### Buffer Legislation at a Glance

#### Exemptions and areas and activities not requiring buffers
- Roads, trails, building and structures.
- Inundated crops, alfalfa seeding, enrolled in CRP.
- Tile line installation and maintenance.
- Areas covered by NPDES water-quality permits.
- “No-fault” clause to address acts of nature.
- No permit, permission needed; SWCD validation optional.

*Lawns, forests, hayed land and other areas with perennial vegetation meet requirement.*

#### Maps
- DNR will create buffer protection maps for public waters and public drainage systems subject to buffer requirement.

#### Waters covered and buffer widths
- Public waters – 50-foot average buffer width with a 30-foot minimum width.
- Public ditches - 16.5-foot minimum width.
  - Or alternative practices (applies to both public waters and public ditches).
- Other waters determined by SWCDs and adopted into water management plans to accomplish targeted voluntary or local regulatory measures.

#### Compliance
- County or watershed district provides correction letters when noncompliance identified.
- Local/state $500 administrative penalty for public waters, ditches.
- State program funds can be withheld for failure to implement.

#### Soil erosion
- Local/state enforcement with $500 administrative penalty order, without local ordinance, unless cost share not available.

#### Timeline
- Public ditch buffer requirements not dependent on redetermination trigger.
- Buffers need to be installed on Public Waters by November 2017; on Public Drainage Systems by November 2018.
- Landowners who have applied for conservation programs or initiated a ditch authority process can be granted a one-year extension.

#### Program funding: DNR mapping and BWSR/SWCD implementation
- Legacy bill’s Clean Water Fund includes:
  - $5 million to BWSR for local government implementation;
  - $650,000 to DNR for mapping.

#### Landowner financial assistance
- Drainage law more flexible to provide compensation for buffers.
- RIM buffer easements – Clean Water Fund and Outdoor Heritage Fund in Legacy bill.
- U.S.D.A. Conservation Reserve Program (CRP) -- federal funds available for contracts to riparian landowners.
- RIM/CREP easements -- Clean Water Fund in Legacy bill; SWCDs are point of contact for requirements and technical assistance.

#### SWCD base funding
- $11 million annually in fiscal years 2016 and 2017 from Clean Water Fund in Legacy bill.