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KANSAS BULLETIN NO. KS300-12-39

SUBJECT: LTP—Kansas Easement Acquisition and Restoration Team Roles and Responsibilities

Purpose. To cancel Bulletin KS300-12-23, Kansas Easement Acquisition and Restoration, and provide revised clarification on roles and responsibilities of the state office easement acquisition and restoration team.

Expiration Date. September 30, 2013

In 2007, a decision was made by the Kansas Natural Resources Conservation Service (NRCS) management team to create an easement acquisition and restoration team at the state office level. This team was created to remove workload from the field and area office staff, and increase consistency and timeliness of easement acquisition and restoration. While this has improved the process, Kansas NRCS still does not meet national policy and procedure requiring that easement restoration begins within 12 months of closing and that all restoration is completed within 3 years. This was most recently identified as an issue as part of the national Oversight and Evaluation (O&E) review conducted in Kansas.

To ensure this process proceeds in a timely manner, the following guidance is provided:

1. Once an application is received and preliminary environmental and title reviews are completed at the state office, the easement team will schedule a meeting with the landowner to complete an on-site eligibility determination.

The wetland determination completed as part of the eligibility process is not appealable except by the landowner. This is consistent with Kansas wetland determination policy.

2. When the land is determined eligible, an engineering topographic survey of the property will be completed by the easement team.

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3. Upon completion of the engineering topographic survey, topographic maps will be posted to the SharePoint site and a site visit will be scheduled with the landowner and interested parties to develop a wetland restoration plan for the easement area. Field, area, state, and partnership staffs are encouraged to participate in the site visit(s) scheduled and conducted by the easement team with the landowner.
4. Following the restoration planning site visit, a trip report will be prepared by the easement team to document a consensus of the ideas and suggestions for a wetland restoration plan. This report will be routed to all participants in the field visit and others as appropriate. Comments and suggestions for improvement in the proposed restoration plan will be accepted for 14 days following the issuance of the trip report. Comments from the field office are to be routed through the area office.
5. Comments or recommendations for changes to the proposed restoration plan need to include justification; how and why the proposed change will improve or benefit the wetland restoration.
6. Following the comment period, the wetland restoration design will be completed by the easement team. The construction drawings and specifications will then be posted on the SharePoint site for review by appropriate field and area staff. The district conservationist and the supervisory district conservationist will schedule with the landowner to review the proposed restoration design. The easement team is available to assist the field staff with this review with the landowner either via phone or in person. Once this review is complete and concerns are addressed, any additional recommendations will be evaluated on a case-by-case basis. Only those recommendations offering significant improvement in the design or that correct legal issues will be worked into a revised design.

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(Signed)

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