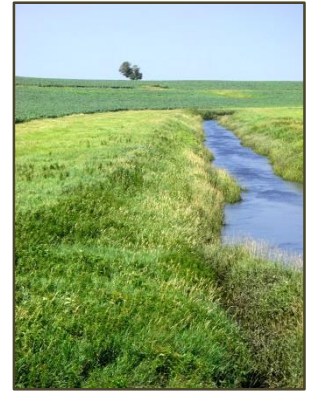


MN Buffer Law and Implementation Options

The new Buffer Law was adopted in 2015, and clarified in 2016, during the MN Legislative Session as a response to increased concerns about the diminishing water quality statewide. The purpose of the Law: protect state water resources from erosion and runoff pollution; stabilize soils, shores and banks; and protect or provide riparian corridors.



The Law at a Glance

Maps have been generated by the MN DNR indicating the water courses that are to be buffered with the required width – we buffer the water, not lines on a map. Sometimes the flow path for a water course changes - as that happens the buffers will need to be moved to keep the water buffered.

	Public Waters	Public Ditches
Minimum Width	50 ft. average, 30 ft. minimum (measured from top of bank)	16.5 ft. minimum (measured from top of bank)
Timeline for Compliance	Nov 1 st , 2017	Nov 1 st , 2018
Required Vegetation	Perennial	Perennial

Buffers are only one tool in the tool box used to address water quality concerns. The law allows for alternative water quality practices to be considered, but they must treat ALL the water coming off the cultivated land. While additional water quality practices are highly encouraged, the fact still remains that buffers will be required as the County continues the Redetermination of Benefits process on Public Ditches and through the County Shoreland Ordinance on Public Waters.

Compliance

The Law impacts lands under cultivation. Compliance is determined for the entire parcel. All riparian areas are considered compliant until the compliance deadline has passed. Landowners can request a Validation of Compliance from the Soil & Water Conservation District (SWCD). The SWCD is required to re-evaluate for compliance at least one every five years.

What is considered compliant? *These areas must meet the minimum required width*

- Vegetated buffer is established, or in the process of being established by the compliance deadline
- Forest, Pasture or Fallow land
- Combination of above

Exemptions

- Land enrolled in CRP
- Roads, driveways, trails, buildings, or other structures
- Land used as public/private water access, beaches, and others

The SWCD will notify Redwood County of parcels in non-compliance. The County will provide a list of corrective actions needed to come into compliance with the Buffer Law. A penalty may be issued for lands that remain out-of-compliance after corrective actions have been offered and a reasonable time for correction has passed.

Options for Implementing a Buffer Strip

Plant and Maintain on Your Own

Landowners can seed the buffer at their own expense. Buffers can be hayed/grazed/burned with no restrictions. Only a non-noxious perennial cover is required to be in compliance.

Local Cost-Share through the SWCD

These funds can only be used to establish a buffer to comply with the MN Buffer Law. Every SWCD determines the extent of cost-share. In Redwood County, this covers seedbed preparation, seed and seeding for up to \$250. This is a 10-year contract. Various restrictions apply. If you are interested, you must apply through the Redwood SWCD before March 1, 2018.

Conservation Reserve Program (CRP) - land must meet cropping history requirements

This is a 10-15 year contract where successful applicants receive cost-share to establish and maintain native grass buffer strips. Annual CRP rental payments are determined based on soil type. Additionally, contracts receive a \$100/ac Signing Incentive Payment. Buffers can range from 30 – 220 feet average in width depending on resource need. Applications can be submitted through the USDA Farm Service Agency (FSA).

Conservation Reserve Enhancement Program (CREP)

This is a combination a 15-yr CRP contract and a permanent Reinvest in Minnesota (RIM) easement. The CRP section above lays out what CRP offers for 15 years. Additionally, a RIM easement payment is paid once the easement is recorded on the deed. Cost-share is up to 100% to establish the practice. Applications are scored and ranked. To apply contact either the SWCD or FSA office.

Conservation Stewardship Program (CSP)

Under CSP, applicants must agree to *adopt a suite of conservation practices*, which can include buffer strips. The buffer must be a minimum of 60 feet wide and may be hayed annually after July 15th. CSP is designed to improve conservation farm-wide. Successful applicants are awarded various amounts based on the degree of improvements implemented over the course of the contract. Those interested should contact their local Natural Resources Conservation Service (NRCS) office.

MN Agricultural Water Quality Certification Program

This voluntary program offers farmers and agricultural landowners an opportunity to take the lead in implementing conservation practices that protect our water. Those who implement and maintain approved farm management practices will be certified and in turn obtain regulatory certainty for a

period of ten years. If water courses are present, a buffer will be required to qualify. Contact the Redwood SWCD for more information.

The Redwood SWCD will provide technical assistance by request.

You can contact the SWCD, NRCS, and FSA offices at the same main number – (507) 637-2427. Press Ext. 3 for the SWCD/NRCS and Ext. 2 for FSA.