



STATE FUNDING FOR THE PURCHASE OF LAND OR CONSERVATION EASEMENTS FOR SOURCE WATER PROTECTION

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INTRODUCTION

I am writing this article to let you know that there are now state programs that can provide funds to your system to help pay the costs of purchasing land or conservation easements around your system's drinking water source(s). Note that a conservation easement is a legal agreement that protects the natural resources of a parcel of land by restricting future land use and/or development on the property. The purpose of these state programs is to promote source water protection by ensuring that critical land near public drinking water sources is used in a manner that will not harm the public water supply and that water quality is enhanced. These programs are available through the New York State Department of Environmental Conservation (NYSDEC) and the New York State Soil and Water Conservation Committee (SWCC). These two programs have differing requirements and I will illustrate which of these may work for your system.

NYSDEC WATER QUALITY IMPROVEMENT PROJECT (WQIP) LAND ACQUISITION PROGRAM

The WQIP Land Acquisition Program is a competitive, statewide program that provides money to purchase parcels and/or conservation easements for land that is near an active public drinking water supply. Municipalities, and not-for-profit corporations such as land trusts, or soil and water conservation districts may apply. There is required local match of 25% of the requested grant amount and there is a \$4 million maximum award amount. Note that donated property can be used towards the match.

For parcels that are adjacent to waterbodies used as a water supply or are adjacent to tributaries draining to a water supply, there must be either an existing riparian buffer or wetland present or a riparian buffer or wetland must be restored. A riparian buffer is a strip of vegetation (trees, shrubs, or grass) planted next to streams or other waterbodies that is designed to protect against nonpoint source pollution, provide bank stabilization, and promote aquatic and wildlife habitat.

As I mentioned before, this program is competitive. There is a once a year application period that typically begins in spring and closes in late-July. An application for land acquisition for source water protection, like all WQIP applications, receives a score of between 0 and 100. Project scoring criteria are based upon the

location of the parcels largely with respect to public drinking water source, the reasonableness of the proposed budget, certain source water protection prioritization factors, project readiness, experience and ability, and finally priority points as determined by each Regional Economic Development Council (there are ten such councils across the state).

NYS SWCC SOURCE WATER BUFFER PROGRAM

The New York State Soil and Water Conservation Committee (SWCC) in coordination with the Department of Agriculture and Markets, administers the Source Water Buffer Program. This program provides funds for the purchase of conservation easements and projects that establish riparian buffers on farmland that borders public drinking water sources. Eligible land includes cropland, riparian lands, pasturelands, and agricultural woodlots. Conservation easements may be for a 50-year term or have a perpetual duration. The program does not fund the outright purchase of property.

In the Source Water Buffer Program, only local Soil and Water Conservation Districts (SWCDs) are eligible to apply to the program on behalf of interested farmers. However, SWCDs may partner with municipalities. Public water suppliers for example could hold the conservation easement and/or have a 3rd party right of enforcement. Similar to the WQIP Land Acquisition Program, the State provides a maximum of 75 percent of the total eligible costs for the purchase of the conservation easements under the SWCC Source Water Buffer Program. The 25 percent local match may be in the form of cash, or in-kind services which are calculated using an assigned cash value. Conceivably, local municipalities could partner and share in this local match. I believe that the value of the donated land can be used for a match, but I would check with the NYS SWCC or local SWCD to be sure. In addition, involved landowners included in the application must have worked with the Agricultural Environmental Management (AEM) program. This is a voluntary, incentive-based program.

Applications for the Source Water Buffer Program are accepted continuously and are funded on a first-come, first-served basis (unlike the WQIP Land Acquisition Program which again is once a year). >>>

CLOSING THOUGHTS AND MORE INFORMATION

In closing, if your water system has a need to further protect its drinking water supply sources, owning additional land or having conservation easements are a direct means of source water protection. There are now assistance funds to do this. If you have questions, feel free to contact me at winkley@nyruralwater.org or 1-888-NYRURAL, ext. 170. For information about the WQIP Land Acquisition Program, you can view the fact sheet at: https://www.dec.ny.gov/docs/water_pdf/wqipldacfactsheet.pdf

A fact sheet on the Source Water Buffer Program can be downloaded at: <https://www.agriculture.ny.gov/rfps/rfa0181/Source%20Water%20Buffer%20Fact%20sheet%208.19.pdf>

