

Fact Sheet: Wetlands Reserve Program

March 2009

Overview

The Wetlands Reserve Program (WRP) is a voluntary program that provides technical and financial assistance to private landowners and Tribes to restore, protect, and enhance wetlands and associated uplands in exchange for retiring eligible land. Over two million acres are currently enrolled in WRP.

Wetlands provide habitat for fish and wildlife, including threatened and endangered species; improve water quality by filtering sediments and chemicals; reduce flooding; recharge groundwater; protect biological diversity; and provide opportunities for educational, scientific, and limited recreational activities. WRP was authorized by the Food Security Act of 1985, and amended by the Farm Security and Rural Investment Act of 2002 and the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill).

WRP offers four enrollment options:

1. *Permanent Easement* is a conservation easement in perpetuity. USDA pays 100 percent of the easement value and up to 100 percent of restoration costs.
2. *30-Year Easement* is a conservation easement that expires after 30 years. USDA pays up to 75 percent of the easement value and up to 75 percent of restoration costs.
3. *Restoration Cost-Share Agreement* is an agreement to restore or enhance the wetland functions and values without placing an easement on the enrolled acres. USDA pays up to 75 percent of restoration costs.

4. *30-Year Contract* is a contractual arrangement with provisions similar to a 30-Year Easement and is available to federally recognized Tribes.

For both Permanent and 30-Year Easements, USDA pays all costs associated with recording the easement in the local land records office, including recording fees, charges for abstracts, survey and appraisal fees, and title insurance.

Eligibility

To be eligible for enrollment, land must be privately owned and former or degraded wetlands occurring on agricultural lands. The land includes range, pasture, hayland, and forest production lands that have been or are currently being used for food or fiber production when the hydrology has been essentially removed and can be substantially restored through the implementation of WRP practices. Some adjacent lands essential to wetland functions and values are eligible, providing they do not exceed 50 percent of the easement area.

How WRP Works

Applications for WRP are available and processed at local NRCS Service Centers throughout the year. Landowners must provide a copy of the vesting deed to the land and evidence from the Farm Service Agency (FSA) that all individuals on the deed are compliant with the requirements of the Farm Bill. Once an applicant's eligibility has been established, NRCS staff will conduct an on-site investigation to determine land eligibility



and check for hazardous substances and unrecorded encumbrances on the title. After both landowner and land have been determined eligible for WRP, the property will be ranked for funding consideration. Once a project has been selected for funding, NRCS will extend an offer to the landowner. Offers for easements will be made based on the easement valuation process described below.

www.usda.gov/farmbill or the NRCS Web site www.nrcs.usda.gov/programs/farmbill/2008. For information about WRP, visit <http://www.nrcs.usda.gov/programs/wrp/>.

Legislative and Regulatory Changes

- The process for determining the easement value has changed to the lowest of:
 - the fair market value of the land according to the Uniform Standards of Professional Appraisal Practices, or an area-wide market analysis;
 - the geographic area rate cap as determined by the Secretary of Agriculture; or
 - the landowner's offer.
- The total number of acres that can be enrolled in the program has been increased to 3,041,200 acres.
- Agricultural lands subject to flooding from closed basin lakes or potholes are now eligible.
- For easements valued at \$500,000 or more, easement payments will be made in at least five annual payments; alternatively the NRCS Chief may determine a single payment furthers the purposes of the program (7 CFR 1467.8(b)(2)(ii)).
- The total amount of payments that a person or legal entity may receive for one or more restoration cost-share agreements, for any year, may not exceed \$50,000 (7 CFR 1467.10(a)(3)).
- The State Conservationist may require adequate assurances that the land was not acquired for the purposes of placing it in the program.
- The Secretary of Agriculture shall enroll acreage owned by Indian Tribes through a 30-year contract.

More Information

For more information and updates about the Farm Bill, visit the USDA Web site at