

Gov. Dayton to propose buffer zones bordering all state waters

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BROOKLYN PARK, Minn. – Gov. Mark Dayton announced Friday that he will propose legislation calling for vegetative buffer zones 50 to 60 feet wide bordering all waters of the state, with the regulation to be enforced by the Minnesota Department of Natural Resources.

Dayton made the announcement to about 325 people attending the 25th annual Roundtable meeting sponsored by the DNR in Brooklyn Park, Minn. The proposal grew out of a statewide Pheasant Summit called by the governor and held Dec. 13 in Marshall, Minn.

“I believe people should be good stewards of the land,” Dayton said. “They own the land, but the people own the waters.”

Minnesota’s pheasant numbers have declined significantly in recent years as farmers opt out of the federal Conservation Reserve Program, which pays landowners to take land out of crop production and to plant grasses. Pheasants need grasslands for nesting and for cover.

But Dayton emphasized that his proposal would improve the state’s water quality and benefit all species that rely on grassland habitat.

Duluth’s Frank Jewell, a St. Louis County commissioner and also a member of the Clean Water Council under the Clean Water, Land and Legacy Amendment, welcomed Dayton’s proposal.

“This is so exciting,” Jewell said. “The issue of riparian buffers is huge.”

Current law requires buffers on many waters, but enforcement usually falls to individual counties and has been inconsistent, conservationists say.

“It’s been a soft policy, and it’s been viewed as a soft policy,” said Howard Vincent, president and CEO of Pheasants Forever.

Vincent supports the governor’s proposal.

“There’s not a better practice than buffers for wildlife, water and soil,” Vincent said, “but it’s still a starting point.”

Doug Busselman, director of public policy for the Minnesota Farm Bureau, said the governor’s proposal would be a hardship for many of the group’s 30,000 members.

“In many cases where there are buffer requirements, now it’s 16½ feet and now you’d be going to 50 and that’s going to take considerable land out of production,” said Busselman, who attended the governor’s speech at the Roundtable.

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From 2007 to 2013, Minnesota lost 600,000 acres of grassland that had been enrolled in CRP, DNR Commissioner Tom Landwehr said.

The buffer proposal would protect about 125,000 acres of land, or just under 200 square miles, along rivers, lakes and wetlands, the governor said.

A key provision of the proposal is that the DNR, not local or county officials, would enforce the buffer requirements, Dayton said.

“It will be enforced – and I mean enforced – by the DNR through aerial and

other inspections,” the governor said.

Jewell said he has made tours in farm country where he has seen land farmed right up to waterways, with water running from farmland directly into the water.

“There should be fines for not complying (with the regulations),” Dayton said. “We have to have real consequences.”

The Farm Bureau’s Busselman said the proposal assumes there are widespread violations of current buffering requirements on farmland when in fact no statewide investigation has been conducted.

“We’d be enacting a broad regulation without any real sense of whether it’s going to do anything good for pheasant populations,” he said. “We have concerns over the one-size-fits-all nature of the governor’s particular proposal ... and we’ll obviously be engaged in the proposal as it goes through the legislative process. ...

“There’s also a property rights issue that seems to be missed in all of this,” Busselman said “It’s somewhat akin to the governor saying, ‘Let’s take the front 20 feet of your lawn and let anyone walk on it.’ ”

If Dayton’s proposed legislation is adopted, the benefits of such a regulation would go far beyond creating more pheasant habitat, said Pheasants Forever’s Vincent.

“Whether you hunt or are an outdoors person or not, everyone should understand water and what we need to do to protect it,” Vincent said.

Dayton said he will make the proposal part of the budget he will propose to the Minnesota Legislature later this month.

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