



Minnesota Buffers Initiative

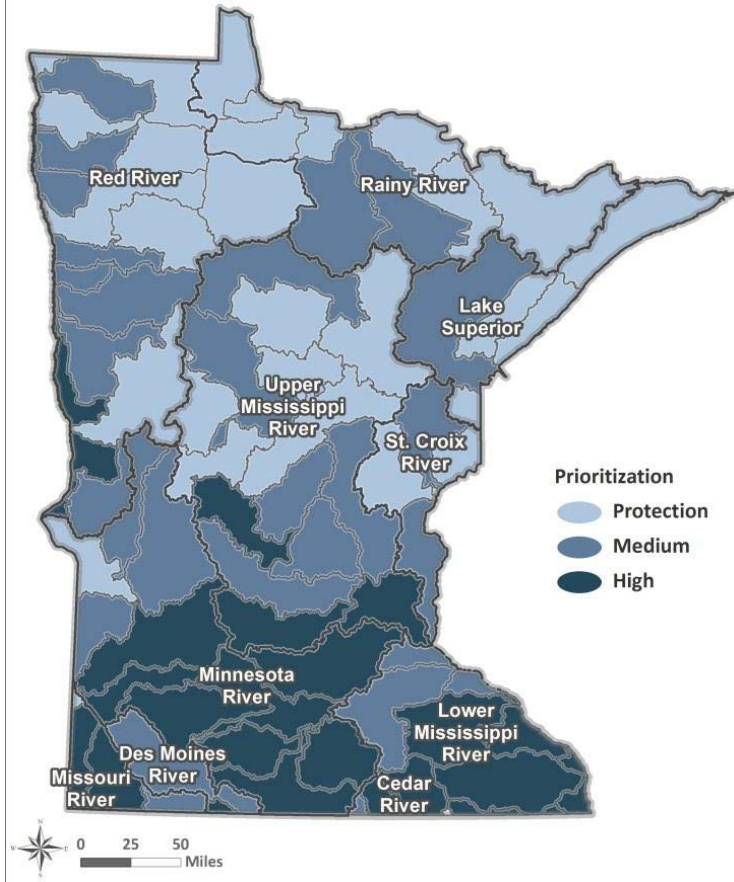
September 25, 2015

MACPZA Conference

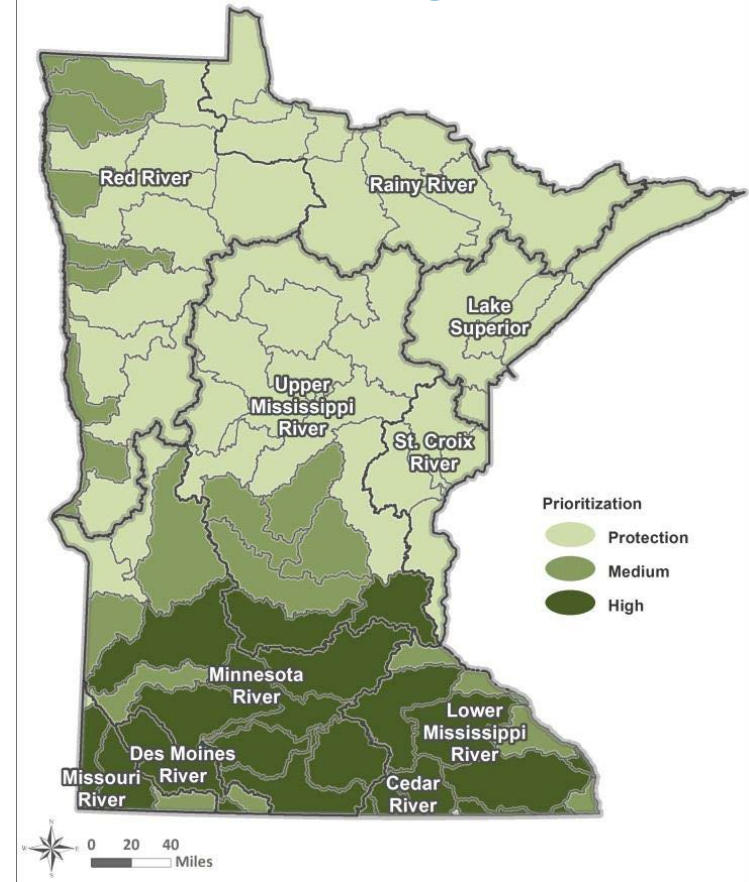
John Jaschke, BWSR Executive Director

Nutrient Reduction Strategy Priority Areas

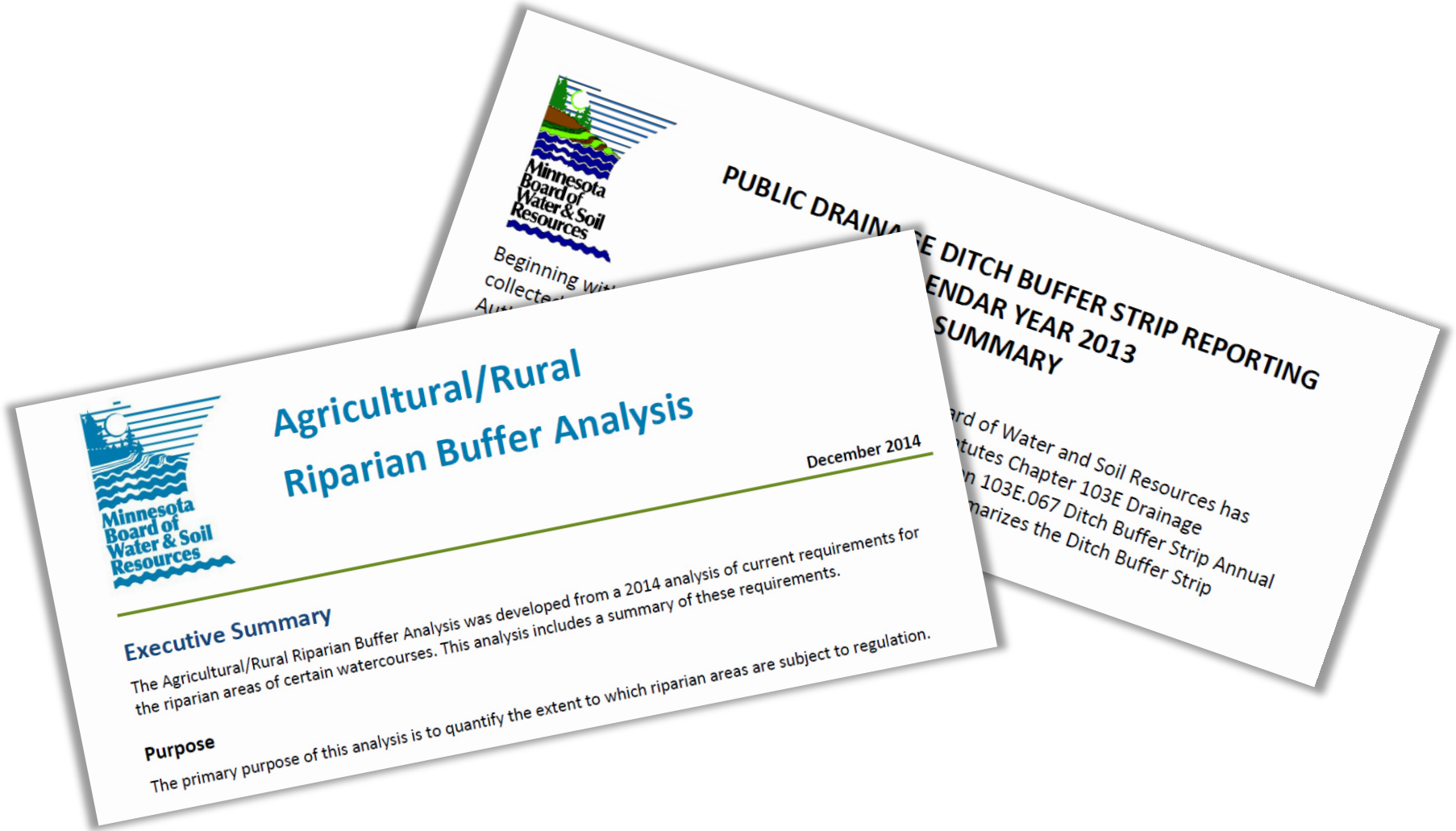
Phosphorus Priorities



Nitrogen Priorities



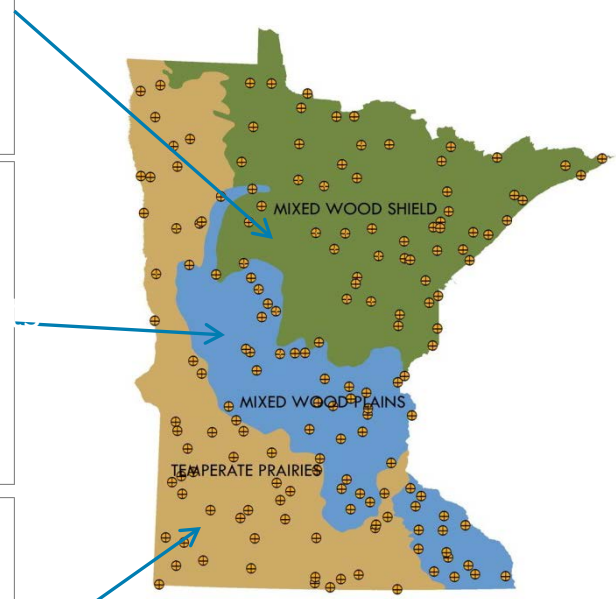
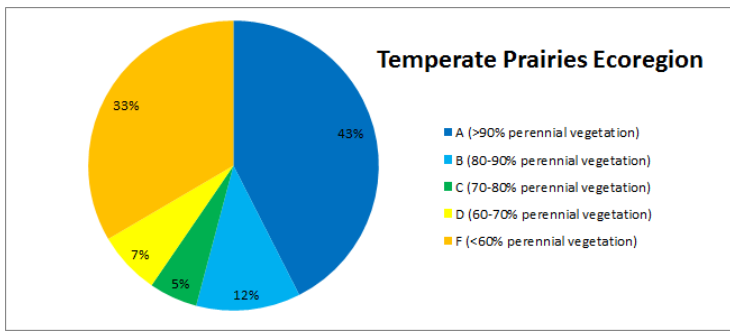
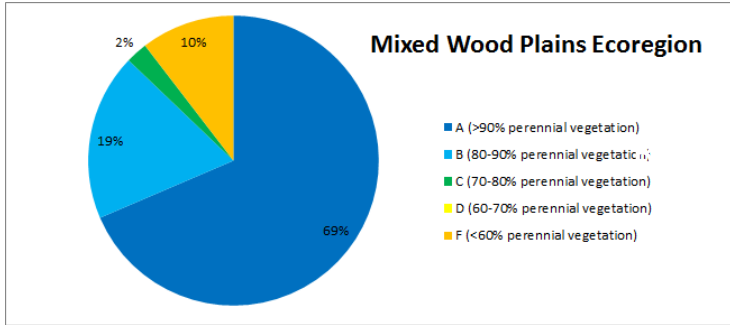
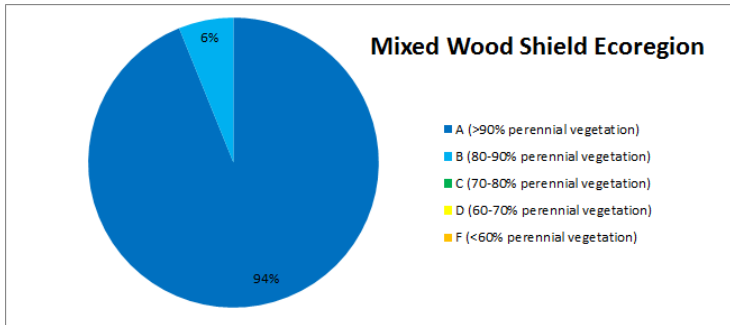
Buffers: Existing Rules and Laws



Buffer Analysis Results

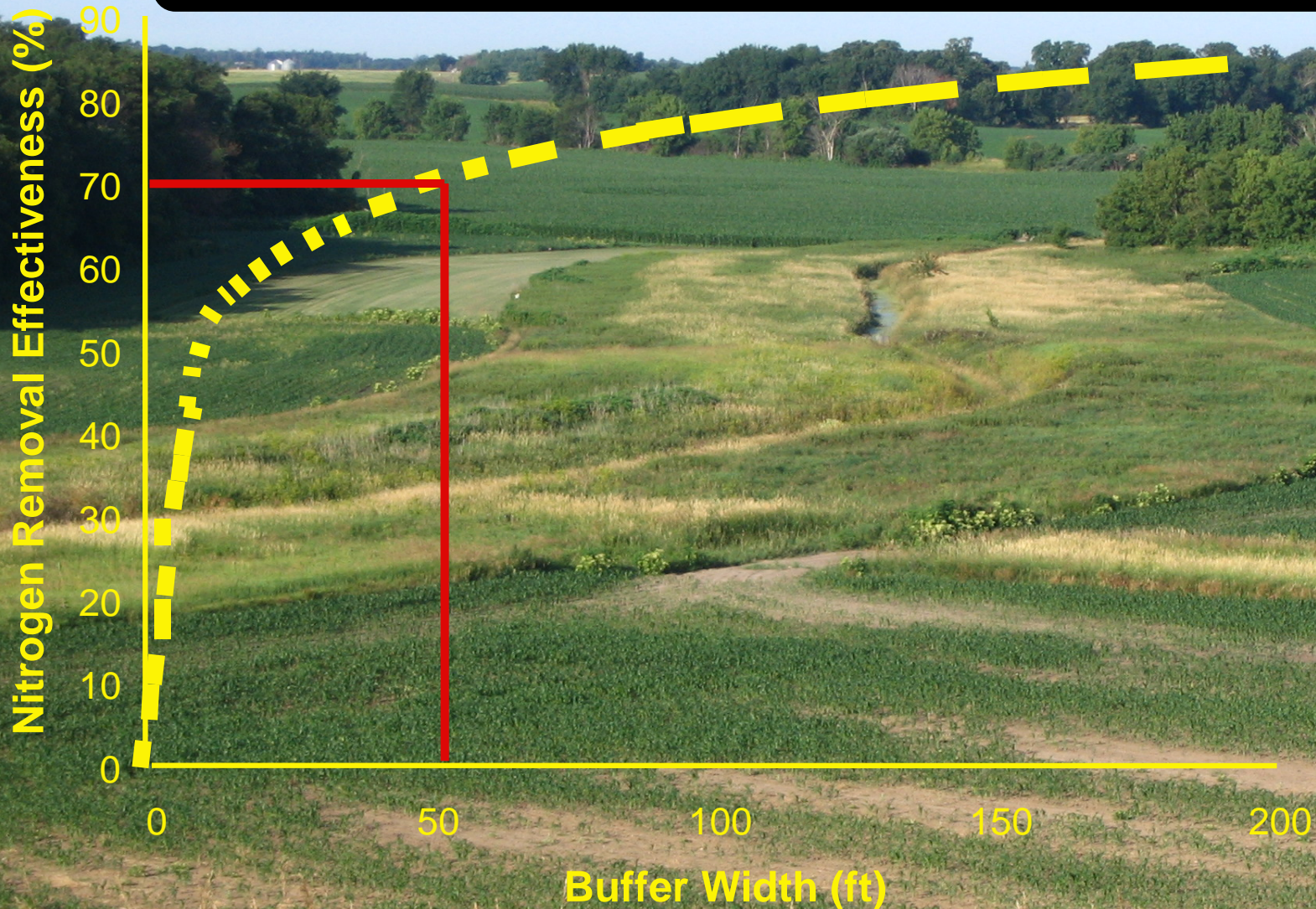
Riparian classification	Linear miles	% Total stream/ditches	Buffer required (feet)
Shoreland Requirement	21,642	30%	50.0
Ditch Buffer Requirement	4,022	6%	16.5
No Buffer Requirement	44,850	64%	0.0

Buffer Zone Vegetation Analysis



~1/3 of 50-foot buffers in the Temperate Prairies Ecoregion are composed of less than 60% perennial vegetation (~11,000 stream miles)

Buffers Improve Water Quality



Minnesota's Buffer Initiative



Minnesota's Buffer Initiative

A Statewide, basic standard approach:	
Maps	DNR will create buffer protection maps
Waters Covered and Buffer Widths	<ul style="list-style-type: none">• Public waters – 50-foot average, 30-foot minimum• Public ditch systems - 16.5-foot minimum• Or alternative practices• Other waters determined by SWCDs
Compliance	<ul style="list-style-type: none">• County or watershed district provides correction letters when noncompliance identified.• Local/state \$500 administrative penalty• State program funds can be withheld for failure to implement

Minnesota's Buffer Initiative

A Statewide, basic standard approach:

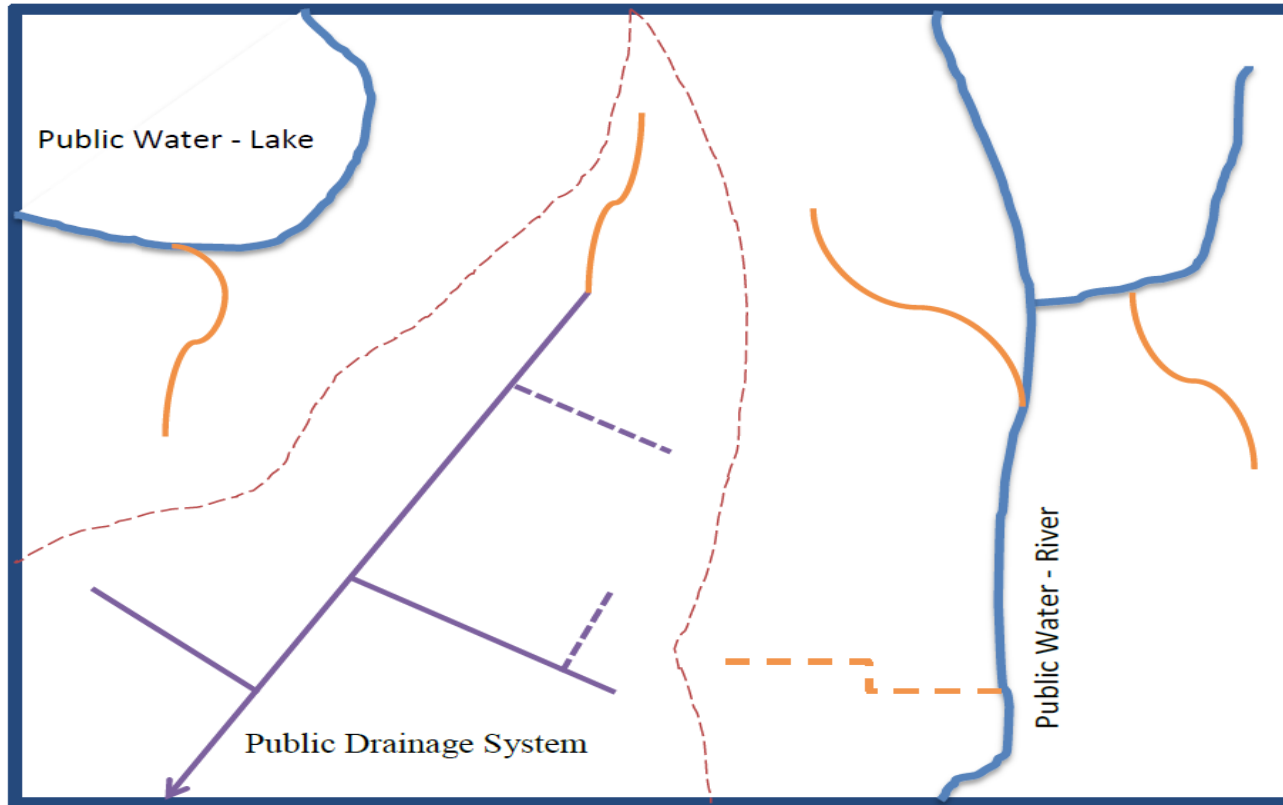
Timeline

- Public waters – Nov 2017
- Public ditch systems – Nov 2018
- Extension if waiting for funding

Exemptions

- Roads, trails, building and structures. Inundated crops, alfalfa seeding
- Enrolled in CRP
- Areas covered by NPDES water-quality permits

Buffer Protection Map



Public Water (50' average , 30' minimum width buffer)

Public Drainage System Benefitted Area Boundary

Public Drainage Ditch (16.5' minimum width buffer)

Private Ditch in Benefitted Area (16.5' minimum width buffer)

Local Water Plan/SWCD determined buffer – unaltered (local regulation or voluntary approach)^

Local Water Plan/SWCD determined buffer – ditch/alterd (local regulation or voluntary approach)^

[^] Not part of BPM but to be included as data for SWCD consideration

Alternative Practices


Alternative water quality practice, or combination of practices, may be used to sufficiently meet water quality goals. In these instances, buffers may not be needed.



Landowner Financial Assistance

Is there financial assistance available for landowners?

There are many programs at the local, state, and federal level that provide assistance for establishing buffers.



Options for Landowner Financial & Technical Support

Governor's Buffer Initiative


March 2015

The Governor's Buffer Initiative relies on long-standing federal, state, and local programs to provide financial and technical support to landowners to implement buffers or alternative water quality practices. These programs include:

Federal

Farm Service Agency (FSA)

- **General Conservation Reserve Program (CRP)** – Helps agricultural producers safeguard environmentally sensitive land. CRP participants plant long-term, resource-conserving covers to improve the quality of water, control soil erosion, and enhance wildlife habitat. Ten year contracts with annual rental payments and restoration cost-share.
- **Continuous Conservation Reserve Program (CCRP)** – Environmentally desirable land devoted to certain conservation practices may be enrolled in CRP at any time under continuous sign-up. Ten to fifteen year contracts with annual rental payments and restoration cost-share.



A grass buffer strip in Redwood County.

Natural Resources Conservation Service (NRCS)

- **Environmental Quality Incentives Program (EQIP)** - Provides financial and technical assistance to agricultural producers through contracts up to ten years. These contracts provide financial assistance to help plan and implement conservation practices that address natural resource concerns and opportunities to improve soil, water, plant, animal, air and related resources on agricultural land and non-industrial private forestland.
- **Conservation Stewardship Program (CSP)** - Helps agricultural producers maintain and improve their existing conservation systems and adopt additional conservation activities to address priority resources concerns. Participants earn CSP payments for conservation performance.
- **Agricultural Conservation Easement Program (ACEP)** - Includes both working lands (Agricultural Land Easements) and protection type of easement programs (Wetlands Reserve Easement). Provides easement payment and restoration costs.

U.S. Fish and Wildlife Service (USFWS)

- **Partners for Fish & Wildlife Program** - Restores, improves, and protects fish and wildlife habitat on private lands through alliances between the USFWS, other organizations, and individuals.

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Exemptions

Will any general exemptions to the 50 foot buffer requirement be considered?

Yes. The following areas would be exempt:

- Land enrolled in the federal Conservation Reserve Program (CRP)
- Public or private water access or recreational use areas
- Areas covered by a road, building or other structures
- Municipalities or others in compliance with federal and state storm sewer or storm water law

State Financial Commitments - next two years

- Clean Water Fund
 - \$22M for SWCD Local Capacity
 - -\$5M for Buffer Compliance Assistance
 - \$33M for Long Term Water Quality Protection (RIM, CREP)
 - \$20M for Projects and Practices Grants
 - \$12M for Targeted Resource Protection and Enhancement
 - \$1.5M Conservation Drainage
- Outdoor Heritage Fund: \$4.5M for buffers for wildlife and water quality
- Environmental and Natural Resource Trust Fund: \$1M for Farm Bill Assistance Program

Buffer Initiative – What's New?

- **Expanding the scope of waters covered**
- **Setting timelines for implementation**
- **Providing for enforcement**
- **Strengthening soil erosion statutes**
- **Appropriating Funding**

2015 Buffer Law

For more information:

Minnesota Board of Water & Soil Resources A to Z Topics Contact Search

Home	Easements	Grants	Resource Management and Planning	Conservation Implementation	Wetlands
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2015 Buffer Legislation

Governor Mark Dayton's new landmark buffer initiative was recently signed into law, designating an estimated 110,000 acres of land for water quality buffer strips statewide. The law establishes 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 »](#)
[Buffer Legislative Language »](#)

Why is this important?

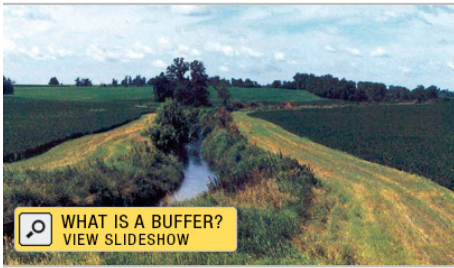
A new Minnesota Pollution Control Agency study found that few southwest Minnesota waters meet swimmable, fishable standards.

The Buffer Initiative web page and the information contained here is a collaboration with the Minnesota Board of Water and Soil Resources and the Minnesota Department of Natural Resource. The state departments of Agriculture and the Pollution Control Agency were also instrumental in formulating this initiative, a process that involved consultation with stakeholder groups, counties and other local governments.

[Read study »](#)

Landowner Resources

[Implementing the 2015 Law »](#)
[Alternative Practice Options for Landowners - Buffers »](#)
[Landowner Financial Options for Buffers »](#)
[SWCD technical assistance »](#)



Common questions and answers

[Download questions and answers as a PDF »](#)

Click on questions below to show answers. Click again to hide.

- [What is the bill's purpose and who helped craft it?](#)
- [Will it improve water quality?](#)
- [What is required?](#)
- [Where are buffers required?](#)
- [How will the new law be implemented, and enforced?](#)
- [When will this take effect?](#)
- [How will this be paid for?](#)
- [How will the DNR map areas that will now require buffers?](#)
- [And when will that happen?](#)
- [How will public water be defined under the law?](#)

Five key ways the new buffer initiative protects Minnesota waters

[Download the five key ways as a PDF »](#)

The new buffer Initiative enhances protection of Minnesota waters by building upon existing requirements in the following ways:

- [1. Expanding the Scope of Waters Covered](#)
- [2. Setting Timelines for Implementation](#)
- [3. Providing for Enforcement](#)
- [4. Strengthening soil erosion statutes](#)

<http://bwsr.state.mn.us/buffers/>

For more information

John Jaschke

BWSR Executive Director

P: 651-296-0878

john.jaschke@state.mn.us

<http://www.bwsr.state.mn.us>

Sarah Strommen

DNR Assistant Commissioner

P: 651-259-5021

sarah.strommen@state.mn.us

<http://www.dnr.state.mn.us>