

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.

How to Enroll

Landowners need to apply at the local NRCS office. Nevada NRCS is currently using a continuous sign-up process and is considering applications for funding as they are submitted and as funds are available. NRCS must rank all eligible applications for funding consideration and must include the U.S. Fish and Wildlife Service in the ranking process.

1. Sign-up

Begin by making an appointment with your local NRCS office. You will be asked to complete the application form (NRCS CPA-1200). The application does not commit the landowner to program enrollment.

Based upon the type of program enrollment, NRCS will provide the landowner with a list of items required for consideration by NRCS. At a minimum, the landowner must provide a copy of the deed, and proof of compliance with the Highly Erodible Land, Wetland Conservation and Adjusted Gross income provisions. If the applicant is an entity, proof that the legal entity is valid in Nevada, documents of authority to sign contractual arrangements of the entity, and membership information must be provided. For easement applications additional information will be provided such as a copy of the warranty easement deed, subordination agreement, limited lien waiver, and/or agreement to purchase easement.

2. Preliminary Restoration Plan and Cost Estimate

NRCS will visit the site and evaluate the land's eligibility. Then the landowner, with help from NRCS, develops a preliminary plan for restoring wetland functions. The plan includes

types of management, vegetative and structural practices necessary, and estimated costs associated with restoration. The preliminary restoration plan provides reliable cost estimates that are used for ranking applications.

3. Notification of Acceptance

All applicants will be notified of the status of their application, and if it has been tentatively accepted. Upon acceptance the NRCS will determine the agricultural value of the offered land. The landowner will then be offered a payment amount based upon the easement type or 30-year contract.

4. Easement or Agreement Process Begins

AGREEMENTS

Once the project is approved for funding, the landowner signs an agreement that allows NRCS to proceed with restoration implementation.

EASEMENTS

Once the landowner accepts the offer by signing the Option Agreement, the easement acquisition process begins. NRCS will acquire title insurance and a legal land survey in order to record the easement. The easement is then recorded, the landowner paid, and the wetland restored according to the restoration plan.

For More Information

Contact your local NRCS or Conservation District office for complete details. Information can be found online at www.nv.nrcs.usda.gov/contact.html.

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Wetlands Reserve Program in Nevada 2010

NRCS
www.nv.nrcs.usda.gov



What is the Wetlands Reserve Program?

The Wetlands Reserve Program (WRP) is the Nation's premier wetlands restoration program. It is a voluntary program that offers landowners the opportunity to protect, restore, and enhance

wetlands on their property through the use of restoration agreements, easements, or both. The USDA Natural Resources Conservation Service (NRCS) manages the program, as well as provides technical and financial assistance to landowners who participate in WRP.

Wetlands Reserve Program

Currently in Nevada, projects are ranked and funded on a continuous basis. Program easement payments, are based upon the lower of the appraised value or market analysis, state approved geographic rate cap, or landowner offer. Thirty-year easements and 30-year contracts will only receive 75% of the value of a permanent easement or 75% of the GARC value.

WRP payments are based on the agricultural value for wetlands and associated uplands that have been degraded or converted to agricultural uses.

Restoration cost-share agreements are paid at 75% of the restoration costs or 100% as part of a permanent easement purchase.

WRP allows landowner to retain access control. Public access is not required. However, NRCS is granted access for restoration, management, maintenance, monitoring, and enforcement purposes.

The landowner maintains ownership of the land and has the right to hunt, fish, trap, and pursue other undeveloped and appropriate recreational uses.

WRP allows for land to be sold.

WRP provides additional benefits for the entire community including improved water quality, enhanced habitat for wildlife, reduced soil erosion, reduced flooding, and improved water supply.

Landowner Eligibility

To participate in a restoration cost-share agreement, landowners must show proof of ownership along with sufficient water rights when needed for wetland restoration.

To participate in a WRP easement, you must have owned the land for at least seven years prior to enrollment, unless a waiver is granted.

Participants must be eligible under the Adjusted Gross Income requirement, unless a waiver is granted. Some commensurate reductions in payment can apply.

Land Eligibility

To be eligible for WRP, the land must be privately-owned or owned by tribes. It must also be:

- restorable and suitable for wetland/wildlife benefits,
- farmed wetland or converted wetlands in general,
- have been substantially altered by flooding, where there is a likelihood of successful wetland restoration at a reasonable cost,
- former or degraded wetlands, or
- contain riparian areas.

Lands adjacent to restorable wetlands may be included if they contribute significantly to wetland functions and values. These include upland buffers, created wetlands, restored non-agricultural wetlands, artificial wetlands, and non-cropped natural wetlands. However, the acres of adjacent land cannot exceed the number of eligible land acres.

Ineligible Land

- Wetlands converted after December 23, 1985.
- Lands owned by United States, other than acreage owned by Indian tribes.
- Lands owned by a State.
- Lands subject to an easement or deed restriction.
- Lands where conditions make restoration impossible or conditions would not meet the program objectives. These conditions include land where water rights cannot be assured; the cost to government is higher than normal; cultural resources or endangered species are present and restoration would have adverse impact on these resources; or adverse off-site or on-site conditions preclude successful restoration.

Landowner Use and Responsibility

The landowner retains ownership and is responsible for any property taxes. The landowner is also responsible for control of noxious and invasive weeds. Landowner controls access to the land; has the right to hunt, fish, trap, and pursue other undeveloped and appropriate recreational uses; and may sell or lease land enrolled in WRP.

The landowner may request uses that are compatible with protecting and enhancing the wetland and associated upland habitat. For example, NRCS may approve haying, grazing, or harvesting of timber under certain conditions, depending on the amount, method, timing, and duration. On an annual basis, landowners may make compatible-use requests throughout the life of the easement or agreement.

Landowner Options

In Nevada, WRP offers two options: 10-year restoration cost-share agreements, or permanent easements for private landowners. Thirty-year easements or 30-year contracts and restoration cost-share agreements are available to tribes only.

RESTORATION COST-SHARE AGREEMENTS

This is a 10-year agreement plus the length of time, usually up to 3 years, to complete restoration practices to restore, protect, enhance, maintain, and manage hydrologic conditions of eligible land. For restoration agreements only, NRCS will pay 75% of the cost of the restoration. Where a restoration agreement is included as part of an easement purchase, NRCS will pay 100% of the cost of restoration.

PERMANENT EASEMENTS (PRIVATE LANDOWNERS ONLY), 30-YEAR EASEMENTS AND 30-YEAR CONTRACTS (TRIBES ONLY)

Permanent easements are held in perpetuity with private landowners only and are paid 100% of the least cost value.

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