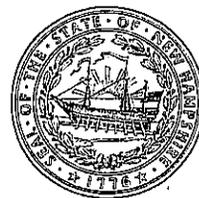




The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner
February 11, 2010

The Honorable Tara Sad, Chairman
House Environment and Agriculture Committee
Room 308
Legislative Office Building
Concord, NH 03301

Re: HB 1299, establishing a committee to study enacting a moratorium on the sale and use of fertilizers containing phosphorus.

Dear Chairman Sad:

Thank you for the opportunity to comment on HB 1299, which would establish a committee to study enacting a moratorium on the sale and use of fertilizers containing phosphorus. The Department of Environmental Services supports the establishment of this study committee but we recommend that its duties be expanded to include fertilizer containing nitrogen to make the study more complete, in consideration of water quality impairments in the Great Bay Estuary that are attributable to nitrogen.

Nutrients, if present as fertilizer in amounts in excess of those required by plants, can remain in the soil to be picked up by stormwater runoff and transported to surface waters. In fresh water, phosphorus is typically the limiting nutrient for propagation of algae and cyanobacteria. In these waters, elevated phosphorus concentrations can trigger blooms of algae blooms that impair water quality and cyanobacteria that can cause significant health problems for swimmers. In saline tidal waters, nitrogen, as the limiting nutrient, can have essentially the same effect with algae if concentrations increase to critical levels, such as has occurred in Great Bay. And, excessive applications of fertilizers are known to occur in New Hampshire. For example, soils from established lawns frequently contain concentrations of nitrogen and phosphorus that exceed those necessary for healthy lawns. Therefore, a study committee to assess the potential benefits of a moratorium on the sale and use of fertilizers that contain phosphorus and nitrogen would provide a productive forum to further consider this issue.

Thank you for the opportunity to comment on HB 1299. If you have any questions or need additional information, please contact Jacquie Colburn at 271-2959 or me at 271-3503.

Sincerely,

Michael A. Burack, Ass't. Comm.
for Thomas S. Burack
Commissioner

cc: Representatives Jane Beaulieu, Suzanne Smith and L. Mike Kappler