

Benton Soil & Water Conservation District

Benton SWCD
14 2nd Avenue West
Foley, MN 56329

Tel. (320) 968-5300 x3
www.soilandwater.org



June 7, 2017

Dear Landowner,

You are receiving this letter because land you own in Benton County is affected by the new Minnesota Buffer Law.

In June of 2015, the State of Minnesota adopted into law a new buffer initiative aimed at protecting state waters through the establishment and maintenance of vegetated buffers along waterways. A buffer is vegetated land adjacent to a stream, river, lake or wetland. Buffers help filter out sediment, phosphorous, and nitrogen, and are an important conservation practice for helping keep water clean.

The new law currently requires vegetated buffers along all public waters listed on the MNDNR Public Waters Inventory (PWI) maps and public drainage systems. **As of November 1, 2017 all public waters are required to have a buffer with an average width of 50 feet, with a minimum of 30 feet. As of November 1, 2018 all public drainage ditch systems are required to have a buffer width 16.5 feet wide.**

A review along all public waters in Benton County was completed utilizing high resolution aerial imagery. The SWCD has determined that **property you own may not be in compliance with the new buffer law**. Compliance is determined on a parcel by parcel basis. See enclosed map(s) for details on your property.

It is your responsibility as the landowner to make certain the required buffers are installed and maintained. A site visit is needed on identified parcel(s) shown on enclosed map(s) to determine official compliance status. If not completed by Nov. 1, 2017, we will have to deem the parcel as non-compliant, consistent with Minnesota Statutes §103F.48. Please complete the enclosed Buffer Compliance Options postcard by **August 1, 2017**. This will inform us of your intentions, and allow us to update your compliance status. The SWCD is mandated to track compliance and all required buffers may be subject to annual site inspections. There will be financial penalties if compliance is not met and documented. The SWCD does NOT enforce the MN Buffer Law.

Benton SWCD is here to provide landowners with technical assistance and to work with you to determine your compliance status with the MN Buffer Law. Technicians can meet with you on-site and validate your compliance status. We are committed to working with you voluntarily to identify ways to come into compliance, if necessary. If buffers are needed in areas, financial assistance may also be available to establish vegetative buffers or install alternative practices to meet the requirements of the MN Buffer Law.

For more information on the MN Buffer Law and/or options for landowners to ensure their parcels are in compliance, **see the back of this letter** or contact Benton SWCD at 320-968-5300 ext. 3.

Sincerely,

Name
District Technician
Enclosure

Minnesota Buffer Law Fact Sheet

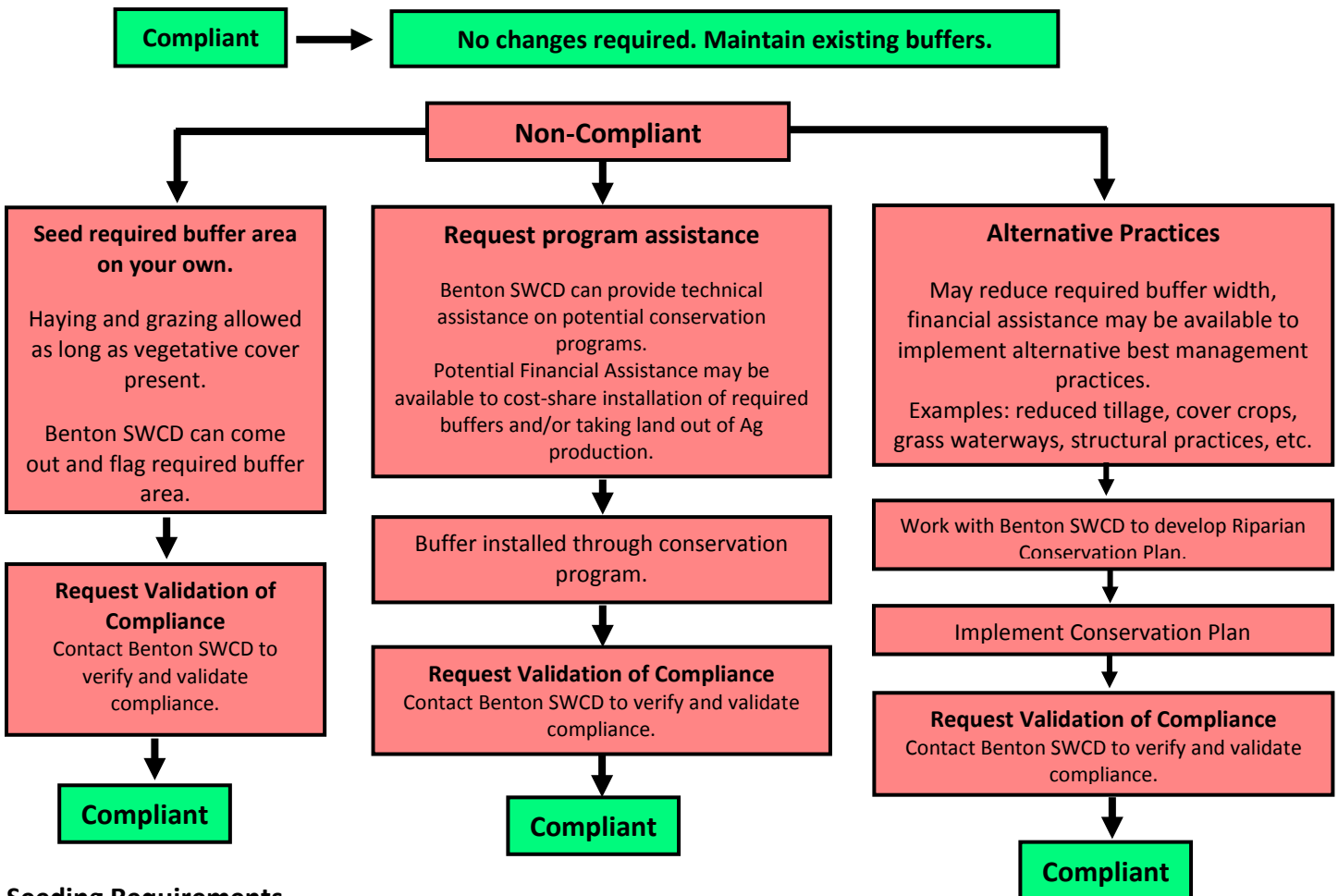
Requirements

- **Public Waters:** A 50-foot average width, 30-foot minimum width, continuous buffer of perennially rooted vegetation.
- **Public Drainage Systems:** A 16.5-foot minimum width continuous buffer of perennially rooted vegetation on public "County" drainage ditches.

Timeline

- **November 1, 2017:** Buffers in place along all Public Waters.
- **November 1, 2018:** Buffers in place along all Public Drainage Systems.
- A **Conditional Compliance Waiver** may be available to landowners who are pursuing technical and/or financial assistance with Benton SWCD which grants an extension on deadlines above to come into compliance. Contact Benton SWCD for more information before November 1, 2017.

Compliance Options



Seeding Requirements

- Seeding required buffer area on your own** → Compliant as long as area is seeded into perennial vegetation and maintained. Invasive species and state noxious weeds are prohibited. Control all noxious weeds. Benton SWCD can provide assistance.
- Program Assistance Seeding** → Seeding requirements vary by program. Benton SWCD can provide technical assistance.