

Fact Sheet: Healthy Forests Reserve Program

March 2009

Overview

The Healthy Forests Reserve Program (HFRP) is a voluntary program for restoration and enhancement of forest ecosystems to promote the recovery of threatened and endangered species, improve biodiversity, and enhance carbon sequestration. Program implementation has been delegated by the Secretary of Agriculture to the Natural Resources Conservation Service (NRCS).

HFRP was authorized under the Healthy Forests Restoration Act of 2003 (Public Law 108-148); it was amended by the Food, Conservation and Energy Act of 2008 (2008 Farm Bill), Public Law 110-246, and reauthorized for fiscal years 2009 - 2012.

Eligibility

Eligible HFRP enrollees are individuals or entities that own eligible private land and agree to restore, enhance, or measurably increase the likelihood of recovery of a threatened or endangered species, improve biological diversity, or increase carbon sequestration. Landowners must provide enrollment information to NRCS for determination of program eligibility and other program implementation purposes.

Eligible land is privately-owned land with habitat that supports:

- Federally listed endangered or threatened species;
- Federally identified candidate species;
- State-listed species; or

- Other species identified by the Chief of NRCS.

Land enrolled in HFRP must have a restoration plan. The cost effectiveness of each agreement or easement and associated restoration plan must maximize the environmental benefits of dollars expended. Landowner protections may be made available to HFRP enrollees who agree for a specified period to restore, protect, enhance, maintain, and manage the habitat conditions on their land in a manner that is expected to result in a net conservation benefit contributing to the recovery of listed species under ESA, or other species covered by this regulation. These protections are valid for as long as the landowner is in compliance with the terms and conditions of such assurances, associated permits, the easement, the contract, or the restoration agreement. In exchange, the landowner avoids future regulatory restrictions on the use of that land.

How HFRP Works

HFRP provides financial assistance in the form of easement, contract, and cost-share payments for specific conservation actions completed by the landowner.

As funds are made available, the NRCS Chief will solicit project proposals from State Conservationists. States selected for funding will issue a public sign-up notice.

To apply for enrollment through an easement, 30-year contract, or 10-year cost-share agreement, a landowner must submit an HFRP



application during the announced sign-up period. NRCS will rank applications based on the specific criteria set forth in sign-up announcements and applications.

Based on the priority ranking, NRCS will notify landowners of tentative acceptance into the program. NRCS presents the landowner with an option agreement to purchase or a restoration cost-share agreement or contract. Once executed by NRCS and the landowner, the land will be considered enrolled in HFRP.

HFRP offers four enrollment options: permanent easements, 30-year easements, 10-year cost-share agreements, and also allows 30-year contracts for Indian Tribes.

- ***Permanent easements*** or easements for the maximum duration allowed under State law. NRCS shall offer to pay not less than 75 percent and not more than 100 percent of the fair market value of the enrolled land during the period the land is subject to the easement less the fair market value of the land encumbered by the easement.
- ***30-year easements and 30-year contracts.*** NRCS shall offer to pay not more than 75 percent of the fair market value of the enrolled land less the fair market value of the land encumbered by the easement.

Easements and contract payments may be made in a single payment of no more than 10 annual payments of equal or unequal size, as agreed to between NRCS and the landowner.

- ***10-year cost-share agreements.*** NRCS shall offer to pay not more than 50 percent of the average cost for conservation practices installed.

Cost-share payments may be made only upon a determination by NRCS that an eligible conservation practice or an identifiable component of the conservation practice has been established in compliance with appropriate standards and specifications.

Legislative and Regulatory Changes

The 2008 Farm Bill authorizes enrollment through permanent easements, 30-year easements, 10-year cost-share agreements, and also allows 30-year contracts for Indian Tribes. The Bill also authorizes \$9,750,000 for each of fiscal years 2009 through 2012. Funds shall remain available until expended.

More Information

For more information and updates about HFRP and other Farm Bill topics, please refer to the USDA Web site www.usda.gov/farmbill or the NRCS Web site www.nrcs.usda.gov/programs/farmbill/2008.