From: MDA.Info@state.mn.us
To: Gunderson, Larry (MDA)
Cc: Wolf, Katie (MDA)
Subject: Draft Nitrogen Fertilizer Rule Comment
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The following information has been submitted through the Draft Nitrogen Fertilizer Rule Comment Form.

Name: Rep. Dan Fabian
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Comment: I am writing in strong opposition to the Minnesota Department of Agriculture's proposed Nitrogen Fertilizer Rule on behalf of the citizens, farmers and constituents I represent in Minnesota House District 1A. First, I believe that the hardships this rule would create for farmers in Northwest Minnesota would be excessive, hurting our local agriculture industry, farm community and economy as a whole. Simply stated, the plan being put forward by MDA is ignoring the realities of farming. The short growing season in our area often necessitates fall application of fertilizer. Farmers want to be able to reduce the number of passes on the field in the spring and get right to planting as soon as possible when the weather and soil temperature allows it. Throw in the spring rains which can wash nitrogen fertilizer off the land if not applied in the fall along with spring road restrictions, and it already is a short timeline that farmers have to get their crops in the ground without the additional step of applying fertilizer. In Northwest Minnesota this rule could mean farmers are unable to meet all of their critical soil nutrient needs and possible crop failure. Additionally, I do not believe there is enough science-based evidence to justify this rule being implemented. Part 1 of the proposed rule restricts application in the fall and on frozen soils in "vulnerable groundwater areas". "Vulnerable groundwater areas" are identified based on certain soil hydrology and geological types. Yet, according to the Minnesota Department of Agriculture's own presentation, over 90 percent of private wells tested in vulnerable groundwater areas are below the nitrate standard. Part 2 of the proposed rule seems more objective in that it is based on actual measurements of nitrate concentrations in the groundwater. However, the science is not complete in pinpointing the source of the nitrate concentrations or how long it takes for surface water to become groundwater that is being tested. Even if we could determine that a high concentration of nitrate is a result of agricultural practices, it could be a generation or two from the past. It is a given that technological advances of modern farming practices such as precision farming are already keeping nitrogen fertilizers on the land and out of the water. Moreover, farmers operating on thin profit margins are extremely careful to apply only the amount of nitrogen that will stay on the land. Finally, this one-size-fits-all solution means that "vulnerable groundwater areas" do not reflect the actual soil types and geology as they can vary within a township, a section or even an individual farm. Taking in an entire section

when 51 percent is considered a vulnerable groundwater area, while excluding a section when 49 percent is a vulnerable groundwater area will be confusing at best, and may not get at the problem that MDA is attempting to solve. The definition and expanse of “vulnerable groundwater areas” is far too broad. In closing, while we all share the goal of clean water and a healthy environment, I believe as it stands now the draft Nitrogen Fertilizer Rule will do our state far more harm than good and should not be implemented. Dan Fabian State Representative, District 1A