

**Attachment F****Fiscal Year (FY) 2017 General and Mississippi River Basin Initiative (MRBI) Wetland Reserve Enhancement Partnership (General and MRBI ACEP-WREP) Announcement of Funding, Proposal Requirements, and Review Criteria**

**Agency:** Natural Resources Conservation Service (NRCS)

**Action:** Notice of request for proposals through the General or MRBI ACEP-WREP.

**Dates:** Eligible partners may submit proposals for General and MRBI ACEP-WREP by email and hardcopy; all complete proposals must be received on or before the date listed attached timeline.

**Address:** Applicants must submit electronic proposals to [susan.knight@nh.usda.gov](mailto:susan.knight@nh.usda.gov) and two hard copies to Susan Knight 273 Locust Street, Suite 2D, Dover, NH 03820. If submitting more than one proposal, submit each proposal separately. Applications will not be accepted by FAX or online.

**For Further Information Contact:** Susan Knight (603)868-9931 X118

**Overview:** WREP is a component of ACEP-WRE through which NRCS enters into agreements with eligible partners to target and leverage resources to address high-priority wetland protection, restoration, and enhancement activities and improve wildlife habitat on eligible lands. Potential partners may submit WREP proposals for an individual landowner project, watershed, or geographic area. WREP partners are required to contribute financial or technical assistance match as detailed below. All projects funded through WREP must meet all ACEP-WRE eligibility and program requirements. All WREP transactions will be processed through normal NRCS contracting procedures.

Only States and local units of government, Indian Tribes, and nongovernmental organizations are eligible to submit a proposal and enter into WREP agreements with NRCS. For the purposes of WREP, a nongovernmental organization is an organization described in section 501(c) (3) of the Internal Revenue Code of 1986. Individual landowners may not submit WREP proposals through this submission process. However, once a WREP agreement has been entered into by NRCS and the partner, eligible landowners may apply for WREP through their local NRCS office. As part of the WREP agreement, approved partners may also help facilitate the submission of landowner applications, provide additional technical or financial assistance to landowners, and provide other resources as defined in the agreement.

Benefits to the partners in WREP agreements include—

- Involvement in wetland protection, restoration, and enhancement in high priority areas.
- Ability to cost-share restoration or enhancement components beyond those required by NRCS.
- Opportunity to leverage funding to critical resource concerns.
- Opportunity to target outreach and enrollment based on priorities identified by partners and supported by NRCS.

- Opportunity to use innovative restoration methods and practices.
- Ability to maximize habitat benefits on new and existing enrollments.

**Availability of Funding:** NRCS is announcing the availability of up to \$13 million in financial assistance (FA) funds or \$2 million in technical assistance (TA) funds through the FY 2017 General and MRBI WREP. For General WREP, funds are available nationwide to eligible participants through approved partnership projects. For MRBI WREP, funds are available in the watersheds identified in map of MRBI, see Attachment XX. Funding beyond FY 2017 is subject to change based on availability of funds or other factors that may influence NRCS funding decisions. Proposals will be selected and agreements will be executed by the date listed attached timeline.

Under General and MRBI WREP, NRCS enters into multiyear agreements with eligible State and local governments, nongovernmental organizations, and Indian Tribes to target and leverage resources to carry out high-priority wetland protection, restoration, and enhancement activities and to improve wildlife habitat and water quality on new or existing enrollments. Eligible partners should submit complete proposals to the appropriate NRCS State Conservationist or director.

**FY 2017 General and MRBI WREP Funding Options and Match Requirements:** In FY 2017, NRCS will make General and MRBI WREP funds available for either an FA or TA agreement option, which have specific activity and match requirements as follows:

**FA Option:** NRCS will make \$13 million in FA funds available for agreements that will either result in new enrollments of eligible land under a permanent easement, a 30-year easement, a 30-year contract on acreage owned by Indian Tribes, or will result in implementation of restoration or management of existing WRP or ACEP-WRE easements. This option provides FA funds only; there will be no TA funds provided to the partner through this option. FA funds will be provided either directly to the eligible landowner through an appropriate agreement or contract or will be provided to the partner for actual implementation of restoration or management practices or activities. Restoration may be achieved through payments to other parties who conduct the restoration activities. Under this FA option, partners are required to provide a combination of in-kind and cash contributions of at least 25 percent of the restoration or management costs.

**TA Option:** NRCS will make \$2 million in TA funds available for agreements that will provide technical assistance services to expedite closing, restoration or management design or planning, or monitoring of existing easements. This option provides TA funds only. TA funds must only be used to further existing easements; TA funds must not be used for technical assistance activities that would result in new enrollments. General and MRBI WREP technical assistance activities may include easement acquisition related services, title package review and assembly, contracting services, restoration or management designs or planning, construction stakeout and supervision, or conducting monitoring. Under this TA option, partners are required

to provide a combination of in-kind and cash contributions of at least 50 percent of the restoration or management costs.

The FA and TA proposal options may not be combined. Partners interested in both a technical assistance services type agreement to further existing WRP or ACEP-WRE enrollments and a financial assistance agreement intended to enroll new projects or implement restoration on existing WRP or ACEP-WRE enrollments must submit separate proposals. The proposal must request NRCS program funds for obligation during the first quarter of FY 2017 (see attached timeline). Proposals that request funding starting after FY 2017 will not be evaluated or considered under this solicitation.

Proposals that include additional partner resources above the required match may be given higher consideration in the selection process. Contributions provided by the partners to achieve additional ranking points can be in the form of technical or financial assistance for the protection, restoration, and enhancement of the wetland. Contributions may also be in the form of assistance with management and monitoring activities. Partners may also provide incentives to landowners to participate in WREP; however, incentive payments are not considered as part of the match requirement. Incentives include signup bonuses, practice incentive payments, or similar activities not funded through ACEP-WRE.

**Proposal Submission, Review and Notification:** The potential partner must submit two hardcopies of the proposal, typewritten or printed on 8½-inch by 11-inch white paper, and one electronic copy to the appropriate State contact listed above. The entire project proposal, not including letters of support, must not exceed 15 pages in length, including summary, responses to the information requested in the “Proposal Requirements” section of this announcement, maps, reference materials, and other supporting documents. The proposal must follow the format and address all criteria outlined in this announcement and the “Proposal Requirements” section in order to be considered.

The proposal must include sufficient detail to allow NRCS to evaluate the partner’s priority resource concerns, objectives, cost, and expected outcomes. NRCS will review, evaluate, and rank proposals based on the criteria set forth in this announcement. The final proposal is the only document NRCS will use in the evaluation process. The State Conservationist or director will conduct the initial evaluation of the proposal and will then forward recommended proposals to the NRCS National Headquarters (NHQ) by the date listed attached timeline for final review and selection. Prior to submission of recommended proposals to NHQ, State Conservationists and directors may contact affected partners to provide input into the proposal if changes are needed. Potential partners should note that, depending upon available funding and agency priorities, NRCS may offer less financial or technical assistance than the amount requested in the proposal and may require adjustments to the proposal as a condition of recommendation for approval.

If a project is multistate in scope, the proposal must be sent to the State Conservationist or director in which the majority of the project area is located; however, the partner is also responsible for obtaining input from all affected State Conservationists or directors in developing the proposal.

Partners whose proposals are selected will receive an official letter of notification. Upon notification of selection, the partner should contact the appropriate State Conservationists or director to develop the required partnership agreement and determine other project implementation requirements.

Incomplete proposals or those that do not meet the requirements set forth in this notice will not be considered, and written notification to this effect will be provided. Partner submissions of proposals that are not selected will also be provided written notification. Partner proposals may be withdrawn by written notice to the appropriate State Conservationist or director at any time prior to selection or execution.

**Proposal Requirements:** The proposal must include all of the following:

- (1) **Proposal Cover Sheet and Summary.** The first few pages of the proposal must include—
  - (a) Project title.
  - (b) Project director or manager name, telephone, mailing address, and email address.
  - (c) Name and contact information for lead partner submitting the proposal and other collaborating partners.
  - (d) Whether the proposal is General or MRBI. Type of funds being requested: FA or TA. Short, general summary of project, including—
    - (i) Potential acres to be enrolled in the project area.
    - (ii) A description of the purpose and goals of the proposed WREP project.
    - (iii) The geographic location including the States and counties. Include a general location map.
    - (iv) Proposed project start and end dates that do not exceed 3 consecutive years, beginning in FY 2017.
    - (v) The project objectives and resource concerns to be addressed.
    - (vi) Total amount of WREP financial or technical assistance being requested.
- (2) **Project Natural Resource Objectives and Actions.** The proposal must—
  - (a) Identify and provide detail about the natural resource concerns to be addressed and how the proposal's objectives will address those concerns. Objectives should be specific, measurable, achievable, results oriented, and include a timeline for completion.
  - (b) For each objective, identify the actions to be completed to achieve that objective and address the identified natural resource concern. Specify which actions are to be addressed through this project using WREP assistance, and which are being addressed through alternate non-Federal funding sources or other resources provided.
  - (c) Identify the total acres within the project area that require wetland protection, restoration, and enhancement.
- (3) **Detailed Project Description.** Information provided in the proposal must include—
  - (a) A description of the partner's history of working cooperatively with landowners on conservation easements.
  - (b) A description of the watershed characteristics within the designated focus area covered by the proposal including a detailed map that indicates the desired individual project locations. The description should include information related to land use types, vegetation, soils, hydrology, potential sources of water quality impairments, occurrences of at-risk species, proximity to other protected areas, and a summary of resource concerns.
  - (c) A description of the partners and the roles, responsibilities, and capabilities of the

partners. Proposals that include resources from partners other than the lead partner must include a letter or other documentation confirming the commitment of resources.

- (d) A description of the project duration, plan of action, and project implementation schedule. Project proposals may not exceed 4 years. No guarantee for funding beyond FY 2017 original awarded amount.
- (e) A description of the financial or technical assistance resources that are requested both in total and annually through WREP, and the non-Federal resources provided by the partners that will be leveraged by the Federal contribution. Match requirements for WREP are as follows:
  - (i) WREP partners requesting *financial assistance* are required to contribute a match of at least 25 percent, which may be cash, in-kind, or a combination of cash and in-kind.
  - (ii) WREP partners requesting *technical assistance* are required to contribute a match of at least 50 percent cash or in-kind services or a combination of cash and in-kind. TA funds must only be used to further existing WRP or ACEP-WRE enrollments; the funds are not to be used to enroll new projects.

Proposals that include additional partner resources may be given additional consideration in the selection process. Contributions provided by the partners to achieve additional ranking points can be in the form of technical or financial assistance for the protection, restoration, and enhancement of the wetland. Contributions may also be in the form of assistance with management and monitoring activities. Contributions above the match requirement may be cash or in-kind equipment or services. Partners may provide incentives to landowners to participate in WREP; however, incentive payments will not be considered part of the match requirement. Incentives include signup bonuses, practice incentive payments, or similar activities not funded through ACEP-WRE.

- (f) Total budget for the project, including all partner resources that will be leveraged for the project and the amount of WREP being requested for project broken out by fiscal year with totals. Include a description of the amount of funds needed annually for FA or TA funds and the anticipated activities and outcomes broken out by year. All funding beyond FY 2017 is subject to change based on availability of funds or other factors that may influence NRCS funding decisions.
- (g) A description of non-Federal resources that will be available for implementation of the proposal. Proposals that include additional non-Federal resources may be given higher consideration in the selection process. Proposals must include a letter or other documentation confirming the commitment of resources from each partner. The partner must clearly state how they intend to leverage Federal funds along with partner resources. Landowner contributions in the implementation of agreed-to wetland restoration and enhancement practices may not be considered any part of a match from the potential partner for purposes of WREP. Partners will also be required to submit a plan for monitoring, evaluating, and reporting progress and outcomes toward achieving the objectives of the agreement.
- (h) An estimate of the percentage of potential landowners or an estimate of the percentage of acres likely to be enrolled within the project area, compared to the total number of potential landowners or acres located in the project area. A statement of how the partner will encourage participation to guarantee success of the project. It is not necessary for a target area to involve multiple landowners to be selected. Projects will be evaluated

based on the ecological merits of the proposal, contributions by the partners, and other identified evaluation criteria.

- (i) A statement describing how the partner will provide outreach, especially to encourage participation by Indian Tribes, beginning farmers or ranchers, socially disadvantaged farmers or ranchers, veterans, and limited-resource farmers or ranchers.
- (j) A description of the wetland protection, restoration, and enhancement activities and associated outcomes to be implemented during the project timeframe, and the general sequence of implementation of the project. Activities may include those efforts undertaken by the partner and those that the partner requests NRCS to address through financial support.

**State Conservationist or director Proposal Review:** Partners must submit complete proposals by the date listed attached timeline to the appropriate State Conservationist or director who will evaluate proposals for—

- (1) Potential duplication of efforts with other projects or existing programs.
- (2) Adherence to, and consistency with, proposal requirements and program regulation, including requirements related to land and landowner eligibility and other program requirements.
- (3) Expected benefits for project implementation in their States.
- (4) Other issues or concerns of which the State Conservationist or director is aware that should be considered.
- (5) General recommendation for denial or approval of the project.

If a project is multistate in scope, the State in which the majority of the project area is located will be the lead State responsible for reviewing the proposal and submitting recommendations to NHQ. The lead State will ensure that the other affected States have been fully informed of the proposals and provided an opportunity for input.

**National Review and Selection of Proposals:** The appropriate State Conservationist or director will evaluate proposals and forward recommendations, with justification, to EPD by the date listed attached timeline for review and selection. The Chief will give a higher priority to proposals that—

- (1) Have a high potential to achieve wetland restoration (Resource Concerns).
- (2) Have a high potential to significantly improve wildlife habitat (Resource Concerns).
- (3) Provide innovation in wetland protection, restoration, management, and enhancement methods and outcome-based performance measures and methods (Resource Concerns).
- (4) Provide for outreach to, and participation of, Indian Tribes, beginning farmers or ranchers, socially disadvantaged farmers or ranchers, veterans, and limited-resource farmers or ranchers within the area covered by the agreement (Targeting and Outreach).
- (5) Facilitate the submission of landowner applications in priority landscapes (Targeting and Outreach).
- (6) Significantly leverage non-Federal financial and technical resources and coordinate with other local, State, Tribal, or Federal efforts (Program Cost).
- (7) Demonstrate the partner's history of working cooperatively with landowners on conservation easements (Partnership Details).
- (8) Demonstrate the partner's ability to have landowners sign up for WREP (Project Readiness).

- (9) Provide for monitoring, evaluation, and reporting of the effectiveness of the restoration or management activities (Partnership Details).
- (10) Provide for matching financial or technical assistance funds to assist landowners with the implementation of the wetland reserve plan of operations and associated contracts (Program Cost).
- (11) If proposal is for FA funds for new enrollments, provide evidence that wetland restoration and enhancement activities will be completed within 2 years of easement closing (Timeline).
- (12) If proposal is for TA funds associated with expediting closing, restoration planning, or monitoring of existing easements, provide evidence of qualifications, experience, and readiness of staff to complete technical assistance activities (Project Readiness).
- (13) If the proposal is for the management of existing WRP or ACEP-WRE enrollments, provide an estimate of costs for the management activities and what the proposed activities and associated outcomes will include, as well as which target habitat or species will benefit from the proposed activity (Program Cost).

**Partnership Agreement:** Upon proposal selection, NRCS will enter into a WREP agreement with a partner as the mechanism for partner participation in WREP. At a minimum, the agreement will address—

- (a) The role of the partner.
- (b) The role of NRCS.
- (c) The format and frequency of reports that is required as a condition of the agreement.
- (d) The plan of work and budget to identify NRCS and partner contribution, as well as other funding sources (if applicable) for financial or technical assistance.
- (e) The specified project schedule and timeframe.
- (f) Whether the agreement will serve as an obligating document or whether funds will be obligated under a separate agreement with the partner or with a third party.
- (g) Other requirements deemed necessary by NRCS to achieve purposes of the WRE.

**Landowner Applications and Eligibility Requirements:** Once NRCS selects a partner's proposal, landowners within the selected project area may submit an application directly to NRCS for participation in WRE. Individual landowner applications will be evaluated and ranked along with other applications in the WREP project area, watershed or geographic project area, when applicable, to ensure that the properties selected for funding will achieve project objectives.

All projects funded through WREP must meet all WRE eligibility and program requirements and all transactions will be processed through normal contracting procedures. The land eligibility criteria for WREP are the same as for WRE and are listed in 7 CFR Section 1468.30. Wetland restoration and enhancement actions will be designed to improve water quality and maximize wildlife habitat benefits and wetland functions and values in accordance with the WRE regulation, 7 CFR Part 1468, and NRCS conservation practice standards and specifications. Additionally, the successful restoration of land and the resultant wetland values must take into consideration the cost of such restoration, as required by the WRE statute and reflected in the ACEP-WRE interim regulation at 7 CFR Part 1468, Subpart C. Proposals must conform to the WRE guidelines for restoration and management of lands subject to a WRE easement.

**Updated Fiscal Year (FY) 2015 Timeline for WREP: Entering into New Agreements and Obligations**

<b>ACEP FY 2015 New Enrollment Actions</b>	<b>Completion Date*</b>	<b>Notes</b>
Notice of request for proposal: bulletin, guidance, announcement.	April 4, 2016	EPD will provide these items to States.
States will publish availability of funds for WREP.	April 18, 2016	States will announce availability of funds and guidance to eligible entities.
Proposal deadline for partner submissions to States	May 16, 2016	Partners will submit completed proposals to States for consideration and ranking.
States will submit highest eligible proposals to NHQ EPD for consideration	May 30, 2016	States will work with partners to finalize budget and review with partners. Post proposal spreadsheets to <a href="#">EPD SharePoint site</a> .  EPD will check completeness and eligibility
National Review Board ranks and prioritizes proposals and makes recommendation to Chief	June 27, 2016	National Review Team gathers input from State Conservationist  Review and evaluate proposal Provide rankings to Review Board  Rank and prioritize proposals  Evaluate budgetary impacts  Develop recommendations for Chief  Chief makes proposal selection and EPD communicates decisions back to States.
States work with partners to affirm awarded amount is accepted by partners	July 11, 2016	States communicate with partners to ensure awarded proposal amount is sufficient to implement proposal.
<b>States announce approved General and MRBI WREP proposals for FY 2015</b>	July 18, 2016	Public announcement News release Departmental coordination Letter of selection States finalize proposal packages with partners
<b>Send to Grants and Agreements for review</b>	August 1, 2016	NHQ G&A specialist reviews agreement package for completeness and delegation of authority approval  RC's delegate approval authority State Conservationist works with partners to establish agreements  Track partnership agreement progress Review requested flexibilities
<b>Back to States to get Agreements signed</b>	August 22, 2016	Agreement signed Allocate funds to States Review schedule of payments
<b>States to provide a copy of signed agreement to NHQ and send to NAPST for fund obligation</b>	September 12, 2016	Obligate funds before end of 1 <sup>st</sup> quarter of FY 2017.



# General WREP Evaluation Sheet

Spreadsheet #	
Project Name	
State	
Partner	
Acres	
Dollars	
Ranking Score	0

Question	Points	Partnership Contributions (35%) 70 Points	Ranking Score	Comments
1		To what extent does the proposal significantly leverage non-Federal financial and technical resources? (Ratio of Non-Federal technical assistance plus financial assistance provided divided by the Financial assistance request. Includes in-kind technical and planning assistance (choose one))		
	10	25% (minimum)	0	
	20	> 25%	0	
	30	> 30%	0	
	40	> 35%	0	
2	10	Does the proposal clearly describe outreach efforts to promote participation of beginning farmers or ranchers, socially disadvantaged farmers or ranchers, and Indian tribes? (Y/N)	0	
3	10	Does the proposal provide assurances of landowner participation, and has the applicant completed preliminary assessments of landowner interest within the proposed project area? (Y/N)	0	
4	10	Does the proposal ensure the availability of the resources to be contributed to WREP projects, including all matching funds? (Y/N)		
		Note: WRPO plan development may consist of assistance or support related to such activities as topographic surveys, engineering design, obtaining regulatory permits, soil and hydrology assessments, hydraulic analysis, GPS surveys, mapping, etc.	0	
<b>Planning and Assessment (15%) - 30 points</b>				
1	10	Does the proposal demonstrate a history of working cooperatively with landowners either through successful completion of past projects or initiatives with landowners? (Y/N)	0	
2	10	Does the proposal provide evidence that the restoration and enhancement activities will be completed within 2 years of closing the easement? (Y/N)	0	
3		Does the proposal include a monitoring plan, and if so, what level of monitoring will be used?		
	1	Monitoring involves random site visits to assess habitat quality and diversity.	0	
	5	Monitoring plan uses statistically valid data collection to evaluate a single resource factor.	0	
	10	Monitoring plan uses statistically valid data collection to evaluate multiple resource factor.	0	
Example: Resource factors may include vegetative transects, wildlife scans and point counts, hydrology assessments, water quality sampling, etc. Statistically valid monitoring protocol must also include the development of baseline data in order to track habitat changes over time as well as contributions of the project in meeting ACEP-WRE objectives.				
<b>Resource Outcomes (50%) - 100 points</b>				
4	20	Does the proposal specifically address assisting participants meeting local, State, and/or Federal regulatory requirements? (for example, meeting TMDL thresholds) (Y/N)	0	
5	20	Does the proposal have a high potential to improve habitat for migratory birds and other wetland-dependent wildlife? (Y/N)	0	
6	20	Does the proposal identify direct benefits to wetland dependent Federal or State listed T&E Species? (Y/N)	0	
7	20	Does the proposal utilize innovative restoration methods and practices in a targeted fashion to facilitate maximizing the potential habitat benefits of the easement sites? (Y/N)	0	
8		Does the proposal target landscapes that are likely to result in the enrollment of multi-functional wetland ecosystems and diverse wetland types? Maximum of 20 points		
	5	Riparian Wetlands or Floodplains	0	
	5	Seasonal Marsh	0	
	5	Semi-permanent Marsh	0	
	5	Playa, Pothole, Vernal Pool, or other closed basin wetlands	0	
	5	Upland Nesting Cover/Oak Savannah	0	
	5	Forested Wetlands/Bottomland Hardwoods	0	
	5	Mudflats	0	
	5	Other (Tidal, Bog, Fen, Saline Overflow, etc.)	0	
			<b>0</b>	

Letter of Support from State Conservationist  
 Additional Partner Support Included

## **Attachment C**

### **Partnership Agreement Template – Wetland Reserve Enhancement Partnership (WREP)**

***Agreement Instructions:** This document serves as a template for NRCS employees to use for development of partnership agreements for approved WREP projects with eligible partners. Remove, replace or modify any items show in italic as appropriate and needed. Other than insertion of information within “[ ]” brackets, the following items are not to be modified, changed or removed from the document: Agreement Title; I. Authority; II. Background; III. Purpose; IV(C) Mutually Agreed Responsibilities; V. Duration (except dates, names); VI. Provisions. Items 4A “NRCS Responsibilities” and 4B “Partner Responsibilities” must be modified to accurately document details of NRCS and partner agreed-to responsibilities based upon the approved WREP proposal. Only those items that NRCS has the legal authority and resources to provide may be included in the agreement. Questions regarding proposed agency responsibilities or clarification for use of this template should be directed to the national WRE specialist, Jeff Williams at (202) 720-6268, or [Jeff.Williams@wdc.usda.gov](mailto:Jeff.Williams@wdc.usda.gov).*

Partnership Agreement Between the [Name of Partner Entity] and USDA Natural Resources Conservation Service (NRCS) through provisions of the Wetland Reserve Enhancement Program (WREP)

**NRCS XX-XXXX-X-XXX** (Enter NEST Project –Number, duration term)

#### **Introduction:**

This Partnership Agreement is entered into between the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service, henceforth named “NRCS” and the [Name of Partner Entity], henceforth named [“Partner Name”]. NRCS and [Partner Name] are engaged in complementary and compatible activities related to providing financial and technical assistance to landowners through provisions of the Wetland Reserve Enhancement Partnership (WREP) a component of the Agricultural Conservation Easement Program - Wetland Reserve Easements (ACEP-WRE). Partnership activities include providing technical or financial assistance to encourage and facilitate restoration and protection of wetlands and associated habitats through enrollment of private and Tribal land into easements and 30-year contracts. Funds will be provided to eligible landowners by both NRCS and partner to the agreement.

#### **I. Authority**

This agreement is entered into in accordance with:

Agricultural Conservation Easement Program, subtitle H of title XII of the Food Security Act of 1985, as amended by section 1265C(e) of the Agricultural Act of 2014 (Public Law 113-79) (the Act).

#### **II. Background**

The Wetland Reserve Enhancement Partnership (WREP) is a voluntary conservation program designed to foster coordination with eligible partners and to encourage eligible landowners to enroll their property into perpetual and 30-year conservation easements and contracts for the purpose of restoring, protecting and enhancing wetland and associated habitats. The assistance provided through this partnership agreement enables landowners to protect, restore, and enhance wetlands and associated habitats. The Secretary of

Agriculture has delegated the authority for administration of WREP to the Chief of NRCS. Congress established WREP to assist potential partners in focusing efforts to designate and enroll high priority wetland areas based on input and identification of these areas by selected partners.

[Partner Name] has submitted a proposal to address priority wetland protection, restoration, and enhancement in the [Enter general description of area where partnership effort is focused]. [Partner Name] is an eligible partner entity and meets statutory requirements of WREP to carry out activities specified in this agreement and work with eligible program participants to help implement ACEP-WRE on eligible lands in [Approved Project Area].

NRCS is the lead Federal agency for wetland conservation on private land. In carrying out this role, NRCS provides voluntary conservation planning, technical and financial assistance to farmers, ranchers, and other landowners to address high priority wetland protection, restoration, and enhancement on private and Tribal land. Specifically, NRCS may provide financial and technical assistance from funds available through ACEP-WRE to eligible landowners on projects approved as a result of the partnership agreement.

### III. Purpose

The purpose of this agreement is to establish a partnership framework for cooperation between NRCS and [Partner Name] to target and leverage resources to protect, restore, and enhance wetlands, and to improve associated habitats on eligible lands within the approved project area.

### IV. Responsibilities of Parties

- A. **NRCS will:** *(Add additional NRCS items based upon details of WREP proposal submitted and approved by Chief or State Conservationist.)*
1. Carry out and implement in good faith the provisions of this agreement.
  2. Provide on an annual basis, technical or financial assistance through the Wetland Reserve Enhancement Partnership (WREP) as requested by the [Partner Name], to landowners located within the approved project area. Note: All funding beyond FY 2017 is subject to change based on availability of funds or other factors that may influence NRCS funding decisions. NRCS reserves the right and authority to reduce or discontinue project benefits to support this partner agreement based upon funds availability, changes in agency priorities, or inability of [Partner Name] to deliver resources or provisions of this agreement. Easement and associated restoration agreements executed with individual landowners as a result of this partnership agreement are assured of funding for the entire length of the approved agreement and not subject to provisions of this partnership agreement regarding fund availability.
  3. Implement and administer WREP and to achieve successful restoration, protection, and enhancement enrollment of identified WREP projects as brought forth by efforts of partners to this agreement and targeted in the areas identified in the partner proposal. Such assistance includes use of recommendations from [Partner Name] for evaluation and ranking of program applications and for eligible landowners to facilitate easement transactions and restoration implementation within the approved project area.

4. Provide annual review and recommendations to [Partner Name] regarding the project to ensure success and implementation of easement transactions and related restoration implementation.

B. **[Partner Name, NEST data entry] will:** *(Add additional partner items based upon details of WREP proposal submitted and approved by Chief or State Conservationist.)*

1. Carry out and implement in good faith the provisions of this agreement.
2. Comply with NRCS guidance concerning the Freedom of Information Act (FOIA), Privacy Act, section 1244 of the Food Security Act of 1985, and section 1619 of the Food, Conservation, and Energy Act of 2008 (the 2008 Act), 7 U.S.C. Section 8791, require the Government to withhold certain information related to agricultural producers and others who participate in NRCS programs. Refer to Title 120, General Manual (GM), Part 408, Subpart C, "Freedom of Information Act and Privacy Act," for NRCS policy regarding confidentiality of information.
3. Provide NRCS with a well-defined description and boundary of the project area for which NRCS ACEP-WRE benefits are to be offered. This includes refining the project area to specifically identify those areas that meet land eligibility criteria such as hydric soils, flooding frequency, seasonally high water table, and former or degraded wetlands.
4. Complete items in detailed "Plan of Work." Delivery of technical or financial resources to be provided by [Partner Name]. The plan must identify specific technical and financial resources to be provided by the partner or other cooperating entities and the project timeframe for delivery of said resources to NRCS program participants.
5. Comply with the project "Budget," which identifies other funding sources that support technical or financial resources identified in item #4.
6. Provide NRCS with an estimate of the annual amount of WREP funding specifically needed to enroll easements and implement restoration of wetland and associated habitats on eligible lands within the project area.
7. Provide NRCS with a list of suggested additional ranking criteria, if any, which may be added to existing ACEP-WRE ranking criteria, as determined by NRCS. The suggested criteria must relate to the WREP project area objectives to address priority wetland protection, restoration, and enhancement.
8. That [Partner Name] is responsible, without recourse to NRCS or USDA, for the settlement and satisfaction of all contractual and legal issues arising out of arrangements entered into between the [Partner Name] and third parties to carry out project activities.
9. Provide NRCS with a list of agency-approved restoration practices the partner would like offered through WREP. The partner must also provide NRCS with recommendations for practice implementation costs and data needed by the agency to support the priority needs within the project area.
10. Provide the NRCS agency representative with semiannual reports during the project period and a final project report that documents project accomplishments and goals achieved. Such regular reports must document match expenditures and include activities and services that are provided by [Partner Name] to program participants to help achieve objectives of the agreement. Reports must also address partner efforts to monitor and evaluate within the approved project area. Additional report requirements, if appropriate and included in the WREP proposal, must include—
  - a. Numbers of NRCS program participants assisted or cooperating in the project effort.

- b. Acres of easements enrolled and restored in the project area each year and for the final project report.
  - c. Other partner or resource contributions from other agencies or organizations which help implement provisions of the agreement and further project objectives.
  - d. Assistance provided to landowners to help meet local, State, and Federal regulatory requirements.
  - e. Quantification of benefits and other information related to efforts to address water quality, water conservation, and other natural resource related concerns.
  - f. Efforts to provide innovation in wetland protection, restoration, and enhancement methods and delivery of WREP, including new outcome-based performance measures and methods.
  - g. Efforts related to renewable energy production, energy conservation, mitigating effects of climate change, adaptation, or fostering carbon sequestration.
  - h. Efforts for outreach to, and participation of, beginning farmers or ranchers, socially disadvantaged farmers or ranchers, limited-resource farmers or ranchers, veterans, and Indian Tribes within the project area.
  - i. Financial and technical assistance resources provided by the partner including the required percent match and any additional funding provided in furtherance of the agreement.
  - j. The Privacy Act (authority: 5 U.S.C. Sections 301 and 522a; 31 U.S.C Section 9701). Employees must not disclose any private or sensitive data which is contained in a system of records NRCS maintains, by any means of communication to any person, or to another agency outside USDA, unless the disclosure is authorized in writing by NRCS. Employees whose duties require handling records in these systems must, at all times, protect the integrity, security, and confidentiality of private data and other sensitive data. Employees must exercise care so that information contained in these files is not inadvertently disclosed to families, friends, or others who have no need to know. Keep all private information in secure areas when not in use during office hours.
    - i. Examples of Private Data: Social Security number (SSN); tax identification (ID) number; employees National Finance Center ID; account numbers; and farm, tract, or common land unit numbers.
    - ii. Examples of Sensitive Data: Name, address, or other geographic indicators; email address; phone number; race; gender; ethnicity; disability; birth date.
10. Other additional items: *[Identify and list other items included in the partner proposal that was specifically offered to support the project.]*

**C. It is mutually agreed upon by both parties:**

1. To cooperate in developing and implementing restoration plans that address priority wetland protection, restoration, and enhancement in the defined project area.
2. That the designated representative of [Partner Name] and the designated representative of NRCS will cooperate to develop procedures to ensure good communication and coordination at the various levels of each organization.
3. Each party will carry out its own separate activities in a coordinated and mutually beneficial manner. Each party therefore agrees that it will assume all risk and liability to itself, its agents or employees, for any injury to person or property resulting in any manner from the conduct of its own operations, and the operations of its agency or employees under this agreement, and for any

loss, cost, damage or expense resulting at any time from failure to exercise proper precautions, of itself, its own agency or its own employees, while occupying or visiting the projects under and pursuant to this agreement. The Government's liability will be governed by the provisions of the Federal Tort Claims Act (28 U.S.C. Section 2671-80).

4. That nothing in this agreement will commit NRCS to obligate funds to the [Partner Name], or vice versa, regarding funds NRCS may provide to eligible program participants. However, this agreement is approved under WREP, due to commitment of the [Partner Name] to contribute [\$ \_\_\_\_] non-Federal match towards the implementation of this WREP project, as identified in the attached budget (attachment B). The parties concur that NRCS responsibilities under this agreement are contingent upon [Partner Name] providing the required Federal match towards implementation of the WREP activities identified under this agreement, and NRCS will track the non-Federal match and reserves the right to cancel this agreement at any time should [Partner Name] fail to provide the non-Federal match as represented.
5. This agreement does not restrict either party from participating in similar activities with other public or private agencies, or organizations, and individuals.

## V. Expected Accomplishments and Deliverables

[Insert list of deliverables derived from proposal]

1. Every 6 months, the partner must submit a written performance report. Each report will cover—
  - a. A comparison of actual accomplishments with the goals and objectives established for the reporting period and, where project output can be quantified, a computation of the costs per unit of output.
  - b. The reasons why the goals and objectives were not met, if applicable.
  - c. A final performance report, to be completed within 90 days of completion of the project.

## VI. Technical and Administrative Contacts

A. NRCS technical and administrative contacts:

Name (technical contact)

Address

Telephone Number

Email Address

Name (administrative contact)

Address

Telephone Number

Email Address

B. [Partner Name] technical and administrative contacts:

Name (technical contact)

Address

Telephone Number

Email Address

Name (administrative contact)

Address  
Telephone Number  
Email Address

## VII. Duration

This agreement takes effect upon the signature of NRCS, and will remain in effect for *[insert a period of no more than 4 years]* from the date of execution. This agreement may be extended or amended upon request of either NRCS or [Partner Name] as long as the extension or amendment does not extend this agreement beyond 5 years from date of execution, funds will not be added this after FY 2018. Either NRCS or [Partner Name] may terminate this agreement with a 60-day written notice to the other party.

## VIII. Provisions

A. Employees of NRCS will participate in efforts under this agreement solely as representatives of the United States. To this end, they may not participate as directors, officers, [Partner Name] employees, or otherwise serve or hold themselves out as representatives of [Partner Name]. NRCS employees must also not assist [Partner Name] with efforts to lobby Congress, or to raise money through fundraising efforts. Further, NRCS employees must report to their immediate supervisor any negotiations with [Partner Name] concerning future employment and must refrain from participation in efforts regarding such actions until approved by the agency.

## IX. List of Documents

Attachment A – Plan of Work

Attachment B – Budget Sheet

**X. Signatures:**

**IN WITNESS THEREOF, the parties hereto have executed this Partnership Agreement as of the date of the NRCS signature below.**

**Signed:** \_\_\_\_\_

[Name of Executive Director or Authorized Partner Designee]

[Name of Partner Entity]

Date: [Enter Date Signed]

**Signed:** \_\_\_\_\_

[Name] State Conservationist Natural Resources Conservation Service

[NRCS Agency Address]

Date: [Enter Date Signed]