



# Minnesota Buffer and Soil Loss Programs

## Implementation Planning

April 4, 2016

### Projects

#### 1. Buffer Implementation Tracking and Monitoring

##### A. Tasks

- i. Identify data to be collected and managed (Need/Want/Nice to have)
- ii. Develop data collection and management tools, including a prototype
- iii. Identify/evaluate current SWCD tracking/monitoring systems and how they can be used in conjunction with the BWSR data collection/management system
- iv. Develop policy/guidance/procedures for use by BWSR staff/LGUs for collecting and submitting compliance data

##### B. Key Dates

- i. Draft Policy/Guidance/Procedures – April 2016
- ii. Final Policy/Guidance/Procedures – May 2016

#### 2. Technical Requirements for compliance with the Buffer Requirement: Alternative Water Quality Practices; Minimum Buffer Requirements

##### A. Tasks

- i. Develop criteria and methodology for defining comparable water quality protection
- ii. Evaluate assessment tools
- iii. Identify minimum buffer width requirements, including measurement of average widths
- iv. Identify practices that can be used as an alternative to a buffer based on the NRCS Field Office Technical Guide
- v. Identify other practices that can be used as an alternative to a buffer that are not in the NRCS Field Office Technical Guide

##### B. Key Dates

- i. BWSR Board Review Plan/Request for Information– March 23, 2016
- ii. State Register Request for Information – April 2016
- iii. BWSR Board Review Draft Policy/Guidance/Procedures – June 22, 2016
- iv. Request for Comments – July 2016
- v. Board Request to Approve Policy/Guidance/Procedures – August 25, 2016

### **3. Administrative Processes: Alternative Water Quality Practices; Validations of Compliance; Exemptions; Initial Implementation Waivers**

#### **A. Tasks**

Develop policy/guidance/procedures/forms for administrative implementation of Alternative Practices, Validations of Compliance, Exemptions, Initial Implementation Waivers

#### **B. Key Dates**

- i. BWSR Board Review Plan/Request for Information– March 23, 2016
- ii. State Register Request for Information – April 2016
- iii. BWSR Board Review Draft Policy/Guidance/Procedures – June 22, 2016
- iv. Request for Comments – July 2016
- v. Board Request to Approve Policy/Guidance/Procedures – August 25, 2016

### **4. Other Waters: Criteria; Process/Procedures; Data and Mapping Tools**

#### **A. Tasks**

- i. Identify/develop data products and maps to be used by SWCDs
- ii. Develop policy/guidance for BWSR staff and SWCDs

#### **B. Key Dates**

- i. BWSR Board Review Plan/Request for Information– March 23, 2016
- ii. State Register Request for Information – April 2016
- iii. BWSR Board Review Draft Policy/Guidance/Procedures – June 22, 2016
- iv. Request for Comments – July 2016
- v. Board Request to Approve Policy/Guidance/Procedures – August 25, 2016

### **5. Drainage Policy and Procedure**

*Purpose:* Identify and evaluate barriers and impediments of establishing buffers and/or alternative practices adjacent to drainage ditches to be forwarded to the Drainage Work Group

#### **A. Tasks**

- i. Identify policy/statutory changes necessary to further Buffer Program goals as they relate to drainage management, specifically addressing water management needs regarding establishing buffers adjacent to public and private ditches
- ii. Identifying and developing guidance for less costly and quicker redetermination of benefit processes

#### **B. Key Dates**

TBD

### **6. Buffer Implementation Funding**

#### **A. Tasks**

Develop implementation plans for state and federal options to support LGU and landowner implementation and administration of the Buffer Program. Funding options to be evaluated include use of

existing and future state funds to cost share with landowners, MDA Ag BMP Loan Program, Clean Water Partnership loans, Federal RCPP and EQIP; etc.

**B. Key Dates**

TBD

## 7. Enforcement and Compliance

**A. Tasks**

- i. Define State-Local Enforcement roles and responsibilities
- ii. Develop BWSR Enforcement procedures and Board Order, and BWSR APO Plan

**B. Key Dates**

- i. BWSR Board review and support proposed compliance and enforcement approach – March, 23, 2016
- ii. BWSR adopts its enforcement order and APO Plan – January 25, 2017
- iii. Counties and watershed districts notify BWSR of their enforcement elections - March 31, 2017
- iv. Counties and watershed districts may modify their of their enforcement elections relating to public drainage ditches and notify BWSR - March 31, 2017
- v. Counties must have implemented their enforcement elections – November 1, 2017
- vi. Counties and watershed districts must have implemented their enforcement elections – November 1, 2018

## 8. Communications

**A. Tasks**

Develop short to mid-term (next six months) communications for buffer program, including efforts targeted to local governments, partners, landowners and the general public. Efforts will be targeted towards implementation activities, specifically: release of the request for information (April); statutory amendments (May); request for comments on preliminary documents (June/July); and notification of Board approval of final documents (August/September)

**B. Key Dates**

TBD

## 9. Soil Erosion Program Implementation

**A. Tasks**

Finalize Interim Guidance; Initiate rule-making process

**B. Key Dates**

- i. BWSR Board Review Interim Guidance/Request for Information– March 23, 2016
- ii. State Register Request for Information – April 2016
- iii. BWSR Board Approve Interim Guidance/Authorize Rulemaking – May 25, 2016
- iv. State Register Request for Comments – July 2016
- v. Rulemaking Schedule - TBD