

EXHIBIT 5
DATE 3/18/09
SB 200

 **TRI-STATE**
WATER QUALITY COUNCIL

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To: Representative Mike Milburn, Chairman
House Committee on Natural Resources
Date: 3/17/09

From: John Sugden, Program Director

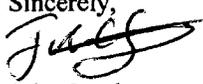
Re: Support For Senate Bill 200

The Clark Fork-Pend Oreille river system is vital to the quality of life in a watershed that spans three states. Citizens, business, industry, government and environmental groups are united in the Tri-State Water Quality Council (Council) to improve water quality in this watershed. The Council accomplishes its mission through mutual respect, collaboration, science and education.

Since its formation in 1993, the Council has taken an active role in reducing the impacts of nutrients like phosphorus on area water bodies by implementing the Clark Fork-Pend Oreille Basin Management Plan. A product of the plan was the Council's Voluntary Nutrient Reduction Plan (VNRP) that began in 1998. The VNRP was a collaboration of the Council and the four major nutrient dischargers from the Clark Fork River headwaters to its confluence with the Flathead River. The VNRP leveraged over \$50 million in new wastewater treatment systems and sewer connections.

Continuing its efforts to reduce nutrients and protect water quality, the Council respectfully supports the passage of SB 200 that restricts the phosphorus content in dishwasher detergents in six counties along the Clark Fork River. While phosphorus does improve the performance of dishwasher detergent, there are affordable substitutes available on the market that perform as well. Most importantly this bill would decrease Phosphorus load entering wastewater treatment systems. Because phosphorus is the most costly material to remove from wastewater, this bill will save our communities and Montana ratepayers millions of dollars on new, expensive treatment upgrades.

Phosphorus bans in laundry and other detergents are not new and several western Montana Counties have already passed ordinances to that effect. A 1989 phosphorus ban on laundry detergents led by Missoula City-County Health was successful in reducing phosphorus in wastewater inflow and phosphorus discharged to the Clark Fork River. This bill acts to further expand the reach of those ordinances dedicated to cleaning up local waterways and will have a similar effect to the laundry detergent ban.

Sincerely,

John Sugden
Program Director