

## **Governor's Proposed Two-Year Suspension of the Phosphorus Rule Is Unnecessary**



### **Governor Walker's Budget proposes suspending the implementation of the phosphorus criteria passed in 2010 and approved by the US-EPA.**

The proposal to stop using the rule in issuing pollution discharge permits for two years doesn't make sense. The rule has provisions to phase implementation in over time. Based on the cost of compliance, industrial and municipal facilities may be given up to **9 years** to upgrade technology and up to **15 years** to work with local non-point runoff sources to comply with the phosphorus standards. In addition, where compliance is simply too costly, the current rule allows the issuance of a variance from meeting the standards.

### **Clean Water Essential to Wisconsin's \$12 Billion A Year Tourism Industry**

Algae-choked waters hurt small businesses that depend on clean water. The phosphorus rule used 20 years of data to create a science-based standard to manage pollution discharge permits in a way that protects public health and the environment while providing predictability and flexibility to the regulated community. If the phosphorus rule being currently implemented is suspended, it will be at a great cost to small businesses. Wisconsin is second only to Florida in the number of fishing licenses sold each year. Anglers, boaters, bird watchers and hunters support local economies. Delaying the work of cleaning our waters will be at the expense of those already hit hard by the economy. The permitting program has built in flexibility with 9 to 15 years to comply with the rule, it is unfair to small businesses to suspend the rule. Tourism supports over 300,000 jobs in Wisconsin and brings in over \$2 Billion in tax revenues each year.

### **Wisconsin passed model rules to clean up Phosphorus Pollution in 2010**

The US-EPA views Wisconsin's *numeric criteria* standard for phosphorus to be a model that provides the flexibility needed to address unique watersheds while accommodating implementation concerns of those needing permits to operate. Public and private stakeholders worked together for over two years to create a system that is flexible and verifiable for improved water quality. The rules were created in response both to a federal requirement under the Clean Water Act and to solve the public health and environmental problem of algae-choked waters.

### **What will happen if the Governor and the Legislature suspend the enforcement of the rules?**

The stakeholders that worked to find reasonable, flexible and effective protocols in some cases are already incorporating the new rules in major systems designs. They will be unable to follow through on innovative, cooperative and enforceable methodologies to reduce phosphorus pollution in our waters.

Because the 2010 model rules have been approved by the US-EPA, they are now the federal standard for issuing permits in Wisconsin. A two-year suspension of the rules currently used by WI-DNR to issue discharge permits will lead to confusion and potential delays. The regulated community needs certainty and consistency to plan for the future in a fair system that balances all Wisconsinites' interests and investments dependent on clean water