

## Mississippi River Basin Numeric Nutrient Criteria (NNC) Lawsuit Ruling

12/20/16

A U.S. District Court issued a ruling dismissing the Mississippi River Basin Numeric Nutrient Criteria (NNC) lawsuit. This lawsuit was filed over 4 years ago by some of the environmental groups which are a part of the Mississippi River Collaborative ([MRC](#)) with the intent to force EPA to establish NNC for states within the Mississippi River Basin. The establishment of NNC would have significantly reduced production agriculture within this region.

**MACA played a significant role in this win.** Recognizing the risk this lawsuit posed to production agriculture and thus the crop protection industry, MACA joined with other Federal Water Quality Coalition (FWQC) members to intervene on behalf of EPA. Soon after, in July 2012, 10 state Attorney Generals also filed to intervene in the case. In 2013, the District Court ruled in EPA's favor and actually gave us the win of not requiring EPA to issue NNCs. But, the District Court went further and ruled that EPA was to make an actual determination as to whether nutrient criteria are necessary. EPA appealed this portion of the ruling and in 2015 the Fifth Circuit court reversed that part of the 2013 decision and sent the case back to the District Court, with instructions for the District Judge to perform a very limited review. So in this most recent ruling, which is what the District Court has done and *thus has effectively ended this particular case.*