



Pssst!
Is Water Pollution Trading
Coming to the Midwest?
Need Cheap Manure Credit?
I'll Toss in MRSA For Free!

by John Peck FFD Executive Director

"Just between you and me...I think the economic logic behind dumping a load of toxic waste in the lowest wage country is impeccable and we should face up to that.... I've always thought that under-populated countries in Africa are vastly under-polluted."

Leaked 1991 memo from Lawrence Summers, then head of the World Bank, and more recently an economic advisor to President Obama.

Pollution is a bad thing, right? Isn't the ultimate goal of the 1972 Clean Water Act to make all water in the U.S. swimmable, fishable, and drinkable - as it once was? Well, think again... If you are a capitalist entrepreneur who believes, to paraphrase Reagan, in the "magic of the market place" then a lucrative opportunity awaits you in the emerging water pollution trading business!

A Nov. 2015 report from Food and Water Watch, titled "Water Quality Trading: Polluting Public Waterways for Private Profit" exposes this latest threat to our water quality and public health and - sadly- lists Wisconsin among the 22 states who are now using rural communities as guinea pigs in various experiments to commodify waste in an effort to supposedly mitigate its ecological impact.

To read the full report, visit:
<http://www.foodandwaterwatch.org/in-sight/water-quality-trading-polluting-public-waterways-private-gain>

The report gives important background history on the emergence of water pollution trading.

For those who have come to realize how carbon trading is such a "false solution" to climate change, the scheme will be disturbingly familiar. Basically, in the age of corporatized neoliberalism, no rights are guaranteed. Everything, including the right to clean air, water, food, education, housing, healthcare, have all become privatized commodities to be bought and sold in the marketplace. Under this pay to play scenario, if you are a marginalized lower income community - say Flint, MI, or Kewaunee County, WI - you will have to ante up or you will be dumped on. Polluters will no longer be responsible for cleaning up their own waste if they can find another "cheaper" offset alternative where people are too powerless or impoverished to protect themselves.

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Two Case Studies
 Two case studies detailed in the report from OH and PA show the pitfalls in this water pollution versus water quality mafia style protection racket. In the case of the Chesapeake Bay, over half of the phosphorous pollution is coming from agriculture operations, specifically confinement poultry. Thanks to trading, though, poultry farms can ship their manure as fertilizer to pollute water in other parts of PA and get offset credits for this shell game. Brunner Island coal fired power plant in York County, PA was also able to continue dumping as much nitrogen as it wants as long as it could purchase water pollution credits elsewhere. The Alpine Cheese Co. in Winesburg, OH, was able to expand and increase its phosphorous dumping by 200% after buying best management practices (BMPs) offsets from 25 farms in the watershed. Of course, no one knows for sure if these BMPs occurred since there is no public oversight of the trading scheme by the Ohio EPA. Meanwhile, Alpine Cheese racked up over 700 violations between 2005 and 2011 on its already artificially inflated permitted discharge levels.

Wisconsin DNR Has the Power
 Current State Statute (283.84) already grants the Wisconsin DNR the power to implement water pollution trading between point sources and non-point sources. Trades can be made in any non-bioaccumulative pollutant, such as nitrogen, phosphorus, bacteria, and even toxins such as benzene. Such trading also enables polluters to exceed permit limits - for example, under the current DNR system Baker Cheese in Fond Du Lac County was able to exceed its legal phosphorus dumping level by converting nearby cropland into prairie

and claiming the reduced runoff as a nonpoint swap. Given what has happened in PA, another foreseeable WI situation would have the DNR allowing a factory farm to ship its manure to an entirely different watershed through purchase of credits from a nonpoint source based upon dubious nutrient modeling and probably in violation of the Great Lakes Compact. Making matters worse, like in OH the Wisconsin DNR has no oversight provision - it is entirely up to the private trading partners to verify if claimed credits are legit or not. One can not trust polluters to police themselves, and - in fact - this "anything goes" Wild West atmosphere is already attracting many bad actors from afar- the notorious Tuls Family mega dairies now invading Wisconsin from Nebraska being a case in point.

No Permit for a Factory Farms
 Wisconsinites have had to learn the hard way the true costs of regulatory corruption and bureaucratic incompetence when it comes to neglecting water quality protection. In April 2015 FFD helped release a scathing report by the Socially Responsible Agriculture project (SRAP) documenting state negligence in the issuing of permits for factory farms in Kewaunee County. The full report can be found at:
<http://www.sraproject.org/2015/06/the-rap-sheets-industrial-dairies-in-kewaunee-county-wisconsin/>

Resume Enforcing Clean Water Act
 In Oct. 2015 Midwest Environmental Advocates went further and filed a formal citizen petition, calling upon the EPA to intervene and resume enforcing the Clean Water Act in Wisconsin given the obvious ineptitude of the DNR. Most recently, a June 2016 report by the Legislative Audit Bureau revealed that if you violated the

Clean Water Act in WI between 2005 and 2015 there was a whopping 94% chance nothing would happen to you - so much for deterring criminal activity! Back in 2011 the EPA found over 75 deficiencies in Wisconsin's regulation of water pollution, and recent budget cuts and staff layoffs at the DNR have only made this ticking time bomb worse. One can only imagine the disasters that will ensue if unchecked pollution trading were to be unleashed upon WI's woefully vulnerable water supplies.

Water Pollution Trading - A disaster
 In short, water pollution trading is nothing more than a modern day version of the snake oil peddler, offering a capitalist panacea for an environmental problem that will just make the ailment worse. The real solution is to reduce pollution and to actually make water cleaner, and the best way to do that is to hasten the transition from industrial agribusiness (aka factory farms) to sustainable agroecology (aka grass-based, organic, small-scale operations). Like the Hippocratic Oath's "do no harm" for healthcare providers, the principle of food sovereignty would suggest to family farmers that they should do no harm to the earth, air or water, rather than just shifting damage elsewhere.

Pollution is not a Commodity
 Pollution is hardly a commodity worth buying or selling, and promoting water pollution trading only adds insult to injury.

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