



The State of New Hampshire  
**Department of Environmental Service**

**Thomas S. Burack, Commissioner**



*Celebrating 25 Years of Protecting  
New Hampshire's Environment*

January 10, 2012

The Honorable Robert Haefner, Chairman  
House Environment and Agriculture Committee  
Legislative Office Building Room 303  
Concord, NH 03301

RE: HB 1481 relative to effluent limitations with regard to nitrogen

Dear Chairman Haefner:

Thank you for the opportunity to comment on HB 1481 relative to effluent limitations with regard to nitrogen. The Department of Environmental Services (DES) supports this bill in concept because, as stated in the statement of purpose of the bill, turf fertilizer is a known source of nitrogen pollution to the Great Bay estuary. Nutrients (both nitrogen and phosphorus) from turf fertilizer and other sources, such as wastewater and stormwater, need to be addressed in the long term to improve water quality in Great Bay, as well as other New Hampshire waters. We have provided some information below on a New England-wide initiative to control nutrients from turf fertilizer and requirements by other states that are similar to those proposed by HB 1481.

The New England Governors' Committee on the Environment, of which I am a member along with the environmental agency commissioners from the other five New England states, has recently agreed to initiate in 2012 a voluntary regional approach to better control nutrient pollution from turf fertilizer. The goal will be to develop and implement voluntary region-wide guidelines for fertilizer formulation, management, sale and application to better control nutrients and improve water quality. The framework for this approach is outlined in a joint statement by the Commissioners entitled *Reducing Nutrient Pollution through Voluntary Turf Fertilizer Guidelines* in which the Commissioners have expressed their common commitment to address nutrient pollution from turf fertilizer through voluntary guidelines related to the formulation, sale and application of turf fertilizer. A key component of this initiative, which will be led by the New England Interstate Water Pollution Control Commission (NEIWPC), will be meetings in 2012 with stakeholder groups to develop final turf fertilizer guidelines that are mutually agreeable to regulators, industry representatives (which include manufacturers, retailers, golf course superintendents and landscapers) and non-industry stakeholders, such as watershed groups and homeowners. It is expected that this effort will ultimately result in voluntary agreements between stakeholders and the New England states.

It is also important to note that New Hampshire is not alone in efforts to develop the types of initiatives proposed by HB 1481. This bill is very consistent with similar requirements recently enacted by statute in Maryland and New Jersey in 2011 and regulations adopted in Florida with respect to nitrogen content of fertilizers to address similar water quality problems in coastal waters. These states have required virtually identical nitrogen concentrations in turf fertilizer to those proposed in HB 1481.

Thank you for the opportunity to comment on this proposed legislation. If you have any questions or require additional information, please contact Ted Diers, Watershed Management Bureau Administrator, at 271-3289.

Sincerely,

Thomas S. Burack  
Commissioner

cc: Representative Schroader  
Senator Stiles

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
(603) 271-3503 • Fax: (603) 271-2982 • TDD Access: Relay NH 1-800-735-2964