

# Emergency Watershed Protection Program – Floodplain Easements (EWPP-FPE)

NRCS - Vermont - FY 2021

***Floodplain easements restore, protect, maintain, and enhance the functions of the floodplain; conserve natural values including fish and wildlife habitat, water quality, flood water retention, ground water recharge, and open space; reduce long-term federal disaster assistance; and safeguard lives and property from floods, drought, and the products of erosion.***



## Program Description

Landowners voluntarily offer to sell to NRCS an easement that provides NRCS with the full authority to restore and enhance the floodplain's functions and values.

EWPP Floodplain easements are perpetual, and are held by the United States, through the Secretary of Agriculture

Removal of buildings is required and may be cost-shared. Removal of other structures or infrastructure as needed to ensure proper functioning of the floodplain is also required and may be cost-shared.

NRCS may provide up to 100 percent of costs for purchase of the easement and restoration of the floodplain.

## Easement and Restoration Payments

NRCS may provide up to 100 percent of the restoration costs and easement compensation amount.

Landowner receives the lowest of one of the three following values as an easement payment:

- i) the fair market value based on an individual appraisal or for agricultural lands only, an areawide market analysis;
- ii) a corresponding geographic rate established by the NRCS state conservationist; or
- iii) an offer made by the landowner.

The value of residential structures and the cost for their removal from the floodplain is accounted for in the determination of the easement compensation value or restoration cost-share amounts based on whether the residential structure will be demolished or relocated.

## Enrollment Options

A floodplain easement may be purchased on eligible lands with one of the following uses:

- 1) Lands on which agriculture or open space is the primary use. These lands may contain structures incidental to the primary use.
- 2) Lands on which residential use is the primary use and such lands contain residences and other structures. These lands must be part of a strategy for the restoration of an entire floodplain reach. **A project sponsor is required to purchase the remaining fee title to the property.**

## Eligible Land

- Lands damaged by flooding during a specific natural disaster for which Congress allocates EWPP funding, or
- Lands damaged by flooding at least twice during the last 10 years or at least once during the last 12 months, or
- Other floodplain lands that would contribute to the floodplain restoration or improve the practical management of the easement, or
- Lands that would be inundated or adversely impacted as a result of a dam breach.
- The land must be privately owned or owned by State or Local Government.

## Restoration Practices

- Floodplains will be restored to natural conditions to the maximum extent practicable.
- Restoration measures include activities such as reestablishment of permanent vegetative cover and natural floodplain topography
- Removal (relocation or demolition) of all buildings, and removal of other structures or infrastructure that is not necessary for the proper functioning of the flood plain such as mill dams, dikes, and fences.

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## Potential Project in Vermont

### Tentative Project Summary

- Two neighborhoods in the town of Huntington that receive recurrent flooding and were particularly impacted by the 2019 Halloween Storm
- Total of 8 residences participating (6 in northern neighborhood and 2 in southern neighborhood)
- Collaboration with Town, State, and nonprofit partners to compensate landowners and plan restoration
- Restoration of floodplain in Huntington River and Texas Hill Brook watersheds to the maximum extent

### Next Steps

- NRCS signs an agreement with the project sponsor (Town)
- Applications are assessed and ranked in CART (Conservation Assessment Ranking Tool)
- Due Diligence for hazardous materials and appraisals are procured
- Restoration planning and coordination, survey of properties
- Landowners convey permanent easement and Town acquires remaining fee title of properties
- Floodplain restoration occurs
- NRCS monitors and stewards easements in perpetuity

Learn more by clicking [here](#).



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