

For: State and County Offices

Practice CP23A, Wetland Restoration, Non-Floodplain

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

On August 4, 2004, President Bush announced a new CRP practice, CP23A, Wetland Restoration, Non-Floodplain, as part of his initiative to restore wetlands. This practice allows producers to restore large wetland complexes and playa lakes that are located outside the recognized 100-year floodplain.

Restoring wetlands and playa lake systems will provide vital habitat for many wildlife species, such as upland ducks and sandhill cranes. Wetlands also filter runoff, recharge groundwater supplies, protect drinking water, and reduce downstream flooding.

This practice is available beginning October 1, 2004. Offers will be accepted under continuous signup criteria until the earlier of:

- December 31, 2007
- allocation of 250,000 acres is reached.

B Purpose

This notice provides:

- practice requirements practice CP23A, Wetland Restoration, Non-Floodplain (Exhibit 1)
- State allocation of acres (Exhibit 2).

Disposal Date	Distribution
September 1, 2005	State Offices; State Offices relay to County Offices

Notice CRP-478

1 Overview (Continued)

C Objectives

The objective of practice CP23A, Wetland Restoration, Non-Floodplain, is to restore wetlands outside the recognized 100-year floodplain, by:

- restoring and enhancing water quality
- reducing impacts of flood events
- enhancing wildlife habitat
- protecting floodplains.

2 Policy

A Total Acres Enrolled

Total acres enrolled shall not exceed 250,000 acres:

- nationwide
- for the practice
- from offers accepted and contracts approved after receipt of this notice.

Note: CP23A acres under Conservation Reserve Enhancement Program (CREP) are not counted against the 500,000 acre limitation.

B Eligible Land

Total eligible cropland for wetland restoration, including CP23A, is limited to:

- cropland according to 2-CRP, paragraph 97
- cropland outside the recognized 100-year flood plain of a permanent river or stream
- an offer that includes a buffer may be enrolled if otherwise eligible and needed and feasible for the practice.

C Buffer to Wetland Ratio

Buffers are allowed under contract in combination with acres enrolled if required to protect and enhance the practice according to NRCS Field Office Technical Guide (FOTG). Land may be offered as a buffer to the wetland:

- if required to protect and enhance the practice according to NRCS FOTG standards
- not to exceed a 4 to 1 ratio of buffer to wetland.

Notice CRP-478

2 Policy (Continued)

D Incentives

Practice CP23A, Wetland Restoration, Non-Floodplain, is provided a one-time incentive to encourage the restoration of cropped wetlands. The one-time incentive payment is equal to 25 percent of the cost of restoring the hydrology of the site.

Note: Other incentives, including Signing Incentive Payment (SIP) and Practice Incentive Payment (PIP), do **not** apply to practice CP23A, Wetland Restoration, Non-Floodplain.

3 Action

A State Office Action

State Offices shall:

- provide a copy of this notice to County Offices
- provide a copy of this notice to NRCS State Office
- monitor acres and not allow enrollments to exceed the State's allocation for CP23A offers received after the date of this notice.

B County Office Action

County Offices shall:

- provide a copy of this notice to the County NRCS Office
- ensure procedure in this notice and 2-CRP are followed.

CP23A Wetland Restoration, Non-Floodplain**A Purpose**

The purpose of this practice is to restore the functions and values of wetland ecosystems that have been devoted to agricultural use. The level of restoration of the wetland ecosystem shall be determined by the producer in consultation with NRCS or Technical Service Provider (TSP).

B Application

Apply this practice to eligible wetlands and associated acreage that are any of the following:

- located outside the 100-year floodplain
- playa lakes
- land that is not eligible for enrollment in the Farmable Wetlands Program (FWP).

The land must be suitable and adapted to the restoration of wetland functions and values. The restoration of wetland hydrology is only required to the extent specified by the producer.

C Size Requirements

The amount of adjacent upland acreage to be enrolled shall be determined by NRCS. The amount of adjacent upland acres:

- is limited to the minimum number of acres required to provide a protective buffer to the cropped wetland and to enhance wildlife habitat
- may be less than the 4 to 1 ratio
- shall not exceed the 4 to 1 ratio.

D Acreage Allocations

Total enrollment under CP23A, Wetland Restoration, Non-Floodplain, shall not exceed 250,000 acres nationwide.

States must not exceed allocations provided in Exhibit 2.

CP23A Wetland Restoration, Non-Floodplain (Continued)

E Eligibility

To be eligible for C/S, this practice shall:

- be included in the approved conservation plan
- be maintained for the life of CRP-1
- restore the functional capability and values of the wetland ecosystem to a level determined by the participant in consultation with NRCS or TSP, including the following:
 - preventing degradation of the wetland area and surrounding upland area from recurring
 - increasing sediment trapping efficiencies
 - improving surface and ground water quality
 - preventing excessive erosion from recurring
 - providing waterfowl and other wildlife habitat
 - reducing flood flows.

F C/S Policy

This table provides C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop or restore the hydrology of the site	authorized.
eligible seeding for grassland ecosystem	for soils that are developed under a grassland ecosystem that will not be covered by water anytime during a normal growing season and substantiated as needed by COC for: <ul style="list-style-type: none"> • establishment of permanent native grass species • establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat • planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established 	

CP23A Wetland Restoration, Non-Floodplain (Continued)

F C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
eligible seeding for woodland ecosystem	for soils that are developed under a woodland ecosystem, except in areas that will be covered by water during no less than 60 calendar days of the normal growing season, and substantiated as needed by COC for: <ul style="list-style-type: none"> • establishment of hard mast-producing hardwoods adapted for living in wet conditions that will provide multipurpose forest and wildlife benefits • establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat • planting annual grasses, legumes, perennial native grass species, and softwoods, not to exceed 50 percent of the total number of trees planted, to serve as a nurse crop to prevent erosion while permanent cover is becoming established 	authorized.
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	
breaking tile	restore natural water flow	
structures, such as pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS or TSP	

CP23A Wetland Restoration, Non-Floodplain (Continued)

F C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> • required in the practice specifications • needed until the required seeds or plant stock is available • needed because the normal planting period for the permanent cover crop has passed • that a soil condition, such as chemical residue, will not allow establishment of the permanent cover immediately 	authorized.
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal damage control devices	<p>approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing</p> <p>Note: STC must designate areas where use of such measures is warranted and cost-effective to protect seedlings. See 2-CRP, paragraphs 31 and 441.</p>	authorized not to exceed an average cost, as determined by STC.

CP23A Wetland Restoration, Non-Floodplain (Continued)

F C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
fencing or roads		not authorized.
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelanes		
tree or grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
mineral or nutrient	to maintain cover or enhance production	

G Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area shall **not** be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum work and materials necessary to develop or restore the wetland hydrology, and establish an adequate cover to improve environmental benefits.
- The wetland ecosystem shall be restored to the extent identified according to subparagraph B.

Note: The level of restoration shall be determined by the producer in consultation with NRCS or TSP.

CP23A Wetland Restoration, Non-Floodplain (Continued)**G Practice Requirements (Continued)**

- Chemicals used in establishing the practice must be:
 - Federally, State, and locally registered
 - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice must be established and maintained according to the practice standards in FOTG.
- The hydrology of the wetland must be maintained according to the operation and maintenance requirements for the practice standard.
- The practice shall have periodic management activities performed, according to the conservation plan, during the life of CRP-1 as determined by COC.

H Planting Timespan

Planting or sowing of the approved cover shall be completed within 12 months of the effective date of CRP-1. See 2-CRP, paragraph 237, for exceptions.

I Environmental Concerns

Consideration of water quality, wildlife, and other environmental concerns are to be evaluated in the planning and establishment of this practice.

J Practice Maintenance

The practice shall be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

CP23A Wetland Restoration, Non-Floodplain (Continued)**J Practice Maintenance (Continued)**

C/S shall be refunded if any of the following apply:

- producer destroys the practice during the life of CRP-1
- producer fails to maintain the cover during the life of CRP-1
- the cover fails to provide adequate protection of water quality during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

K Management Activity

This practice shall have periodic management activities performed, according to the conservation plan, during the life of CRP-1 as determined by COC. See Handbook 2-CRP, paragraph 239.

Cost share is authorized for management activities.

L Incentive to Restore Hydrology

A one-time incentive payment equal to 25 percent of the cost of restoring the hydrology of the site is available to encourage the restoration of cropped wetlands. The incentive payment shall be:

- a separate payment from any applicable C/S
- issued according to 1-FI using program code "XXCRPWRI"
- issued upon certification of completion of practice
- equal to 25 percent of the cost of restoring the hydrology of the site.

Note: Do not include the cost associated with establishing any associated acreage when calculating the one-time incentive payment.

Producers do not have to receive C/S to be eligible for the one-time 25 percent incentive payment.

M Technical Responsibility

Technical responsibility for this practice shall be assigned to NRCS or TSP. For areas to be established to trees, FS or State Forestry Agency shall have technical responsibility.

State Allocation

State	Acres
Alabama	700
Arizona	100
Arkansas	2,000
California	1,000
Colorado	1,600
Connecticut	100
Delaware	100
Florida	1,000
Georgia	700
Hawaii	100
Idaho	200
Illinois	4,000
Indiana	700
Iowa	3,000
Kansas	11,000
Kentucky	100
Louisiana	12,000
Maine	900
Maryland	200
Massachusetts	300
Michigan	2,600
Minnesota	36,000
Mississippi	1,500
Missouri	1,400
Montana	1,400

State	Acres
Nebraska	14,000
Nevada	100
New Hampshire	100
New Jersey	200
New Mexico	3,500
New York	4,000
North Carolina	200
North Dakota	65,000
Ohio	1,100
Oklahoma	1,500
Oregon	1,900
Pennsylvania	150
Rhode Island	100
South Carolina	100
South Dakota	33,000
Tennessee	100
Texas	25,000
Utah	200
Vermont	900
Virginia	150
Washington	600
West Virginia	100
Wisconsin	4,700
Wyoming	600
Reserve	10,000
Total	250,000