

Hurricane Sandy Floodplain Easements

Emergency Watershed Protection Program



Program Description

The **Emergency Watershed Protection - Floodplain Easement (EWP-FPE)** program offers landowners impacted by Hurricane Sandy the option to place a permanent easement on their property for a one-time purchase price. This option is available to landowners in situations where acquiring an easement is the best approach (more economical and prudent) to reduce threat to life and/or property. Land may consist of open ground, farm land and in some cases, residential land, where a local Sponsor establishes an agreement with NRCS.

A major goal of EWP-FPE is to restore the land, to the maximum extent possible, to its natural condition, while providing as much flood storage and control as possible. Restoration techniques typically include the use non-structural and land forming practices to restore the flow and increase storage of floodwaters, control erosion, and to improve management of the easement.

Floodplain easements restore, protect, maintain and enhance the functions of floodplains while conserving their natural values such as serving as fish and wildlife habitat, improving water quality, retaining flood water, and recharging groundwater. Structures, including buildings, fences, pipes, etc. within the floodplain easement must be demolished and/or removed, or relocated outside the affected floodplain area.

Program Eligibility

Coastal landowners that experienced damage from Hurricane Sandy in **New Haven, Middlesex, Fairfield and New London Counties** falling within the **AE FEMA flood zone** are eligible to apply. Funding preference is given to lands that are contiguous with other permanently protected lands where NRCS can maximize the restoration effort and improve flood storage and protection.

How Do I apply?

Applications are being accepted from now until October 10, 2018 for third round funding. You may get an application package by contacting your local sponsor or contacting NRCS Program Coordinator, Kristin Walker, at (860) 871-4033 or by email at Kristin.walker@ct.usda.gov. Below is a general list of documents that will be needed to apply:

- To secure your application by the deadline, at a **minimum** form AD-1153, "Application for Long Term Contracted Assistance Through the EWPP-FPE Program" must be filled out and submitted to the NRCS by October 10, 2018. Mail your original form with pen/ink signature(s) to:
USDA-NRCS
344 Mellow Road
Tolland, CT 06084
Attn: Kristin Walker
- Additionally, landowners will need to fill out form AD-2047, "*Customer Data Worksheet Request for Business Partner Record Change*" to establish themselves as a customer in the Farm Service Agency customer database.

Landowners will also need to supply:

- A copy of the title deed
- Evidence of flood damage (e.g. pictures, insurance claims, etc.)
- If disaster relief assistance money was received, NRCS will need proof of payout(s) (e.g. FEMA flood insurance claims, bank statements, copy of the check, etc.). Additionally, an Affidavit documenting how disaster relief was utilized will need to be filled out and notarized.



Contact Your Local NRCS Office

Tolland State Office
(covering all counties)
344 Mellow Road
Tolland, CT 06084
(860) 87104030

--or--

Contact Your Local Sponsor

City of West Haven Residents
(Eileen Krugel)
355 Main Street
West Haven, CT 06516
(203) 937-3620 x 3010

For additional information, visit:
https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/programs/landscape/?&cid=nrcs143_08225

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- Depending on the property ownership, additional forms may be needed for legal entities or multiple landowners.
- If accepted into the program, a Direct Deposit form (1199) will be needed.

Easement Payments

As compensation for the rights purchased by the NRCS, the landowner will receive the lowest of three values:

1. The fair market value of the land. The fair market value may be determined through either of two methods: an area-wide market analysis or survey or an individual Uniform Standards for Professional Appraisal Practice (USPAP) appraisal.
2. The geographic area rate cap (GARC). The GARC reflects the value the State Conservationist, with the advice of the State Technical Committee, determines to be fair compensation for the value of the easement.
3. A voluntary written offer by the landowner. When the landowner applies for the easements, he or she may voluntarily offer to accept less compensation than NRCS would offer. This may enhance the probability of the easement becoming enrolled. An offer to accept a lower compensation amount will be documented in writing on the ranking factors worksheet.

Easement compensation for projects that include residences or other structures will be determined through an appraisal.

Who Owns and Maintains the Property Once the Easement is Placed?

Urban properties where residential structures will be removed will be owned and further

maintained by the Sponsor. Landowners of open ground or farmland will be responsible for covering the value of the land once development rights are removed and maintenance thereafter.

How Long Does the Easement Last?

Easements placed on the property are forever. In other words, the property development rights are permanently removed and the land must remain as a floodplain easement, even when the property changes ownership.

Who Pays for the Transaction Costs?

NRCS bears the expense, sometimes working through a Sponsor, for the appraisal, boundary survey, hazardous material assessments, title searches/policies, closing costs and 100% of the restoration costs. Landowners are required to pay the fee simple cost of the property once the development rights are removed.

How Long is the Process?

Easement acquisitions through the USDA-NRCS are not like typical real estate transactions. On top of the normal requirements a real estate sale will have, there are also eligibility requirements to qualify for the program. The process takes approximately two years to complete the transaction from application to closing.



Natural Resources Conservation Service

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