



Implementing Minnesota's Buffer Law

Summer 2016

In June of 2015, Governor Dayton signed into law a new buffer initiative aimed at enhancing protection of Minnesota's waters. The law was further clarified in 2016, and policies are currently being developed by the Board of Water and Soil Resources (BWSR) to implement the law.

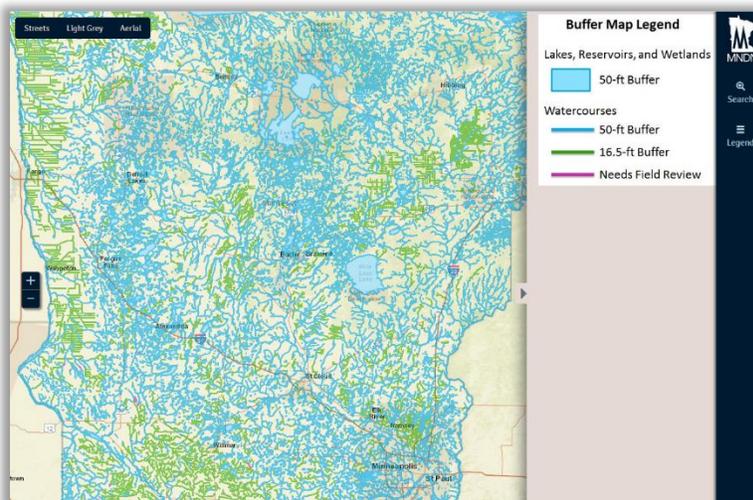
What is a buffer?

A buffer, also known as a riparian filter strip, is vegetated land adjacent to a stream, river, lake or wetland. Buffers help filter out phosphorus, nitrogen, and sediment, and are an important conservation practice for helping keep water clean.

Where are buffers required?

Under the law, buffer widths will be:

- An average of 50 feet, minimum of 30 feet, on public waters, as determined by the Department of Natural Resources (DNR)
- A minimum of 16.5 feet on public drainage systems, as determined by the local Drainage Authority (usually the County or Watershed District)
- Soil and Water Conservation Districts (SWCDs) will identify other watercourses for inclusion in the county or watershed district water plan, who will then determine appropriate water quality actions for those watercourses.
- Alternative Water Quality Practices which provide a comparable water quality benefit are allowed on ***Agricultural lands***.



The DNR recently released its statewide buffer map, which allows landowners to determine whether they are impacted by the Buffer Law. The DNR Buffer Protection Map can be found here:

<http://dnr.state.mn.us/buffers/index.html>

How will the program work?

BWSR is working to get program details developed. Landowners may install buffers on their own at any time before the implementation deadlines. SWCDs will provide technical assistance and answer questions about financial assistance options. Landowners also have the option of working with their SWCD to determine if other alternative practices aimed at protecting water quality can be used.

Is there financial assistance available?

Yes. The 2015 Buffer Law 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. Landowners may use federal Farm Bill resources, such as the Conservation Reserve Program (CRP), Continuous CRP, and the Environmental Quality Incentives Program to get buffers installed. State resources include programs such as the Reinvest in Minnesota (RIM) easement program, Conservation Cost-Share, and the Minnesota Agricultural Water Quality Certification Program (AWQCP). The BWSR Board recently approved a policy that all farms who are certified under the AWQCP are deemed compliant with the buffer law requirements.



A grass buffer strip in Redwood County.



A buffer in Olmsted County.

What's the timeline?

The new law specifies:

- November 1, 2017: Buffers in place on all public waters
- November 1, 2018: Buffers in place on all public drainage systems

Who is responsible for enforcement?

Counties and Watershed Districts have the option to choose whether to be the enforcement agency for the Buffer Law. If they elect not to do so, BWSR is responsible.

Where do I go for more information?

Contact your local SWCD for more information about buffers and local requirements. For more information on the new buffer law, please visit: www.bwsr.state.mn.us/buffers/. The DNR map and more information about their process can be found at <http://dnr.state.mn.us/buffers/index.html>.