

December 18, 2001

To: Natural Resources Board  
From: The Clean Water Coalition  
**RE: Riparian buffer and grassed waterway performance standards**

The Clean Water Coalition would like to reiterate our commitment to preserving the originally proposed agricultural riparian buffer standard (a buffer of 20 feet with at least 30 additional feet of 30 percent residue cover or a 35-foot buffer with no additional requirements) in the proposed rule NR 151, subchapter II. The rural standards workgroup, which included producers, environmentalists, the Farm Bureau, DATCP, DNR, County Conservationists, and the NRCS, unanimously endorsed this standard last year. This agreement was arguably one of the most important achievements toward creating a set of effective rules to control polluted runoff.

It has now come to our attention that the DNR has made 20 to 35 foot grassed waterways and riparian buffer strips voluntary in order to maximize the use of conservation tillage, a practice they consider to be more cost-effective than riparian buffers. The Clean Water Coalition argues that these practices are not interchangeable. Rather, they are more effective in controlling polluted runoff when they are used in conjunction with one another. Conservation tillage cannot replace the benefit of grassed waterways when the slope and contour of a field produce concentrated flows. Grassed waterways in conjunction with conservation tillage can effectively reduce soil erosion and sediment transport while protecting a field from gullies and scouring.

It is well established that sufficiently wide riparian buffers are one of the most effective conservation practices for reducing polluted runoff. Conservation tillage is an effective upland practice when coupled with riparian buffer strips. However, conservation tillage falls short if you allow farmers to till the ground to within a few feet of a stream bank or lakeshore. Conservation practices are most effective when used as part of a conservation *system* for capturing nutrient inputs, sediment, and collecting runoff, rather than as individual practices. While conservation tillage is a necessary component of such a system, riparian vegetative buffers are essential if we are to achieve the water quality standards that are the basis for these rules.

We are well aware of the costs that would be associated with the implementation of 20 to 35 foot riparian buffers and grassed waterways along with other mandatory practices. According to DATCP's latest draft of ATCP 50, cost-shared practices include implementation, maintenance, and payments for land out of production. The broad eligibility of cost sharing practices will render wide scale implementation challenging. However, the solution is not to make riparian buffers and grassed waterways voluntary. This would only further undermine the rules' potential.

We strongly encourage you to reinstate the buffer standard of 20 to 35 feet, with one important change. We further suggest that the mandatory riparian buffer standard be

phased-in using the same timeline currently proposed in ATCP 50 for nutrient management plans. That is, make the standard effective as of January 1, 2005 for outstanding natural resource waters, exceptional resource waters, 303(d) or impaired waters and source water and January 1, 2008 for all other areas of the state. Phasing in 20 to 35 foot buffers is an important way to ensure that buffers are adequate for curbing runoff while acknowledging the cost of installing buffers everywhere in the state. This phase-in approach ensures that waterways are prioritized and limited funds are used to focus initially on some of the most damaged and most pristine waterways.

Members of the Clean Water Coalition would like to meet with you after the holidays to discuss our recommended approach. Thank you for considering our proposal to address this problem.

Sincerely,

The Clean Water Coalition

Cc: DATCP board  
Secretary Bazzell  
Secretary Harsdorf  
Dave Jelinski  
Nick Neher  
Russ Rasmussen  
Al Shea

**Member Organizations of the Clean Water Coalition:**

River Alliance of Wisconsin Todd L. Ambs, Executive Director	ECCOLA John Schwarzmann, Secretary Treasurer
WISPIRG Kerry Schumann, Executive Director	Family Farm Defenders John Kinsman, President
Sierra Club, John Muir Chapter Caryl Terrell, Legislative Coordinator	Fox-Wolf Basin 2000 Linda Stoll, Executive Director
Wisconsin Association of Lakes Donna Sefton, Executive Director	Frank Hornberg Trout Unlimited Jim Friedrich, President
Southern Wisconsin Trout Unlimited Bill Pielsticker, President	Friends of Branch River Vickie Mayer
Wisconsin's Environmental Decade Keith Reopelle, Program Director	Friends of Milwaukee Rivers Bob Boucher, Riverkeeper
Western Lakes Wildlife Center David Zaber	Harry and Laura Nohr Trout Unlimited Jeff Ware, President
1000 Friends of Wisconsin Dave Cieslewicz, Director	Great River Council Federation of Fly Fishers Phil Emmling, Vice President, Conservation
Aldo Leopold Trout Unlimited Clinton Byrnes, President	Midwest Environmental Advocates Melissa Scanlan, Legal Director
Antigo Trout Unlimited Scott Hendricks, President	Plover River Alliance George Rogers, President
Wisconsin Audubon Council Karen Etter Hale, First Vice President	Save Our Unique Lands Tom Kreager, President
Madison Audubon Society Karen Etter Hale, Executive Secretary	Sierra Club, River Touring Section Don Lintner, Chair
Citizens for a Better Environment Dr. Jeff Foran, Executive Director	Sustainable Racine Bonnie Prochaska, Interim Executive Director
Citizens to Save Neenah Wetlands David Peck, President	Whitefish Lake Conservancy Fred Anderson, Director
Concerned Citizens of Newport Steve Argo, President	Wisconsin Wetlands Association Charlie Luthin, Executive Director
Coulee Region Trout Unlimited Nathan Barnhart, President	Wolf River Resort Trout Unlimited Herb Buettner, President
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