

## **Justify Regulation with Real Numbers**

Environmental decisions should be made based on scientifically defensible information. In complex natural/environmental systems, many variables affect outcomes and our understanding of the effects and interactions of variables is incomplete. This lack of understanding often leads to very conservative assumptions about potential environmental impacts of constituents or practices of concern (mercury, phosphorus, chloride, winter land application) on the part of regulators. An overly conservative approach adds significant cost to the regulated community that impacts jobs and the business climate of Wisconsin while providing what may be insignificant environmental benefit.

A step in the right direction was taken with passage of 2003 Wisconsin Act 118 (Jobs Creation Act). A provision within the act requires that DNR under certain conditions provide an evaluation of economic impact as part of rule promulgation. Along with an economic analysis of impacts of a proposed rule, factual analysis of data used by the agency to support the rule is to be provided. Such an approach, if appropriately implemented, should provide for more scientifically defensible assumptions within the rulemaking process and assurances to industry that costs of regulation are justified by environmental benefits.