

# 2015 Buffer Legislation

Governor Mark Dayton's new landmark buffer initiative was signed into law, designating an estimated 110,000 acres of land for water quality buffer strips statewide. The law established new perennial vegetation buffers of up to 50 feet along rivers, streams, and ditches that will help filter out phosphorus, nitrogen, and sediment. The new law provides flexibility and financial support for landowners to install and maintain buffers, and boost compliance with buffer laws across Minnesota.

## Buffer Legislation at a Glance

<b>Exemptions and areas and activities not requiring buffers</b>	<ul style="list-style-type: none"> <li>■ Roads, trails, buildings and structures.</li> <li>■ Inundated crops, alfalfa seeding, enrolled in CRP.</li> <li>■ Tile line installation and maintenance</li> <li>■ Areas covered by NPDES water-quality permits.</li> <li>■ “No-fault” clause to address acts of nature.</li> <li>■ No permit, permission needed; SWCD validation optional. <i>Lawns, forests, hayed land and other areas with perennial vegetation meet requirement.</i></li> </ul>
<b>Maps</b>	<ul style="list-style-type: none"> <li>■ DNR has created buffer protection maps for public waters and public ditches that are subject to the buffer requirement.</li> </ul>
<b>Waters Covered and Buffer Widths</b>	<ul style="list-style-type: none"> <li>■ <b>Public Waters</b> – 50 foot average buffer width, with a 30-foot minimum width.               <ul style="list-style-type: none"> <li>■ Buffers need to be installed on <b>Public Waters by November 1, 2017</b></li> </ul> </li> <li>■ <b>Public Ditches</b> – 16.5 foot minimum width (or alternative practices).               <ul style="list-style-type: none"> <li>■ Buffers need to be installed on <b>Public Ditches by November 1, 2018</b></li> </ul> </li> <li>■ Other waters determined by SWCD’s and adopted into water management plans to accomplish targeted voluntary or local regulatory measures.</li> </ul>
<b>Compliance</b>	<ul style="list-style-type: none"> <li>■ SWCD’s provide correction letters when noncompliance is identified.</li> <li>■ Local/State \$500 administrative penalty for public waters, ditches.</li> <li>■ State program funds can be withheld for failure to implement.</li> </ul>
<b>Soil Erosion</b>	<ul style="list-style-type: none"> <li>■ Local/state enforcement with \$500 administrative penalty order, without local ordinance, unless cost share funds not available.</li> </ul>
<b>Landowner Financial Assistance</b>	<ul style="list-style-type: none"> <li>■ Drainage law more flexible to provide compensation for buffers.</li> <li>■ RIM Buffer easements – Clean Water Fund and Outdoor Heritage Fund in Legacy Bill.</li> <li>■ USDA Conservation Reserve Program (CRP)</li> <li>■ RIM/CREP Easements – Clean Water Fund in Legacy Bill               <ul style="list-style-type: none"> <li>■ <b>Contact the Carver SWCD for requirements and technical assistance</b></li> </ul> </li> </ul>



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