

Applying the Buffer Law to Carlton County

A Breakdown of the 2015 Buffer Law

You may have heard buzz about the new law regarding buffers that was passed by Governor Mark Dayton in June of 2015. The initiative is aimed at protecting the state's water resources from erosion and runoff pollution by establishing roughly 110,000 acres of buffer along waterways. Soil and Water Conservation Districts (SWCDs), as well as many other Federal, State, and Local organizations/programs have been tasked with providing technical and/or financial assistance to landowners seeking help to comply with the buffer law. Carlton SWCD is available to those in Carlton County in search of such support.

We're here to help!

The purpose of this letter is to inform and educate landowners who may be affected by the new buffer law and to expose those affected to avenues in which they can receive assistance.

Buffer Law Basics

Under the buffer law, a "buffer" is defined as an area of land consisting of perennial vegetation excluding invasive plants and noxious weeds. *If your land is lawn, hayland, pasture, forest, or in some other use with perennially vegetated cover, you are already in compliance with the law.* If you cultivate cropland along lakes, rivers, streams, wetlands, or any other MN DNR designated public water, the buffer law requires 50 feet of perennial vegetation to be established adjacent to the public water on your property. This buffer must average 50 feet in width and can range in size providing the buffer width remains at or above a minimum width of 30 feet. The law also understands that each parcel of land is different. In some cases, an alternative water quality practice may be implemented in-lieu of the 50 foot average buffer. Carlton SWCD can assist you in developing an alternative practice if a buffer is not suitable for your property.



Carlton SWCD is here to assist you in determining if you are in compliance with the 2015 Minnesota Buffer Law, as well as assist you in reaching compliance if your land does not meet these standards. *Buffers or alternative water quality practices must be in place on or before **November 1, 2017** for land adjacent to public waters.* Please contact the SWCD if this date is unattainable due to hardships.

Landowners have several options when it comes to establishing the required buffer.

1. Landowners can enroll in programs such as the Conservation Reserve Program, State Cost Share Program and other Federal, State and Local programs.
2. Landowners can install or utilize alternative practices.
3. Landowners can establish the required buffer on their own with no financial assistance.

Below are some common questions and answers regarding the buffer law.

Can I hay or graze the buffer?

Yes. However, if the buffer is enrolled in the Conservation Reserve Program or other certain conservation programs, haying and grazing may be prohibited.

Are there programs available to assist with the establishment of the buffer?

Yes. Contact the Carlton SWCD office to discuss programs available to assist with establishment.

If I utilize alternative practices, do I no longer need a buffer?

The use of alternative practices will most likely not eliminate the need for a buffer. However, utilizing alternative practices may potentially reduce the width of the required buffer.

Am I required to plant a specific vegetation cover type?

No. The law only states that the buffer must be established and maintained to perennially rooted vegetation. It does not specify any species. In many cases, the SWCD would likely recommend use of native vegetation. However, buffers can be planted to perennial alfalfa, cool season grasses, pasture mixes, clovers, trees, shrubs, etc.

If I plant alfalfa, am I allowed to reestablish my alfalfa stand in the future through the use of temporary disturbance?

Yes. If you plan to reestablish your alfalfa field through the use of temporary disturbance you are encouraged to notify the Soil and Water Conservation District of your intentions and a conservation plan will be developed.

Whether you are protecting healthy waters, or working to improve the quality of impaired waters, buffers can be a great water quality tool. This perennial vegetation may perform numerous environmental functions such as trap sediment and nutrients from adjacent lands, improve streambank stability, provide an infiltration area for surface water, as well as provide habitat for some wildlife species.

I would like to make a point that Carlton SWCD is not a regulatory authority for the buffer law. As always, we are here to connect landowners to conservation whether that be technical advice and/or financial assistance. Please stop by or call our office so we can work together to determine if your property already meets the new standard, or if a buffer or alternative practice will be appropriate for your specific situation.

I look forward to working with you!

Name
Conservation Technician

808 3rd Street
Carlton, MN 55718
218-384-3891

