Wetland Restoration Criteria and Guidelines (WRCG)

FLORIDA NRCS

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1. Introduction

The regulation and internal policy (CPM Title 440, Part 528.131 B.) derived from the 2018 Farm Bill tasks State-level NRCS staff with developing a State-specific Wetland Restoration Criteria and Guidelines (WRCG) document for the Agricultural Conservation Easement Program (ACEP) – Wetland Reserve Easements (WRE) and its predecessor, the Wetlands Reserve Program (WRP).

Under ACEP-WRE, NRCS purchases easements directly from private and Tribal landowners through a reserved interest deed on eligible land to restore, protect, and enhance wetlands and associated lands. In these cases, the United States holds the easement, and the Natural Resource Conservation Service (NRCS) is responsible for monitoring, management, and enforcement. In Florida, these easements can be held in perpetuity or for 30 years.

The WRCG serves to transparently document technical considerations, rationale, and parameters used to support Florida NRCS decision-making related to the protection, restoration and management of wetlands and their associated habitats. The WRCG is considered a living document of technical criteria that may be modified periodically as new or additional scientific information becomes available. The WRCG may be reviewed annually with the State Technical Advisory Committee (STAC) and updated as necessary.

Wetland-related decisions that must be made prior to easement enrollment, pre and post wetland restoration activities, and throughout the management of the easement property include:

- Initial site assessment for land eligibility and ranking
- Preliminary and final restoration planning
- Long-term habitat management, enhancement, and repairs

All wetland-related decisions must be consistent with ACEP statute, regulation, and policy. The contents of the WRCG do not supersede the policy and requirements in the ACEP manual. If any conflicts arise, the language of the statute, regulation, and/or policy shall prevail.

2. Application Eligibility, Evaluation, & Ranking

This section aids Florida NRCS in technical decision-making for new wetland enrollments in ACEP-WRE. Unless otherwise noted, the information in this section is not applicable to existing enrollments and closed conservation easements.

Following eligibility determinations for both the landowner and the land offered for enrollment, NRCS evaluates and ranks the application. All assessments and ranking will occur within Conservation Assessment Ranking Tool (CART) and Conservation Desktop (CD). Each year, copies of the ranking priorities will be published on Florida NRCS' website.

2.1. Land Eligi1bility

2.1.1. Farmed or Converted Wetlands

A farmed or converted wetland is considered eligible land provided that the wetland was not converted after December 23, 1985, and is identified as one or more of the following:

- Wetlands farmed under natural conditions, farmed wetlands, prior converted cropland, commenced conversion wetlands, farmed wetland pastures, and agricultural lands substantially altered by flooding to develop and retain wetland functions and values.
- Former or degraded wetlands that occur on lands that have been used or are currently being used for the production of food and fiber, including rangeland and forest production lands, where the hydrology has been significantly degraded or modified and will be substantially restored.

- Farmed wetland and adjoining land enrolled in Conservation Reserve Program (CRP) that has the highest wetland functions and values and is likely to return to production after the land leaves CRP.
- A riparian area along a stream or other waterway that links, or after restoring the riparian area, will link wetlands protected by the ACEP–WRE easement, another easement, or other device or circumstance that achieves the same objectives as an ACEP–WRE easement.
- Florida NRCS significantly degraded is defined as at least a 25% reduction in hydrology from historic conditions.

2.1.2 Cropland or Grasslands Subject to Flooding

Cropland or grassland are considered eligible land if it was used for agricultural production prior to flooding from the natural overflow of the following:

- A closed basin lake, together with adjacent land that is functionally dependent upon it, if the State or other entity is willing to provide a 50-percent share of the cost of the easement; or
- A pothole and adjacent land that is functionally dependent on it and the size of the parcel offered for enrollment is a minimum of 20 contiguous acres. Such land meets the requirement of likelihood of successful restoration only if the soil is hydric and the depth of water is 6.5 feet or less.

2.1.3. Land Eligibility – Adjacent Lands

If land offered for enrollment is considered eligible land, NRCS may also consider enrollment of "adjacent lands" (Title 440, CPM, Section 528.105 I). Adjacent lands are lands that –

- Contribute significantly to the wetland functions and values of otherwise eligible land.
- Are incidental to, but necessary for, the practical administration and management of the enrolled area.
- Are directly adjacent or otherwise contiguous to the eligible land.
- Maximize wildlife benefits, including meeting the life cycle needs of wetland-dependent wildlife that rely upon uplands or riparian areas for migrating/movement, cover, nesting, or foraging activities.
- Must not exceed the acres of otherwise eligible land (one-to-one ratio) to be enrolled without a waiver from the State Conservationist.
- Are an acceptable associated habitat as defined by this WRCG.

Florida NRCS determines on a case-by-case basis if an enrollment's adjacent lands meet the criteria listed above. Not all criteria need to be met for Florida NRCS to determine eligibility of adjacent lands.

Any adjacent lands that do not meet the required criteria exceed the acres of otherwise eligible land, and/or do not have a waiver from the State Conservationist, will be removed from consideration at the discretion of Florida NRCS.

2.2. Ranking

2.2.1. Wetland Benefits

Priority will be given to ACEP-WRE enrollments that directly address the following resource and related concerns with emphasis on the cumulative benefits provided by different wetland types:

- Protection and restoration of habitat for migratory birds and other wetland dependent wildlife including endangered, threatened, or species of concern.

- Water quality, including the capacity of the wetland to improve water quality by filtering pollutants or sediment in floodwater or agricultural return flows.
- Hydrologic restoration would enhance floodwater attenuation or restore historic floodplains.
- Restoration provides extended hydroperiods which enhance groundwater recharge.
- Wetlands can provide enhanced carbon sequestration.

2.2.2. Funding Pools

Florida NRCS will have two ranking pools, one statewide pool for the general ACEP-WRE applications and a separate pool for the Peninsular Florida reserved grazing rights option. Multiple batching periods may be set with the first batching cutoff for both pools being January 15th, 2026.

2.2.3. Criteria & Scoring

2.2.3.1. Criteria Changes in the 2018 Farm Bill

The 2018 Farm Bill mandated additional changes to the ranking criteria, but much remained the same as the prior Farm Bill. The changes are summarized below. Although much of the ranking criteria is set Nationally, Florida NRCS has some flexibility to expand upon or create criteria if the resultant criteria are consistent with policy. Florida NRCS' ranking criteria are provided on our ACEP-WRE webpage.

In general, the 2018 Farm Bill instituted the following changes and clarifications to ranking criteria nationwide. If not already considered, these changes were incorporated into the current version of the Florida NRCS ranking criteria.

The Florida ranking criteria were developed to meet the requirements outlined in NI 440-310 for utilization in the Conservation Assessment Ranking Tool (CART)

2.2.3.2. Criteria for Ranking

Florida NRCS will use the following criteria to rank and prioritize selections in CART for enrollment in ACEP-WRE:

Table 1. Florida NRCS Ranking Criteria.

PROGRAM PRIORITY QUESTIONS
1. Restoration Cost Effectiveness
2. Partnership Points for Restoration
3. Florida Focus Areas
4. Productivity of Offered Land
5. Easement Configuration
RESOURCE PRIORITY QUESTIONS
7. Extent of Restoration
8. Restoration Connectivity
9. Extent Ponded or Flooded Soils
10. Restored Habitat Type
11. Habitat Diversity to be Restored
12. Invasive Species That May Hinder Restoration
13. Listed Species Likely to Utilize Restored Habitat
14. Proximity & Connectivity to Protected Areas
15. Proximity to Impaired Water Bodies with Approved Management Plans
16. Proximity to Panther Habitat
17. Proximity to Wood Stork Habitat

2.2.4. Ranking Scores

Each ranking criterion is assigned points based on the degree to which an application would address the criterion. Florida NRCS, in consultation with the STAC, assigned point values to each criterion based on past prioritization and our experience using ranking assessments for wetland applications in prior Farm Bills. The only limitation on scoring was that 50% of the potential points awarded for resource priority questions had to come from hydrology restoration potential (questions 20 – 25).

Florida has included the following priority areas for consideration in the ranking process.

- The Everglades Ecosystem
- Current watersheds with an approved Basin Action Management Plan (BMAP).
- The Florida Wildlife Corridor as identified by the 2021 Wildlife Corridor Act.

The ranking criteria posted to the Florida NRCS ACEP-WRE webpage includes the scoring that Florida NRCS will use to rank new ACEP-WRE applications.

2.2.5. Ranking Thresholds

Florida NRCS is authorized to establish high-threshold scores to facilitate year-round, immediate application selection. The State Conservationist, with advice from STAC, may establish a high threshold ranking score at a level high enough that an eligible application ranking above such threshold score would automatically warrant selection for funding. Conversely, a low threshold ranking score can be established, below which applications will never be funded. Establishing thresholds helps protect the Federal investment, ensuring expeditious funding of the highest-quality applications and removing low-quality applications from consideration.

2.3. Role of Partners in Application Eligibility, Evaluation, & Ranking

Florida NRCS relies on its conservation partners and the STAC for technical recommendations and other input for application eligibility, evaluation, and ranking. Roles and responsibilities of each entity are described below.

2.3.1. United States Fish and Wildlife Service (Department of the Interior)

Although the ACEP interim rule removed the requirement for USFWS input at the local level in the determination of eligible land, their input remains invaluable at the state level as a member of the STAC. In this capacity, USFWS provides input on ranking priorities. Florida NRCS Field Office staff may still request input from USFWS at the local level for specific applications and ranking assistance.

2.3.2. Florida Fish and Wildlife Conservation Commission (State Agency)

Florida Fish and Wildlife Conservation Commission (FWC) also frequently participates in the STAC. There are no requirements from the ACEP rule or policy for NRCS coordination with FWC, but FWC is an important partner in technical decision-making for ACEP-WRE and long-term management of our easements.

2.3.3. State Technical Advisory Committee (STAC) – Wetland Subcommittee

The Florida STAC has been used for many years by Florida NRCS to provide a vehicle for discussion and to solicit recommendations for consideration in the implementation of the ACEP-WRE and its predecessor, the Wetlands Reserve program. Members of the Wetland Subcommittee consist of State and Federal resource agencies, non-governmental conservation organizations, Joint Venture staff, and land trust partners.

2.4. Waivers

The State Conservationist is authorized to consider waivers to the following policy requirements:

2.4.1. Riparian Widths and Distances

Riparian areas along streams or other waterways are eligible for enrollment, provided that the offered riparian area directly links wetlands less than 1 mile apart and that those wetlands are currently protected or will be protected under the same ACEP-WRE easement transaction. Eligible riparian areas should average no more than 300 feet in width, measured from the top of bank on one side, or 600 feet in width, if both sides of the river, stream, channel, or water body are offered for enrollment.

Larger widths or linkages of wetland areas greater than 1 mile apart may be considered if the riparian zone and its associated wildlife or ecological values so warrant; waivers for additional width or for eligible wetland areas more than 1 mile apart may be granted by the State conservationist if the riparian area can be demonstrated to provide habitat for at-risk fish or wildlife, contribute significantly to wetland functions and values of the easement area, or improve the practical administration and management of the easement area.

2.4.2. Adjacent Land to Eligible Lands Ratio

Under limited authority, the State Conservationist can authorize a waiver allowing adjacent land acres to exceed eligible land acres under the following circumstances:

- Enrollment includes unique or critical wetland complexes whose wetland functions and values inherently depend on the adjacent lands.
- Enrollment targets at-risk, wetland-dependent species that require additional upland acres to successfully complete their lifecycle.
- There is a high risk of degradation to wetland acres as a result of agricultural uses outside the enrollment area and adequate buffer is needed to protect wetland functions and values.
- Enrollment would protect high-quality, remnant natural communities.
- Enrolment would protect habitat occupied by an at-risk species of wildlife.

Under these limited circumstances, the State Conservationist is limited to approval of inclusion of adjacent lands at a five-to-one (5:1) ratio to otherwise eligible lands.

2.5. Grazing Reserved Rights (GRR)

Florida is currently offering a reserved grazing rights option for WRE enrollment for the peninsular region of the state. Grazing can be an effective vegetation management tool on wetland easements when used appropriately to manage habitat for wildlife. Grazing Reserved Rights is a special enrollment option under ACEP-WRE and its predecessor program, WRP. Under this option, the landowner may reserve grazing rights under the following conditions:

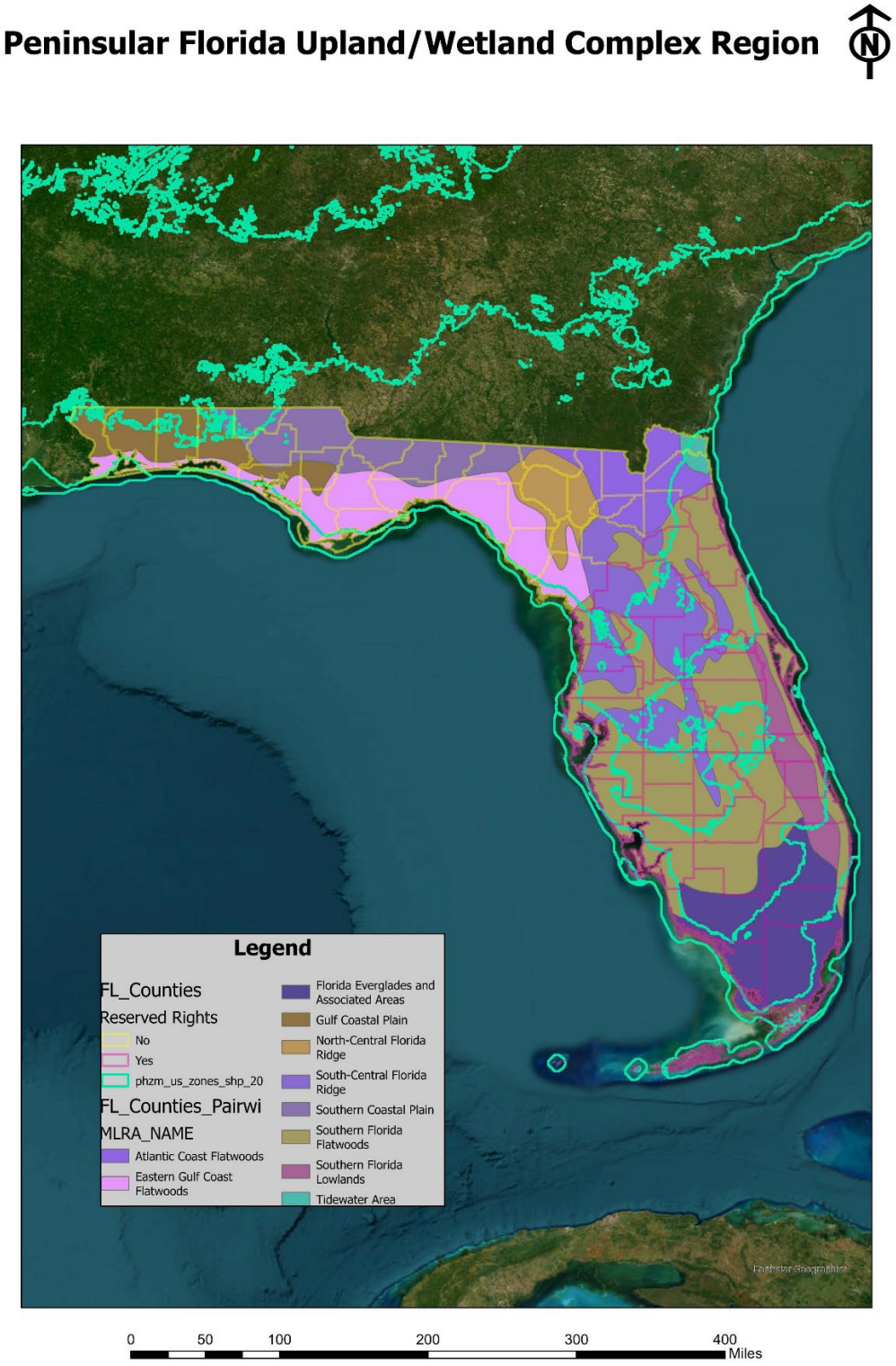
- Grazing is supported by scientific literature as compatible with restored wetlands and associated habitats and can be used as a management tool to benefit wildlife and the vegetation they depend on for forging, nesting, loafing, and avoiding predators.
- Grazing is consistent with the long-term wetland protection and enhancement goals of the easement.
- Grazing is consistent with the Wetland Reserve Plan of Operations (WRPO) that includes a site-specific grazing management plan and is reviewed every five years and updated as needed.

Grazing reserved rights are initiated during the offer for enrollment process and solidified through an "Exhibit E," which has been approved by the NRCS's Easement Program Division (EPD). A site-specific

grazing plan will be developed emphasizing native habitat restoration as outlined in section 5 of the WRCG. Florida NRCS has identified the following geographic area and wetland types for GRR enrollment (see map 1 below):

- The peninsular region of Florida, meaning all counties south of the line extending through the state along the northern boundaries of Citrus, Marion, Putnam, and St. Johns Counties. The limits of peninsular Florida correlate to a distinct region change represented by the MLRA areas, plant hardiness zones, and 26 Ecological Communities of Florida.
- The predominant wetland communities enrolled in the Wetland Reserve Easement program in this region are Freshwater Marsh, Slough, Hydric Flatwoods, Cutthroat Seeps, Wet and Dry Prairies, and Cabbage Palm Flatwoods.

Map 1. Geographic Region and Wetland Types Eligible for GRR Enrollment



3. Restoration Planning & Implementation

3.1. Wetland Restoration Definition

Wetland restoration is defined as the rehabilitation of a degraded or converted wetland in a manner such that:

- The original, native vegetative community and hydrology are, to the extent practical, reestablished. Determination of original type and extent of the wetlands that were present prior to manipulation will be based on soil survey data, historic aerial photographs, and nearby reference wetlands on similar soils.
- Florida has defined significant restoration to be 80% or greater of the original wetland functions and values.
- Alternative communities may be authorized to a hydrologic regime and native vegetative community different from what likely existed prior to degradation of the site is established that will:
- Substantially replace the original habitat functions and values while providing significant support or benefit to migratory birds or other wetland-dependent wildlife; or
- Address local resource concerns or needs for the restoration of wetland functions and values for wetland-dependent wildlife as identified in an approved State wildlife action plan or NRCS national initiative.

3.2. Florida Wetland Types

The predominant wetland types encountered in Florida are listed below and based on the 26 Ecological Communities of Florida and The Florida Natural Areas Inventory Natural Communities Guide. The 26 Ecological Communities document is correlated to soils maps in Web Soil Survey and there is a crosswalk document for the Natural Communities Guide. Florida NRCS has identified the following communities that are typically encountered and considered in the ranking process. Priority in ranking communities is given to communities that provide the most cumulative environmental benefits in the context of wildlife habitat, water quality, water attenuation, flood protection, and carbon sequestration.

- **Tidal wetlands** -- coastal wetland communities influenced by tidal fluctuations. This includes mangrove swamps, salt marshes, transition zones, and adjacent freshwater marshes whose water regimes are controlled on a regular basis by the tides. (Ecological Community Equivalent (E.C.E.) [1]= Salt marsh, Mangrove swamp)

- **Freshwater marsh** -- non-tidal wetlands dominated by herbaceous plants rooted in, and generally emergent from, shallow water that stands at or above the ground surface for much of the year. (E.C.E.= Freshwater marsh, Sawgrass marsh)

- **Slough/Wet Prairies** -- a treeless plain with a sparse to dense ground cover of grasses, grass-likes, and herbaceous plants occurring on low, relatively flat, poorly drained terrain. Woody shrubs are typically absent unless drainage has been installed and water table flux and surface flows have been altered. Trees and shrubs can also encroach upon these ecological communities when natural fire regimes have been altered or removed. (E.C.E = Slough, Cutthroat Seep, Marl Prairie, Pitcher Plant Bog, Dwarf Cypress Savanna, or Flood Plain Marsh)

- **River swamps** -- forested wetlands along rivers and larger streams. These are seasonally

flooded areas with a relatively short hydroperiod and high productivity and diversity. This includes floodplain bottomland hardwoods whose main water source comes from the river, and spring run swamps and hydric hardwood forests whose main water sources are from deep groundwater aquifers. (E.C.E. = Bottomland hardwoods, Wetland hardwood hammocks, and wetter areas of Upland hardwood hammocks)

- **Lake fringe swamp** -- these are forested wetlands at the margins of lakes, characterized by moderately high productivity and diversity. The main water source is lake water and the hydroperiod is moderate. (E.C.E. = Cypress swamps, Swamp hardwoods)
- **Cypress stand** -- these are forested wetlands dominated typically by bald cypress trees, occurring where there is sufficient water and flow to generate a depression channel. This community has moderate hydroperiods, diversity and productivity; however, productivity is generally slightly higher than non-flowing cypress ponds. (E.C.E. = Cypress swamp)
- **Mixed hardwood swamps** -- these are still-water, forested wetlands dominated by hardwood species such as red maple, swamp black gum, water ash, and water hickory, although cypress commonly occurs here also. The main water source is shallow groundwater and the hydroperiod is moderate. (E.C.E. = Shrub Bog – Bay Swamp, Swamp hardwoods)

3.3. The Wetland Restoration Plan of Operations

The Wetland Restoration Plan of Operations (WRPO) is a document developed or approved by NRCS that identifies how wetlands and associated habitats on the easement will be restored, enhanced, and managed to achieve the purposes of the ACEP-WRE program.

3.3.1. Preliminary WRPO

The preliminary WRPO will be developed during the ranking process and input into CART along with a preliminary cost estimate prior to completing the ranking process. The preliminary WRPO will include an evaluation of historic and existing conditions of the offered area along with the proposed restored habitats and a description of the typical vegetation and hydrology anticipated with restoration. The plan also includes the works of improvements or conservation practices expected to be installed to restore the site to the historic conditions. The preliminary WRPO is later refined following site analysis and used for development of the WRPO.

3.3.2. Funding

NRCS will use the preliminary cost estimate developed as part of the Preliminary WRPO to reserve the funds needed to facilitate implementation of planned restoration activities. These funds can be utilized for restoration through a restoration agreement directly with the landowner (conservation program contract), a third-party conservation organization (contribution or cooperative agreement), or through the Federal contracting process. The preliminary cost estimate and final values used to develop the restoration contract will be determined through a combination of the most current version of the ACEP-WRE cost list, internal cost estimates, and cost estimates from contractors. Permanent easements will receive 100% cost share for restoration activities; 30-year easements will receive 75% cost share for restoration activities.

3.3.3. Methods

The WRPO will identify the planned activities that will be implemented during restoration and for ongoing habitat management. NRCS Conservation Practice Standards, National Planning Policy Handbook (NPPH), National Environmental Compliance Handbook (NECH), and other related National and State planning policies and guidance must be followed for all activities. Vegetative communities can be restored passively (e.g., natural regeneration) or actively (e.g., planting). The expense of active restoration should

be considered when planning for the WRPO as it may contribute to the eligibility and ranking of the project.

3.4. Eligible Practices

The practices listed in Table 2 represent typical conservation practices implemented for restoration in Florida. The most current version of the ACEP-WRE cost list represents the list of acceptable NRCS Conservation Practice Standards and scenarios available for planning a WRPO and for financial assistance (FA) under a restoration or stewardship contract. Any Florida NRCS Conservation Practice Standard not listed on the cost list may be considered for reimbursement on a case-by-case basis.

Table 2. Typical Florida NRCS Conservation Practices Included in a WRPO.

Practice Code	Eligible Practice/Activity
314	Brush Management
315	Herbaceous Weed Treatment
326	Clearing and Snagging
338	Prescribed Burning
342	Critical Area Planting
356	Dike
382	Fence, to exclude livestock
420	Wildlife Habitat Planting
460	Land Clearing
462	Precision Land Forming and Smoothing
500	Obstruction Removal
550	Range Planting
587	Structure for Water Control
612	Tree and Shrub Establishment
644	Wetland Wildlife Habitat Management
645	Upland Wildlife Habitat Management
649	Structures for Wildlife
657	Wetland Restoration

3.5. Hydrologic Modeling and Engineering Design

During the process of the development of the WRPO, hydrologic and hydraulic modeling is used to analyze and evaluate the preliminary restoration plan. The preliminary restoration plan is then revised based on the modeling results to ensure lost wetland habitat and values are restored to the fullest extent practicable without causing adverse impacts to cultural resources, historic properties, state and federally protected species, off-site properties, or any other special environmental concerns.

Where possible, existing drainage infrastructure (structures, dikes, ditches, etc.) may be incorporated into the restoration plan, if consistent with restoration goals and objectives set forth for the project to ensure restoration is economically feasible. NRCS also works with the landowner of the easement to attempt to address the landowner's concerns and preferences to the extent possible if the preferences do not hamper the restoration goals of the project.

Florida NRCS primarily uses the Interconnected Channel and Pond Routing computer model (ICPR Version 4) for analysis of restoration projects. Although ICPR4 is the preferred model, other models can be approved for use and have been used depending on the site-specific conditions of the easement.

Following the analysis of the restoration plan using modeling to finalize the WRPO, the engineering design drawings and specifications are prepared according to NRCS standards and specifications. Engineering design drawings and specifications are typically prepared with the assumption that the project will be

constructed using the Federal Contracting process. Thus, National construction and material specifications are typically used for each restoration project.

3.6. Permitting

All required permits and permit limitations are typically outlined in each WRPO. The Florida permitting agencies potentially applicable include the Water Management District/Department of Environmental Protection ERP permit, U.S. Fish and Wildlife Service ESA consultations, Florida Department of Environmental Protection NPDES construction storm water permit, Army Corps of Engineer's 404 permit, local zoning permits, and location of any right of way easements or utility easements.

As part of the permitting process, NRCS is responsible for completing National Environmental Policy Act (NEPA) analysis for the selected final restoration plan.

Prior to finalizing restoration plans, Florida NRCS conducts cultural resource investigations and consultations with the State Historic Preservation Office (SHPO) and Tribal Historic Preservation Offices (THPOs) in compliance with the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), on proposed restoration and management activities.

3.7. Restoration Contracting

Restoration may be conducted through a restoration agreement directly with the landowner (conservation program contract), a third-party conservation organization (contribution or cooperative agreement), or through the Federal contracting process. Restoration practices will be reimbursed up to 100% of the cost for permanent easements and up to 75% for 30-year contracts.

4. Easement Management

4.1. Compatible Use Authorization (CUA)

A compatible use is an activity conducted on an ACEP-WRE, WRP, or EWPP-FPE easement that NRCS determines, in its sole discretion, is consistent with the long-term protection and enhancement of the conservation values of the easement when performed according to the amount, method, location, timing, frequency, intensity, and duration limitations prescribed by NRCS.

NRCS may issue compatible use authorizations (CUA) to a landowner to implement specific compatible uses for a defined period, not to exceed 10 years in duration, and are not transferable. Prescribed Grazing CUAs are not to exceed five years in length and also are not transferable. CUAs may only be issued for practices and activities that will facilitate the practical administration and management of the land and further the functions and values for which the easement was enrolled.

Any necessary practices or activities must meet all applicable NRCS Conservation Practice Standards, National Planning Policy Handbook (NPPH), National Environmental Compliance Handbook (NECH), and other related National and State planning policies and guidance.

All CUA's will be planned in Conservation Desktop (CD) including the AD-1160. The Florida State Conservationist has delegated the CUA approval authority to the Assistant State Conservationist for Easements. The state CUA instruction outlines the process for handling CUA reviews and approvals.

An NRCS-CPA-52 Environmental Evaluation is required for all practices and activities in a CUA. An existing NRCS-CPA-52 may be used for a new CUA only if the following criteria are met:

- Activities in the new CUA were analyzed in an existing CUA.
- There have been no changes to activities, practices, alternatives, or conditions.

- The existing NRCS-CPA-52 is less than 5 years old; and
- It meets all requirements in CPM, Title 440, Section 528.152 B (2)

This WRCG is used to document State-specific technical information related to CUAs to facilitate decision-making, analysis, prescription, documentation, and authorization of CUAs, such as:

- Technical considerations and parameters used to determine the conditions in which a CUA may be authorized, and the associated limits, applicability, and exceptions to those limits (528.152 B (1)).
- Technical requirements
- All CUAs must be in writing and supported by a technical determination in the case file that clearly documents the basis for the determination that the authorized activities meet compatibility requirements and the guidelines for implementation. CUAs may be authorized for any activity listed in section 5.2. All CUAs must consider the impacts to at-risk fish and wildlife and will require avoidance and minimization measures to be included within them.

4.2 Florida Allowable Compatible Uses

4.2.1. Cropping

- Operation of the land, including planting and harvesting of crops, is under the control of the landowner until the ACEP-WRE easement is recorded or the 30-year contract is executed. Any crops planted before the easement is recorded or 30-year contract is executed may be harvested if authorized in writing by NRCS.
- If authorized through a CUA, landowners may also plant a crop during the spring following the easement recordation or 30-year contract execution when such recordation or contract execution occurs after October 1, provided the crop is planted before July 1. The harvest of the crop will be under the control of the landowner. The subsequent planting of a crop for harvest is prohibited.
- In limited situations, NRCS may authorize through a CUA the temporary permission to crop all or a portion of an easement or 30-year contract subject to the following conditions:
    - NRCS determines there would be substantial savings in restoration costs due to reduced site preparation costs and increase site preparation benefits as a result of authorizing cropping on the area to be restored.
    - The authorization to crop is limited to one cropping season immediately prior to the date the restoration work is to commence on that area of the easement or 30-year contract.
    - The cropping is done in a manner that is acceptable to NRCS as specified in the CUA.
    - All reasonable efforts have been made to initiate the restoration in a timely manner.
    - When the restoration action is delayed, cessation of cropping is required and may not be reauthorized until the cropping season immediately prior to the date the restoration work is to commence. The cessation of cropping provides a wide variety of wetland, wildlife, and water quality benefits; therefore, continued cropping until the actual restoration work commences is a violation of program authority. Therefore, landowners must be advised that any cropping authorized under the CUA is exercised at the landowner's own risk.
- NRCS must also advise landowners to consult FSA and that they may not be entitled to any USDA benefits related to such cropping.
- The CUA must include language considering the following:
    - The approval is contingent upon the landowner managing the water in accordance with applicable Water Management District Permits.
    - Descriptions of agricultural practices and uses and provisions to minimize the application of inorganic materials to the easement area.
    - Description of proper management of the amount (rate), source, placement (method of application), and timing of plant nutrients and soil amendments.
    - The landowner must provide written records to NRCS documenting the

amount and timingof any chemicals applied on the easement area.
- Agricultural operations and water management infrastructure authorized by NRCS to remain on the easement area under the CUA must be removed by the landowner at their own expense within 60 days of notification by NRCS. This includes but is not limited to remaining pump stations, associated fuel tanks and other prohibited structures.
- Following the cessation of agricultural activities and removal by the landowner of all required items, NRCS will inspect the site to determine whether further environmental investigation should be conducted. Any further investigations will be completed by a qualified environmental professional and any subsequent required actions issued by the Florida Department of Environmental Protection will be completed by the landowner at the landowner's expense.

4.2.2. Hunting and Recreational Uses

- Undeveloped recreational uses reserved to the landowner under the terms of the warranty easement deed (including hunting observation blinds that will accommodate no more than four people and are temporary, non-permanent, and easily assembled, disassembled, and moved without heavy equipment) are not subject to the CUA process. However, undeveloped recreational uses must be consistent with the long-term protection and enhancement of the wetland and other natural values of the easement area.
- In contrast to non-permanent hunting or observation blinds described in the above paragraph, which are not subject to the CUA process, NRCS may authorize through the CUA process individual semi-permanent hunting or observation blinds for undeveloped recreational use. The semi-permanent hunting blinds are subject to the following requirements:
  - May have external dimensions of no more than 80 square feet and 8 feet in height.
  - The CUA will describe the number, locations, and features of blinds.
  - Disturbance to wildlife from location, placement, installation, maintenance, and use, especially during critical periods such as night roosting and nesting season, must be kept to a minimum.
  - May require heavy equipment to remove but must be able to be removed from the enrolled area with minimal ground or vegetation disturbance.
  - The CUA must stipulate that the landowner is responsible for all costs associated with the removal of the blind and the repair of any impacts to the easement area as a result of the removal.
  - The blind is only authorized so long as a valid CUA is place. If the CUA is not renewed, the blind must be removed from the easement by the date of expiration of the CUA.
  - Must be consistent with the long-term protection and enhancement of the wetland and other natural values of the easement or contract area.
  - Must comply with any Florida Fish and Wildlife Conservation Commission regulations.
  - Must not construct or maintain any barrier or boundary fences that prohibit wildlife movement on or adjacent to the easement area.
  - Must maintain WRP/WRE vegetation cover and hydrology.
  - All other applicable limitations must be described in the CUA.

Food Plots

- Limited to a maximum of 5% of the easement area, not to exceed 100 acres total for any easement and no larger than 5 acres each.
- Located and configured to avoid or minimize habitat fragmentation.
- May not be harvested as a crop.
- May not be installed in areas with 60% or higher native plant diversity (4 or more native plants in the area)
- Landowner must be responsible for soil health and control of invasive and non-native species
- If a food plot is planned to be abandoned, the landowner is responsible for managing the area to ensure it returns to the native plant community expected for the area. This includes herbiciding non-native species, seeding in natives, and controlling invasive plants and animals. Abandoned food plots should be trending toward native plants within 5 years. If not, NRCS will ask the landowner to invest in management practices to restore the food plot to native plant communities.

Developed Hunting

- Fencing to keep hogs out is allowed. Permanent fencing requires a CUA.
- Bare soil should be minimal and show signs of healing within a growing season
- Trails to feeders should be minimized and part of a trail CUA

4.2.3. Land Management Practices

The objective of the Natural Resources Conservation Service (NRCS) Agricultural Conservation Easement Program (ACEP) - Wetland Reserve Easements (WRE) and the previous Wetland Reserve Program (WRP) is to restore, protect, and enhance wetlands through the purchase of conservation easements. As part of the restoration and long-term maintenance of these lands, the following land management activities may be approved by USDA-NRCS through a Compatible Use Authorization (CUA) with the landowner (CPM 528.152):

Access Road – Code 560

- Only to be used as a one-time CUA to repair erosion along an existing road or dike.

Apiaries

- Location must be approved by NRCS. Management of bees must not create erosion or trash issues.

Artificial Nesting Structures – Code 649

- Location and type must be approved before installation. If not maintained every year, must be removed.

Brush Management – Code 314

- Used for treatment of Category I invasive tree and brush species. Also used to set back woody encroachment of native and non-native shrub species in historically herbaceous ecosystems where fire is not possible and cattle have no effect.
- Mechanical treatments of upland communities occur outside of ground nesting bird season which is March 1st through July 15th.
- Mechanical treatments to control woody encroachment in herbaceous dominated ecosystems should occur after herbaceous seedheads of native species have matured.
- Mechanical treatment of natives should have a post-treatment goal of remaining cover (percentage) as part of the Implementation Requirements, based on FNAI ecosystem description.

Controlling Existing Flowing Well - Code 352

- Used to cap and/or control flow at an existing flowing artesian well to prevent surface and groundwater depletion; protect shallow ground water resources from organic and inorganic contamination; and/or prevent flooding or ponding.

Fence - Code 382

- Used for boundary and interior fence for rotational grazing purposes to support wetland restoration objectives in conjunction with prescribed grazing CUA, or to protect sensitive areas.
- Fencing must meet wildlife friendly standards and specifications. No woven wire or game fences are permitted.
- Fencing for rotational grazing purposes is not eligible for funding through ACEP.
- Temporary panel facilities may also be considered in conjunction with grazing CUAs.

Fire Break - Code 394

- Constructed to control wildfires or facilitate prescribed burning.
- Can be mowed, disked, or wet line firebreaks
- Mowing of firebreaks should occur within 1 month of planned fire and should be limited to 2x a year.

Forage Harvest Management- Code 511

- Used for removing aboveground biomass to bring sunlight to soil surfaces for native seed germination in monocultures (90% cover or higher) of non-native forage species including limpograss (*Hemarthria altissima*), paragrass (*Urochloa mutica*), torpedograss (*Panicum repens*), and smutgrass (*Sporobolis indicus & Sporobolus jacquemontii*).
- Needs to be paired with a follow-up management practice to stress non-native forage species. Such practices include heavy flash grazing, flooding, burning, or chemical treatment.
- Harvest heights should be 10 inches or less to stress out species
- 1-time CUA to be reviewed after paired practice is applied

Forest Stand Improvement - Code 666

- Thinning of stand of native species to achieve appropriate levels for specific habitat.
- Slash piles need to be removed from the easement

Fuel Break - Code 383

- Used where vegetation is reduced to control the spread of wildfires.
- Mowing of firebreaks should occur within 1 month of planned fire and should be limited to 2x a year. Brush management of fuel next to a firebreak should not exceed 50 feet wide and should be done once within 6 months before a planned fire in that unit.
- Mechanical treatments must avoid nesting bird season

Herbaceous Weed Control - Code 315

- Used for treatment of Category I invasive grasses, forbs, sedges, and ferns. Can also be used for control of aggressive native species that have become unnaturally dominant in the habitat and are suppressing native plant species diversity.
- Mechanical treatments must be paired with another treatment method (chemical, fire or grazing). Mechanical treatments will not be reoccurring and will be limited to a specific CUA for a specific land management plan to meet wetland restoration goals.
- Mechanical treatments of upland communities occur outside of ground nesting bird season which is March 1st through July 15th.

Livestock Pipeline - Code 516

- Installed in conjunction with livestock watering facilities identified in a grazing CUA.

Mowing/Trail Maintenance

- Only to be conducted as a maintenance practice for roads, dikes, levees etc.

Prescribed Burning - Code 338

- Used to mimic historic fire regimes in Florida. For wetland and flatwoods habitats, fire interval should be 1-3 years. Upland and Scrub habitats should be burned minimally.
- Landowner is responsible for obtaining burn permits from the Florida Forest Service.

Prescribed Grazing - Code 528

- When restoration and construction begin, livestock grazing in the work area must cease and the return of livestock will be determined by vegetative management needs.
- A rest period for areas experiencing recent hydrologic restoration after construction will be implemented and determined by NRCS staff based on health and recruitment of native wetland species.
- See section 6 for specific guidelines on stocking rates, rest periods, and rotations.

Pumping Plant - Code 533

- Pumping plants are only allowed as a supporting practice for livestock watering in conjunction with a Grazing CUA or in conjunction with a Wetland Enhancement/Wetland Wildlife Habitat Management CUA.
- Engineering designs and specifications should be provided as part of the CUA if a pump is installed. Language must be included in the CUA documents that if the wetland wildlife habitat management CUA expires, or if the practice is abandoned, the landowner is responsible for removing the pumping plant and associated infrastructure from the easement at their own cost.

Seed Harvesting

- Limited to native species for propagation on the easement area for restoration purposes.
- Not to be done more than 1 time in a five (5) year period.
- Utilize PMC guidance materials and techniques for proper harvest and handling of seedmaterials.

Trails and Walkways – Code 575

- Limited to existing trails that increase access to the interior of the easement.
- New trails may be considered but must show that they provide a beneficial increase in access.

Tree and Shrub Establishment – Code 612

- Species, spacing, and location must be approved by NRCS. Can be used for upland or wetland species. Cannot be used for ornamental plants.

Water Facility - Code 614

- For livestock watering in conjunction with grazing CUA
- Should be located away from sensitive wetland areas and other critical habitats.
- Should be Portable and removable without leaving a lasting footprint.
- Landowners are responsible for maintenance around trough to reduce denuded areas.

- Not placed in areas with susceptible soils for compaction.

Water Well - Code 642

- Wells are only allowed as a supporting practice for livestock watering in conjunction with a grazing CUA, or in conjunction with a wetland wildlife habitat management CUA.
- No free-flowing artesian wells will be allowed. Wells must be capped and flow controlled with a float-switch in livestock watering systems.
- New wells should be located in out-parcels or off easement areas if within reasonable distance to the needed trough location. If wells are deemed necessary by NRCS to support the easements Operation and Maintenance plan, locations of new wells should:
    1. Be approved by Cultural Resources
    2. Be more than 100 feet away from wetlands, determined by wetland soils
    3. Not be installed in areas with 60% or higher native plant diversity (4 or more native plants in the area)

Wetland Wildlife Habitat Management - Code 644

- Pumps may be authorized for the purposes of wetland habitat enhancement for waterfowl and wetland dependent species.
    - All pump/well locations must be approved by NRCS prior to installation.
    - The CUA should specify maximum depth and duration for operating the pump.
    - All fuel tanks should meet Florida DEP requirements for fuel containment for diesel/gasoline engines.
    - Location of electric lines (buried or overhead) must be pre-approved by NRCS. All buried lines must be marked, and these markers maintained for the life of the easement.
    - Pump discharge location must be equipped with an "energy dissipater" to prevent creation of a plunge hole.
    - These will be required to be removed from the easement area within thirty (30) days of the last pumping event of the CUA.
- Artesian wells opened for providing open shallow water for waterfowl habitat should be protected from cattle and vehicle traffic in the flooded area. A CUA for operating artesian wells for duck habitat should include the duration and season of free-flowing water, maximum depth allowed, and management of any Category 1 species that colonize the area.
- Artesian wells should be sampled for water quality to ensure no negative impacts to native plant species occur.
- The landowner is responsible for any and all permits.

4.3 Florida Non-Compatible Uses

The following activities are listed as prohibited uses under the easement deed and will not be permitted under a CUA in the state of Florida under any circumstances:

- Application of organic or inorganic fertilizers or bio-solids.
- Seeding of invasive or noxious non-native species
- Stocking of invasive species
- Biomass production
- Commercial seed production or harvest.
- Development of roads that fragment the easement, alter hydrology, or otherwise diminish the ecological values of the easement area.

- The WRP/WRE Deed reserves to the landowner the right to oil, gas, minerals, and geothermal resources underlying the easement area, provided any drilling or mining activities are outside the easement area. CUAs will not be allowed for drilling or mining activities on the easement area.
- Non-Compatible Structures:
    - Houses, Lodges, Cabins, and Trailers
    - Hunting camps
    - Storage facilities, pole barns and shop facilities
    - Sawmill

4.4. Easement Monitoring and Violations

- Florida NRCS conducts all required easement monitoring in accordance with 440-527 Subpart P and NB 440-24-2 for monitoring methods and scheduling.
- Florida NRCS has partnered with the Florida Fish and Wildlife Commission to conduct onsite monitoring and submit monitoring reports completed by easement to the easement staff.
- Violations identified by annual monitoring or other site visits will be addressed by NRCS staff on a case-by-case basis in accordance with 440-527 subpart S.

5. Grazing

The following section outlines the purpose and methodology for developing grazing plans on both traditional WRE easements as part of a CUA and to supplement the Appendix E for Grazing Reserved Rights Easements.

The predominant wetland communities enrolled in the Wetland Reserve Easement program in this region are Freshwater Marsh, Slough, Hydric Flatwoods, Cutthroat Seeps, Wet and Dry Prairies, and Cabbage Palm Flatwoods. These pyrogenic communities evolved from frequent wildfires, alternating wet and dry seasons, and grazing impacts from a variety of herbivores. The primary functions provided by these wetlands are wildlife habitat, nesting sites, cover, water sources, and important food sources for over 15 threatened and endangered species while also serving as an important habitat for migrating waterfowl. Herbaceous content characterizing 'Excellent' condition of these sites are 50% or higher. These sites require frequent disturbance to maintain open herbaceous habitats and reduce woody encroachment.

Managed grazing has been shown to provide the needed disturbance to control woody encroachment and increase species diversity in lieu of or paired with prescribed fire. In Florida, 16 exotic grasses are considered invasive and were introduced as forages. These palatable and aggressively growing Category I ranked species (FISC 2023) can be grazed to maintain open areas for nesting birds and foraging wildlife. Grazing needs to be highly managed and limited to prevent overgrazing or trampling sensitive desirable forage species such as Lopsided Indiangrass (*Sorghastrum secundum*), maidencane (*Hymenachne hemitomon*), creeping bluestem (*Schizachyrium stoloniferum*), and little blue maidencane (*Amphicarpum muehlenbergianum*). With careful fire and grazing management coupled with hydrologic restoration and invasive species control, it has been shown that degraded wetlands will more closely resemble native wetlands over time. Grazing rotations on easements will consist of seasonally grazing wetlands during the dormant season or flash grazing areas on rotation until desirable native species reach stop grazing heights. The grazing pressure and timing will vary based on the invasive species present and the optimum times to stress these undesirable plants to decrease their percent cover of the easement. The ultimate goal of the prescribed grazing plans for easements is to decrease cover of invasive herbaceous

species and control woody encroachment and increase the cover of native species. This requires grazing practices that target invasive species while minimizing stress on native species.

In keeping with the goals of WRE and WRP to restore and sustain wetland habitats and other associated ecological communities, livestock grazing and supporting land management practices may be permitted if applied in accordance with a site-specific CUA. If desirable native plant communities are degrading (reduction in cover, reduction in number of species) under a grazing plan and CUA, NRCS will first revise the grazing plan. If improvement is not seen with a revised grazing plan, a rest period of 1-3 growing seasons will be implemented before considering a renewed grazing CUA.

Once closing on the WRE/WRP has been executed, the following requirements shall be met on all lands with an approved livestock grazing plan and CUA:

The WRE/WRP participant/landowner shall.

- Cease applying land applications of agronomic soil amendments such as fertilizer, lime and other inputs. Any overseeding or pasture renovation must be approved by NRCS and conducted under a CUA.
- Initiate the annual grazing plan/schedule (e.g., rest-rotational grazing schedule) within 6 months of receipt from NRCS.
- Adjust livestock densities based upon the NRCS – Livestock Forage Inventory and Carrying Capacity Assessment within 12 months of receipt of the prescribed grazing plan from NRCS.
- Provide seasonal supplemental nutrients (e.g. protein, energy, and minerals) to livestock in accordance with stocking rates and stock densities authorized under the CUA.
  Mineral should be provided free choice. Livestock should obtain approximately 80% of their nutritional needs from onsite forage production. During extreme weather conditions when drought and flood mitigation options have been exhausted, please consult with NRCS on needs for extra supplementation of hay and protein.
- Be responsible for Operation and Maintenance needed to support the Prescribed Grazing practice including but not limited to fencing, watering facilities, high use area prevention, and invasive species control.
- Provide feedback to NRCS or their representative conducting the NRCS – Livestock Forage Inventory and Carrying Capacity Assessment to ensure adequate forage resources are always available to livestock.

NRCS and/or their representative shall.

- Conduct an NRCS - Livestock Forage Inventory and Carrying Capacity Assessment based upon site-specific data on all fields, pastures, or paddocks.
- Determine the livestock carrying capacity for the WRE/WRP property.
- Design a Prescribed Grazing Plan for all fields, pastures, or paddocks for the landowner to utilize within 6 months of closing.
- After wetland restoration, update Prescribed Grazing Plan and NRCS – Livestock Forage Inventory and Carrying Capacity Assessment.
- Update Prescribed Grazing Plan and NRCS – Livestock Forage Inventory and Carrying Capacity Assessment every 5 years.
- Incorporate feedback from the WRE/WRP program participant/landowner as appropriate into Livestock Forage Inventory and Carrying Capacity Assessment and Annual Grazing Plan annually.

5.1. Stocking Rates

Proper application of livestock grazing (herbivory) provides a valuable land management tool to achieve desired native ecosystem restoration objectives. The primary objective of lands entered into WRP/WRE is to restore their current ecological conditions to their former wetland condition, or to their other former ecological condition for associated lands and non-wetlands included in the easement. To achieve the desired ecological restoration for both wetland and upland habitats, livestock grazing shall be manipulated in a manner that supports restoration goals and objectives through proper stocking rates and rotational grazing.

Grazing is most beneficial in removing aboveground biomass of invasive and undesirable forage species at the right moment to benefit any native species germination or seed production. For freshwater marsh species (both native and non-native), research has shown 1-2 grazing events within a growing season is beneficial in keeping invasive species from creating monocultures and increasing plant diversity. Slough species dominated with torpedo grass (*Panicum repens*) can benefit from grazing events every 3 months year-round. If not dominated with torpedo grass, grazing events should be once per growing season and 1-2 times in the dormant season (dependent on seasonal hydrology). Flatwoods and hammocks can handle 1-2 grazing events within the year on native species. If dominated with non-native forage species, these species require grazing events every 2 months during the growing season, and 1 grazing event in the dormant season. When native forage species are present, these species should be used to gauge start and stop heights for cattle rotation in and out of pastures.

- Livestock density and stocking rates allowed within the WRP/WRE boundary shall be based upon an NRCS Livestock Forage Inventory and Carrying Capacity Assessment conducted by an NRCS Range/Grazing Management Specialist or agency representative trained in collecting native rangeland and pasture inventory data.
- The NRCS Livestock Forage Inventory and Carrying Capacity Assessment will reflect all forage resources available within each field, pasture, or paddock authorized for livestock grazing within the easement boundary.
- The NRCS Livestock Forage Inventory and Annual Carrying Capacity Assessment will establish the total number of livestock permitted within the easement boundary during a 12-month period based upon the grazing pressure that will support the native forage present.
- The Annual Grazing Plan/Schedule will provide guidance to the program participant/landowner on how to effectively manage the livestock within the easement boundary to effectively utilize forage resources while supporting NRCS restoration goals. It will include details on herd sizes, grazing period lengths within each pasture, and optimum seasonality of grazing events.
- Guidelines for determining livestock carrying capacity on WRP/WRE lands are described in Table 3. These recommended stocking rates may be adjusted if deemed necessary by the NRCS Range/Grazing Specialist or their representative.

5.2. Types of Grazing Lands

Four types of grazing lands are commonly enrolled in WRP/WRE. They include:

- Semi-improved Pasture - Grazing land that permanently produces introduced or domesticated native forage species that, before enrollment, received varying

degrees of periodic cultural treatment to enhance forage quality and yields and is primarily harvested by grazing animals. After enrollment, these pastures continue to have less than 40% native grass species without intense restoration efforts. (USDA-NRCS, National Range and Pasture Handbook, Glossary, NRPH, 1997.)

- Semi-native Pasture - Improved pastures that were cleared, tilled, planted to non-native forage species, and through natural recruitment or intense restoration efforts currently support 40% or more of native grasses, forbs and shrubs.
- Grazed Rangeland - Rangeland that is used primarily for the production of livestock. Grazed rangelands include native plant communities and those seeded to native or introduced species, or naturalized by introduced species, that are ecologically managed using range management principles. (USDA-NRCS, National Range and Pasture Handbook, Glossary, NRPH, 1997.)
- Grazed Forest Land - Land that is currently used for forest land and livestock grazing. (USDA-NRCS, National Range and Pasture Handbook, Glossary, NRPH, 1997.)

In keeping with the objective to restore wetlands and associated lands as practicably possible to natural historic ecological conditions, all WRP/WRE lands grazed under authorization of an NRCS CUA shall do so in such a manner that supports this long-term objective. This will result in Semi-improved Pastures becoming Semi-native or Grazed Rangeland over time. As invasive species are controlled, stocking rates will decrease over time. NRCS grazing monitoring points will be created to monitor the long-term shift of plant communities and adjust the stocking rates and rotations based on the trends of the easement toward native wetland communities.

Table 3. Guidelines for Determining Livestock Carrying Capacity

	Projected Maximum AUM's/Acre	Projected Maximum Acres per AU Year Equivalent
a. Semi-improved Pasture		
Years 1-3	4.0	3.0
Years 4-6	3.0	4.0
Years 7-10	2.0	6.0
Years 11-13	1.5	8.0
Year 14 & beyond*	1.0 - .75	6.0 - 16.0
b. Semi-native Pasture		
Years 1-3	3.0	4.0
Years 4-6	2.5	4.8
Years 7-10	2.0	6.0
Years 11-13	1.5	8.0
Year 14 & beyond	1.0 - .75	8.0 - 16.0
c. Grazed Rangeland		
Freshwater Marshes & Wet Prairies (Sloughs)		
Years 1-3	.60	20
Years 4-6	.67	18
Years 7-10	.75	16
Years 11-13	.80	15
Year 14 & beyond	1.0 - .75	12.0-16.0
d. Wet – Mesic Flatwoods & Dry Prairies		

Year 1	.40	30
Years 4-6	.48	25
Years 7-10	.60	20
Years 11-13	.66	18
Year 14 & beyond	.75	16

e. Scrubby Flatwoods – Xeric Forests

Year 1	.20	60
Years 4-6	.20	60
Years 7-10	.24	50
Years 11-13	.30	40
Year 14 & beyond	.34	35

f. Grazed Forests

To be determined by on-site livestock forage inventory and analysis by NRCS Range/Grazing Specialist or their representative.

*Semi-improved Pastures should be shifting out of this category by 14 years into Semi-native Pastures or Grazed Rangeland. Instances where invasive forage species have dominated and cannot be eradicated could result in easements staying in this category for longer.

5.3. Prescribed Grazing Goals

5.3.1 Reducing Invasive Grass Vigor

Grazing has been shown to be a beneficial cultural control of many invasive forage species such as West Indian marshgrass (*Hymenachne amplexicaulis*), cogongrass (*Imperata cylindrica*), smutgrass (*Sporobolus indicus*), and torpedograss (*Panicum repens*). Grazing is also a beneficial tool to pair with herbicide or burning practices to reduce the presence of undesirable forage species.

To effectively kill invasive grasses, they must be in a stressed condition. Invasive grass species can be grazed heavily in the dry season or should be mowed or burned, followed by a short period of heavy livestock grazing. Moving mineral boxes or supplemental feeders to ensure cattle focus grazing on invasive grass is imperative. Once the invasive grasses are grazed to a point that livestock begin to seek forage from other sources such as desirable native forage species, livestock must be immediately removed, and the site deferred from grazing until herbicide treatments are applied in accordance with label instructions.

5.4. Reserved Grazing Rights

During the acquisition process, landowners have the option of retaining the grazing rights on their property that is sold into the ACEP-WRE program. Properties located in the counties south of the line extending through the state along the northern boundaries of Citrus, Marion, Putnam, and St. Johns Counties are eligible for reserved grazing rights because the wetlands in this part of the state evolved with frequent ecological disturbance that prescribed grazing can mimic. Under the deed agreement, easements where the landowner retains grazing rights are still required to be managed under an NRCS approved grazing plan in order to ensure that grazing activities align with restoration and long-term management goals of the easement. These grazing plans will adhere to the policy set forth in this document, and all other applicable policies or regulatory documents.