

Accelerating Nutrient Pollution Reductions in the Nation's Waters: April 5th U.S. Environmental Protection Agency Memorandum



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U.S. Environmental Protection Agency ("EPA") Assistant Administrator for Water, Radhika Fox, issued an April 5th memorandum titled:

Accelerating Nutrient Pollution Reductions in the Nation's Waters ("Memorandum")

The *Memorandum* was transmitted to:

- State Environmental Secretaries, Commissioners, and Directors
- State Agriculture Secretaries, Commissioners, and Directors
- Tribal Environmental and Natural Resource Directors

An objective of the *Memorandum* is to reaffirm:

... EPA's commitment to working with federal agencies, state co-regulators, tribes, water stakeholders, and the agricultural community to advance progress in reducing excess nutrients in our nation's water.

The role of nitrogen and phosphorus in water pollution has been the subject of serious consideration by EPA and the states for a number of years. Excess nutrients can stimulate excess growth of algae. This can impair the various designated uses for waterbodies and also increase the organic matter which (when decomposed) can depress dissolved oxygen concentrations harming aquatic life.

Excess nutrients can also produce cyanotoxins. As a result, there has been significant pressure to address point source dischargers through Clean Water Act effluent limits and utilize other measures in the case of nonpoint sources.

The EPA *Memorandum* states that nutrients are the most widespread stressors impacting rivers and streams, noting the following statistics:

- 58% of the rivers and streams have excess levels of phosphorus
- 45% of the lakes have excess levels of phosphorus
- Two-thirds of the nation's coastal areas are impaired by nutrients
- One-third of the nation's estuaries are impaired by nutrients

The *Memorandum* sets forth five "governing principles" that it states will guide the EPA Office of Water's strategies to work with states, tribes, and local partners to drive reductions in nutrient pollution which include:

- Advance equity and environmental justice
- Build and foster partnerships
- Follow the science and invest in data-driven solutions
- Support innovation
- Scale successful initiatives

Strategies outlined in the Memorandum to drive continued reductions in nutrient pollution include:

- Deepen collaborative partnerships with agriculture
- EPA will actively collaborate with USDA leadership to build and maintain connections and momentum
- EPA will expand engagements with agricultural stakeholders and highlight their successes
- EPA will deepen on-the-ground collaboration with USDA, states, territories, tribes, and stakeholders in key geographic areas
- Redouble our efforts to support states, tribes, and territories to achieve nutrient pollution reductions from all sources
- Strongly encouraging states and tribes to use a One Water approach to deliver a range of water quality benefits including protection of sources of drinking water
- Championing innovative financing and using the flexibility of the Clean Water Act regulatory framework
- Prioritizing strategies to support small, rural, and disadvantaged communities
- Utilize EPA's Clean Water Act authorities to drive progress, innovation, and collaboration
- Urging more robust adoption of numeric nutrient criteria into Water Quality Standards
- More Fully Using the Clean Water Act Assessment and Listing Process and Supporting Development of TMDLs for Nutrient Pollution
- Further Reducing Nutrient Loads from Point Sources

A copy of the *Memorandum* can be downloaded [here](#).