

MOWER SWCD MONITORING PLAN FOR BUFFER COMPLIANCE TRACKING
MN ST:103.48 RIPARIAN PROTECTION AND WATER QUALITY PRACTICES

DOES MY STREAM REQUIRE A BUFFER?

Landowners are required to maintain buffers on designated streams in Mower County. These designated streams can be found on BWSR website at this location:
<http://arcgis.dnr.state.mn.us/gis/buffersviewer/>

1. BUFFER COMPLIANCE STANDARDS

Public Water Streams, measured from top of bank:

- a) 50' average width,
- b) 30' Minimum width
- c) Alternative practices may be used to reduce buffer width, if the SWCD has determined that the alternative practice is suitable.

Public Ditch Systems:

- a) Public Drainage systems which are already administered by a local government, must maintain a 16.5' buffer along the bank of the ditch.
- b) Alternative practices may be used to reduce buffer width, if the SWCD has determined that the alternative practice is suitable.

2. COMPLIANCE TRACKING OF ALL PARCELS SUBJECT TO BUFFER LAW

All parcels within Mower County will be reviewed by SWCD over a 3 year period of time. This review will be divided into Watershed sectors of the county and follow the areas within the map on “Attachment A.”

3. BUFFER SPOT CHECKS

Spot Checks will be conducted on areas that are not within the scheduled watersheds. The SWCD will select 30 parcels that are outside of the designated watershed and provide a spot check evaluation of those parcels. Priority for spot checks will be given to sites that meet the following criteria:

- a) History of non compliance
- b) Concern from district staff regarding the maintenance or establishment of buffer in the past
- c) Alternative Practice sites
- d) Variable width buffers that have been approved for a 50' average and 30' minimum width
- e) Sites may also be selected randomly at the discretion of SWCD staff.

4. PUBLIC COMPLAINT PROCESS

The Mower SWCD will review complaints received from the public with 10 working days of the notice. Complaints may be submitted to the SWCD informally via phone call, email or office visit. Landowners will be notified of the complaint and provided corrective action, if necessary. The public will not be noticed on compliance review, landowner action or timeline for addressing the issue.

5. CORRECTIVE ACTION

If a landowner is believed to be non compliant with the buffer law, the County and SWCD will take the following action:

- a) SWCD will notify landowner of questionable buffer and work with them to address the issue immediately.
- b) SWCD may schedule site visit or field evaluation to determine buffer needs and stake any land that requires a buffer.
- c) The landowner must develop and agree to a corrective action plan and compliance date with the Mower SWCD. This plan will address the buffer within the current or next immediate growing season.
- d) If the landowner does not comply with the buffer compliance plan, the SWCD will notify the County of Non Compliance and initiate the Administrative Penalty Order process and proceed with action according to that process.
- e) Mower County will issue and Administrative Order
- f) Landowner will have ten months to address the buffer issue in accordance with the standards listed above.
- g) If landowner does not comply within ten months, the county will proceed with penalties, as determined by APO process.

