

## PROPOSED RULE CHANGES SUMMARY

### Proposed Rules Governing Groundwater Protection, Minnesota Rules 1573; Revisor's ID Number 4337

#### Change to the proposed rule

Line 5.12, 1573.0030, Subpart 1. A (2), (Underlined italics indicate new language)

A fall application of nitrogen fertilizer to cropland located in a quarter section where vulnerable groundwater areas make up 50 percent or more of the quarter section or government lot;

#### Explanation

This change is needed and reasonable to clarify that government lots will be included in the rule. Government lots are areas throughout the state which are not described as part of sections but are a standard part of the Public Land Survey System. Therefore, government lots do not meet the definition of a section and need to be included in the proposed rule.

#### Change to the proposed rule

Line 6.22, 1573.0030, Subp. 2 E, (Underlined italics indicate new language)

Add "Subpart 1" before "item A."

#### Explanation

This change is needed and reasonable to clarify which item A under 1573.0030 the proposed rule is meant to refer to.

#### Change to the proposed rule

Line 7.10, 1573.0030, Subp. 3. A., (Underlined italics indicate new language)

Notwithstanding subpart 1, a responsibility party may make a fall application of nitrogen fertilizer in a vulnerable groundwater area or drinking water supply management area if the responsible part uses applicable nitrogen rates, as defined in item B, in the following situations only:

#### Explanation

This change is needed and reasonable as it clarifies the agency's intent for both vulnerable groundwater areas and drinking water supply management areas fall restrictions to be subject to the exceptions from fall application.

## **SUPPLEMENTAL TEXT TO THE SONAR**

**Proposed Rules Governing Groundwater Protection, Minnesota Rules, 1573; Revisor's ID Number 4337**

### **Explanation**

The MDA provides this clarification to the text on page 131 of the SONAR regarding reevaluation of mitigation levels. This supplements and supersedes the April 18, 2018 version of the document.

### **Text from April 18, 2018 SONAR Version**

The approach is to reevaluate the appropriate mitigation level after not less than three growing seasons or the estimated lag time, whichever is longer, following when the recommended practices are first published for mitigation level 2 or when the order is finalized and published for mitigation levels 3 and 4.

### **Updated Text**

The approach is to reevaluate the appropriate mitigation level after no fewer than three growing seasons or the estimated lag time, whichever is longer, following either the mitigation level designation, or for assessing the BMPs, when the recommended practices are first published.