

Bolstering buffers in Waseca County

In Waseca County, a unique cost-share option has resulted in more conservation practices being installed within a half mile of public watercourses or public ditches.

Waseca County and Waseca Soil and Water Conservation District (SWCD) staff made part of the county's buffer law



Clean Water Fund grants give SWCDs the capacity to spend staff time working with landowners on buffer law implementation.

enforcement allocation available to cover 75% of practices and projects including cover crops, terraces, water and sediment control basins, grassed waterways, grade stabilizations, stream bank or lakeshore stabilizations, wetland

restorations, water storage, pollinator seeding upgrades and livestock exclusion fencing.

"The SWCD has been able to fund more conservation practices on an annual basis thanks to these dollars being available," said Waseca SWCD technician Tyler Polster.

Since the option became available in June 2021, the SWCD has approved five contracts for cover crops and water and sediment control basins in Waseca County, funding \$7,500 in 2021 and \$25,000 this spring.

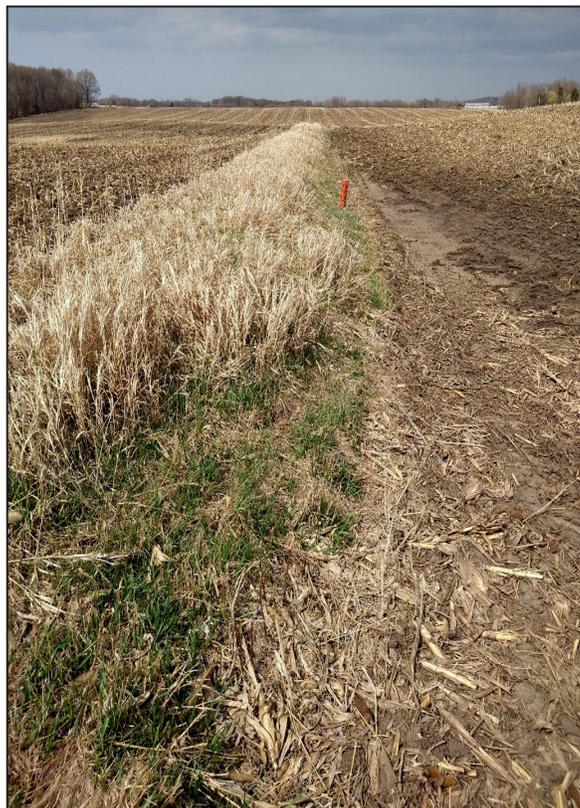
"We wanted to use (the funds)



Cover crops are an alternative practice that allowed a landowner to reduce the required buffer width on this parcel, which borders the public ditch seen in the background.

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Tyler Polster,
Waseca SWCD

With Riparian Protection Aid, county, SWCD offer landowners 75% cost-share to implement conservation projects or practices within a half mile of public waters or public ditches



to support the implementation of projects that improve riparian areas and water quality. We thought a good way to accomplish that was by creating a cost-share program with more flexibility and a quicker turnaround time than what is typically found in Clean Water Fund-supported grants and federal conservation programs," said Haley Byron, Waseca County water resource specialist.

Distributed by the Minnesota Department of Revenue, the Riparian Protection Aid enforcement funding may cover administrative and legal costs to develop ordinances and pay court fees, plus technical work. Waseca County has used some of the enforcement funds it received for cost-share to bring parcels into compliance. From 2017 through 2022, the county

A water and sediment control basin funded with local cost-share dollars was installed near a public watercourse in Waseca County.

received \$319,755 from the fund. Allocations are based on a formula derived partly from counties' agricultural acreage and the mileage of the public watercourses and ditches that require buffers or alternative practices.

Waseca County has a 99% buffer law compliance rate. Some of its 19 out-of-compliance parcels are currently making their way through the compliance process.

In the seven years since Minnesota lawmakers passed the buffer law — also known as Statute 103F.48, Riparian Protection and Water Quality Practices — soil and water conservation districts, counties, watershed districts and the Minnesota Board of Water and Soil Resources (BWSR) have worked with landowners across the state to bring affected parcels into compliance.

Ultimately, that work is meant to improve water quality in Minnesota, where more than 515,000 parcels of land are adjacent to a public watercourse or public ditch — and therefore subject to the law.

State statute tasks

“ We wanted to use (the funds) to support the implementation of projects that improve riparian areas and water quality. ”

— Haley Byron,
Waseca County water resource specialist

SWCDs with working with landowners to identify areas of non-compliance, and then applying an approved conservation practice. Clean Water Fund grants give SWCDs the capacity to spend staff time working with landowners on buffer law implementation.

Since the buffer law was enacted, SWCD staff members across the state have helped to bring thousands of parcels into compliance statewide via conservation practices including vegetative buffers, cover crops, conservation tillage methods, side-water inlets, grassed waterways, terraces, water and sediment control basins, critical area plantings, grade stabilizations, wetland restorations, water storage and livestock exclusion fencing.

When SWCD staff members and landowners cannot arrive at an acceptable

solution for an out-of-compliance parcel, the county, watershed district or BWSR may handle the formal enforcement process, depending upon local jurisdiction. Since 2017, 2,164 parcels have been brought into compliance after undergoing a formal enforcement process for noncompliant parcels. Currently, another 878 parcels are making their way through that process.

Statewide compliance rates have improved steadily — from an estimated 87% with 67,477 noncompliant parcels bordering public watercourses and public ditches in February 2017 to 99.54% with 1,994 noncompliant parcels in February 2020. The remaining noncompliant parcels may be awaiting field verification of a buffer or alternative practice this spring. Many others

have seeding plans or will implement an alternative conservation practice this spring.

As of March, BWSR records show 83 of Minnesota's 87 counties were 95% to 100% compliant with the buffer law. The remaining counties — Grant, Marshall, Red Lake and Traverse — were 90% to 94% compliant.

A secondary benefit from implementing the buffer law: While meeting with landowners, SWCD staff may notice other opportunities to implement conservation practices. SWCDs, counties and watershed districts aim to help landowners keep their land productive while reducing soil erosion and improving water quality.

“(T)his program will hopefully increase BMP (best management practice) adoption for those who do not wish to use the cost-share programs that were already available,” Byron said.

In Waseca County, SWCD staff identified additional areas for conservation practices while working on the buffer law. Some of those led to projects funded by the SWCD's cost-share program.