

To Kari Dolan

Here are my comments on the Draft Proposal for a Clean Lake Champlain.

I agree with most of your proposal and congratulate you on preparing it, but I have a few comments based on my experience working for a watershed partnership and working on both agricultural and urban stormwater issues:

- p. 4 CAFO permits. Manure lagoons should not be allowed to be open to the rain. They should be under a building or covered. Withstanding a 25-yr, 24-hr storm sounds as if it would mean a lagoon would only overflow on average every 25 years. But consider that within the Lake Champlain watershed, there are many lagoons and rainfall is highly variable, especially with intense, localized thunderstorms. There are going to be overflows somewhere in the watershed every year.
- p. 6 Implementation strategies: Working in agriculturally impaired watersheds makes sense, but could you also enforce on a complaint basis, if someone reports soil or manure washing on to public roads or into waterways?
- p. 6 Buffers are needed along lakes as well as streams and ditches.
- p. 6 Annual crops are not the only ones that cause erosion. Farmers replant pastures quite frequently. I have been surprised to see vast, sloping fields of completely bare soil in the spring before the grasses have sprouted. These fields should be terraced or broken up by fence rows.
- p. 11 Livestock exclusion grazing management plans: I agree that it is possible to allow some limited grazing along streambanks (only a few days per year or per month). There is debate about this but I've observed healthy streams and lakeshores with very limited grazing.
- p. 11 Winter spreading ban: You state that the winter spreading ban forces farmers to apply manure at very high rates in the fall and spring. If they are following nutrient management plans, they should not be applying at very high rates anywhere. There has to be a way to get the manure to soils that need it, not just to the nearest field.
- p. 11 Field-specific buffers: I don't agree that 10' buffers should be allowed "where water does not leave the field." 25' should be the minimum. A little bank erosion will eat up that 10 ft. in no time. Also, it will be much easier to monitor buffers with aerial photography if they are not variable widths.
- p. 15 Municipal roads: Should you permit by road or by town? Perhaps one permit per town would work. Listening to a meeting with road commissioners in Addison County, it seems they were receptive to a system where inspectors would inventory the roads in the town, make a priority list (with photos) and require that a certain number of the problems be fixed in a certain time period.
- p. 16 Existing Developed Lands: How will you define a site with 3 acres of impervious surface? Shopping centers or downtown areas may have multiple owners; and it's hard to tell where strip development begins and ends. Will you do it based on stormwater catchment areas?

- p. 18 Green Infrastructure: Please make this a priority. Make sure to research and disseminate information on how to make LID work in clay soils. At the meeting with road commissioners, there was a lot of talk about stone lined ditches on slopes (which is fine), but not about vegetated swales on flatter terrain. This is not something most road construction and maintenance people know about.
- p. 20 It seems that the state should have some means to acquire flooded properties to prevent rebuilding in vulnerable areas. FEMA cannot be relied upon to do all of this.

General comments:

The GAO has just issued a report that says all the years of voluntary farm conservation plans have not made much improvement in water quality. Please keep that in mind.

Self-permitting (as with the state energy code) is a poor way to go. You could require people to apply for a permit and self-report, with office workers stamping the permits and tallying them up. But it is much better to have human beings meeting with people to show them what needs to be done, then giving feedback. Everyone does better when they expect to get a pat on the back for it.

Have you considered watershed-based water quality projects? Wisconsin has had a program (I don't know if they still do) where the state provides grants for 5 years of study and data collection with a committee of stakeholders in a small watershed. If the studies are adequate, 5 more years of funding are provided for implementation. (Minnesota has 2 years for each phase, but that's not enough.) Assembling the stakeholders first and then doing the data collection in a transparent way can help overcome the fingerpointing that always happens when water quality is mentioned.

Could you get some funding from boat registrations (scaled to the size or value of the boat)? We are boat owners, and we are among the people who benefit most from a clean lake. We would be happy to pay our share, and we see many large yachts whose owners could obviously afford to contribute something toward their recreational environment. It is only fair, since fishermen and hunters pay fees to finance fish and wildlife management, that boat owners should pay to help clean up the lake.

Thank you and good luck!

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Chris

Thank