Buffer Options for the Bay

REGULATORY OPTIONS FOR BUFFER ACTION

Option	Advantages	Considerations	Examples	BOB Resources
State Level: Maintain the state's current SWQPA	• People are generally familiar with the regulation. • Provides some consistency at state level for landowners and developers. • Allows for flexibility at local level to protect additional resources.	• Enforcement is inconsistent and under resourced. • Aligning state and local requirements can be confusing for boards, landowners, and developers. • Regulation's scientific basis is unclear. • Does not protect 85% of N.H. water bodies and associated buffers. • Can be difficult for communities to increase protections when residents feel the state would have a stronger standard if it were needed.	N.H. communities with no additional protection (as of 2013 when data last collected) include: Brookfield, East Kingston, Epping, Farmington, Hampton Falls, Middleton, Milton, North Hampton, Northwood, Nottingham, Rollinsford, and Sandown (PREP 2013).	• Policy Synthesis • Community Assessment
State Level: Expand or strengthen current SWQPA	• Enhance consistency across all jurisdictions for regulators, developers, landowners. • Likely increase the number of protected water bodies. • Rely on state expertise to determine buffer widths. • Could use fixed widths, variable widths, or a combination of the two.	• Requires communities, landowners, and developers to trust state level decision makers & scientists. • Might prevent local communities from increasing protection. • Require additional resources at the state level to implement and enforce.	Rhode Island	• Policy Synthesis • Community Assessment • Coastal Science Literature Review

Option	Advantages	Considerations	Examples	BOB Resources
Local level: Maintain a 100-foot, fixed width buffer ordinance	• Affirms local control and can align with values in the town. • Allows for consistency within the town for land owners and developers. • Provides the minimum required protection of most buffer functions.	• Can be considered arbitrary when site conditions have not been properly evaluated. • Creates inconsistency for developers working with towns that require different widths. • Based on science from across disciplines & around the country. • Not enough local studies to assess the effectiveness of different widths; it could be larger or smaller than 100 feet depending on vegetation, soils, slope, and land use. • Effectiveness will depend on what stream order or waterbody type the buffer is applied to.	N.H. Communities with 100-foot, fixed width buffers.	• Coastal Science Literature Review • Policy Synthesis • Community Assessment
Local or State Level: Variable width buffer ordinance	• Takes soils, slope, and surrounding landscape into consideration. • More scientifically defensible if based on mutually agreed upon information. • Can be linked to mapping resources to view different aspects of the site all at once.	• Requires local science and mapping efforts. Could delay a project. • Requires resource investments to implement and enforce. • Communities may not be equipped to implement this.	Washington State Island County	• Coastal Science Literature Review • Policy Synthesis

Option	Advantages	Considerations	Examples	BOB Resources
Multiple Scales: Conservation of buffer strips	• Protects all functions of the buffer that occur within the distance of the buffer strip. • Does not require additional science to implement. • Compensates landowners and developers fairly for lost opportunity costs. • Avoids costs to fix or restore problems later.	• Expensive option. • Removes land from tax base & out of potential use for private financial gain.	See Maps page to see where buffers are currently protected in your community	• Maps • Economic Literature Review
Multiple Scales: Reforest or revegetate	• Protects and enhances all functions of the buffer. • Can be an opportunity to engage citizens in action to protect water quality. • Avoids costs to fix or restore problems later. • Largely would occur without any regulation or transfer of property rights.	• Changes views and options for agricultural use or some types of recreational use. • Dependent on willing land owner.	Conservation Enhancement Reserve Program Funding Sources to support buffer conservation & restoration Restoration case studies from around the country	• Policy Synthesis
Multiple Scales: Tax incentives	• Compensates land owners for restricting use. • Opportunity to build public support for buffers.	• Costs to administer. • Requires public funding. • Need additional science and monitoring that has been well vetted to implement tax incentives that align with buffer function.	Washington State Island County	• Policy Synthesis • Economic Literature Review