnr.iowa.gov
or

Postal mail: Iowa Department of Natural Resources Attn: Impaired Waters/Segment List Water Quality Monitoring & Assessment Section Wallace State Office Building 502 E. Ninth St. Des Moines, IA 50319.