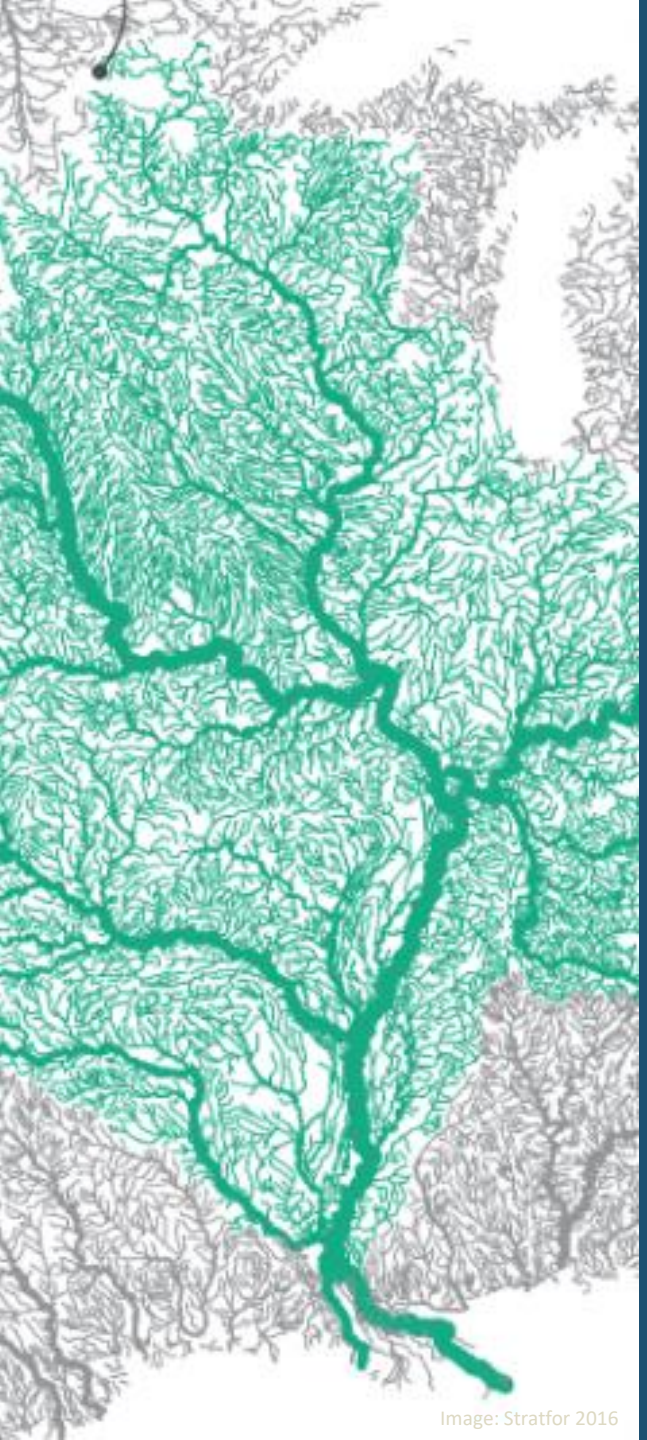


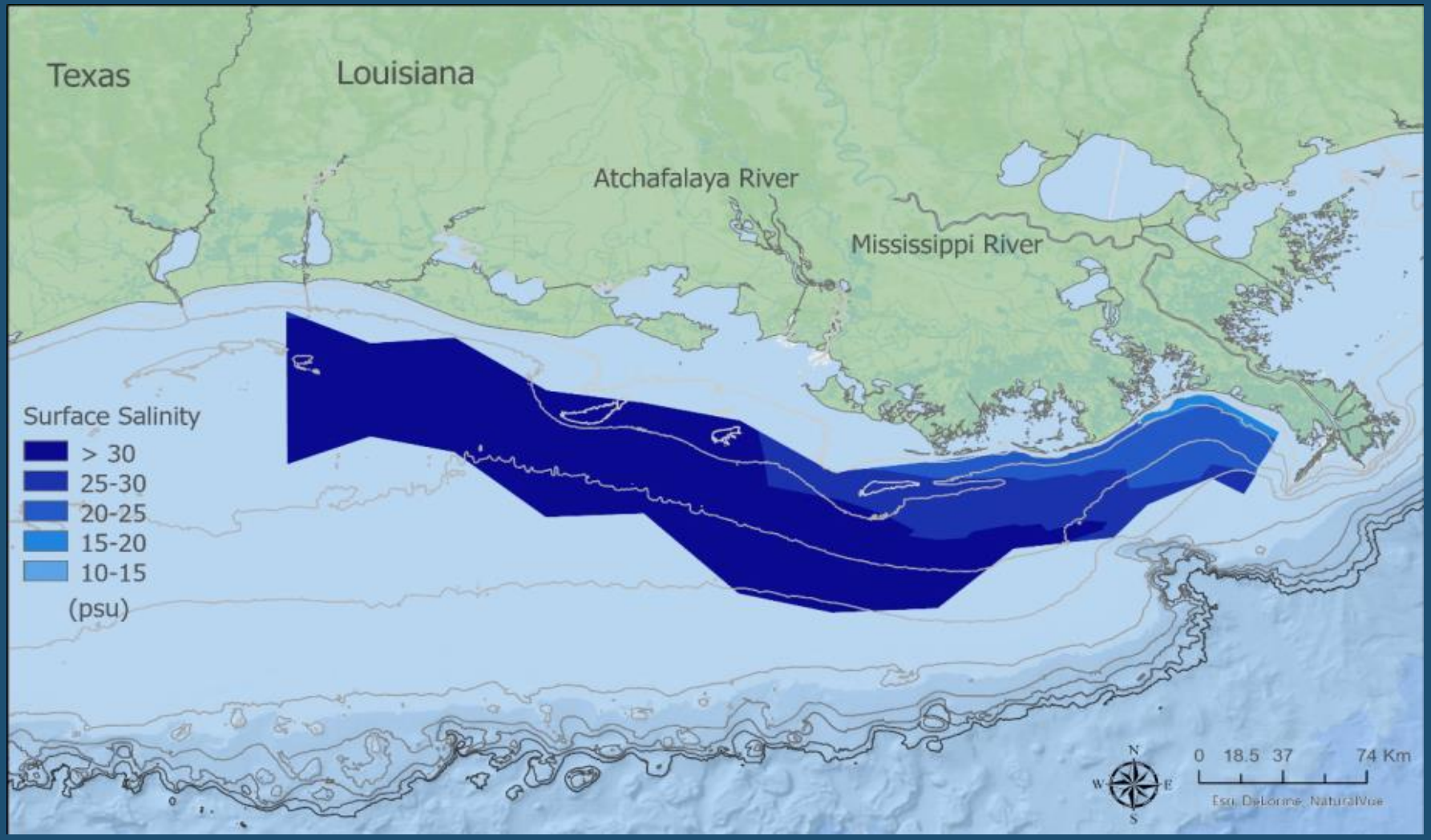
The Gulf Hypoxia Action Plan at 20 - plus years

Doug Daigle
Louisiana Hypoxia Working Group

Tulane Environmental Law Summit

March 18, 2023


Missouri
Upper Mississippi
Ohio
Arkansas-Red-White
Tennessee
Lower Mississippi
Hypoxic Zone
Gulf of Mexico
This map is not to scale.


Texas
Louisiana
Atchafalaya River
Mississippi River
Surface Salinity
> 30
25-30
20-25
15-20
10-15
(psu)
N
W
E
S
0 18.5 37 74 Km
Esri, DeLorme, NaturalVue

National Response to Gulf Hypoxia issue

- 1995 – NGOs file CWA petition with EPA
- Clinton administration – White House level response:
- 1996-7 – WH convenes national science committee, state of the science reports;
- 1998 - Organize Task Force (CWA 319 (g))
- 2000 – Development of Action Plan
- 2001 – Action Plan submitted to Congress

Action Plan

for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico

Mississippi River/Gulf of Mexico Watershed Nutrient Task Force

January 2001

Coastal Goal: By the year **2015**, subject to the availability of additional resources, reduce the 5-year running average areal extent of the Gulf of Mexico hypoxic zone to less than 5,000 square kilometers through implementation of specific, practical, and cost-effective voluntary actions by all States, Tribes, and all categories of sources and removals within the Mississippi/Atchafalaya River Basin to reduce the annual discharge of nitrogen into the Gulf.

The Gulf Hypoxia Action Plan 2000-2035

- The Gulf Hypoxia Action Plan is analogous to a treaty, with commitments and obligations for signing parties
- Core commitment: to help reach the Plan's Goals
- Baseline requirement for reaching Plan's Goals – adequate if not full funding

National Response to Gulf Hypoxia issue (cont)

- 2001 – Change in administrations, agency heads, appointees
- 2003 – Formation of Sub-basin Committees re 2001 Plan
- 2004 – EPA Region 4 staffers challenge AP Science – 2 year review process
- 2007 – EPA admits no plan to fund implementing AP
- 2008-10 – HTF States (LMRSBC) submit Appropriations Requests
- 2008 – Action Plan Revision – Develop State Strategies by 2013 [deadline not met]; no funding plan to reach 2015 goal
- 2008 – MN proposes 10% Target – LA and MS reject
- 2014 – Revised AP Goal process undertaken by HTF

Gulf Hypoxia Action Plan 2008

for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and Improving Water Quality in the Mississippi River Basin

Mississippi River Gulf of Mexico Watershed Nutrient Task Force

Action Plan Goal 2015

- We strive to reduce the five-year running average areal extent of the Gulf of Mexico hypoxic zone to less than 5,000 square kilometers by the year 2035.

- An Interim Target of a 20% reduction of nitrogen and phosphorus loading [to the Gulf] by 2025 is a milestone for immediate planning and implementation actions…

- [2025 Target not a priority for the Hypoxia Task Force from 2015 to present – no attempt by HTF or LA to raise implementation funds from Congress]

Gulf Hypoxia Action Plan – Implementation Funding

- 2001 Draft Action Plan: “Clean Rivers/Clean Gulf Budget Initiative/Mississippi-Gulf Omnibus Restoration Fund” [$1 billion a year]
- 2001-present - USDA Farm Bill Conservation Programs
- 2004-2006 – EPA Competitive Grants to Sub-basin Committees
- 2010-2023 – USDA Mississippi River Basin Initiative (MRBI)
- 2010, 2020, 2021 – EPA Grants to HTF States (@$100k)
- 2017 – NRDA NPS reduction funds – LA and MS bypass GHAP

BP Natural Resource Damage Assessment (NRDA) 2017

Funds for Non-Point Source Pollution Reduction

Mississippi - $27.5 million

Louisiana - $20 million ($10.5 million remaining)

Infrastructure Investment & Jobs Act – 2021 (Cassidy)

$60 million in authorized funding for actions under the Gulf Hypoxia Action Plan

$12 million annually for FY22-26 in equal amounts for the 12 States on the Hypoxia Task Force (AR, IA, IL, IN, KY, LA, MN, MO, MS, OH, TN, WI)
[Basic framework of 2009 HTF States/LMRSBC approps request]

Gulf Hypoxia Action Plan – Indirect Support from Ecosystem Restoration

- **America the Beautiful Challenge**: NFWF will leverage initial Federal commitments from the DOI, USDA, and DOD to raise additional philanthropic and private support, with the goal of directing at least $1 billion in grants to communities over the next five years.
- DOI – $375 million in Ecosystem Restoration funds for states, Tribes, and territories from IIJA
- USDA, Forest Service: $10 million in grants that improve water quality or restore fish passage
- USDA NRCS: $5 million in grants that increase private land owners' participation in priority conservation areas
- In FY2022 and FY2023 combined, NRCS expects to award more than $500 million in financial assistance through targeted initiatives

Inflation Reduction Act – 20212

Approximately $19.5 billion for USDA-NRCS Conservation Programs
$8.45 billion for the Environmental Quality Incentives Program
$4.95 billion for the Regional Conservation Partnership Program
$3.25 billion for the Conservation Stewardship Program
$1.4 billion for the Agricultural Conservation Easement Program
$1 billion for the Conservation Technical Assistance Program

USDA FY2023 Budget

$3.8 b discretionary spending increase for climate, conservation, clean energy

NRCS $1b for conservation technical assistance

CRP - $2.4b – 27 million acre goal
EQIP - $2b
CSP - $1b
ACEP - $450 million
RCPP - $300 million

Takeaways

Louisiana had a national plan to address Gulf Hypoxia handed to them by EPA, with 12 Upriver States in support.

Louisiana has never made the issue a priority, or invested adequate effort in supporting it. For the past decade, Louisiana has been a passive and largely silent member of the HTF.

10 (or 20?) years of opportunities to reduce Gulf Hypoxia have been squandered by the State.

Thank you

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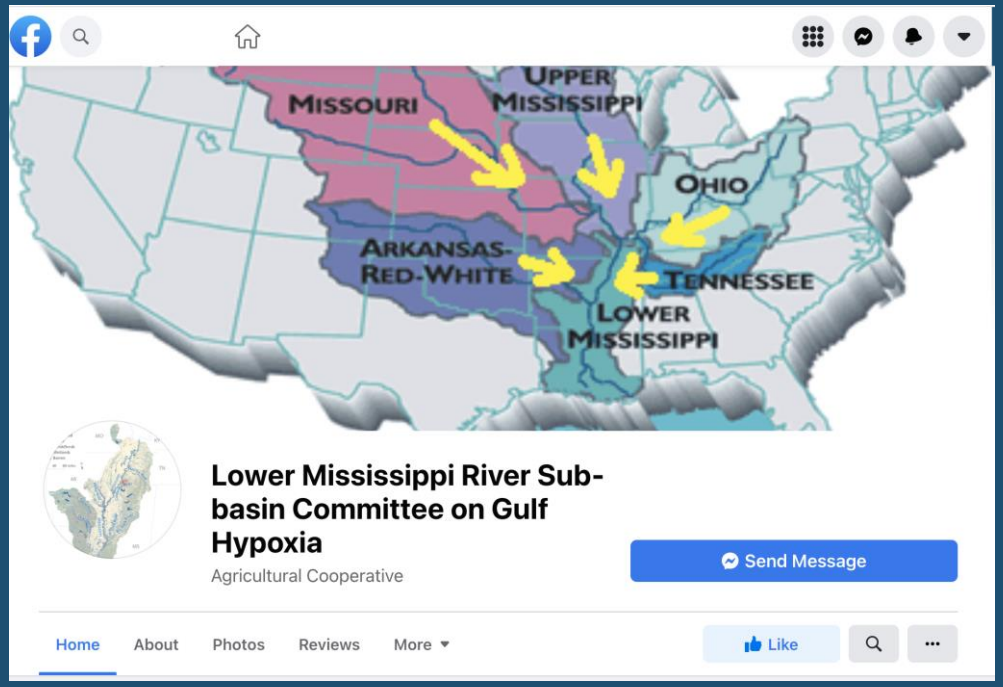

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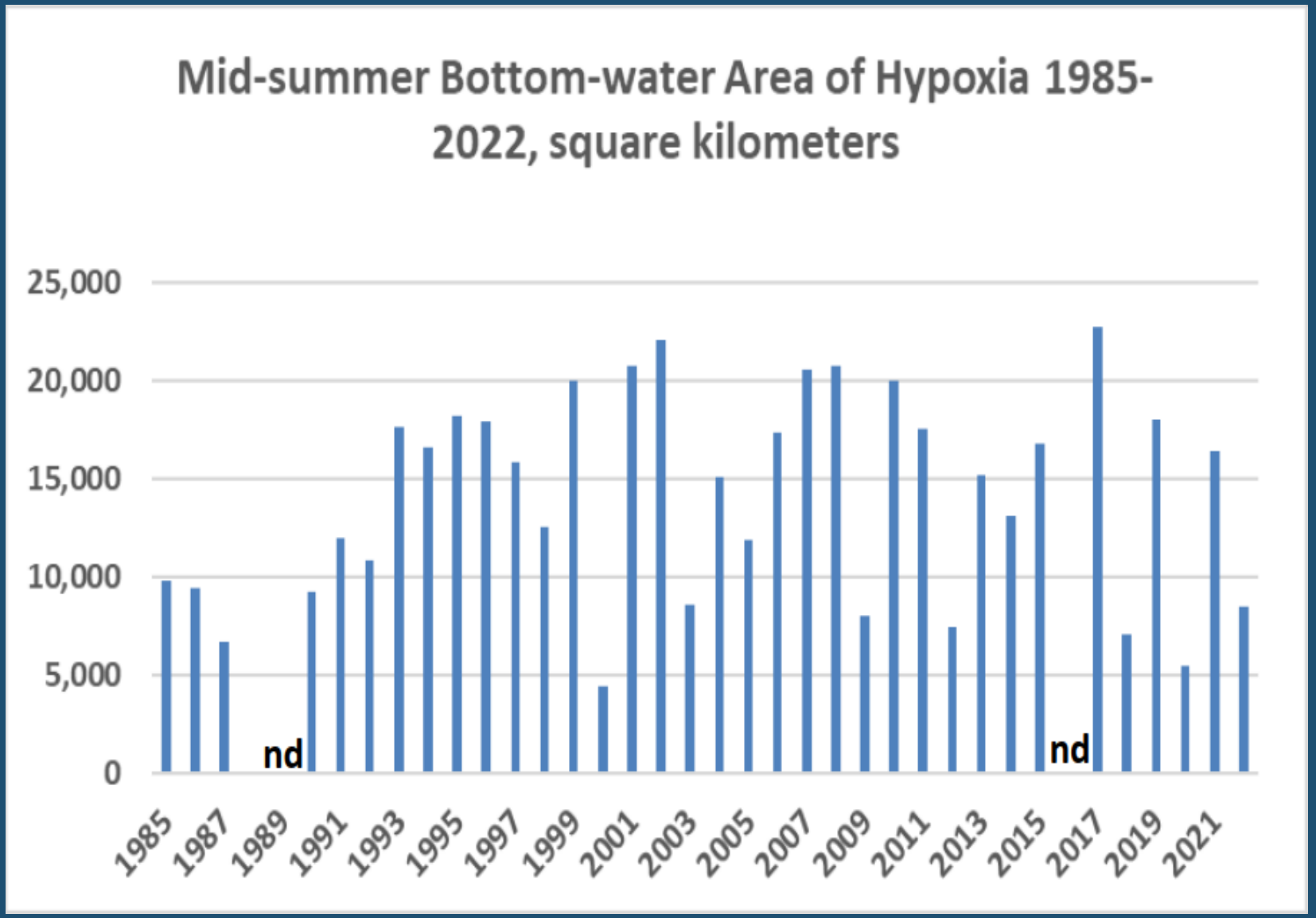
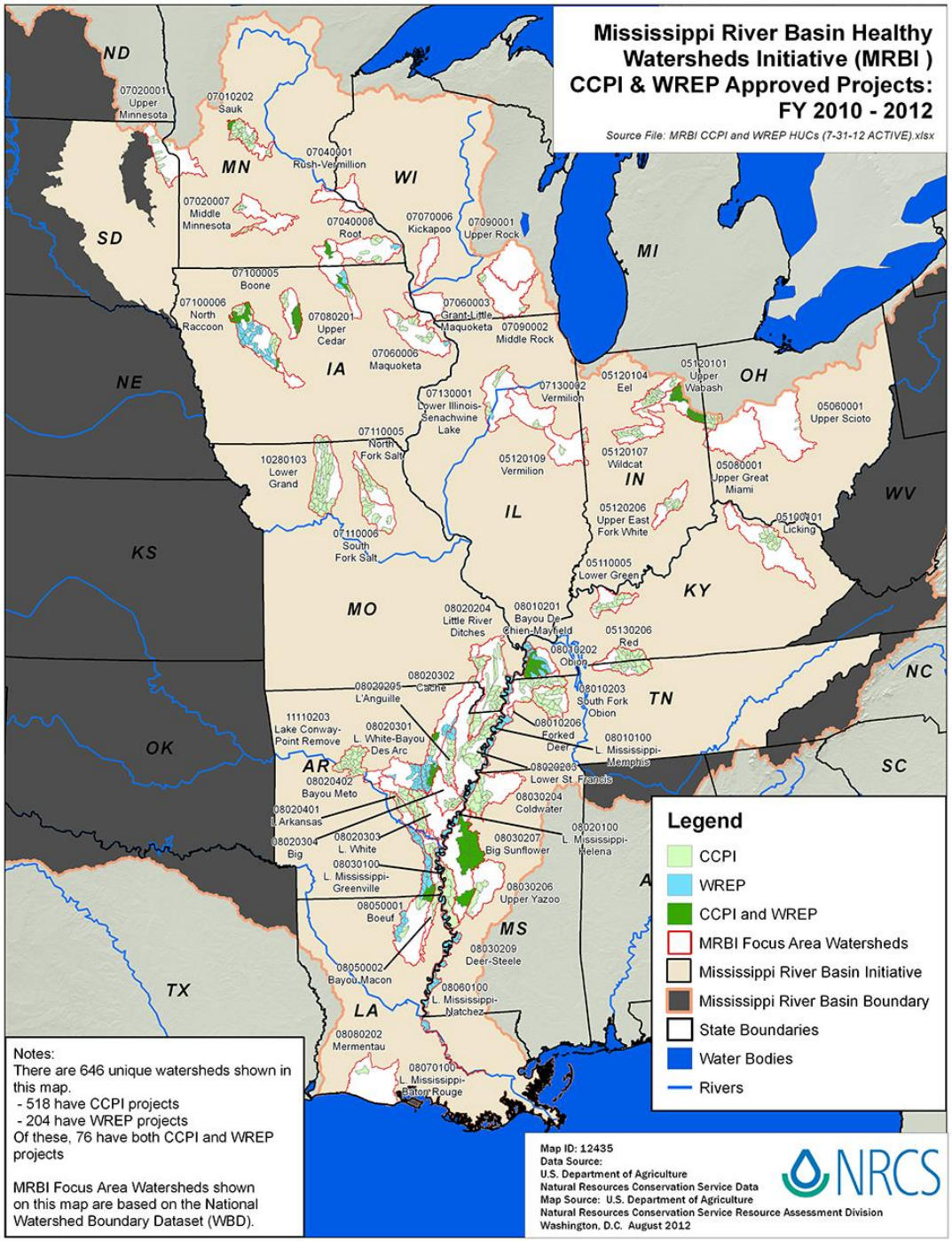

Mid-summer Bottom-water Area of Hypoxia 1985-2022, square kilometers
25,000
20,000
15,000
10,000
5,000
0
nd
nd
1985
1987
1989
1991
1993
1995
1997
1999
2001
2003
2005
2007
2009
2011
2013
2015
2017
2019
2021


Mississippi River Basin Healthy Watersheds Initiative (MRBI) CCPI & WREP Approved Projects: FY 2010 - 2012
Source File: MRBI CCPI and WREP HUCs (7-31-12 ACTIVE).xlsx
ND
SD
NE
KS
OK
TX
MN
IA
MO
AR
LA
WI
IL
MS
MI
IN
KY
TN
OH
WV
NC
SC
07020001 Upper Minnesota
07010202 Sauk
07040001 Rush-Vermillion
07020007 Middle Minnesota
07040008 Root
07070006 Kickapoo
07090001 Upper Rock
07100005 Boone
07100006 North Raccoon
07080201 Upper Cedar
07060003 Grant-Little Maquoketa
07090002 Middle Rock
07060006 Maquoketa
07130001 Lower Illinois-Senachwine Lake
07130002 Vermilion
05120101 Upper Wabash
05120104 Eel
05060001 Upper Scioto
07110005 North Fork Salt
10280103 Lower Grand
05120109 Vermilion
05120107 Wildcat
05080001 Upper Great Miami
05120206 Upper East Fork White
05100101 Licking
07110006 South Fork Salt
05110005 Lower Green
08020204 Little River Ditches
08010201 Bayou De Chien-Mayfield
05130206 Red
08010202 Obion
08020205 L'Anguille
08020302 Cache
08010203 South Fork Obion
11110203 Lake Conway-Point Remove
08020301 L. White-Bayou Des Arc
08010206 Forked Deer
08010100 L. Mississippi-Memphis
08020203 Lower St. Francis
08020402 Bayou Meto
08030204 Coldwater
08020401 L. Arkansas
08020100 L. Mississippi-Helena
08020303 L. White
08020304 Big
08030207 Big Sunflower
08030100 L. Mississippi-Greenville
08030206 Upper Yazoo
08050001 Boeuf
08030209 Deer-Steele
08050002 Bayou Macon
08060100 L. Mississippi-Natchez
08080202 Mermentau
08070100 L. Mississippi-Baton Rouge
Legend
CCPI
WREP
CCPI and WREP
MRBI Focus Area Watersheds
Mississippi River Basin Initiative
Mississippi River Basin Boundary
State Boundaries
Water Bodies
Rivers
Notes:
There are 646 unique watersheds shown in this map.
- 518 have CCPI projects
- 204 have WREP projects
Of these, 76 have both CCPI and WREP projects
MRBI Focus Area Watersheds shown on this map are based on the National Watershed Boundary Dataset (WBD).
Map ID: 12435
Data Source:
U.S. Department of Agriculture
Natural Resources Conservation Service Data
Map Source: U.S. Department of Agriculture
Natural Resources Conservation Service Resource Assessment Division
Washington, D.C. August 2012
NRCS