

# Buffer Options for the Bay

## REGULATORY OPTIONS FOR BUFFER ACTION

Option	Advantages	Considerations	Examples	BOB Resources
<p><b>State Level:</b> Maintain the state's current SWQPA</p>	<ul style="list-style-type: none"> <li>● People are generally familiar with the regulation.</li> <li>● Provides some consistency at state level for landowners and developers.</li> <li>● Allows for flexibility at local level to protect additional resources.</li> </ul>	<ul style="list-style-type: none"> <li>● Enforcement is inconsistent and under resourced.</li> <li>● Aligning state and local requirements can be confusing for boards, landowners, and developers.</li> <li>● Regulation's scientific basis is unclear.</li> <li>● Does not protect 85% of N.H. water bodies and associated buffers.</li> <li>● Can be difficult for communities to increase protections when residents feel the state would have a stronger standard if it were needed.</li> </ul>	<p>N.H. communities with no additional protection (<a href="#">as of 2013</a> when data last collected) include: Brookfield, East Kingston, Epping, Farmington, Hampton Falls, Middleton, Milton, North Hampton, Northwood, Nottingham, Rollinsford, and Sandown (PREP 2013).</p>	<ul style="list-style-type: none"> <li>● <a href="#">Policy Synthesis</a></li> <li>● <a href="#">Community Assessment</a></li> </ul>
<p><b>State Level:</b> Expand or strengthen current SWQPA</p>	<ul style="list-style-type: none"> <li>● Enhance consistency across all jurisdictions for regulators, developers, landowners.</li> <li>● Likely increase the number of protected water bodies.</li> <li>● Rely on state expertise to determine buffer widths.</li> <li>● Could use fixed widths, variable widths, or a combination of the two.</li> </ul>	<ul style="list-style-type: none"> <li>● Requires communities, landowners, and developers to trust state level decision makers &amp; scientists.</li> <li>● Might prevent local communities from increasing protection.</li> <li>● Require additional resources at the state level to implement and enforce.</li> </ul>	<p><a href="#">Rhode Island</a></p>	<ul style="list-style-type: none"> <li>● <a href="#">Policy Synthesis</a></li> <li>● <a href="#">Community Assessment</a></li> <li>● <a href="#">Coastal Science Literature Review</a></li> </ul>

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<p><b>Local level:</b> Maintain a 100-foot, fixed width buffer ordinance</p>	<ul style="list-style-type: none"> <li>● Affirms local control and can align with values in the town.</li> <li>● Allows for consistency within the town for land owners and developers.</li> <li>● Provides the minimum required protection of most buffer functions.</li> </ul>	<ul style="list-style-type: none"> <li>● Can be considered arbitrary when site conditions have not been properly evaluated.</li> <li>● Creates inconsistency for developers working with towns that require different widths.</li> <li>● Based on science from across disciplines &amp; around the country.</li> <li>● 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.</li> <li>● Effectiveness will depend on what stream order or waterbody type the buffer is applied to.</li> </ul>	<p><a href="#">N.H. Communities with 100-foot, fixed width buffers.</a></p>	<ul style="list-style-type: none"> <li>● <a href="#">Coastal Science Literature Review</a></li> <li>● <a href="#">Policy Synthesis</a></li> <li>● <a href="#">Community Assessment</a></li> </ul>
<p><b>Local or State Level:</b> Variable width buffer ordinance</p>	<ul style="list-style-type: none"> <li>● Takes soils, slope, and surrounding landscape into consideration.</li> <li>● More scientifically defensible if based on mutually agreed upon information.</li> <li>● Can be linked to mapping resources to view different aspects of the site all at once.</li> </ul>	<ul style="list-style-type: none"> <li>● Requires local science and mapping efforts. Could delay a project.</li> <li>● Requires resource investments to implement and enforce.</li> <li>● Communities may not be equipped to implement this.</li> </ul>	<p><a href="#">Washington State Island County</a></p>	<ul style="list-style-type: none"> <li>● <a href="#">Coastal Science Literature Review</a></li> <li>● <a href="#">Policy Synthesis</a></li> </ul>

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Multiple Scales: Conservation of buffer strips	<ul style="list-style-type: none"> <li>Protects all functions of the buffer that occur within the distance of the buffer strip.</li> <li>Does not require additional science to implement.</li> <li>Compensates landowners and developers fairly for lost opportunity costs.</li> <li>Avoids costs to fix or restore problems later.</li> </ul>	<ul style="list-style-type: none"> <li>Expensive option.</li> <li>Removes land from tax base &amp; out of potential use for private financial gain.</li> </ul>	See <a href="#">Maps page</a> to see where buffers are currently protected in your community	<ul style="list-style-type: none"> <li><a href="#">Maps</a></li> <li><a href="#">Economic Literature Review</a></li> </ul>
Multiple Scales: Reforest or revegetate	<ul style="list-style-type: none"> <li>Protects and enhances all functions of the buffer.</li> <li>Can be an opportunity to engage citizens in action to protect water quality.</li> <li>Avoids costs to fix or restore problems later.</li> <li>Largely would occur without any regulation or transfer of property rights.</li> </ul>	<ul style="list-style-type: none"> <li>Changes views and options for agricultural use or some types of recreational use.</li> <li>Dependent on willing land owner.</li> </ul>	<a href="#">Conservation Enhancement Reserve Program</a>  <a href="#">Funding Sources to support buffer conservation &amp; restoration</a>  <a href="#">Restoration case studies from around the country</a>	<ul style="list-style-type: none"> <li><a href="#">Policy Synthesis</a></li> </ul>
Multiple Scales: Tax incentives	<ul style="list-style-type: none"> <li>Compensates land owners for restricting use.</li> <li>Opportunity to build public support for buffers.</li> </ul>	<ul style="list-style-type: none"> <li>Costs to administer.</li> <li>Requires public funding.</li> <li>Need additional science and monitoring that has been well vetted to implement tax incentives that align with buffer function.</li> </ul>	<a href="#">Washington State Island County</a>	<ul style="list-style-type: none"> <li><a href="#">Policy Synthesis</a></li> <li><a href="#">Economic Literature Review</a></li> </ul>