

Buffer Program Update

December 2017

Local Government Staff,

Here's the latest:

Implementation Status

Public Waters compliance currently sits at just over 97% (Including those who have a compliance waiver).

Overall compliance is right around 93% for all water bodies.

Remember the Public Ditch compliance date is **November 1, 2018**. There currently are no waivers in statute for public waters which extend compliance beyond that date.

BuffCAT

Remember **January 1, 2018** is the reporting deadline for the buffer implementation program. Those districts tracking compliance information in their own systems have started providing their updated compliance data. For those using BuffCAT be sure to have all Public Waters parcels updated in the system and try to look over those Public Ditch parcels that have had some conservation actions on them over the past year.

We are expecting another BuffCAT Maintenance shutdown in mid/late January of 2018. If you have any parcels that need to be added or data to insert into the system please coordinate that with Aaron Spence and me so we are able to plan accordingly.

Compliance Communications

Some SWCDs have begun communicating landowners who are not in compliance with the Public Waters deadline of November 1, 2017. Some SWCDs are systematically planning one last communication effort with those who they may not have been able to reach, or who have not responded over the past years. It is a worthwhile endeavor to set up a meeting with your local county, watershed districts or BWSR to discuss expected timelines and communications related to the enforcement work ahead.

PLEASE remember the goal is implementation, not enforcement! Be deliberate and thoughtful on your approach with the folks enforcing and the landowners who still have actions to take to come into compliance with the law.

All of the counties who have elected jurisdiction have begun working on their local official controls and 30 of them have their Local Official Controls in place and are now “with jurisdiction”. More than half of the watershed districts who have elected jurisdiction are working on their rules well ahead of the November 1, 2018 compliance date, which affects the ditches they are administering. We expect both numbers will continue to grow in the coming months.

Buffer Cost Share

SWCDs are required to maintain a list of applications for Buffer Cost Share. The Record of Applications form can be found here: <http://bwsr.state.mn.us/buffers/> . The form has a dual purpose of tracking cost share requests to be eligible for a waiver consistent with the Buffer Law, and for the SWCD to report to BWSR regarding these funds. SWCDs are required to provide the list to BWSR (email it to the Board Conservationist and Wayne Zellmer):

- By December 31, 2017 to allow BWSR to understand the demand for funds and report this demand to the legislature; and
- March 1, 2018 to calculate the amount of funds requested locally and return any unrequested funds to BWSR for re-distribution to areas of need.

If you have any questions on these funds please contact your Board Conservationist.

Other waters

Water Management authorities need to add the SWCD adopted “other watercourses” map/inventory by **July 1st, 2018** into their local water plans. This is required by statute. HOWEVER, there is not a regulatory component to these waters from the buffer law. We anticipate that a majority of these waters will recommend only voluntary actions for protection or improvement of water quality. A model resolution for water management authorities is being drafted and will be posted to the BWSR buffer webpage.

Thank you!

Thank you all for your efforts and your patience. We continue to make progress and that progress is a direct result of the efforts made by our Local Government Partners and landowners implementing the various aspects of this program.

Tom Gile