

Fact Sheet - March 2009

## ***Program Administration***

On January 16, 2009, the Federal Register, Volume 74, No.11, announced the Wildlife Habitat Incentives Program (WHIP) rules and guidelines. The program has been reauthorized through 2012. The purpose of WHIP is to help participants develop fish and wildlife habitat on private agricultural land, nonindustrial private forest land, and Indian land. The Natural Resources Conservation Service (NRCS) may enter into agreements with Federal and State agencies, Indian tribes, conservation districts, local units of governments, public and private organizations, and individuals to assist with program implementation.

## ***Program Requirements***

To participate in WHIP, an applicant must:

- 1) be in compliance with the highly erodible and wetland conservation provisions of the 1985 Farm Bill;
- 2) be in compliance with the terms of all other USDA-administered conservation program contracts to which the participant is a party;
- 3) develop and agree to comply with a Wildlife Habitat Development Plan (WHMP) and Operations and Maintenance Agreement;
- 4) enter into a cost-share agreement;
- 5) provide NRCS with written evidence of ownership or legal control for the term of the proposed cost share agreement;
- 6) agree to provide all information to NRCS determined to be necessary to assess the merits of a proposed project and to monitor cost-share agreement compliance;
- 7) agree to grant to NRCS or its representatives access to the land for purposes related to application;
- 8) provide a list of all members of the legal entity and embedded entities along with members' tax identification numbers and percentage interest in the entity;
- 9) supply information, as required by NRCS to determine eligibility for the program,

including but not limited to information to verify the applicant's status as a limited resource farmer or rancher or beginning farmer or rancher and payment eligibility as established Adjusted Gross Income requirements. Eligible land includes private agricultural land, nonindustrial private forest land and Indian land

## ***National and Texas Priorities***

National priorities for WHIP will be to promote the restoration of declining or important native fish and wildlife habitats; protect, restore, develop or enhance fish and wildlife habitat to benefit at-risk species; reduce the impacts of invasive species on fish and wildlife habitats; and protect, restore, develop or enhance declining or important aquatic wildlife species' habitats. NRCS will use the national priorities in conjunction with state and local priorities to assist with prioritization and selection of WHIP applications, and periodically review and update the national priorities utilizing input from the public and affected stakeholders to ensure that the program continues to address priority resource concerns. Texas priorities will address the restoration of prairie and savanna's riparian areas, woody corridors, and wetlands habitats.

## ***Applications and Application Ranking***

Applications for WHIP can be obtained at local NRCS offices at anytime. NRCS will evaluate the application and make enrollment decision based on the fish and wildlife habitat need using some or all of the following criteria:

- 1) contribution to resolving an identified habitat concern of national, regional, or state importance;
- 2) relationship to any established wildlife or conservation priority areas;
- 3) duration of benefits to be obtained from the habitat restoration practices;

## (Continuation)

# 2009 Wildlife Habitat Incentives Program (WHIP)

- 4) self-sustaining nature of the habitat restoration practices;
- 5) availability of other partnership matching funds or reduced funding request by the person applying for participation;
- 6) estimated costs of fish and wildlife habitat restoration activities;
- 7) other factors determined appropriate by NRCS to meet the objectives of the program; and
- 8) willingness of the applicant to complete all conservation improvements during the first two years of the WHIP cost-share agreement.

### **Payment Limitations**

NRCS shall offer to pay no more than 75 percent of the costs of establishing conservation practices to develop fish and wildlife habitat. Historically underserved producers and Indian tribes may receive the applicable rate and an additional rate that is not less than 25 percent above the applicable rate, provided the this increase does not exceed 90 percent of the estimated incurred costs associated with the conservation practice. Cost-share payments may be made only upon a determination by the NRCS that a conservation practice or an identifiable component of a conservation practice has been established in compliance with appropriate standards and specifications. Payments made or attributed to a participant, directly or indirectly, may not exceed, in total, \$50,000 per year.

### **The Wildlife Habitat Development Plan**

The Wildlife Habitat Development Plan will be developed jointly with the participant by NRCS or other public or private natural resource professions

approved by NRCS. The WHDP shall be approved by NRCS and address at least one of the following:

- 1) Fish and wildlife habitat conditions that are of concern to the participant;
- 2) Fish and wildlife habitat concerns identified in State, regional and national conservation initiatives; or
- 3) Fish and wildlife habitat concerns identified in an approved area-wide plan that addresses the wildlife resource habitat concern.

The WHDP includes a schedule for installation and maintenance of the conservation practices, as determined by NRCS. All conservation practices in the WHDP must be approved by NRCS and developed and carried out in accordance with the applicable NRCS Field Office Technical Guide. The participant is responsible for the implementation of the WHDP.

### **Cost Share Agreements**

To apply for WHIP cost-share assistance, a person or legal entity must submit an application for participation at a USDA service center to an NRCS representative. A WHIP cost share agreement shall incorporate the WHDP, be for a time period agreed to by the participant and NRCS, with a minimum duration of one year after the completion of conservation practices identified in the WHDP and a maximum of 10 years, include all provisions as required by law or statute, include any participant reporting and recordkeeping requirements to determine compliance with the cost-share agreement and program, be signed by the participant, specify payment limits, include an O&M agreement that describes operation and maintenance for each conservation practice and the Agency expectation that WHIP-funded conservation practices will be operated for their expected lifespan.

For more information regarding the Wildlife Habitat Incentives Program, please contact Mark Habiger or Doug Sharer at 254 742-9800.