

***NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER SUPPLY***

**NYC Land Acquisition Program Solicitation Methodology for
The Riparian Buffer Acquisition Program,
New York City Flood Buyout Program,
And WAC Farm / Forest Conservation Easement Programs
2012-2017**

May 2014

*Prepared in accordance with Section 4.2 of the
Revised Draft 2007 Filtration Avoidance Determination*



Prepared by: DEP, Bureau of Water Supply

Section 4.2 of the Revised 2007 FAD requires the City to provide a methodology for crediting acres solicited within the following programs: the Riparian Buffer Acquisition Program (“RBAP”), the NYC Flood Buyout Program (“NYC FBO”), and the Farm & Forest Easement Program managed by the Watershed Agricultural Council (“WAC CEs”). The FAD allows the City to take credit for acreage solicited through these programs as follows:

Program	Maximum Credit Allowed
RBAP	Double the number of acres solicited annually
NYC FBO	Double the number of acres solicited annually
WAC CEs	Up to 10,000 acres annually

Methodology

Each program has or will have distinct solicitation methodologies, although most are not completely determined because many program details (with the exception of WAC Farm Easements) have yet to be finalized.

Nonetheless we can describe methodologies that will be used to count the acreage solicited in each program, as follows:

RBAP

Solicitation criteria will be established with the land trust vendor when one is selected. Properties will be considered solicited using processes similar to the LAP process outlined in Attachment Z of the 1997 Memorandum of Agreement (“MOA”) – i.e., we expect letters and phone calls to be used, with non-responsive or uninterested landowners considered as solicited. More specifically:

- For vacant parcels, entire parcels whose owners receive solicitation letters will be considered solicited unless a site visit results in disinterest on the part of the program.
- For improved parcels, acreage will be determined by subtracting the area typically reserved and retained around any improvements (for example, a 9-acre residential parcel might become a 6-acre solicitation).

FBO

The exact methodology for FBO solicitation will be determined as the Program Plan is further developed this year. Solicitation will only apply in towns that ‘opt in’ to the Program, and a property will be considered solicited if outreach to the owner has followed a process established by the City (or by the City and its partner) and conforming to Exhibit Z of the MOA. It is expected that any property receiving outreach by an involved municipality would be considered solicited in its entirety, whether vacant or improved.

WAC CEs

Farms:

- WAC conducts Annual Status Reviews (ASR) on each farm that is covered by a Whole Farm Plan (WFP). During the ASR, WAC informs the landowner about the Agricultural Conservation Easement Program, distributes an application and CE brochure, and asks if the landowner has an interest in selling a CE.
- Interested landowners are marked as such in WAC’s database. WAC staff periodically prints reports listing farms and acreage. Farms that have expressed interest and may be considered eligible for the CE program receive an application that must be filled out and returned to WAC by the landowner in order to proceed.
- Farms that reach the point where they have been deemed eligible, and on which WAC has initiated follow-up contact, and which aren’t removed from the list due to non-compliance with WFPs, violations of other CEs, etc., will be counted as solicited for the applicable year.

Forests:

- Forest CE solicitations are expected to be determined in ways that conform to the standard solicitation process outlined in Attachment Z of the MOA. If the properties meet all requirements of the MOA, FAD and WSP, such acreage would credit toward LAP solicitations.