March 15, 2018

Dear Governor Dayton,

The proposed Nitrogen Fertilizer Rule being promulgated by the Minnesota Department of Agriculture (MDA) has been the subject of a lot of discussion and controversy among farm organizations, conservation groups and other stakeholders. The Minnesota Corn Growers Association (MCGA) has played a constructive role in the rulemaking process with the goals of ensuring the rule is fair, based on accepted science and implemented in a manner that does not impose undue hardship on Minnesota farmers, especially during this time of economic stress throughout farm country.

The Minnesota Corn Growers Association accepts that there are nitrogen impacts to some waters due to farming practices, although those historical farming practices are being replaced with improved methods that result in significant reductions in nitrogen impacts. What has been missing in the nitrogen debate is how Minnesota farmers have been increasing their nitrogen use efficiency in recent years; a trend that will continue with new discoveries and improved practices. It is also important to recognize that there are causes other than farming that contribute to nitrogen impacts in water.

MCGA has significant concerns about the proposed timing of the Rule process as announced in your news conference last week. Our understanding is that the current plan is to release the Draft Rule in May and only allow a 30-day comment period. Respectfully, this is totally unacceptable. Corn farmers will soon be entering the most active and intense period of the farm year with spring planting and all the work that follows planting. In addition, the static maps released last week showing impact areas are not adequate for farmers to understand how the proposed Rule will impact their specific farm operations. As we experienced with the implementation of the water buffer law, there were several errors in the detailed DNR maps that needed to be addressed. Minnesota farmers need and deserve the same opportunity to understand the impacts to their farms by having access to the more detailed GIS maps.

The Minnesota Corn Growers Association strongly supports the following action items:

1. **RELEASE THE DRAFT NITROGEN RULE NOW.** The initial comment period on the Nitrogen Rule closed last August 25th – seven months ago. The Nitrogen Rule process has been ongoing since 2015 and it is past time to release it publicly for the benefit of farmers and other interested parties.

2. **AUTHORIZE A 90-DAY COMMENT PERIOD.** A 30-day window for public comment is simply unacceptable when this proposed rule has been dragging on through the rulemaking process for years. Allowing only 30 days for the public to comment sends a signal that public input is not valued. Again, farmers are entering their most busy months and imposing on them a limited window to find the time to carefully review and comment on a complex Rule that materially impacts them is unfair and wrong.

3. **PROVIDE DETAILED GIS MAPS.** Farmers need to understand how the new Rule will impact their specific farming operation and to do that they need the more detailed GIS maps.

While there are those activists who promote an agenda that primarily blames farmers for water quality issues in Minnesota, we find most thoughtful leaders understand that water quality is a much more complex issue. There are several sources of water impact – both urban and rural – and the solutions to improving water quality must take a more macro and holistic approach.
Minnesota Corn has been a national leader in addressing these issues. In late 2016, the MCGA announced a vision of Minnesota corn farmers becoming the most sustainable and environmentally responsible corn farmers in the country. In the last four years, Minnesota corn farmers have invested nearly $6 million of their corn check-off funds to sponsor innovative research and education programs directed at improving nitrogen management strategies. Minnesota corn farmers are implementing practices that are increasing their nitrogen use efficiency, employing cover crops, better tillage practices and adopting new technology such as precision ag application.

Any proposed rule or new law is only as good as the compliance by those impacted. Minnesota corn farmers support the goals of reducing nitrogen impacts. We also know there are more effective strategies to achieving compliance than others. Please work with us to develop a more workable Rule that helps ensure a level of compliance and environmental outcome we all support.

Sincerely,

[Signature]

President Kirby Hettwer, Minnesota Corn Growers Association

CC:
Commissioner Dave Frederickson, Minnesota Department of Agriculture
Speaker Kurt Daudt, Minnesota House of Representatives
Minority Leader Melissa Hortman, Minnesota House of Representatives
Majority Leader Paul Gazelka, Minnesota Senate
Minority Leader Tom Bakk, Minnesota Senate