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Scathing review blasts states, EPA for failing to protect Mississippi River

Cry for help from 13 environmental groups says decades of voluntary measures and light touch by feds don't work.

By Josephine Marcotty (<http://www.startribune.com/josephine-marcotty/10645336/>) Star Tribune | NOVEMBER 17, 2016 – 11:58PM

The 10 states that border the Mississippi, including Minnesota, are failing to protect America's greatest river and its tributaries, resulting in contaminated drinking water, fish kills, unswimmable waters and a 5,000-square-mile zone in the Gulf of Mexico that can no longer support aquatic life.

And the federal government has refused to use its authority to require states to control nutrients from farms and cities that are slowly killing the Mississippi, according to a comprehensive assessment of the river corridor released Thursday.

The scathing review (<http://www.msrivercollab.org/11/decades-of-delay-report-urges-epa-to-protect-mississippi-river/>), by 13 state and national environmental groups that make up the Mississippi River Collaborative, is designed as a public outcry to pressure the U.S. Environmental Protection Agency (EPA) to do more to protect the river.

"It's a serious problem and it's not getting better," said Kris Sigford, water quality manager for the Minnesota Center for Environmental Advocacy, who headed the project.

EPA officials, responding by e-mail Thursday, acknowledged that nutrient pollution has been rising steadily for the last half century, but said the agency cannot solve the problem in the massive Mississippi basin "with top down federal action." In part, that's because much of the nutrient runoff comes from farming, which is not subject to federal law.

While the authors criticized Minnesota for inadequate regulation of wastewater treatment plants and nitrogen pollution, they also said it is by far the most active state along the Mississippi.

"Minnesota is ahead of the curve," said Matt Rota, policy director for the Gulf Restoration Network, based in New Orleans.

For example, Minnesota and Wisconsin are the only states bordering the Mississippi to set limits for phosphorus, a nutrient from wastewater treatment plants and agriculture that produces algae blooms that can kill aquatic life and contaminate drinking water.

But none of the 10 states has adopted nitrogen or nitrate limits for lakes and streams to protect aquatic life. Minnesota regulators have one in the works, but say they are waiting for the EPA to complete research on its impact on aquatic ecosystems.

Rebecca Flood, assistant commissioner for the Minnesota Pollution Control Agency, said that kind of scientific research takes time. "They [the EPA] know it's important to us and they know it's important nationally," she said.

5,000 wells

In Minnesota, nitrate contamination has forced 56 communities to upgrade their water treatment technology or find new sources of drinking water. Nearly 5,000 private homeowner wells also have excessive nitrates, the report said.

And while many of the state permits for wastewater treatment plants do address phosphorus, they don't go far enough, Sigford said. Last year her organization sued the MPCA, saying it hadn't done enough to restrict phosphorus pollution that flows into Lake Pepin from wastewater treatment systems.

Lake Pepin and a stretch of the Mississippi just below its confluence with the Minnesota River have phosphorus levels that often exceed 100 parts per billion, the state's legal standard. State regulators have been working for years on a massive plan to protect Lake Pepin, but green swaths of algae routinely cover parts of the lake, a hugely popular recreation destination.



(<http://stmedia.startribune.com/images/08-819339+06WEATHERLN110516.JPG>) LEILA NAVIDI, STAR TRIBUNE

FAILING TO PROTECT THE MISSISSIPPI
A new report says the 10 states that border the Mississippi River, from the Indian Mounds Park, the state's greatest waterway and that federal regulators are relying on ineffective voluntary measures.



Source: ESRI
RAY GRUMNEY • Star Tribune

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Graphic: Failing to protect the Mississippi



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that Gov. Mark Dayton has made water quality a priority. (HTTPS://USERS.STARTRIBUNE.COM/MEMBER_CENTER)

“Do we have a lot to do? Yes,” she said. But she pointed out that federal farm policy aggravates the problem by subsidizing row crop farming that relies on nitrogen and phosphorus fertilizers across much of the Upper Midwest.

Downstream from Minnesota, in Iowa, a third of the municipal drinking water systems are susceptible to nitrate pollution, said Susan Heathcote, Water Program Director for the Iowa Environmental Council. “Private drinking wells are at even greater risk.”

And last year, a 600-mile algae bloom infested the Ohio River, putting local officials on edge for fear that it could introduce toxic bacteria into drinking water, Heathcote said.

“This is a wake-up call,” said Heathcote. But many states don’t even assess the quality of their water, she added. Iowa has no plans to adopt limits on phosphorus or nitrates, and instead is hoping farmers will adopt voluntary measures to reduce runoff of the nutrients.

“It’s hard to adopt those practices and remain competitive and profitable,” said Jerry Peckham, an Iowa farmer. “Voluntary actions alone will not be enough.”

Voluntary approach

The report’s authors argue that the EPA does have authority to compel mandatory steps by the states. It could establish water quality goals rather than waiting for states to do it. It could require states to assess their waters to identify hot spots and prioritize solutions. It could give firmer oversight on state pollution permits.

And yet as recently as September, the EPA reiterated that it would continue to rely on states and voluntary efforts to fix nutrient water pollution. In a memo to state environmental agencies, the EPA said “in the face of continuing public health impacts, we ask that states and stakeholders intensify efforts to ... address nutrient pollution.”

To encourage states, this year EPA is offering \$600,000 for projects that promise to reduce nutrient pollution, focusing mainly on public health threats from nitrates in drinking water sources and algae blooms in recreational waters.

Meanwhile, it extended its deadline for reducing the Gulf of Mexico’s “dead zone” from 2015 to the year 2035.

“That,” Sigford said, “doesn’t do the trick.”

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BRIAN PETERSON

Neglect: None of the 10 states bordering the Mississippi River, above converging with the Minnesota, has limits on nitrogen or nitrate...

