

Requests Information on Third-Party Review, Economic Analysis

Washington, D.C. – In a letter today, U.S. Rep. Tom Rooney (FL-16) thanked Environmental Protection Agency (EPA) Administrator Lisa Jackson for her commitment during yesterday’s House Agriculture Committee hearing to work with Florida toward an agreement on numeric nutrient levels that would be acceptable to all parties. Congressman Steve Southerland (FL-2) joined Rooney in signing the letter.

“We are very grateful to you for committing during yesterday’s hearing to work with DEP toward a solution that can be agreed to by all parties,” the Congressmen wrote. “We also appreciate your indication that you will be willing to allow a third-party review of the science and to complete an economic analysis of EPA’s proposed regulation.

“Florida’s statewide unemployment remains near 12 percent, and our businesses and families struggling to stay afloat during difficult economic times. As Senator Bill Nelson (D-FL) noted in his letter to you yesterday requesting a delay in the implementation of this regulation, the EPA should not spend money enforcing the rule until we have more precise estimates of the cost of compliance.”

Complete text of the letter:

Dear Administrator Jackson,

During yesterday’s House Agriculture Committee Hearing to review the impact of EPA regulation on agriculture, we discussed the recently finalized EPA mandate regulating numeric nutrient levels in Florida’s rivers, lakes and streams.

Like you, we want clean water for Florida. We appreciate your stated willingness to work with the Florida Department of Environmental Protection (DEP) to consider alternatives to the EPA mandate, which will go into effect in March 2012, in order to achieve the goal of cleaner water.

Over the last year, we have worked with a bipartisan coalition from Florida's Congressional delegation on this matter. We have repeatedly requested that EPA allow a thorough, third-party review of the science used in the final EPA mandate. We have also repeatedly asked for a complete economic analysis to determine the cost the new regulation would impose on our state. By some accounts, the mandate would impose approximately \$1 billion in direct economic costs, and approximately \$2 billion in indirect costs, on Florida each year.

Florida's statewide unemployment remains near 12 percent, and our businesses and families struggling to stay afloat during difficult economic times. As Senator Bill Nelson (D-FL) noted in his letter to you yesterday requesting a delay in the implementation of this regulation, the EPA should not spend money enforcing the rule until we have more precise estimates of the cost of compliance. We echo his request "to suspend application and enforcement of the rule, while providing for an independent analysis of the cost of compliance and continuing to help cities and counties prepare . . ."

We are very grateful to you for committing during yesterday's hearing to work with DEP toward a solution that can be agreed to by all parties. We also appreciate your indication that you will be willing to allow a third-party review of the science and to complete an economic analysis of EPA's proposed regulation. Thank you very much for meeting these reasonable requests.

As your agency begins this process, will you please provide us with the following information:

1. When will EPA begin to produce a complete economic analysis of the impact of the proposed regulation, and when does EPA expect that analysis to be complete?
2. What methodology will EPA use in its economic analysis?
3. Which third-party organization will EPA task with conducting a thorough review of the proposed rule?
4. When will that third-party review commence, and when does EPA expect it to conclude?
5. How will EPA adjust the proposed regulation to accommodate the findings of the third-party review and economic analysis?

We look forward to working with your agency; Florida Agriculture Commissioner Adam Putnam; DEP; other concerned state and federal agencies; as well as interested environmental, agriculture and business groups to develop an agreeable compromise.

Thank you for your appearance before the House Agriculture Committee yesterday and for your stated commitment to work with the state of Florida and our Congressional delegation on this important issue. We appreciate your prompt consideration of these questions. If you have any questions, please contact Congressman Rooney's office at (202) 225-5792.

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