From:	Gamm, Mark
To:	Gunderson, Larry (MDA)
Subject:	Public Comments on Proposed Rule Governing Nitrogen Fertilizer
Date:	Tuesday, January 26, 2016 3:41:10 PM
Attachments:	Dodge County comments regarding MDA nitrogen fertilzer rules.doc

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Hello Larry.

Attached please find written comments submitted by Dodge County Environmental Services Department.

Thank you

Mark Gamm

Environmental Services Director

Dodge County, Department 391

721 Main Street North, Mantorville 55955

Phone: 507-635-6273

Cell Phone: 507-206-9265

Dodge County
Environmental Services

721 Main St N • Dept. 391 • Mantorville, MN 55955-2208
Phone: 507-635-6273
Email: mark.gamm@co.dodge.mn.us

January 26, 2016

Larry Gunderson
Minnesota Department of Agriculture
625 Robert Street North
St. Paul, MN 55155

Subject: Comment on Proposed Rule Governing Nitrogen Fertilizer

The following comments relate to the criteria for determining "vulnerable groundwater areas":

1. We believe that identification of vulnerable areas will be most accurate when done in cooperation with local governments. Many local governments have a long history of collecting drinking water data in attempt to recognize water quality trends and vulnerable areas. Dodge County was been collecting drinking water quality data, including nitrate concentrations, for over 20 years. We have identified vulnerable areas based on observation of strong correlation between nitrate concentrations and specific geologic conditions including depth to bedrock.

2. We agree that the DNR's methodology for determining pollution sensitivity would be an acceptable way to identify vulnerable areas but only if done in conjunction with data provided by recent Geologic Atlas prepared by MGS. Modeling is only as good as input data.

The following comments relate to the boundary determination for vulnerable groundwater areas:

1. We believe residents of a township with only 49% of its surface area defined as "vulnerable" may be concerned if they are not afforded the same groundwater protection as a neighboring township with 51% of its area defined as vulnerable. It may be beneficial to provide opportunity to use features that define vulnerable areas more precisely than township boundaries. It seems reasonable to use major roadways or surface features such as rivers to more accurately define limits of vulnerability when supported by data (for example, when data is obtained as part of a recent Geologic Atlas or detailed groundwater sensitivity study).

2. Related to the comment above, MDA rule may want to define a process in which the vulnerable area boundary can be amended over time in response to new data.

Sincerely,

Mark Gamm
Dodge County Environmental Services Director