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

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

***New York Discussion: March 24, 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 New York.

**Participants**

The following individuals participated in the New York Riparian Forest Buffer discussion on March 24, 2022:

* Lauren Townley, New York State Department of Environmental Conservation (NYSDEC)
* Cassie Davis, NYSDEC
* Wendy Walsh, Upper Susquehanna Coalition (USC)\*

\*(The USC involves 22 soil and water conservation districts; 18 in New York and four in Pennsylvania.)

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

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

This portion of the discussion focused on successful elements of existing RFB programs in New York, 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.

**New York Discussion Summary**

**Current Successes:**

* USC has a dedicated RFB coordinator. The person in this position has contributed to significant RFB progress. The coordination provided through this position has strengthened the Trees for Tribs program and increased RFB implementation through federal, state and local funding.
* USC sets aside funding for RFB evaluation and maintenance, regardless of what program landowners are enrolled in for their RFB project.
* The USC RFB coordinator has a team of stewards across the watershed to provide technical assistance and maintenance support to landowners. This team consists of 8-10 seasonal college students in addition to USC staff. This approach has increased the RFB survival rate. NYSDEC funds the USC RFB stewardship through a Memorandum of Understanding (MOU) with the New York State Department of Agriculture and Markets (NYSAGM) outside of a traditional program. The source of funding is Chesapeake Bay Implementation Grant (CBIG).
* USC also has a full-time buffer technician.
* USC’s RFB program works across the whole watershed, not limited to county boundaries or federal funding programs. USC staff can help a member county where they do not have RFB expertise.
* USC Buffer Committee meetings help to keep the USC apprised of programs and informed about future funding and direction.
* Some soil and water conservation districts (SWCDs) have staff knowledgeable about buffer programs and logistics
* USC utilizes as many different funding sources as possible for RFB. The USC RFB coordinator and SWCD staff talk to landowners about RFB programs available at federal, state, and local levels and determines if one or a combination of programs are a best fit for a landowner.
* A great partnership exists among USC, NYSAGM, NYSDEC, and federal RFB programs.
* USC RFB Coordinator has continued coordinating meetings every six months with state and federal agencies on RFB issues. In addition, there are also regular RFB side meetings among key partners.
* New York also offers state incentives for CREP RFB enrollment.

**Current Challenges/Barriers:**

* Limited staffing capacity is challenging. Although RFB funding is available, very little of this funding can support staff for purposes of technical assistance. It would be beneficial to have more technicians or more stewards by replicating the USC RFB Coordinator position in a few locations across the watershed.
* Scaling up RFB implementation without additional staffing is challenging because the quality of the services provided to participating landowners will suffer.
* Lack of staff capacity also limits expanding RFB to non-agricultural land and working with non-agricultural landowners.
* RFBs are not an easy practice to implement, monitor, maintain, and establish. This practice requires involvement from more technical people than other practices over the initial three -five years for establishment.
* RFB is a challenging practice to sell to landowners. It requires selling RFB and associated benefits on a case-by-case basis to landowners to make the program and the project implementation fit the individual landowner. As a result, selling this practice is time consuming for staff. If the RFB is not effective or does not establish successfully, landowners will have a negative perception of RFB.
* Implementing RFB on cropland is a harder sell than on pastureland; as a result, the western side of the watershed has not been as engaged in RFB implementation.
* Federal partners do not prioritize RFB as a practice.

**Part II. Information on New York’s RFB Program(s) Logistics**

This portion of the discussion focused on program logistics for New York’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 New York 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

**New York Discussion Summary:**

* The Conservation Reserve Enhancement Program (CREP) focuses on agricultural lands. However, this program is still a non-starter in most areas of the Upper Susquehanna watershed due to complexities and length of time.
* NYSDEC has a statewide program called Trees for Tribs for riparian buffers. This program is generally targeted for non-agricultural areas. USC coordinates Trees for Tribs throughout the Upper Susquehanna watershed. (<https://www.dec.ny.gov/animals/77710.html>)

Funding Processes

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

**New York Discussion Summary:**

* RFB implementation in Tioga County is usually in conjunction with a prescribed grazing system or a stream corridor management plan. In this situation, USC will cover the full expense of implementing the RFB for the landowner and the landowner cost-shares the agricultural practices related to the prescribed grazing system or management plan. USC would not ask the landowners to provide any cost share on the RFB to promote implementation.
* The USC Water Quality Program fills cost share program gaps and sometimes completely pays for RFB implementation using multiple funding sources, including the State Buffer Program and National Fish and Wildlife Foundation.

Program Services

* Technical assistance provided
* Maintenance provided

**New York Discussion Summary:**

* Through USC Buffer Steward Program, landowners receive RFB technical and maintenance assistance regardless of the program used to fund the RFB implementation (e.g., CREP or Trees for Tribs).

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

**New York Discussion Summary:**

* New York’s nonpoint source pollution grants and climate resilient farming grants include additional scoring points for RFB. These programs are for agricultural land use only.
* New York’s land conservation programs require RFB implementation with the land conservation.
* There is a growing connection to land trusts in the state and RFB.
* There is an opportunity to look at the state revolving loan fund and explore RFB integration.
* New York’s Water Quality Improvement Project (WQIP) Program administered by NYSDEC for non-agricultural land incorporates RFB into eligibility. People usually apply to the WQIP for more traditional stream bank stabilization. But stream bank projects that include RFB will score higher. With more staff capacity, it could be possible to help landowners take advantage of this funding source. (<https://www.dec.ny.gov/pubs/4774.html>).

**Part III. Information on Enabling Conditions for New York’s Existing RFB Programs**

Discussion participants considered how New York’s RFB programs incorporate enabling conditions now and steps that New York 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

**New York Discussion Summary:**

* Significant high-level RFB coordination exists in the Upper Susquehanna watershed, but not statewide.
* There is not an overarching state policy supporting RFB restoration or conservation.
* Most municipalities do have local policies that include RFB.
* The issue of local government engagement to incorporate RFB in planning efforts is a question for local or regional planning boards. The USC Buffer Team could take steps to encourage this, but it is unlikely that it is currently happening. Local government engagement should be educational about the whole stream corridor.

Financial and human resources capacity

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

**New York Discussion Summary:**

* USC anticipates having funding for fall 2022 RFB projects, but there are still gaps present with new agreements and grant contracts.
* The USC RFB Coordinator has increased the number of projects in a way that is consistent and sustainable with current staffing levels. If demand for RFB implementation significantly increased at current staffing levels, USC would not be able to provide the associated technical assistance and maintenance services without additional funds to increase staffing capacity and implementation.
* NYSDEC sees a benefit to adding more staff at USC, not at the state level. USC is the organization making progress on RFB implementation in the watershed.
* NYSDEC tries to pass through as much of state agency funding as possible to USC at the local level because this organization is making significant progress in RFB implementation.
* Without building and sustaining staff capacity, it will be difficult to scale-up RFB implementation in New York’s portion of the Chesapeake Bay watershed and offer high-quality technical and maintenance services that are needed for successful projects and to maintain positive landowner perceptions of RFB projects and associated programs.

Trained and Cost-Effective Service Providers

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

**New York Discussion Summary:**

* Trained contractors are available to do RFB work. However, USC has found it challenging to get contractors to do tree plantings for smaller projects. As a result, the USC RFB Coordinator has bundled bids and projects to make the work more appealing to contractors.
* USC provides trained technical assistance to landowners through stewards.
* USC currently does not have contractors to perform maintenance. It has been challenging for USC to engage with entities that could provide establishment services.

Materials

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

**New York Discussion Summary:**

* Riparian plant inventories have been low on stock in the past.
* New York has a state tree nursery supported by state funding; however, the nursery does not provide stock until early May, significantly shortening USC’s planting window.
* The New York state tree nursery does not have an adequate supply of trees for all the USC RFB projects. USC obtains materials from local suppliers to meet demand.
* Private nurseries meet USC’s plant needs and the state nursery fills gaps.

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 | For Tioga County, USC RFB Program supports all RFB costs for landowners; landowners cost-share other agricultural practices. The USC Water Quality Program tries to cover RFB costs for landowners using multiple funding sources. | Need to address delayed grant contracts and agreements that result in gaps within the USC Water Quality Program. |
| Sustainable source(s) of funding available “on demand” | No specific examples of sustainable sources of funding available on demand provided during the discussion. | No additional needs or challenges related to sustainable sources of funding available on demand specifically addressed during discussion. |
| Technical assistance provided | USC Buffer Team and seasonal stewards provide technical assistance to all landowners, regardless of RFB program. | Need additional funding to increase staff capacity at USC to scale-up and provide more technical assistance. The goal is to only expand RFB projects if there is adequate staff capacity to provide quality technical assistance to ensure project success and landowner support/satisfaction. |
| Maintenance provided | USC Buffer Team and seasonal stewards provide maintenance to all landowners, regardless of RFB program. | Need additional funding to increase staff capacity at USC to scale-up and provide more maintenance. Also engaging with maintenance contractors is needed. The goal is to only expand RFB projects if there is adequate staff capacity to provide quality monitoring and maintenance to ensure project success and landowner support/satisfaction. |
| Flexible to meet landowner needs | USC RFB Coordinator works with individual landowners to identify the program(s) that best meet landowners’ needs. | Need additional funding to increase staff capacity at USC to allow for more individualized landowner relationship building and customizing RFB funding approach for an individual landowner. |
| Available to agricultural and non-agricultural landowners | USC Buffer Team uses both CREP (agricultural) and Trees for Tribs (non-agricultural) to fund RFB.  USC Water Quality Program. | Need additional staff capacity within USC to expand ability to sell more RFB projects to non-agricultural landowners and use other state funding sources such as WQIP. |
| 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) | Several state grant programs include higher scoring for projects that integrate RFB. | Need to consider integrating RFB into state revolving loan fund and how to increase projects with RFB components applying for funding through WQIP.  Many existing state programs are designated for a specific land use and do not support RFB throughout the landscape. Need to expand program eligibility to accommodate RFB implementation throughout a stream corridor with variable land uses or help match multiple programs to these land uses. |
| ***Enabling Conditions*** | | |
| Adequate state staff to effectively implement programs | USC Buffer Team adequately staffed to meet current demand in the watershed, but could not support a scale-up or expansion at current staffing levels. | Need additional staff capacity within USC to expand RFB projects beyond current demand. |
| Adequate program funding to meet demand for buffers | Multiple RFB funding sources available to meet current demand for RFB implementation. | Need additional funding sources that will support RFB staffing. Most funding sources focus on RFB implementation, but funding to increase buffer team staff capacity at USC is needed to support a scale-up of RFB implementation. |
| Cost-effective restoration contractors available to complete work | Contractors available to plant RFB projects, but challenges exist. Not many contractors to support riparian buffer establishment via mowing or herbicide. Need to engage with many contractors across many projects. | Need to bundle smaller-scale RFB projects for bidding/contracting to attract contractors and make projects cost-effective for them. Bundling projects requires additional staff resources. |
| Trained technical assistance providers available to work with landowners | USC Buffer Team includes trained seasonal stewards. | Need additional funding to support expansion of steward teams available to provide technical assistance in the watershed. |
| High-level coordination and direction at state-level (including a state Buffer Strategy) | High-level coordination among RFB partners occurring at watershed-scale through USC RFB Coordinator two times per year with additional frequent side meetings. | No additional needs or challenges related to sustainable sources of funding available on demand specifically addressed during discussion. |
| State or local policies supporting buffer restoration or conservation | Some local policies supporting buffer restoration or conservation may exist, but not verified. | No statewide policy supporting buffer restoration or conservation exists, but unclear if this is needed to support RFB work in New York’s portion of the Chesapeake Bay watershed. |
| Local government engagement to incorporate buffers in planning efforts | Uncertain if this is currently happening within the local governments located in the Upper Susquehanna watershed. | Could potentially engage with local or regional planning boards to discuss opportunities to incorporate RFB into planning efforts. Engagement with local municipal officials should be regarding the entire stream corridor. |
| Information on where to prioritize buffer plantings based on areas with the highest potential impact, the greatest opportunity, or other criteria | USC has tools and information to identify and prioritize RFB projects. | No additional needs or challenges related to RFB prioritization information specifically addressed during discussion. |
| Adequate supply of trees and planting tubes | USC relies on private nurseries to meet demand with state nursery trees filling any gaps. | It is unclear if supply will become an issue if RFB demand expands over time. |