

Minnesota Excessive Ditch Mowing Regulations Exposed

Farming has a lot of challenges. Low prices, sick animals, breakdowns, unpredictable weather, volatile input costs . . . and *ever increasing regulations*.

New "Old" Regulation - Ditch Mowing

One regulation that has popped it's ugly head (it's actually been on the books for 30 years unbeknown to most of us) is the "newly, now enforced" regulations in mowing ditches along state highways. It is a perfect example of government overreach. It is time to expose the excessive ditch mowing regulations.

It seems the Minnesota Department of Transportation and the DNR look for ways to increase their presence and control through more regulations. Let's take a closer look.

Permit to Mow Ditches

Because this "old" regulation is now going to be enforced, all land operators will be required to obtain a permit to mow the road ditches that are adjacent to their land along state highways. For those that may not know, the road ditch is the strip of land between the farmable land and the road. We have land alongside a state highway and typically we don't mow the ditch but we have neighbors that do. It's usually an informal agreement between us (the farmer) and the one who wants the road ditch hay. The grasses/hay is cut and baled to feed cattle or horses. Most years there are usually two cuttings a year. Pretty simple arrangement.

But now it's different

A permit needs to be filed with the Minnesota Department of Transportation by January 31, 2017. If no permit is filed by January 31, anyone can file a permit to mow the ditches. Here are other requirements:

- A certificate of insurance, with the State of Minnesota as the insured, will be required at permitting time. The amount of insurance shall have a limit of not less than \$1 Million per occurrence and \$2 Million in the aggregate. I checked with my insurance company and a new insurance policy is required along with a \$340 yearly premium. Here is the absurdity - *There isn't \$340 worth of road ditch hay!*
- A specific MnDOT-approved high-visibility safety vest and a hard hat need to be worn by the person mowing the ditches.
- A rotating amber light needs to be on the tractor used to mow the ditches.
- No ditches can be mowed before August 1 or after August 31. Normally, the best road ditch hay is mowed in June. By August 1, the quality diminishes. In addition, mowing road ditches

help with weed control. The choices are now to either let the weeds go to seed or use an herbicide for weed control.

- You must contact the area maintenance supervisor prior to cutting and when finished. (Does this remind you of asking permission to use the restroom in school?)

What happens past the deadline?

If a farmer does not file for a permit by January 31, anyone can file for a ditch mowing permit and they do not need approval from the land owner or land operator. This person may or may not choose to mow it. It's a waste of natural resources that can be put to use as a good food source for animals and a challenge to control weeds.

Does it ever end?

I am so tired of more and more regulations. And it's *always* about more inconveniences and/or increased costs. Common sense is thrown out the door. We have been mowing road ditches since the cows come home and it's never been an issue. So why are we changing it?

Does the government really need more control over what we do?

Solution

This regulation needs to be dropped. Period. Let's use our common sense. Yes, safety is important but we can't legislate/regulate *every. single. thing.* we do. And yes, wildlife habitat is important but this is not where you want birds nesting or wildlife living. It's like putting your children's playground equipment next to the highway.

Enough said.

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