

HOUSE RESEARCH

Bill Summary

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Subject: Ditch Buffer Bill

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Overview

This bill is a product of a drainage/ditch buffer work group convened under the Board of Water and Soil Resources that met over the course of a two-year period and made recommendations that are reflected here.

Section

- 12** **Ditch buffer strips.** Clarifies the point of beginning to measure the width of ditch buffer strips when required by statute, and that they be planted in perennial vegetation.
- 13 - 3** **Perennial vegetation.** Clarifies that perennial native vegetation, instead of grass, will be the permanent buffer strips throughout statute.
- 4** **Compliance requirement.** Allows a drainage authority to issue an order to bring a non-conforming property owner into compliance with the ditch buffer strips requirement.
- 5** **Report.** Requires annual reports by drainage authorities to BWSR on buffer strips, inspections and violations.
- 6** **Compliance expenses.** Allows the county auditor to bring a lien against a non-conforming property, and the expenses include costs to restore a perennial vegetative cover or structural conservation practice that may be damaged by the drainage.
- 7** **Technical. S** imilar to sections 2 and 3.
- 8** **Drainage system repair.** Allows the restoration of perennial vegetative cover or structural conservation practice when impacted by a drainage system repair, with costs paid by the drainage system.
- 9** **Inspection.** Mandates that open drainage systems must be inspected at least every five years, and annually when there is a ditch buffer strip violation.

Section

10 - 12 **Technical.** Similar to sections 2 and 3.

13 **Appropriations.** Appropriates:

- \$2 million general fund in FY 2008 to BWSR for local water management challenge grants in order to accelerate statewide public drainage records preservation and modernization.
- \$150,000 general fund in FY 2008 to BWSR, to work with the Drainage Work Group, for drainage record preservation guidelines.
- \$300,000 general fund in FY 2008 for BWSR to update the Minnesota Public Drainage Manual.
- A blank amount to BWSR to facilitate the work of the Drainage Work Group.
- A blank amount to BWSR to staff a drainage assistance team to work on multipurpose projects.