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# Legislative Water Commission

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## Buffers and Soil Erosion Implementation Update

February 18, 2016

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# Buffer Initiative – What's New?

- Expands the scope of waters covered
- Sets timelines for implementation
- Provides for enforcement
- Strengthens soil erosion statutes
- Funding



# Where are buffers required?

- DNR developing Buffer Protection Maps (July 2016)
- 50 foot average, 30 foot minimum for public waters
- 16.5 foot minimum for public drainage ditches



# Key Dates

- July 1, 2016: DNR Buffer Protection Maps completed and available
- July 1, 2017: SWCDs provide a summary of watercourses to the water management authority
- November 1, 2017: Buffers required for lands adjacent to public waters
- November 1, 2018: Buffers required on lands adjacent to public drainage ditches



# Work To-Date

- Worked closely with the DNR on the Buffer Protection maps
- Outreach, Education
- Allocated Buffer Implementation and SWCD Capacity Grants
- BWSR Board adopted a Failure to Implement Policy on December 16, per Minn. Stat. 103R.48, Subd. 8



# Implementation Update

## Work Organized Around Following Projects:

1. Buffer Implementation Tracking and Monitoring
2. Technical Requirements: Alternative Water Quality Practices; Minimum Buffer Requirements
3. Administrative Processes: Alternative Water Quality Practices; Validations of Compliance; Exemptions; Initial Implementation Waivers



# Implementation Update (cont.)

## Work Organized Around Following Projects:

4. Other Waters: Criteria; Process/Procedures; Data and Mapping Tools
5. Public Drainage Ditch Guidance: Jurisdiction and Roles; Buffer Establishment; Redetermination of Benefit Procedures; Financing
6. Soil Erosion Interim Guidance: Procedures for Implementing Statewide Program



# Implementation Timeline

March 23, 2016 BWSR Board Review  
Implementation Plan and  
Authorize Seeking Request for  
Information

June 22, 2016 BWSR Board Approve  
Preliminary Policies/Guidance

August 25, 2016 BWSR Board Approve Final  
Policies/Guidance





# 2015 Buffer Law - Implementation

Minnesota Board of Water & Soil Resources						A to Z Topics	Contact	Search
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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 »](#)

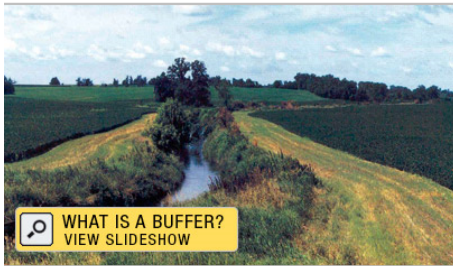
### Landowner Resources

[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/>