

Nevada

March 2010

Fact Sheet

Wetland Reserve Program in Nevada

OVERVIEW

The Wetland Reserve Program funds to restore, protect, and enhance wetlands on eligible private or Tribal land in Nevada, while maximizing wildlife habitat benefits. Management practices are required to improve and maintain habitat for migratory birds and other wetland dependent wildlife; protect and improve water quality; attenuate water flows; recharge ground water; protect and enhance open space and aesthetic quality; protect native flora and fauna and contribute to education and scientific scholarship.

ELIGIBLE LANDOWNERS

Eligible landowners (private or Indian Tribes) may enroll in one or a combination of the following enrollment options: restoration cost-share agreement for a length of 10 years plus the length of time to complete scheduled restoration practices; permanent easement for perpetuity; or a 30-year contract on acreage owned by Indian Tribes only.

All program eligibility requirements must be met. Upon application, NRCS will provide the landowner with program information to assist them in making a decision whether to continue with the application process. All program applicants are required to be in compliance with the highly erodible land and wetland conservation provisions and adjusted gross income provisions and that land enrolled in WRP will be ineligible for any other USDA program payments for the life of the enrollment. Depending upon the type of program application submitted additional forms will be provided to the applicant to determine if they wish to proceed or not.

Only owners of private land or acreage owned by Indian Tribes may enroll land in WRP. Easement

applicants must be able to convey clear title to the land, provide consent or subordination agreements, written recorded access to the easement for restoration, management, maintenance, monitoring and enforcement purposes. Additional investigations will be required after landowner is determined eligible; such as preliminary title search (easement applications) and hazardous substance record searches. The applicant for the permanent easement must have owned the land for at least 7 years. NRCS may waive this ownership requirement.

ELIGIBLE LAND

Eligible land can include: farmed wetland or converted wetlands, "swampbuster" categories, lands substantially altered by flooding, former or degraded wetland, riparian areas, wetlands restored under another programs, adjacent lands, hydric soil inclusions and atypical situation. Examples of ineligible land include: land with existing easement or deed restrictions, converted wetlands, lands where water rights cannot be assured, adverse off-site and on-site conditions, lands with severed mineral rights or gas and oil leases, high restoration or maintenance cost to the government or land where owner has manipulated boundaries to create in-holdings, outparcels, landlocked holdings, rights of ways, etc.

NRCS will determine land eligibility through an on-site evaluation process in consultation with the US Fish and Wildlife Service (FWS). Land may be considered eligible if land maximizes wildlife benefits and wetland functions and values, and has the likelihood of successful restoration and resultant wetland functions values merit inclusion in program. NRCS will be required to complete National Environmental Policy Act (NEPA) evaluation

process and documentation on the land, complete Endangered Species Act (ESA) assessments and consultation with FWS, as applicable and National Historic Preservation Act (NHPA) assessments and documentation.

PAYMENTS

For all easements and 30-year contract acquisitions by NRCS, the State Conservationist uses an established process to determine easement and 30-year contract values. The compensation will be based upon the lowest of: the fair market value of the land (appraisals only in Nevada); a geographic area rate cap (GARC); or an amount voluntarily offered by the landowner at time of application. NRCS policy requires participants to receive 75 percent of the value established by the lowest amount of either the appraisal or the GARC. For example, if the land has a fair market value of \$1,000,000 and the GARC value is \$900,000, then the compensation would be 75% of \$900,000 or \$675,000. If the landowner offer is the lowest value, this may enhance the probability of program enrollment.

For all enrollment types, a WRP Plan of Operations (WRPO) must be developed. A preliminary restoration plan is required to be developed during on-site visits with the landowner. The landowner has to opportunity to participate in the development of restoration, management, maintenance, and future enhancement plans. NRCS shall share the cost of establishing conservation practices, measures, and activities necessary to protect wetland functions and values, including necessary maintenance activities to the extent that cost-sharing is appropriate. The landowner must agree to the implementation of a WRPO to participate in the program. Wetland enhancement or creation practices on upland acres are considered eligible conservation practices for cost-sharing when they are part of the restoration objectives.

Wetland restoration activities, whether completed by the landowner or NRCS, are required to begin within one year of an easement recording, date of the 30-year contract, or restoration agreement is signed by the State Conservationist.

Unless a partner or landowner donation applies, the amount of NRCS funding for a restoration cost-share agreement is 75% of the cost of the restoration. Where a restoration agreement is included as part of a permanent easement purchase, NRCS will pay 100% of the cost of restoration.

Permanent easements held in perpetuity with private landowners are paid 100% of the least cost value of the appraisal, GARC, or landowner donation.

Thirty-year easements and 30-year contracts are available only to Indian tribes in Nevada. The compensation amount for the 30-year easement or contract shall not exceed 75% of the value determined for a permanent easement. USDA will pay for the appraisal, legal boundary survey, technical appraisal reviews, and closing costs associated with establishing the easement.

All applications are ranked for enrollment based upon likelihood of success of restoration of wetland functions, values and maximizing wildlife benefits, significance of wetland functions and values, and duration of enrollment in the program. Applications will be accepted on a continuous process and will be evaluated on a continuous basis if they meet threshold priority requirements.

WRP lands can be used for compatible economic uses if the use is permitted by NRCS. Most activities require site-specific evaluation prior to determining compatibility

FOR COMPLETE DETAILS AND MORE INFORMATION

Contact your local NRCS or Conservation District office for complete details. For office locations, please visit our Nevada NRCS Web site at:

<http://www.nv.nrcs.usda.gov>

Interested persons may submit program applications on a continuous basis throughout the year.

Persons requiring special accommodations or materials in an alternative format or language should contact Liz Warner, Public Affairs Officer, (775) 857.8500 x 105.