Emergency Watershed Protection Program (EWP)

Buyouts as an Emergency Measure

Frequently Asked Questions - FAQs

The USDA Natural Resources Conservation Service **Emergency Watershed Protection (EWP) Program** *helps local sponsors address imminent threats to life and property caused by erosion and flooding after a natural disaster.*

What is an EWP Program Buyout?

Through the EWP Program, NRCS implements emergency measures, including property buyouts, to provide protection from flooding and erosion threats such as landslides. Qualifying local sponsors, in cooperation with NRCS, cost-share to purchase eligible properties from willing landowners. Once purchased, the sponsor reduces the risk to lives and property by demolishing or relocating structures away from hazard-prone areas. The land is turned into open space to help prevent erosion and flooding, and it stays protected from future development by a permanent deed restriction. The sponsor owns the land and is responsible for maintaining it as a designated open space.

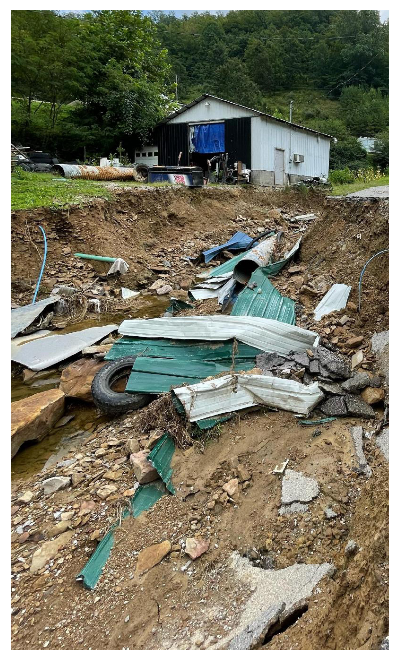
EWP Process from Disaster to Recovery

1. Local sponsors who need EWP Program assistance, must send a written request for assistance to NRCS within 60 days after a natural disaster event.
2. Once the request is received, NRCS conducts a preliminary site evaluation to determine program eligibility and whether a property buyout is a viable alternative.
3. If the project area is approved and funding is available, NRCS and the qualifying sponsor enter into a cooperative agreement for the purchase and restoration of the impacted properties.
4. Landowners will receive written notice from the local sponsor asking if they wish to be considred for a buyout. Qualifying properties, owned by those who choose to participate, will be reviewed further for program eligibility and then appraised.
5. Landowners receive a written offer and can accept or decline it, with the option to cancel anytime before closing. If they accept, an escrow agent handles the closing and title transfer. A permanent deed restriction is added, structures are removed, and the land is restored for open space or conservation use.

More Information

Visit nrcs.usda.gov for more information on the EWP program and to find your local or state USDA EWP Coordinator.

To find your local USDA Service Center, visit nrcs.usda.gov or scan the QR code.



FAQs

Who may be considered a qualifying local sponsor?

Local sponsors must be a state government, state agency or political subdivision thereof, like a town, county or other local unit of government with a legal interest in protecting the values threatened by the watershed emergency. Sponsors must be able to obtain necessary land rights and operate and maintain any conservation measures installed. Federally recognized Indian tribes or tribal organizations may also be qualified local sponsors.

How do I participate in the EWP Buyout project?

Once NRCS and the sponsor agree to implementing a buyout, the sponsor will reach out to owners of potentially qualifying property with program information and provide an "Acknowledgement of Voluntary Participation" for interested landowners to complete and sign. Additional documentation may be required such as proof of citizenship and records of any other benefits received from other federal agencies for the same purpose and disaster event.

How are properties evaluated for EWP Buyout eligibility?

After a sponsor requests EWP program assistance, NRCS reviews the site to confirm it qualifies for the program and that an emergency measure—like a buyout—will address an immediate threat to life or property from additional flooding or erosion after a qualifying disaster. NRCS also looks at the long-term environmental and economic benefits of doing a buyout. Once a landowner decides to voluntarily participate in the buyout project, the property's title deed and existing environmental conditions are also evaluated for eligibility.

Does a property need to have flooded more than once to qualify?

No. The parcel must simply face an urgent threat to life or property because of flooding or erosion caused by the disaster being evaluated. Properties threatened by landslides may also be eligible.

Who conducts the appraisal, and how is fair market value determined?

NRCS and the sponsor agree on whether the appraisal will be based on pre-disaster property values or whether current Fair Market Value will be applied. Appraisers must be state licensed.

Appraisals follow the Uniform Standards of Professional Appraisal Practice (USPAP). Fair market values are typically based on recent sales of comparable properties before the disaster. For commercial buildings, farms, and other property types, the sponsor and NRCS work with a qualified appraiser familiar with state requirements to select the right valuation method. A second certified appraiser reviews the report to ensure the assumptions and final value are accurate.

Are relocation costs included?

Yes. NRCS and the sponsor share the cost of relocation assistance for qualified displaced occupants—such as tenants or others who legally live on the property but do not own it. Eligibility depends on factors like how long the person lived there and their citizenship status. Voluntary sellers will receive the agreed-to purchase price of the property and certain other real-estate transaction costs covered through the program, but do not receive moving expense compensation.

Which structures must be removed, and can any stay?

All above-ground structures must be removed after the sponsor purchases the property. Some underground utilities or structures may also need removal, but this is determined on a case-by-case basis.

Can a structure be moved instead of demolished?

Yes. If moving the structure is more practical than demolishing it, NRCS and the sponsor may cover the relocation and certain related costs. Eligible expenses follow the rules in 49 CFR 24.

What does “restored to open space” mean?

After the buyout transaction is complete, buildings, pavement, and anything that blocks natural water flow are removed. The land is graded according to NRCS approved engineering plans. Conservation practices may also be installed to reduce runoff, prevent erosion, and create natural greenspace that protects the community. Passive uses—like walking paths—are examples of allowable uses.

Will the seller ever owe money if restoration costs exceed the property’s value?

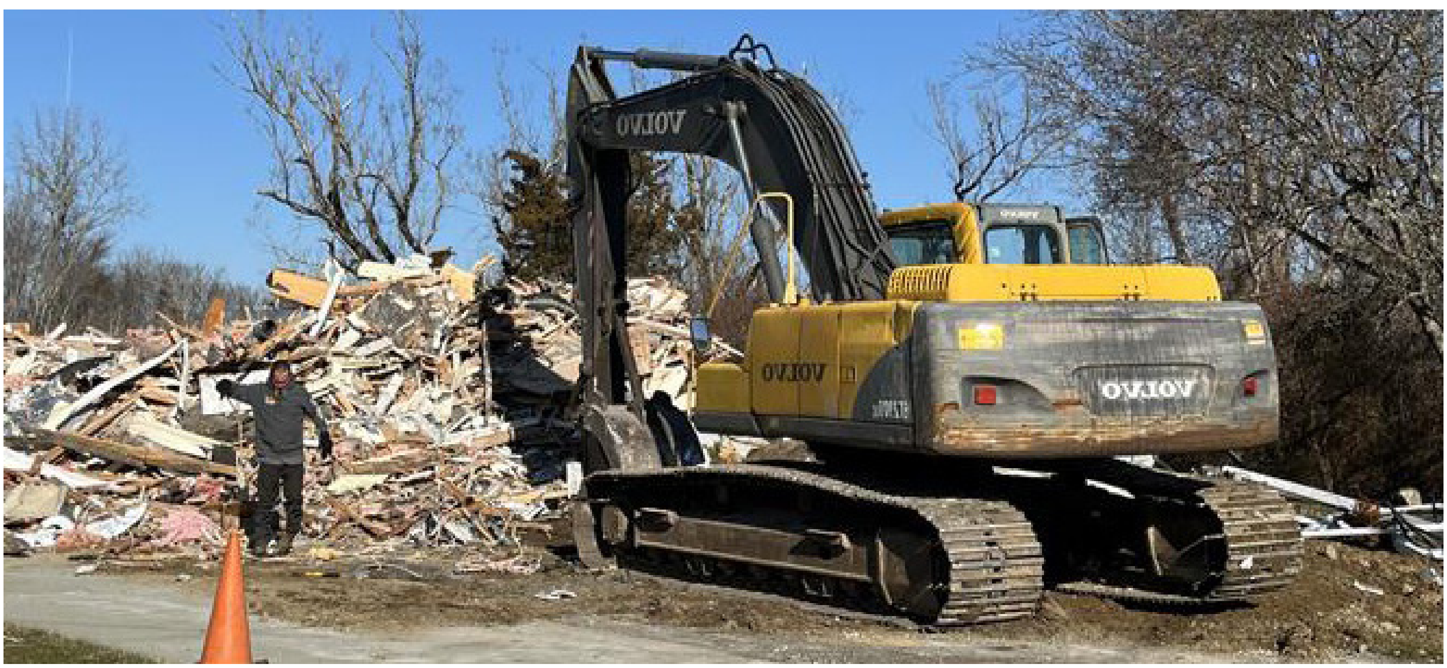
No. The sponsor, with NRCS support, covers demolition and restoration costs. Appraisals, due diligence and closing costs are also covered for the landowner.

If a landowner signs the “Acknowledgement of Voluntary Participation,” are they required to sell?

No. Participation is voluntary. A landowner can withdraw at any point before the final closing.

How long does the process take?

It usually takes 6 months to a year to close on a property after NRCS and the sponsor sign an agreement. Some projects take longer depending on the property or situation. After the sale, demolition or relocation usually occurs within a few months. Final restoration to greenspace or other conservation use may take longer, especially for large projects that involve multiple properties.



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