

Emergency Watershed Protection Fact Sheet

The Program

The Emergency Watershed Protection (EWP) program helps protect lives and property threatened by natural disasters such as floods, hurricanes, tornadoes, and wildfires. The program is administered by the USDA's Natural Resources Conservation Service (NRCS), which provides technical and financial assistance to preserve life and property threatened by excessive erosion and flooding.

Traditional Types of Assistance

EWP provides funding to project sponsors for such work as clearing debris from clogged waterways, restoring vegetation, and stabilizing river banks. The measures that are taken must be environmentally and economically sound and generally benefit more than one property owner. NRCS provides up to 75 percent of the funds needed to restore the natural function of a watershed. The community or local sponsor of the work pays the remaining 25 percent, which can be provided by cash or in-kind services.

Floodplain Easement Option

Background

Section 382 of the Federal Agriculture Improvement and Reform Act of 1996, Public Law 104-127, amended the Emergency Watershed Program (EWP) to provide for the purchase of floodplain easements as an emergency measure. Since 1996, NRCS has purchased floodplain easements on lands that qualify for EWP assistance. 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.

Land Eligibility

NRCS may purchase EWP easements on any floodplain lands that have been impaired within the last 12 months or that have a history of repeated flooding (i.e., flooded at least two times during the past 10 years). Purchases are based upon established priorities. Landowner applications for the program far exceed funding. NRCS maintains a list of easement offers that meet basic eligibility criteria at the time of application. These offers continue to be eligible pending availability of funding.

Easement Payments

Under the floodplain easement option, a landowner voluntarily offers to sell to the NRCS a permanent conservation easement that provides the NRCS with the full authority to restore and enhance the floodplain's functions and values. In exchange, a landowner receives the least of one of the three following values as an easement payment: (i) a geographic rate established by the NRCS state conservationist; (ii) a value based on a market appraisal analysis for agricultural uses or assessment for agricultural land; or (iii) the landowner offer.

Restoration of the Floodplain

The easement provides NRCS with the authority to restore and enhance the floodplain's functions and values. NRCS may pay up to 100% of the restoration costs. To the extent practicable, NRCS actively restores the natural features and characteristics of the floodplain through re-creating the topographic diversity, increasing the duration of inundation and saturation, and providing for the re-establishment of native vegetation. The landowner is provided the opportunity to participate in the restoration efforts. NRCS may pay 75 percent of the cost of removing buildings when appropriate.

Landowner Use

Landowners retain several rights to the property, including quiet enjoyment, the right to control public access, and the right to undeveloped recreational use such as hunting and fishing. At any time, a landowner may obtain authorization from NRCS to engage in other activities, provided that NRCS determines it will further the protection and enhancement of the easement's floodplain functions and values. These compatible uses may include managed timber harvest, periodic haying, or grazing. NRCS determines the amount, method, timing, intensity, and duration of any compatible use that might be authorized. While a landowner can realize economic returns from an activity allowed for on the easement area, a landowner is not assured of any specific level or frequency of such use, and the authorization does not vest any right of any kind to the landowner. Cropping is not authorized and haying or grazing would not be authorized as a compatible use on lands that are being restored to woody vegetation.

Eligibility

Owners, managers, and users of public, private, or tribal lands are eligible for EWP assistance if their watershed area has been damaged by a natural disaster.

Sponsors

Each EWP project, with the exception of floodplain easements, requires a sponsor who applies for the assistance. A sponsor can be any legal subdivision of State or local government, including local officials of city, county, or State governments, Indian tribes, soil conservation districts, U.S. Forest Service, and watershed authorities. They determine priorities for emergency assistance while coordinating work with other Federal and local agencies. Sponsors are needed to provide legal authority to do repair work, obtain necessary permits, contribute funds or in-kind services, and maintain the completed emergency measures.

For More Information

For more information on assistance under the Emergency Watershed Protection program, contact the USDA Natural Resources Conservation Service office serving your county. Your [USDA Service Center](#) is listed in the telephone book under U.S. Department of Agriculture.