



# WISCONSIN ASSOCIATION OF LAKES

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## MEMORANDUM

**TO:** Senate Committee on Environment and Natural Resources

**FROM:** William P. O'Connor (608.255.7277)  
Wisconsin Association of Lakes

**DATE:** August 28, 2007

**RE:** Senate Bill 197  
Regulation of Phosphorous Lawn Fertilizer

The Wisconsin Association of Lakes (WAL) urges you to support Senate Bill 197. I want to personally thank the members of this Committee who have joined the bi-partisan group of Senators and Assembly Representatives supporting this bill and the Assembly companion, AB-396, introduced by Representative Bies.

This proposal addresses a significant form of pollution affecting inland waters. The ancient Greeks called Phosphorous (P) the “light bearer” after Venus, the morning star. Its remarkable chemical properties have amazed high school chemistry students for generations. It gives the firefly her light. With Nitrogen and Potassium, Phosphorus is a major plant nutrient, listed second in the accepted rating system used on fertilizer labels.

This legislation aims to limit the use of fertilizers containing Phosphorous and compounds of that element to applications where it is needed. The bill should be viewed in the context of the broader problem of runoff pollution. Nothing threatens the water quality, recreational and economic value of Wisconsin’s public waters than the quiet avalanche of nutrients and other pollution that reach our surface waters through rainwater runoff. Among the consequences is the excessive growth of nuisance aquatic plants, including algae and invasives like Eurasian water milfoil. The slow degradation of aquatic habitat that results is gradually diminishing the vast public water resource that is at the foundation of our Wisconsin’s economy.

Control of runoff pollution is very challenging. It requires changes in agricultural practices to limit runoff of soil, manure, fertilizers and other pollutants. We appreciate the leadership the Legislature has shown in ensuring that funding levels for this critical but unglamorous work is improved in the biennial budget. Runoff control also requires urban dwellers to devote more resources to the control of stormwater, most of which is simply dumped into receiving waters.

Once could scarcely exaggerate the scope of concerted actions that will be necessary to protect the quality of the State's waters from the slow deterioration from runoff pollution. But removing phosphates and related Phosphorous compounds from lawn fertilizers isn't like that. It's not expensive. It's not burdensome on property owners or business owners. It doesn't require you to choose between green lawns and blue lakes. It is a practical step to cleaner water that can be taken without goring anybody's ox.

Our sister state, Minnesota, a place that has only 10,000 lakes (and near as good fishing) recently reported on its experience since phosphorous lawn fertilizers were regulated there in 2002. Among its key findings, were these:

1. P-free lawn fertilizer is widely available in the State's retail stores.
2. P-free fertilizer comprised 82% of lawn fertilizer used in 2006
3. Phosphorous applied through lawn fertilizer decreased 48% between 2003 and 2006.
4. The law created a "teachable moment" for yard care and water quality education.

This bill won't stop the avalanche of runoff pollution. But it will help people to better understand that important dynamic of water quality degradation. Senate Bill 197 takes a sensible approach to reducing phosphorous pollution of lakes and streams. It permits the use of P-containing fertilizers for agricultural use (including sod farms), to establish new lawns, for gardening or in areas (and I am told these are rare) with phosphorous deficient soils. We have been in touch with the Milwaukee Metropolitan Sewerage district, which recycles biosolids from its waste treatment operations to produce Milorganite. WAL would support an amendment to the bill to exempt these products from regulation under the bill.

On behalf of lake management organizations around Wisconsin and the multitudes of residents and visitors who treasure our lakes and streams, the Wisconsin Association of Lakes urges you to take prompt executive action on this bill. We hope that the spring of 2008 will find Wisconsin homeowners applying P-free fertilizer to keep lawns green but not contribute to turning our lakes that color.

Tami Jackson, WAL's Director of Communication is with me this morning. Tami has been tracking this issue around the state and will address the numerous local county and local initiatives to address this problem.