

**Clean Water Action Council of Northeastern Wisconsin ♦ Environmental Law & Policy Center ♦ Gulf Restoration Network ♦ Midwest Environmental Advocates ♦ Milwaukee Riverkeeper ♦ Prairie Rivers Network ♦ River Alliance of Wisconsin ♦ Sierra Club ♦ Wisconsin Wildlife Federation**

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**CLEAN WATER ADVOCATES ANNOUNCE INTENT TO SUE EPA TO SET STANDARDS NEEDED TO CONTROL PHOSPHORUS AND NITROGEN POLLUTION  
Decade of Inaction Has Left Wisconsin Waters Unsafe**

A coalition of environmental groups seeks through legal action to push the United States Environmental Protection Agency (EPA) to regulate nitrogen and phosphorus pollution in Wisconsin waters under the Clean Water Act. EPA pledged to regulate this pollution in 1999, but action was delayed for years. Nitrogen and phosphorus pollution, common in many Wisconsin lakes and streams, has been shown to contaminate drinking water, contribute to the growth of potentially toxic cyanobacteria or “blue-green algae,” and is the main cause of algal blooms in the Great Lakes and the dead zone in the Gulf of Mexico.

To Wisconsin Department of Natural Resources’ (DNR) credit, the DNR moved forward on EPA’s 1999 order and has collected all the data necessary to set standards for control of phosphorus pollution, giving the EPA the information it needs to set standards. The coalition is hopeful that the current EPA will act to put those standards in place, and they’re taking legal action to accelerate the process. Coalition members say the action is necessary because Wisconsin can’t wait any longer for clean water.

Betsy Lawton, Interim Executive Director of Midwest Environmental Advocates (MEA) and an attorney representing the coalition stated, “Wisconsin DNR has developed the science needed for sound phosphorus standards, and EPA must honor its 1999 pledge to set standards for this harmful pollutant that hampers recreation for Wisconsin residents by contributing to green, stinky water, closed beaches, and toxic algae.”

This year, nutrient-induced blue-green algae in Wisconsin has led to the death of pets, and several cases of rashes, sore throats and eye irritation “Businesses located on waters tainted with toxic algae are really hurting,” said Denny Caneff, Executive Director of the River Alliance of Wisconsin. “They lose customers who flee the stench and the health hazards posed by toxic algae. EPA needs to act to limit the nutrients causing these algae blooms.”

The groups filed a 60-day notice of intent to sue, the first step in a Clean Water Act citizen suit. The groups now must wait 60 days before filing a formal lawsuit. According to Albert Ettinger of the Environmental Law & Policy Center, “The current Administrator of EPA, Lisa Jackson, is obviously not the one to blame for the decade-long failure to establish standards for controls on phosphorus and nitrogen pollution, but under the Clean Water Act, she is now the one with the responsibility to fix the problem.”

The coalition of groups are being represented by two Midwestern environmental law centers, Midwest Environmental Advocates and the Environmental Law & Policy Center. [The full 60 day notice is available here](http://www.midwestadvocates.org) at [www.midwestadvocates.org](http://www.midwestadvocates.org).

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**The following are statements from the coalition members:**

While acknowledging that Wisconsin isn't the largest source of the pollution causing the Gulf of Mexico Dead Zone, Matt Rota of the Gulf Restoration Network said, "if we're going to get serious about reducing the size of our nation's largest dead zone, every source state needs to develop controls for their pollution. It's time for Wisconsin to act. The Gulf and our fish and fishermen have been paying the price of our nation's inaction for too long."

Karen Schapiro of the Milwaukee Riverkeeper stressed that phosphorus must be controlled to protect the Great Lakes and the Milwaukee River Basin. Schapiro said, "setting nitrogen and phosphorus standards is a critical first step to protecting Milwaukee's rivers. Phosphorus pollution is causing unnatural growth of nuisance plants in Lake Michigan. EPA must take action to lower phosphorus pollution in the Great Lakes system."

"Clean water is critical to public health, recreation and tourism in Wisconsin. We need common sense rules that protect our natural resources," said Rebecca Katers of Clean Water Action Council of Northeastern Wisconsin. "We hope this legal action spurs the EPA to move forward."

"Obviously, Illinois has to control its own pollution, but establishing good standards for Wisconsin will both lessen pollution in the downstream Fox, Mississippi and Rock Rivers and help provide a benchmark for controlling pollution in Illinois waters," said Glynnis Collins of Prairie Rivers Network

"Phosphorus discharge into Wisconsin lakes and streams is causing a substantial growth in nuisance aquatic vegetation which is causing serious injury to fishing, boating and other critically important uses of our waterways," said George Meyer of the Wisconsin Wildlife Federation.

Sierra Club's Eric Uram stated, "For Sierra Club, it's critical we get a handle on nutrient pollution. Wisconsin's drinking water supplies, rivers, lakes and streams are all suffering the effects of excessive nitrogen and phosphorus pollution. As a result, the health of our families; our environment and the wildlife – including hunting and angling opportunities – are being negatively impacted. Sierra Club wants to work here in Wisconsin to insure everyone's water is kept safe by helping set the bar for protective nutrient standards."