

January 25, 2011

Members of the Florida Congressional Delegation  
United States Senate & United States House of Representatives  
Washington, D.C.

RE: Florida Nutrient Criteria

Dear Senators and Representatives:

As the 112th Congress convenes, you will be faced with many challenges and opportunities. As representatives of Florida, one challenge you will confront immediately is how to protect Florida from the costly, unprecedented numeric nutrient criteria rule that the U.S. Environmental Protection Agency (EPA) has imposed on the state of Florida. The consequences of this rule could be devastating to the state's economic recovery and well-being.

As employers and representatives of local governments, we are very concerned about the cost of this onerous regulation to all Floridians, particularly in light of the rule's significant scientific shortcomings and its questionable environmental benefits. Various Florida governmental and private entities have performed economic analyses. The results are astounding. One privately funded independent economic analysis concludes that in the "most likely scenario," the first phase of the EPA rulemaking will impose statewide costs ranging from \$3.1 to \$8.4 billion per year for the next 30 years. Another study by the Florida Department of Environmental Protection estimates that the EPA mandates will in part impose \$21 billion in capital costs on municipal wastewater treatment and storm water utilities. And yet another study by the Florida Department of Agriculture and Consumer Services concludes that Florida's agricultural community will lose 14,545 full-time and part-time jobs and lose \$1.148 billion annually. For the Phosphate Industry alone, compliance with EPA's nutrient criteria is estimated to be \$1.6 billion in capital costs and \$59 million in annual operation and maintenance expenses. Despite the economic projections of Florida professional economists and engineers, EPA internally calculated and published a total economic impact on the state's economy of only \$135.5- \$206.1 million per year. The EPA projection is over an order of magnitude lower than that provided to EPA by state experts. This disparity underscores the need for Congressional action to prevent implementation of this nutrient rule.

The rules will impact all of Florida's citizens, local governments and vital sectors of our economy. It is imperative that, before any rule is implemented, we ensure that the costs associated with these new standards will not place undue burdens on Florida's employers, families and local governments. In August 2010, a bipartisan coalition of the Florida Congressional Delegation asked EPA to delay finalizing its nutrient rules until EPA commissioned an independent review of the economic impacts and scientific underpinnings of the rule. EPA declined this request.

Because EPA refused the Delegation's request for independent review of the underlying scientific basis and economic implications of the now final rule, we respectfully ask that you

support the state of Florida and deny the Environmental Protection Agency funding for implementation and enforcement of this ill-conceived, unprecedented federal rule.

Thank you for your time and attention to our concerns. We look forward to working with you on this important issue as we continue fighting to protect Florida's economy.

Sincerely,

Ray O. Avery, Executive Director  
Clay County Utility Authority  
Terry Baker, General Manager  
PCS Phosphate – White Springs  
Bevin Beaudet, P.E., Director  
Palm Beach County Water Utilities  
Barney Bishop, President & CEO  
Associated Industries of Florida  
Ben Bolusky, CEO  
Florida Nursery, Growers &  
Landscape Association  
Douglas C. Bournique, Executive VP  
Indian River Citrus League  
Tim Brock, President  
Florida Pest Management Association  
Robert H. Buker, Jr., President and CEO  
U.S. Sugar Corporation  
Ed Chambers, President  
United Food & Commercial Workers  
International Union –  
UFCW Local 1625  
William L. Dever, Jr., President  
Florida Gulf Coast Building &  
Construction Trades Council  
Jeff Doran, Executive Vice President  
Florida Forestry Association  
Mercer Fearington, Jr., Executive Director  
Florida Pulp and Paper Association  
Alfonso Fanjul, Chairman, CEO  
Florida Crystals Corporation  
Jim Handley Executive Vice President  
Florida Cattlemen's Association  
Ron Hamel, Executive Vice President  
Gulf Citrus Growers Association

Martha Harbin, Executive Director  
Florida Beverage Association  
Mary Hartney, President  
Florida Fertilizer & Agrichemical  
Association  
John L. Hoblick, President  
Florida Farm Bureau Federation  
Bill Hunter, President  
Association of Florida Community  
Developers  
Danny Johns, President  
North Florida Growers Exchange  
Chuck Littlejohn, Executive Director  
Florida Land Council  
Betsy McGill, Executive Director  
Florida Sod Growers Cooperative  
Dale Rossmann, Chairman  
Floridians for Industry, Jobs, & Growth  
Daryl Sargent, President  
Florida Poultry Federation  
Mike Sittig, Executive Director  
Florida League of Cities  
Michael W. Sparks, Executive Vice  
President  
Florida Citrus Mutual  
Jim Spratt, President  
Florida Water Quality Coalition, Inc.  
Paul Steinbrecher, PE, President  
Florida Water Environment Association  
Utility Council  
Nancy Stephens, Executive Director  
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Michael J. Stuart, President  
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George H. Wedgworth, CEO  
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The Fertilizer Institute  
Gary Williams, Executive Director  
Florida Rural Water Association  
Bill Willingham, Executive V.P. & General  
Manager  
Florida Electric Cooperatives Association  
Mark Wilson, President & CEO  
Florida Chamber of Commerce

Steve Wilson, Chairman, President and  
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CF Industries Holdings, Inc.  
Joel Wolf, President  
South Florida Aquatic Plant  
Management Society  
Joe Wright, President  
Southeast Milk Inc.  
Al Zichella, President  
Florida Home Builders Association