

**From:** [Duane Woltjen](#)  
**To:** [Reg-Comment](#)  
**Subject:** Regulation 37 (Arkansas Nutrient Water Quality Trading Regulation), Docket No. 18001-R. Comment  
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My comments are in regard to APC&EC Regulation 37 (Arkansas Nutrient Water Quality Trading Regulation), Docket No. 18001-R.

Simple “Nutrient Trading---”, as the name implies, simply does nothing to address the root cause of nutrient contamination. Thus it is an ill-conceived bad idea. However,

- 1. “Nutrient Trading--” that includes effective means of diminishing the creation of water soluble or miscible nutrients, or the release thereof into the environment, is essential to any program acceptable to the public. Any release of said nutrients causing even occasional elevation of such nutrients in any stream or aquafer is a failure of the system.**
- 2. “Effective means of diminishing the creation of water soluble or miscible nutrients” (See 1.) means incentives beyond good intentions are necessary to achieve compliance. These might include restriction of trading privileges or criminal act fines—whatever it takes to actually get compliance. There are many examples of the damage caused by compliance failures throughout the nation, especially prominent and prevalent when compliance is “voluntary”.**
- 3. Nutrient Trading between ERW and non ERW waters, or trading between in watersheds in any form, is counter to the legitimate purpose of the process as stated in 1. (above). A system must do no harm to any watershed, but instead be designed to improve any watershed.**

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