From: mailagent@thesoftedge.com on behalf of sjgreenwood@q.com
To: Gunderson, Larry (MDA)
Subject: Nitrogen Fertilizer Rule Comments
Date: Thursday, August 24, 2017 10:41:29 PM

Dear Mr.:

Thank you for the opportunity to comment on the Minnesota Department of Agriculture's draft Nitrogen Fertilizer Rule. The Nitrogen Fertilizer Rules proposed by the agency is inadequate and fails to protect our groundwater from agricultural pollution.

I. There is no legal or financial accountability for agricultural practices that pollution Minnesota's groundwater by use of nitrogen fertilizers. Treating groundwater for high nitrates and/or providing a secondary water source (bottled water) is very expensive for private persons.

II. State laws must be written to protect our groundwater, not just drinking water supplies. The increase in nitrates in Minnesota groundwater is now well documented. Actions must be taken to stop the this increase in groundwater nitrates.

The MDA's proposed Part 2 rule includes three major flaws that undermine the state's ability to protect and restore our groundwater and drinking water resources.

1. Failure to honor the goals of the 1989 Groundwater Protection Act: The MDA's proposed rule fails to achieve the clearly stated non-degradation goal of the Groundwater Protection Act, and unreasonably limits its application to drinking water resources instead of applying the law to protect all groundwater as directed by the Act. The Act applies to ALL groundwater, but the MDA's proposed rules only apply to some groundwater.
2. Limiting state regulatory authority: Under the proposed rule, the MDA can't apply Phase III or IV regulatory authority if farm operators adopt certain farming practices, even if contamination remains severe. The Act calls for clean groundwater and safe drinking water - not just the adoption of ineffective "best management practices" (BMP's).
3. Unacceptable reliance on the wrong BMPs: The rules rely on agricultural BMPs designed to maximize farm profit rather that protect groundwater. Following such BMPs will still leave us with high concentrations of nitrate in groundwater and drinking water resources.

I strongly urge you to work with agricultural and water quality stakeholders to correct these flaws and require more timely and robust
intervention where groundwater and drinking water resources are contaminated.

Thank you for the opportunity to provide comments on the MDA's proposed Nitrogen Fertilizer Rule.

Sincerely,

Stephen Greenwood
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