

Amanda Brazee

From: Mark Johnson
Sent: Tuesday, July 05, 2016 9:24 AM
To: Amanda Brazee
Cc: Sandy Smith; Joe Pavelko
Subject: FW: Follow-up to LSOHC Buffer Program Presentation
Attachments: Conservation Continuum.docx

Follow Up Flag: Follow up
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Amanda,

Per Dave's request, please forward his email message below to the Council members.

Thanks,

Mark

From: Weirens, David (BWSR) [mailto:david.weirens@state.mn.us]
Sent: Tuesday, July 05, 2016 9:04 AM
To: Mark Johnson <mark.johnson@lsohc.leg.mn>
Cc: Joe Pavelko <Joe.Pavelko@lsohc.leg.mn>; Koehler, Tim (BWSR) <Tim.Koehler@state.mn.us>; Penning, Bill (BWSR) <Bill.Penning@state.mn.us>; BeckerKudelka, Angie (BWSR) <angie.beckerkudelka@state.mn.us>
Subject: Follow-up to LSOHC Buffer Program Presentation

Mark,

Thank you for the opportunity to provide the Council with the latest information on BWSR's work to implement the Riparian Protection and Water Quality Practices Law (Buffers). I thought it might be helpful to follow-up with some additional information in response to the questions some members asked. Please share this information with the Council. As always, please let me or anyone at BWSR know of any information you would like. Thank you.

LSOHC Members and Staff:

Thank you for allowing me to provide a brief overview of the Riparian Protection and Water Quality Practices Law (MN Statutes 103F.48) that was passed in 2015 and amended in 2016. I wanted to provide additional information and clarification on two of the questions that were asked by Council members.

1. How much money will be needed and is it even possible to pay landowners for easements for all of the land tied to the Riparian Protection Law?

I have attached a document titled the, "Conservation Continuum". It shows the range of options that landowners have related to planning and implementing conservation, from landowner planned and implemented efforts on their own to long-term land retirement. It can be used when discussing the implementation of the Riparian Protection Law.

Landowners can utilize all options on the continuum to install riparian buffers and/or alternative water quality practices (instead of buffers). BWSR anticipates that a small percentage of the total minimum protection required by this law will be funded through RIM, and none from OHF.

2. How will OHF RIM appropriations and the Riparian Protection Law intersect and be impacted by each other?

As I mentioned during the presentation until the implementation dates (11/1/2017 for Public Waters and 11/1/2018 for Public Ditches and Public Waters where a landowner has applied for assistance) all conservation efforts tied to riparian areas are voluntary. After those dates and upon a violation determination then installation would no longer be voluntary. In addition, the law only requires perennial vegetation, which could be as simple as Kentucky Bluegrass. The benefit of RIM and other conservation programs and efforts (see the Conservation Continuum) is that larger areas of land are protected and the use of vegetative mixes that are focused on wildlife habitat.

Specific to OHF funded RIM projects –

- No RIM OHF \$'s will be spent on the first 50 feet on Public Waters or on the first 16.5 feet on Public Ditches (widths found in the law).
- RIM non-OHF \$'s may be used if the appropriation allows for the first 50 or 16.5 feet. In these situations OHF funds may be used to expand the buffer beyond the required widths and also to include vegetation mixes that are focused on wildlife habitat (native multi-species grass and forb mixes).
- RIM Buffer OHF \$'s are only used to build on (width and species) Clean Water Fund initial buffers that are next to the water course.
- RIM buffers rely on the USDA NRCS Field Office Technical Guide to use a science based approach to determine the widths of the buffers in order to provide the environmental benefits that are desired, and not a random width.

I hope this helps to answer these two questions and will help the LSOHC into the future.

Conservation Continuum

**Landowner
installs
conservation
practices without
outside support**

Technical Assistance

(Info/Edu and
Planning by local,
state, federal govt;
crop advisors; etc.)

Contracts

(EQIP, CSP,
cost share)

**Short-term land
retirement**

(CRP,
Continuous CRP)

**Long-term land
retirement**

(RIM, CREP,
ALE)

