

**PENNINGTON SWCD**  
**MONITORING PLAN FOR BUFFER COMPLIANCE TRACKING**  
§103F.48 RIPARIAN PROTECTION AND WATER QUALITY PRACTICES

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**1. COMPLIANCE TRACKING OF ALL PARCELS SUBJECT TO THE BUFFER LAW**

All parcels in the county will be reviewed within a 3-year timeframe. The SWCD will Review 1/3 of the parcels each year (See attached map, Attachment A and the description page, Attachment B)

**2. RANDOM SPOT CHECKS**

Random spot checks will be done in addition to the tracking of all parcels within a 3-year timeframe. These checks may be conducted via on-site and/or aerial photo review depending on availability of updated aerial photos, the practice that is being checked and access to parcels.

- a. The SWCD will conduct a random spot check of 25 parcels each year outside of the scheduled area.
- b. Additionally, the SWCD will review other parcels more frequently:
  - Previously non-compliant
  - No-till/Conservation tillage or cover crop alternative practice plans
  - Variable width buffers (i.e. Land O' Lakes buffer tool, Decision Support Tool)
  - Other Alternative Practice Plans
  - Cost-share funded projects (years 1,3,9 of contract)
  - Other parcels as needed

**3. PROCESS TO HANDLE COMPLAINTS**

Pennington County has developed a local process for investigating public complaints related to buffer law compliance. This process can be found on pages 6-7 of the Pennington County Buffer Ordinance:

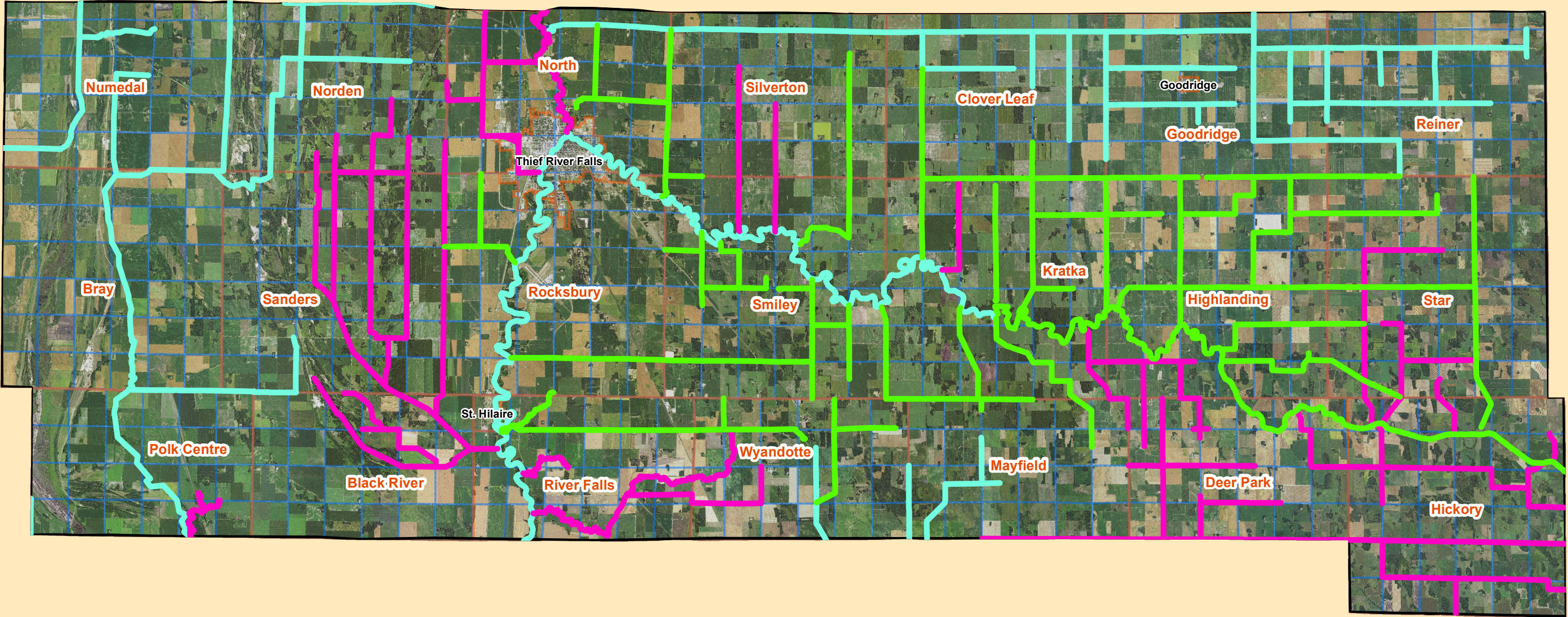
**Investigation and notification of noncompliance.** When the SWCD identifies a potential noncompliance with the buffer requirements, it will consult with the County to determine the appropriate course of action to document compliance status.

Third party complaints from a private individual or entity, or from another public agency, will be filed with the County or its delegate. The County will consult with the SWCD to determine the appropriate course of action to document compliance status.

In either instance, the appropriate course of action may include SWCD communication with the landowner, inspection or other appropriate steps necessary to verify the compliance status of the parcel. On the basis of the evidence gathered in this process, the SWCD may issue a Notification of Noncompliance to the County. If the SWCD does not issue such a Notification, the County will not pursue a compliance or enforcement action under Minnesota Statutes §103F.48 and subsection 6.2. If the SWCD does issue a Notification, the SWCD will include a list of corrective actions needed to come into compliance with the requirements of Minn. Stat. 103F.48; a recommended timeline for completing the corrective actions; and a standard by which the SWCD will judge compliance with the requirements of Minn. Stat. 103F.48 after the corrective actions are taken.

At any time during the process set forth, the landowner may provide documentation of compliance to the SWCD.

Pennington SWCD  
Monitoring Plan for Buffer Compliance  
Appendix A



**Legend**

- Year 1 Compliance Check
- Year 2 Compliance Check
- Year 3 Compliance Check
- Townships
- Sections

**Reference Scale**  
1 inch equals 2.75 miles

0 2.75 5.5 11 Miles

Date: 10/25/2018

Maps are for graphical purposes only. They do not represent a legal survey.



**Attachment B**  
**Pennington SWCD**  
**Monitoring Plan for Buffer Compliance**

Year one:

- |        |      |      |      |      |
|--------|------|------|------|------|
| • CD1  | CD16 | CD21 | CD32 | CD33 |
| • CD35 | CD36 | CD37 | CD38 | CD39 |
| • CD41 | CD42 | CD43 | CD45 | CD46 |
- Red Lake River starting in the NE ¼ of Hickory 13 and flowing West to SW ¼ of Kratka 22.
  - Public water starting in the NW ¼ of Rocksbury 23 and flowing Southwest to the Red Lake River in the NE ¼ River Falls 7.

Year two:

- |        |      |      |      |      |
|--------|------|------|------|------|
| • CD47 | CD53 | CD55 | CD57 | CD58 |
| • CD59 | CD62 | CD70 | CD71 | CD73 |
| • CD74 | CD75 | CD77 | CD96 | JD1  |
- Public water starting in the NW ¼ of Wyandotte 17 and flowing Southwest to the SWE ¼ of River Falls 14.
  - Public water starting in the SE ¼ of River Falls 22 and flowing Northwest to the Red Lake River in the NW ¼ of River Falls 20.
  - Public water starting in the SE ¼ of River Falls 9 and flowing West into the Red Lake River in the NW ¼ of River Falls 17.
  - Thief River starting in the N ½ of North 9 and flowing South into Thief River Falls where it connects with the Red Lake River.
  - Public water starting in the NE ¼ North 10 and flowing Southwest into the SW ¼ of North 10 into JD 30.
  - Public water starting in the S ½ of Polk Centre 14 and has another starting point in the SW ¼ of Polk Centre 13. The two branches merge together in Polk Centre 23 and flow South into the Black River in the SW ¼ of Polk Centre 23.

Year Three:

- |        |      |      |      |      |
|--------|------|------|------|------|
| • JD11 | JD13 | JD14 | JD18 | JD25 |
| • JD30 | JD31 | JD41 | JD60 |      |
- Red Lake River starting in the NE ¼ of Kratka 21 and flowing west to Thief River Falls. It then flows South to the county line in the SE ¼ of River Falls 20 south of St. Hilaire.
  - Black River starting in the NE ¼ of Polk Centre 4 and flowing South to the county line in the SW ¼ Polk Centre 23.