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**Riparian Forest Buffer Program Best Practices Discussion Summary**

***In Preparation for Chesapeake Riparian Forest Buffer 2022 Leadership Workshop***

***Pennsylvania Discussion: March 18, 2022***

**Section 1. Background and Objectives**

To help the states prepare for the upcoming Chesapeake Riparian Forest Buffer (RFB) 2022 Leadership Workshop, Eastern Research Group (ERG) led a discussion in each state about state specific RFB programs. Ultimately, these discussions were designed to assist the jurisdictions in writing their Strategic Action Plans for RFB that will be discussed at the workshop. See the Strategic Action Plans for RFB guidance accompanying this summary for additional information.

This document summarizes the discussion that ERG organized and facilitated with representatives from various agencies working on RFB programs and projects in Pennsylvania.

**Participants**

The following individuals participated in the Pennsylvania RFB discussion on March 18, 2022:

* Matt Keefer, Department of Conservation and Natural Resources (DCNR)
* Teddi Stark, Department of Conservation and Natural Resources
* Kelly Rossiter, Department of Conservation and Natural Resources
* Jill Whitcomb, Department of Environmental Protection (DEP)
* Louie Krak, Department of Agriculture
* Jim Gillis, Natural Resources Conservation Service (NRCS)
* Ryan Davis, Alliance for the Chesapeake Bay

**Section 2. RFB Program Best Practices Discussion Summary**

**Part I. General Reflections on Pennsylvania’s Existing RFB Program(s)**

This portion of the discussion focused on successful elements of existing RFB programs in Pennsylvania, as well as challenges. The group considered the following questions:

* How has buffer rollout gone in recent years for programs in your state?
* What elements have worked well in your state and have led to your greatest successes?
* Do the elements for success vary between urban and rural locations?
* What are some of the barriers your program faces?
* Do the barriers vary between urban and rural locations?

Below is a narrative summary of the key take-aways from Part I of the RFB discussion.

**Pennsylvania Discussion Summary**

**Current Successes:**

* DCNR Secretary Dunn supports RFB.
* Networking among agencies and resource professionals is working well.
* Pennsylvania creates fair number of RFB acres through the Environmental Quality Incentives Program (EQIP).
* Current Conservation Reserve Enhancement Program (CREP) payment rates are good.
* DEP staff are teaming up with CREP program staff to help incentivize RFB; if landowners go with a 50-foot or wider buffer, the landowner can access additional funding.
* Pennsylvania has multiple flexible funding sources to fill gaps where CREP does not work.
* Pennsylvania’s progress on RFB is a result of other flexible and fast funding streams.
* Both urban and agricultural landowners are eligible for current RFB funding.
* Innovative strategies are underway on public lands, such as the pilot project with the Department of Corrections.

**Current Challenges:**

* There is no mandate to install riparian forest buffers.
* CREP/EQIP are not fast or flexible programs and usually involve a year-long process.
* Enrollment rates have slowed for CREP/EQIP because the current enrollees are aging and likely do not want to enter into a new 15-year contract.
* Landowners that wanted to sign up for CREP/EQIP have already done so.
* Many funding programs require match, tracking, and assurances of the investment through verification. While these requirements can be considered cumbersome, they are necessary and cannot be eliminated when trying to create more flexible funding sources. The challenge becomes how to pare down these required elements of funding programs.
* Existing programs are not adequate to increase the rates of RFB implementation. Pennsylvania’s recent buffer summit included a presentation on the elements needed to scale-up RFB implementation.
* There is often pressure to spend available funding on any landowner who will agree to do anything.
* Decentralized government structure in Pennsylvania leads to a lot of municipalities trying to get grants to implement projects without aligning projects to the Pennsylvania’s Chesapeake Bay Watershed Implementation Plan. Projects are often driven by municipal separate storm sewer system (MS4) requirements, resulting in expensive stream restoration projects and lost RFB opportunities.
* Sometimes there is tension about the best use of a particular site (e.g., riparian forest buffer or another type of practice, such as stream restoration) and there are not always enough staff to help review the best options for a site.
* Urban and residential has a higher percentage of interested and willing landowners.
* Smaller riparian forest buffer projects still require a lot of technical capacity and assistance.
* More staffing is needed to support a scale-up of RFB projects, but there is no funding for new positions. There is a cap on how much funding can go to conservation districts and the funding is not sufficient to support a full-time employee.
* There is a need for more qualified field staff who can educate landowners on the different options to consider and the best practice for a site. People are often jack-of-all-trades and not specialists. It is difficult to find individuals who can speak to landowners of all types about the different funding and practice options.
* Trainings exist for staff on riparian forest buffer programs, but there is an entire level of staff missing who are needed to do this work.
* Funding for positions is often patched together and is not sustainable; finding a continuous source of funding for positions is important.
* When funding is gone, positions go away, and this leads to decreased program enrollment.
* Even if there are more people to support the programs and do landowner outreach, it is essential to have programs that work.

**Part II. Information on Your State’s Existing RFB Program(s) Logistics**

This portion of the discussion focused on program logistics for Pennsylvania’s RFB programs in urban and/or rural locations. The group considered how existing RFB programs incorporate these elements now, as well as steps that Pennsylvania is taking to incorporate these elements soon. Where RFB programs may not fully address these elements, discussion participants identified some challenges that might arise in trying to do so. Each element related to program logistics is listed, with the associated discussion summary provided underneath.

Eligibility and Flexibility

* Flexible to meet landowner needs
* Available to agricultural and non-agricultural landowners

**Pennsylvania Discussion Summary:**

* Pennsylvania has multiple flexible funding sources to fill gaps in existing programs (e.g., CREP).
* Progress on RFB is coming through other funding streams that are flexible and fast. For example:
  + DEP is trying to use complementary funding sources, such as competitive Growing Greener grants that have a high preference for riparian forest buffers
  + DEP’s Stream ReLeaf program flexible funding approach has worked well for small projects with small acreage
* Funding applicable to both urban and agricultural landowners.

Funding Processes

* No out-of-pocket expense for landowners
* Sustainable source(s) of funding available “on demand”

**Pennsylvania Discussion Summary:**

* Many existing programs funding RFB projects require match.

Program Services

* Technical assistance provided
* Maintenance provided

**Pennsylvania Discussion Summary:**

* Most conservation districts have only one agricultural technician and watershed specialists’ time is often split up among several programs due to funding sources covering the position.
* DCNR will soon have six regional buffer field specialists to provide technical assistance.

Program Integration/Synergy

* Integration of buffers into other existing like-minded state programs (for example, land conservation and the state revolving loan fund program)
* Opportunities to pair programs and funding

**Pennsylvania Discussion Summary:**

* There is potential to expand RFB acreage by using existing money, people, and programs more effectively through pairing and integration.
* Any program could be changed to include a buffer bonus, but it would take working with program partners to make the needed programmatic changes.
* An opportunity to integrate RFB exists through the Pennsylvania Agricultural Conservation Easement Purchase Program, there are 1,200 farms waiting for preservation approval. For preservation approval, a farm must have a conservation plan. There is an opportunity to include RFB into the conservation plans required under this preservation program. (https://www.agriculture.pa.gov/Plants\_Land\_Water/farmland/Easement/Pages/default.aspx)
* The Resource Enhancement and Protection Program (REAP) has the potential to incorporate RFB, but it is a complicated program that applies to very few farmers because of the tax credit threshold. To make REAP work for RFB would require changes to REAP’s eligibility criteria. (https://www.agriculture.pa.gov/Plants\_Land\_Water/StateConservationCommission/REAP/Pages/default.aspx)
* The Chesapeake Bay Alliance staff person working with Pennsylvania is doing a lot of restructuring programs to help incentivize riparian forest buffers by adding cost-share “sweeteners” if landowners sign up to implement riparian forest buffers.
* RFB sweeteners already exist in Pennsylvania. For example, DEP staff have teamed up with CREP program staff to help incentivize riparian forest buffers; if landowners go with a 50-foot or wider buffer, the landowner can access additional funding.
* The pilot project with the Department of Corrections is an example of an innovative project on public lands. The incentive for this effort was the desire to provide vocational training that would lead to marketable skills. There is a need to identify incentive structures and focus on benefits for public entities to undertake riparian forest buffer projects.
* There are efforts underway to identify opportunities for integrating RFB in-setting (v. offsetting) in agricultural supply chains.
* There could be an opportunity to connect RFB implementation with greenhouse gas markets.

**Part III. Information on Enabling Conditions for Your State’s Existing RFB Programs**

Discussion participants considered how Pennsylvania’s RFB programs incorporate enabling conditions now and steps that Pennsylvania is taking to incorporate these conditions in the near-term. The group mentioned where programs may not have these conditions in place and challenges they would face in providing these enabling conditions. Each element related to program logistics is listed, with the associated discussion summary provided underneath.

Supporting Planning and Policy

* High-level coordination and direction at state-level (including a state Buffer Strategy)
* State or local policies supporting buffer restoration or conservation
* Local government engagement to incorporate buffers in planning efforts
* Information on where to prioritize buffer plantings based on areas with the highest potential impact, the greatest opportunity, or other criteria

**Pennsylvania Discussion Summary:**

* There is a strong existing network of agency staff and resource professionals statewide.
* There is no mandate to install riparian forest buffers on private or public lands. There needs to be more discussion about the need for legislation.
* For public lands, there is still a need to identify incentive structures and focus on benefits for public entities to undertake riparian forest buffer projects.
* While there are tools to help prioritize, it is not feasible to be prescriptive about the location of riparian forest buffers. These projects need to happen on a case-by-case basis where it makes sense.

Financial and human resources capacity

* State has adequate staff to effectively implement programs
* Programs have adequate funding to meet demand for buffers

**Pennsylvania Discussion Summary:**

* More staffing is needed to support a scale-up of RFB implementation.
* More funding leads to increased staff capacity, which leads to increased technical assistance.
* DCNR has two field specialists and will soon have another four field specialists to cover six regions as regional buffer resources. These field specialists will need time to get established and build relationships with landowners. Even with these new field specialists, there is still a need for more staff.
* Having an RFB specialist per county is not feasible. Therefore, a temporary approach that is flexible, such as a strike team, could be beneficial. The strike team could deploy to an area to scale-up and ramp up support at a location. Outreach people could go into an area first, followed by the strike team.

Trained and Cost-Effective Service Providers

* Cost-effective restoration contractors available to complete work
* Trained technical assistance providers available to work with landowners

**Pennsylvania Discussion Summary:**

* More trained technical assistance providers are needed to scale-up RFB implementation. (See staffing discussion summary above.)
* NRCS has multiple technical trainings. More specialized training related to RFB could be incorporated into these trainings.

Materials

* Adequate supplies (e.g., trees, planting tubes, etc.)

**Pennsylvania Discussion Summary:**

* The group did not specifically mention if RFB supplies are currently adequate or if supply issues exist and there is a need to address these issues.

The matrix below provides an integrated summary of the discussion points related to the RFB best practice elements. This integrated summary highlights key issues related to each of the best practices and denotes where the group did not identify a program, need, or challenge related to a best practice.

| **Best Practices for Successful RFB Programs (both urban and rural)** | **Existing Programs and Activities**  **Fully or Partially Addressing Best Practice** | **Needs and Challenges to Achieve Best Practice** |
| --- | --- | --- |
| ***Program Logistics*** | | |
| No out-of-pocket expense for landowners | No specific examples of existing programs with no out-of-pocket expenses provided during the discussion. | Matching funds are often still required and this is unlikely to change. |
| Sustainable source(s) of funding available “on demand” | No specific examples of existing sustainable “on demand” funding provided during the discussion. | No needs or challenges related to sustainable “on demand” funding specifically addressed during the discussion. |
| Technical assistance provided | Provided in part through watershed specialists (DEP) and field specialists (DCNR). | More funding needed to hire and retain staff that can provide technical assistance and conduct landowner outreach/engagement activities. A level of staff to do this work is currently missing. |
| Maintenance provided | No specific examples of existing programs that provide maintenance mentioned during the discussion. | No needs or challenges related to programs providing maintenance specifically addressed during the discussion. |
| Flexible to meet landowner needs | Stream ReLEAF and Growing Greener are more flexible, fast programs that help fill the gaps of CREP and EQIP. These programs are also better suited for smaller projects. | Question of whether there should be a variety of different programs or a few programs that do this job well. Modifying existing programs to be more flexible to meet landowner needs can be complicated, especially federal programs. |
| Available to agricultural and non-agricultural landowners | Programs exist for both agricultural and urban landowners. These include CREP, EQIP, Growing Greener, and Stream ReLEAF. | Urban/residential landowners seem more receptive to riparian forest buffers than agricultural landowners. So, even though programs exist for both, the challenge is getting agricultural landowners to implement RFB. |
| Program integration and pairing to incorporate buffers into other existing like-minded state programs (for example, land conservation, state revolving loan fund program, stream restoration) | Integration occurring in CREP with buffer bonuses; Growing Greener, and Stream ReLEAF. Looking for opportunity to RFB in-setting (v. offsetting) in agricultural supply chain. Interest in doing more to connect RFB with greenhouse gas markets. Interest in doing more to modify existing programs to include RFB incentives. | Identify programs that could incorporate RFB and work with program administrators to revise existing programs to incentivize RFB. For example, modify Resource Enhancement and Protection Program (REAP) eligibility criteria and add RFB to conservation plans required by the Pennsylvania Agricultural Conservation Easement Purchase Program. |
| ***Enabling Conditions*** | | |
| Adequate state staff to effectively implement programs | Staffing numbers increasing within DCNR with new field specialists, but overall staffing is not at adequate levels to scale up RFB implementation and provide technical assistance. | More funding is needed to replace staff that are missing and ensure adequate staffing for RFB program implementation. If this level of permanent staffing is not feasible to achieve, may need to consider a temporary staffing model such as a deployable strike team. |
| Adequate program funding to meet demand for buffers | Adequacy of existing program funding to meet demand not specifically mentioned during the discussion. The discussion focused on lack of adequate funding for technical staff. | No needs or challenges related to program funding to scale-up implementation beyond funding for staffing specifically addressed during the discussion. |
| Cost-effective restoration contractors available to complete work | No specific examples of existing programs or activities related to availability of cost-effective restoration contractors mentioned during the discussion. | No needs or challenges related to program funding to scale-up implementation beyond funding for staffing specifically addressed during the discussion. |
| Trained technical assistance providers available to work with landowners | Provided in part through county-level watershed specialists (DEP) and field specialists (DCNR) that will cover six regions. | There is a need for more trained technical assistance providers. More funding needed to fill the significant staffing gap. Temporary strike team model could be used if filling permanent staff positions is not possible. Existing NRCS trainings could integrate specialized RFB training topics. |
| High-level coordination and direction at state-level (including a state Buffer Strategy) | Strong existing network of agency staff and resource professionals statewide. Mapping and prioritization tools exist. | Need more trained staff to effectively use existing mapping and prioritization tools. Need legislation to drive RFB implementation. Need to identify incentive structures and focus on benefits for public entities to undertake RFB projects. |
| State or local policies supporting buffer restoration or conservation | No specific examples of existing state or local policies supporting RFB restoration or conservation mentioned during the discussion. | Need state legislation to help incentivize and drive RFB implementation. |
| Local government engagement to incorporate buffers in planning efforts | No specific examples of local government engagement to incorporate buffers into planning efforts mentioned during the discussion. | No needs or challenges related to local government engagement to incorporate buffers into planning specifically addressed during the discussion. |
| Information on where to prioritize buffer plantings based on areas with the highest potential impact, the greatest opportunity, or other criteria | Mapping and prioritization tools exist. | Need more trained staff to effectively use existing mapping and prioritization tools. |
| Adequate supply of trees and planting tubes | No specific examples of RFB supplies mentioned during the discussion. | No needs or challenges related to RFB supplies specifically addressed during the discussion. |