

- All floodplain easements are permanent easements.
- Applications will be taken by NRCS staff at USDA Service Centers.
- Applications will be ranked using the Virginia Floodplain Easement Program Eligibility Determination and Ranking Worksheet (attached).
- Eligible land includes:
 - Land damaged by flooding at least twice in last 10 years or once in last year.
 - Other lands within the floodplain that are functionally dependent on acres eligible above, or that would improve the practical management of the easement. No more than one acre of other land may be enrolled for each acre of land eligible under first bullet.
 - Land that would be inundated or adversely impacted as a result of a dam breach.
 - Land must be privately owned or owned by State or local units of government. Federally owned land is not eligible.
- Easement compensation will be based on the least of the following 3 criteria:
 - Area-Wide Market Analysis
 - Geographic Rate Cap (see attached map and rates)
 - Landowner's Offer
- Landowners must provide copy of deed for property offered. If property is owned by an entity, the entity must provide the necessary documentation to prove ownership.
 - A title search must be conducted.
- A hazardous substance records search will be conducted.
- An environmental evaluation and cultural resources review will be completed.
- All legal and administrative costs are paid 100% by NRCS.
- A restoration plan will be developed.
 - NRCS pays 100% of the restoration costs (removing dikes, fencing out livestock, alternative water, planting trees or native vegetation, etc.).
- Compatible Uses: If landowner requests compatible uses, such as haying, grazing or managed timber harvesting, those associated costs are the responsibility of the landowner. Compatible use authorization will only be made if the agency determines that the proposed use is consistent with the long-term protection and enhancement of the floodplain functions and values of the easement area. NRCS will prescribe the amount, method, timing, intensity, and duration of the compatible use in a management plan.
- The 7-year ownership provision in WRP does not apply to Floodplain Easements.
- Landowners still own the land and must pay real estate taxes, control noxious plants and pests, and maintain all fences at their own expense. Landowners retain the right to control public access, quiet enjoyment, and undeveloped recreational use such as hunting and fishing.
- Timelines
 - National Sign-up Period is March 9-27, 2009.
 - All offers for acquiring easement will be made to landowners by May 4, 2009.
 - All easements will be recorded by December 3, 2009
 - All restoration will be fully completed by December 30, 2010.