

Buffer Protection Maps

Maps will be provided to local water management authorities (your county government, watershed district or other water management authority).

Landowners are strongly encouraged to review these maps to ensure accuracy. Where landowners believe a buffer requirement designation is inappropriate, they should appeal to their local authority to have this designation changed.

- ▶ "Public Waters" designations may be inaccurate
- ▶ Portions of public drainage systems may be labeled as "Public Waters"



Green Star Farms Self-Evaluation

Help prevent duplicate and overburdensome regulations by completing the Minnesota Agriculture Resource Center's (MAWRC) Green Star Farms self-evaluation at greenstarfarms.org. It's confidential, easy and fast.

For more information contact Jeremy Geske at jeremy@mawrc.org or 612-756-1200.



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Understanding Minnesota's New Buffer Requirements



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Understanding Minnesota's New Buffer Requirements

Law passed by 2015 Minnesota Legislature requires buffers for public drainage systems and designated public waters.

▶ 16.5 foot minimum buffers of perennial vegetation (alfalfa, grass, etc.) on property adjacent to public drainage systems – must be in place by November 1, 2018

▶ 50 foot average buffers (30 foot minimum) of perennial vegetation (alfalfa, grass, etc.) on property adjacent to water ways designated as public waters – must be in place by November 1, 2017

BUFFER OPTIONS

▶ Self-initiative

The best option is to seed and manage your land as you see appropriate and plant the buffers as required without any assistance or compensation. This approach allows you to self-determine the seed mix of perennial vegetation that you believe fits your wish or complements a value you consider important for your farm. Perhaps an alfalfa or mixed hay seeding which can be used for haying/grazing or similar uses would accomplish your objectives as well as meet state government obligations. Once you have met the obligation for having the proper vegetation growing, use the land for the purposes that fit your needs (haying, grazing, mowing, etc.) while maintaining the buffer areas with perennial vegetation.

▶ Working within public drainage redetermination process

Existing law for public redetermination of benefits for public drainage systems is still available. Working through this system, local ditch authorities can be encouraged to carry out system maintenance and improvements with an assessment for those who benefit and compensation to the landowner who is required to provide a 16.5 foot right-of-way, seeded and maintained in perennial vegetation (as prescribed by the ditch authority).

▶ Enrollment in land-retirement programs

Several state and national programs are available for landowners who wish to seek compensation for participation in easement or other non-use offerings. In most instances, the required amounts of property given up are beyond the minimums required by the state law and restrict further beneficial use of the property in exchange for payment offered through the specific program. Landowners seeking to determine if this approach would be their best option should consult with their local Natural Resource Conservation Service (NRCS) office or their Soil and Water Conservation District (SWCD). Consideration should also be given to the stipulations and requirements associated with the program used.

▶ Alternative Conservation Practices

Provisions of the law provide for alternative riparian water quality practices or a combination of structural, vegetative and management practices. These must be based on the NRCS Field Technical Guide or other practices approved of by the Board of Water and Soil Resources (BWSR). The alternative needs to provide water quality protection comparable to the buffer protection for the water body that the property abuts.



▶ Buffers Remain Private Property

▶ Landowners maintain the ability to use buffer areas for haying or grazing, hunting or other activities, provided that the buffer vegetation is maintained and subject to restrictions brought on by participating in state or federal cost-share programs.

▶ Landowners maintain the ability to restrict public access, including the right to post their property to prevent hunting or other trespassing, unless they participate in a walk-in access program.

▶ Landowners may wish to consult with local tax authorities to make certain that property tax considerations are given to the reduced value of buffer areas.