From: Weller, Lark
To: Felix-Gerth, Annie (MDA)
Subject: draft N Fertilizer Management Plan comments
Date: Friday, November 01, 2013 5:36:08 PM

Dear Annie,

Thank you for the opportunity to provide comment on the revision of Minnesota's Nitrogen Fertilizer Management Plan. Although as a representative of the Mississippi National River and Recreation Area, I focus more on surface water issues than groundwater issues, our park's water quality is significantly impacted by "upstream" agricultural activities (particularly within the Minnesota River Basin), so we take interest in issues that stand to influence agricultural practices in our state.

I have strong concerns with the plan's emphasis on adoption of BMPs over actual water quality performance. The stated purpose of the plan is to prevent nonpoint source pollution in groundwater. However, the fact that it is unlikely that producers will be held responsible for actions that negatively impact our shared water resources, as long as they have readily adopted BMPs, suggests that the plan's stated goal may be weakly held. If the MDA is not the right "home" for holding producers accountable for impacts on public water resources, that is one thing. But at a time in which so much statewide energy is being devoted to interagency coordination and to achieving demonstrable water quality improvements with public investment, it is an unwise use of both public funding and public will to invest agency energy in processes that are not designed to guarantee improved water quality outcomes.

In addition, I am concerned that the plan continues to rely so heavily on an approach—encouraging the voluntary adoption of nitrogen fertilizer BMPs—that has not had demonstrated success in the first 23 years of the plan's life. Nitrogen contamination has remained an issue since the first plan was developed in 1990, which indicates that this approach has not proven successful enough to continue to rely on it as our primary solution. We cannot afford to continue to invest so much of the state's resources in an approach that has had over 20 years to prove its success, but has not.

I agree with the suggestion made by Les Everett at the Roseville listening session that the plan's phasing and requirements should be adjusted so that areas do not have to rise to the level of critical drinking water standard exceedances before serious action is taken. Waiting to enter Phase 2 until 10% of an area's wells reach concentrations above the 10 mg/L standard seems unwise, particularly given the MDA's estimates about how long that area would stay (nonconforming) in Phase 1. I agree with Mr. Everett's suggestions that voluntary action to prevent a rise to the level of the standard should be exhausted well *before* reaching that level (5% of the wells at or above 10 mg/L), and that intensive BMP promotion begin when 5% of the wells exceed 7 mg/L, or some lower level.

Finally, I strongly believe that public outreach efforts need to be strategically assigned to those best equipped to achieve demonstrable, on-the-ground results. My conversations with members of the agricultural community indicate that this is rarely agency staff. As you know, Peggy Knapp and I have been digging into this issue through our work on the “FarmWise” program, and we will continue to be in touch about recommendations that come out of this work regarding the best ways to conduct outreach to agricultural communities in order to achieve meaningful water quality outcomes.

I look forward to seeing how my and other comments are incorporated into the plan from here. Thanks so much for your work on this important issue.

Sincerely,

Lark

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