Upper
Mississippi River
Basin Association
ILLINOIS, IOWA, MINNESOTA, MISSOURI, WISCONSIN

December 17, 1999

Gulf of Mexico Hypoxia Working Group
National Oceanic and Atmospheric Administration (NOAA)
National Centers for Coastal Ocean Science
Room 9127
1305 East-West Highway
Silver Spring, Maryland 20910

To the Gulf of Mexico Hypoxia Working Group:

In response to the "Notice of Availability of an Integrated Assessment of the Causes and Consequences of Hypoxia in the Gulf of Mexico" published in the October 21, 1999 *Federal Register*, these comments are submitted by the Upper Mississippi River Basin Association and the five upper basin states' members of the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. These comments are supplementary to, but are in no way a substitute for, the five states' individual comments.

First, we would like to express our disappointment at not receiving a response to our letter of August 13, 1999 containing comments on the six hypoxia assessment reports and the assessment process. A written response to these comments on the Integrated Assessment would be welcome.

The Integrated Assessment is intended to document the state of knowledge regarding the extent, characteristics, causes, and effects of Gulf hypoxia. As it necessarily relies upon existing data and analysis, the Integrated Assessment must clearly describe both what is currently known and unknown about the scientific questions surrounding Gulf hypoxia. In order to assure that, despite its inherent limitations, the Integrated Assessment can be used as a credible basis upon which to build an Action Strategy, it is recommended that:

- The final version of the Integrated Assessment clarify that the scenarios it evaluates are not presumptive of the management actions that will ultimately be recommended. While the scenario evaluations are useful in addressing the fundamental question of whether there are indeed courses of action that may be effective and in suggesting the relative effectiveness of some of those approaches, it is important that the Integrated Assessment not inadvertently foreclose consideration of other approaches. As we have previously commented "the scientific reports and subsequent Integrated Assessment should not convey the mistaken impression that policy makers are predisposed to specific solutions before the public has had an opportunity to help shape policy recommendations."

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- The final version of the Integrated Assessment should explicitly address the issue of scientific uncertainty and the existence of alternative hypotheses. As the draft Integrated Assessment acknowledges, "there are, however, always uncertainties in scientific analysis." The final version of the Integrated Assessment should therefore explicitly describe levels of confidence for each major scientific finding and how such confidence levels have been derived. In addition, the final Integrated Assessment should acknowledge the variety of hypotheses, describe what existing data reveal regarding those hypotheses, and what additional data and analysis are needed.

  It would be beneficial if conclusions of the scientific workshop held on December 3, 1999 in St. Louis, Missouri could be posted on the Assessment Web site. The final Integrated Assessment should incorporate these conclusions and additional data and material submitted through the public comment process. Such documentation and inclusion would be helpful for both the scientific and non-scientific communities and be useful in considering the merits of pursuing various action strategies.

Many of the scientific issues associated with Gulf hypoxia will undoubtedly continue to be debated and likely be resolved only to varying levels of satisfaction. With this in mind, we offer the following recommendations:

- The scientific dialogue should be supplemented, as soon as possible, with policy dialogue. Science alone will not define the appropriate management response. That will only be possible by bringing other social and economic considerations to bear.

- The policy process must involve not only consultation among the federal government and the basin states, but also with the full array of stakeholder groups. The states reiterate their concern that meaningful public involvement may require extending the current schedule for development of the Action Plan.

- A consensus Action Plan must build upon the principles presented at the November 18, 1999 Task Force meeting by the Coordination Committee. Namely, the Action Plan must include:
  - A goal that clearly states what outcomes the action plan is designed to achieve – it need not be a numeric goal
  - A reasonable timeframe for implementation and evaluation
  - Flexibility in implementation
  - Enhanced monitoring and analysis
  - Enhanced resources to effectively carry out whatever plan is ultimately agreed upon

Finally, we reaffirm the upper basin states' commitment to collaborating with the other members of the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force and the full range of potentially affected stakeholders to craft a consensus, science-based Action Plan that will meet the needs of the Mississippi River Basin and the Gulf of Mexico.

Sincerely,

Gordon Wegwart
Minnesota Pollution Control Agency
On behalf of the UMR State Members of the Mississippi River/ Gulf of Mexico Watershed Nutrient Task Force

Kevin Szcodronski
Iowa Department of Natural Resources
Chair, Upper Mississippi River Basin Association

cc: Representative Bud Shuster, Chairman of the House Committee on Transportation and Infrastructure
Representative James Oberstar, Ranking Minority Member of the House Committee on Transportation and Infrastructure
Senator John McCain, Chairman of the Senate Committee on Commerce, Science, and Transportation
Senator Ernest F. Hollings, Ranking Minority Member of the Senate Committee on Commerce, Science, and Transportation
Senator Olympia J. Snowe, Chair of the Senate Subcommittee on Oceans and Fisheries
Dr. Neal Lane, Assistant to the President for Science and Technology
Dr. D. James Baker, Under Secretary for Oceans and Atmosphere, Department of Commerce
Dr. Rosina Bierbaum, Associate Director for Environment, Office of Science and Technology Policy
Members of the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force
Upper Mississippi River Basin Association Representatives and Alternates