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Subject: Senate File 566

Via electronic mail

Dear Madam Chair and Committee Members:

I write today both as an avid angler and representative of Minnesota Trout Unlimited's thousands of members around the state. Over many years, I and numerous members have observed the periodic devastation of fisheries and aquatic ecosystems from the misapplication of manure on nearby fields. When misapplied, the manure washes into trout streams resulting in fish kills and harming rural communities.

What is at stake is the health of public waters and public fisheries which are a major economic engine in southeast Minnesota. The hilly southeast portion of the state has no natural lakes and fishing here means stream fishing, primarily trout fishing. An economic study found that **trout angling in southeast Minnesota generates more than \$878 million dollars annually**. And trout angling numbers have been surging since that study. Minnesota sold more than 135,000 trout stamps in 2020. Trout angling is an economic boon to southeast Minnesota and the State.

Preserving both our fishing culture and fishing economy requires protecting public waters. The very modest, common-sense restrictions on manure applications developed through Minnesota Pollution Control Agency rulemaking are a minimal floor for protecting public resources.

Senate File 566 will interfere with the Minnesota Pollution Control Agency's (MPCA) responsibility under the Clean Water Act and state law to protect our public waters and public fisheries from water pollution resulting from spreading animal waste from large, concentrated animal facilities. Choices to concentration animals in very large numbers (1,000 animal units or more) have turned what is a valued soil amendment and plant fertilizer in smaller operations into a massive problem of waste disposal.

The conditions that this bill prohibits the MPCA from employing in permits are exactly the sort of conditions needed to protect drinking water, trout and other aquatic wildlife from the devastating impacts of manure and associated nutrients being washed into nearby streams and waters. SF 566:

- Prohibits the application of solid manure during February and March – when it is liable to wash with spring snow melt and rainfall;
- Blocks the requirement to establish a cover crop as a condition of allowing manure application in September – when living cover can best tie up nitrogen for later use by crops; and
- Prohibits the required use of best management practices for manure application in October.

The application of manure to fields in February and March has disastrous consequences for trout and drinking water supplies. Little of the nutrients can infiltrate into soil during this time. The result is increased runoff of nutrients into streams from snowmelt or early spring rains, which are becoming more common. This causes rapid depletion of oxygen and kills fish and the aquatic food chain. Trout are particularly susceptible to large runoff events in February and March. Public trout waters in southeast Minnesota already experience at least one major fish kill a year under the existing MPCA rule. Removing this prohibition on February and March manure applications takes us the exact opposite direction the state needs to go to protect public waters, public health and valuable public fisheries.

If a farmer feels the restrictions of the general permit are not appropriate for their operation due to unique circumstances, they can ask for a specific, tailored permit as an alternative. That is a far better approach than weakening a general permit for all operations, whether justifiable or not.

On behalf of thousands of Trout Unlimited members in Minnesota, and the 135,000 trout anglers who regularly exercise their right to fish on local trout streams, I ask that you do not pass Senate File 566.

Thank you for your thoughtful consideration of our comments.

Respectfully,

John P. Lenczewski