
2014 Farm Bill
Agricultural Conservation Easement Program
Wetlands Reserve Easement
On-site Evaluation and Land Eligibility Workbook

Complete a separate workbook for each application submitted.

This application workbook can be completed concurrently with the application, person eligibility workbook if within 30 days of the deadline, but cannot be submitted until all person eligibility work is verified. Work related to land eligibility should not occur if person eligibility cannot be verified with 30 days of application.

The official file with all original copies will be kept at the State Office. The workbook can be mailed or hand delivered to the NJ NRCS State Office. Electronic files should be posted to the NJ SharePoint or can be emailed to the Easement Programs Staff.

Onsite evaluations may be mailed or hand-delivered to:

Attention: Easements Staff

USDA-NRCS

220 Davidson Avenue

4th Floor

Somerset, NJ 08873

(732) 537-6040

If you have any questions in regard to this parcel workbook, please contact the NJ NRCS Easement Programs Staff:

Lauren Lapczynski, Easement Specialist (732) 537 – 6046

Gail Bartok, Assistant State Conservationist for Programs (732) 537 – 6042



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Visit the NJ SharePoint for more information and required forms.

https://ems-team.usda.gov/sites/NRCS_NewJersey/programs/Easement%20Programs/Applications/Wetlands%20Reserve%20Easements/Attachment%203_ACEP%20Eligibility%20Matrix%20FY14_FINAL.pdf

Part 1: Eligible Land Type Worksheet

| Farmed or Converted Wetlands Eligibility (General Eligibility) | Yes | No |
|--|-----|----|
| <p>A. Does the parcel have restorable farmed or converted wetlands (except lands if the conversion was commenced after December 23, 1985)?</p> <p><i>Note: Contact the Easement Staff if the parcel contains converted wetlands where the conversion commenced after December 23, 1985 and the converted wetlands are adjacent to eligible lands and an integral part of the restoration success of the eligible lands.</i></p> | | |
| <p>B. Does the parcel have former or degraded wetlands on lands that have been or are being used for the production of food and fiber, including pastureland, hayland, and forest production lands, where the hydrology has been significantly degraded or modified and will be substantially restored through the implementation of the Wetland Reserve Plan of Operations (WRPO)?</p> <p>Examples: Parcels with existing diversions, dams, ditches, or other water management infrastructure where the hydrology can be restored.</p> <p><i>Note: For bog turtle sites to be eligible, there must be a trip report documenting that hydrology can be restored through vegetative management or other means that will be achieved through the WRPO. Such activities must be over and above routine maintenance of the site to show restoration potential.</i></p> | | |
| <p>C. Does the parcel have lands that are substantially altered by flooding that meet the following criteria?</p> <p>To qualify, the alteration must be of such magnitude and permanency that it is unlikely that the alteration will cease to exist. The extent of the surface or subsurface flooding or saturation must be great enough to create hydrologic conditions that have or will develop hydric soil and hydrophytic vegetation characteristics over time.</p> <p>Examples include:</p> <ul style="list-style-type: none"> - Lands scoured by floods or broken levees - Lands that have soil saturation and water table elevation changes as a result of offsite surface or subsurface hydrologic changes (e.g., dams) | | |
| <p>If you answered YES to any of the above, the parcel is eligible under this land eligibility type.</p> | | |

| Riparian Areas Eligibility (if applicable) | N/A - No Riparian Areas | Yes | No |
|--|-------------------------|-----|----|
| A. Does the property include riparian area that is along a stream or other waterway where the offered riparian area directly links to a protected wetland less than 1 mile away? (Protected wetlands include areas enrolled under an existing easement or other resource protection that achieves the same objectives as an easement such as a State or Federal wildlife management area). | | | |
| B. Does the property include riparian area that is along a stream or other waterway where the offered riparian area directly links to a wetland less than 1 mile away that will be protected under the same WRE transaction? (The riparian area is eligible only if enrolled with a WRE eligible wetland.) | | | |
| C. If a riparian area is included, does it 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? | | | |
| D. If the riparian width is larger or the linkage between wetland area is greater than 1 mile apart and significant wildlife or ecological values exist, was a waiver for the additional width or for eligible wetland areas granted by the State Conservationist? | | | |
| For riparian areas to be eligible, you must answer yes to A or B AND C unless a waiver is approved and documented by the State Conservationist. | | | |

| Other Eligibility (if applicable) | Yes | No |
|---|-----|----|
| A. Does the parcel include CRP lands that are farmed wetlands and adjoining lands that meet all of the following: <ol style="list-style-type: none"> 1. Subject to an existing CRP contract 2. Have the highest wetland functions and values 3. Likely to return to production after the land leaves CRP 4. The CRP contract does NOT include land established to trees unless a waiver is obtained by the State Conservationist and all eligibility criteria is met. | | |
| B. Was the parcel previously in a restoration cost-share agreement or 30-year easement under WRP or other similar restoration program such as the FWS Partners for Fish and Wildlife? | | |

| | | |
|---|--|--|
| <p>C. Was the parcel previously restored under a local, State, or Federal restoration program or subject to an easement or deed restrictions that provides similar restoration protection, but additional resources can be protected or restored? (If yes, contact the state office to determine eligibility.</p> | | |
| <p>D. If adjacent lands are included, do the adjacent lands contribute significantly to the wetland functions and values that are necessary for the administration of the enrolled area at a 1-1 ratio unless a waiver is obtained?</p> <p><i>Note: The buffer area can be waived by the State Conservationist with supporting documentation that it is necessary for the wetland functions and values of the eligible lands.</i></p> | | |

Ineligible Lands:

- Converted wetlands if the conversion was commenced after December 23, 1985, except as noted in section 528.105I(3)
- Lands established to trees under a CRP contract except as noted.
- Lands that would exceed the county cropland enrollment limitations tracked by FSA.
- Lands owned by an agency of the United States.
- Lands owned by the State, including an agency or a subdivision of the State or a unit of local government.
- Land subject to an easement or deed restriction that is determined by NRCS to provide similar restoration and protection of wetland functions and values.
- Lands where the purposes of the program or implementation of restoration practices would be undermined due to onsite or offsite conditions.
- Restoration or maintenance cost to the Government is determined to be excessive for the area or type of wetland.
- Land that NRCS determines to have unacceptable exceptions to clear title or legal access that is encumbered, nontransferable, restricted, or otherwise insufficient.

Note: ACEP –WRE Land Eligibility can be found in [Subpart K](#) of the ACEP Manual. For more detailed land eligibility information visit 528.105 of the manual.

If through review the land is determined to be ineligible, skip to Part 10. Certification and Approval of Land Eligibility.

Part 2. Land Eligibility. Ecological

Describe current site condition, including cause of degradation and reason for hydrologic impairment.

Planned Habitat Acres:

The sum of existing acres and restorable acres must equal the total proposed easement area (100%). The existing areas includes buffer or areas that do not require restoration. For example, a 100 acre easement can include 30 acres of existing upland, 20 acres of existing Palustrine Emergent and 50 acres of restorable Palustrine Emergent.

| Habitat Type | Existing Acres | Restorable Acres |
|-------------------------------|----------------|------------------|
| Upland | | |
| Palustrine Open Water/Unknown | | |
| Palustrine Forested | | |
| Palustrine Emergent | | |
| Other Riparian | | |
| Estuarine | | |

Total Acres:

| Land Eligibility Classification Types | Acres |
|--|-------|
| Restorable Former or Degraded Wetland | |
| Riparian Area | |
| Land in CRP | |
| Restored Wetland | |
| Soils Altered by Flooding (Hydric Soils) | |
| Adjacent Land (Buffer) | |

Include a map showing acres of various habitats, existing and planned.

Part 3: Landowner Disclosure Worksheet

[Click here for the landowner disclosure worksheet.](#)

Interview the landowner and complete the landowner disclosure worksheet which contains information about use or occupancy of the land, structures, leases, or other information about the property. Request that the landowner provide copies of any written unrecorded leases or agreements at this time. The purpose of the landowner disclosure form is to initially document any unrecorded encumbrances and assess the potential presence of offsite and onsite conditions that would prevent successful restoration or pose an unacceptable risk to NRCS.

If you have any concerns or would like assistance in conducting the interview, please contact Lauren Lapczynski at 732-537-6046.

Describe the Ingress/Egress access to the proposed easement site. Is the proposed easement accessible from a public road or has the landowner consented to provide an access easement to the parcel? At a minimum, land access must be all-wheel-drive accessible. Keep in mind the type of restoration activities that will be required for the site. The access needs to be able to support the type of equipment that will need to access the site for restoration.

Part 4: Hazardous Materials Field Inspection Checklist and Landowner Interview

- [Click here for the Hazardous Materials Field Inspection Checklist.](#)
- [Click here for the Hazardous materials Landowner Interview.](#)

Complete the hazardous materials field inspection checklist and hazardous materials landowner interview to determine if there are offsite or onsite conditions that would preclude restoration of the enrolled area or use of the area for the purposes of the program. In most cases, if hazardous substance issues are found, the site is not eligible for enrollment. For assistance, contact your local biologist.

Please include photographs, GPS reference points, and a map indicating any potential problem areas identified through field inspection. Identify any land uses and evidence of rights-of-way.

Part 5: Application Pre-Screening

1. Has the landowner disclosed any liens on the property such as mortgages, past due taxes, or judgements?
 - If No, proceed to Question 2.
 - If Yes:
 - i. Has the landowner disclosed past due taxes?
 - Yes – Application is **ineligible** due to unacceptable title encumbrances
 - ii. Has the landowner contacted the lien holder and has the lien holder consented to signing the subordination agreement (AD-1158)?
 - Yes – Application is a **Medium Priority**
 - No – Application is **ineligible** due to unacceptable title encumbrances

Lien Holder Contacted: _____ Date: _____

Note: The landowner can request a waiver to the State Conservationist for the priority by supplying a letter from the lien holder (on company letterhead) certifying that they will accept the AD-1158 subordination form and the Warranty Easement Deed with no other stipulations.

2. Is the parcel non-contiguous through physical evidence or landowner disclosure (e.g. not divided by power-line easements, utility easements, access easements, roads, rivers/tidelands)?
 - If No proceed to Question 3.
 - If Yes, will they be subordinated or excluded from the easement boundary?
 - If yes, revise the proposed easement boundary and/or note subordination agreement and proceed to question 3.
 - If no, application is a **medium priority**.
3. Will the proposed easement be accessible from a public road or has the landowner consented to provide an access easement to the parcel?
 - If Yes, proceed to Question 4.
 - If No, application is **ineligible** due to insufficient legal access.
4. Will the estimated cost of restoration exceed the estimated fair market value or will the application include a long-term operation and maintenance cost burden?
 - If Yes, application is **ineligible** unless waived by the State Conservationist in situations where it can be documented that the restoration may be accomplished without accumulating a long-term operation and maintenance cost burden to the program.
 - If No, or a signed waiver is in place, proceed to Question 5.
5. If the application is for bog turtle, is it an active site AND is there a trip report from a US F&W Bog Turtle expert indicating probability of success? (See SOP 2014-6 Guidance on Bog Turtle Project Sites)
 - If No, application is **ineligible** for the Bog Turtle fund pool and must be ranked under the General WRE fund pool.
6. Is this parcel located in the Pinelands? If yes, application must be approved by the State Office to ensure restoration feasibility or it is **ineligible**.
7. All applications not screened as a Medium Priority or ineligible are **High Priority**.

Priority: _____ Note: If ineligible, skip to Part 10. Certification and approval of land eligibility.

Completed by: _____ Date: _____

Application No _____
NJ WRE Parcel On-Site Workbook

Parcel Name: _____
NRCS Lead Soil Conservationist: _____

Part 6. CPA-52

Enclose a copy of the CPA-52 with workbook submittal.

Part 7. Preliminary Restoration Plan

Farm Number: _____ Tract Number(s): _____

Restorable Acres: _____

Natural Regeneration Acres: _____

Riparian Acres: _____

Future Management Needs:

Compatible uses desired by landowner:

Attachments:

- Preliminary Wetlands Restoration Plan of Operations (WRPO) and Map
- Conservation plan
- Draft NRCS-CPA-1155 “Conservation Plan or Schedule of Operations”

Part 8. T & E Species

List any T & E species that were identified during the planning process.

Part 9. Application Ranking

Attach all supporting documentation for the ranking questions with the workbook. (All maps, trip reports, etc.)

| ENVIRONMENTAL CONSIDERATIONS (60%) | POSSIBLE POINTS | PARCEL DATA | PARCEL SCORE |
|--|-----------------|---|--------------|
| 1. Land use of the proposed restoration acreage (choose ONE based on the dominant land use in the area) | | | |
| A. Row or specialty crops produced within the past three years, previously restored wetland, or expiring CRP land. | 50 | | |
| B. Hay/pasture produced or managed within the past 3 years | 30 | | |
| C. No Row crops | 0 | | |
| 2. Percent of restoration area with hydric soils or soils with hydric inclusions | | | |
| A. 75% or more | 120 | | |
| B. 50% to < 75% | 60 | | |
| C. < 50% | 0 | | |
| 3. Type of Application: | | | |
| A. Permanent Easement | 50 | | |
| B. 30-year easement | 25 | | |
| 4. Proposed enrollment is: | | | |
| A. Greater than or equal to 100 Acres | 60 | | |
| B. Greater than or equal to 50 but less than 100 Acres | 40 | | |
| C. Greater than or equal to 10 but less than 50 Acres | 30 | | |
| D. Less than 10 Acres | 0 | | |
| 5. Restoration Potential by Wetland Types (Select all that apply): | | | |
| <u>Current Wetland Types</u> | | <u>Post-Restoration Wetland Types</u> | |
| <input type="checkbox"/> E-Estuarine | | <input type="checkbox"/> E-Estuarine | |
| <input type="checkbox"/> L-Lacustrine | | <input type="checkbox"/> L-Lacustrine | |
| <input type="checkbox"/> R-Riverine | | <input type="checkbox"/> R-Riverine | |
| <input type="checkbox"/> P-Palustrine-Emergent | | <input type="checkbox"/> P-Palustrine-Emergent | |
| <input type="checkbox"/> P-Palustrine-Scrub Shrub-Broad Leaved Deciduous | | <input type="checkbox"/> P-Palustrine-Scrub Shrub-Broad Leaved Deciduous | |
| <input type="checkbox"/> P-Palustrine Scrub Shrub-Needle-Leaved Deciduous | | <input type="checkbox"/> P-Palustrine Scrub Shrub-Needle-Leaved Deciduous | |

| | |
|--|---|
| <ul style="list-style-type: none"> <input type="radio"/> P-Palustrine Scrub Shrub-Board-Leaved Evergreen <input type="radio"/> P-Palustrine Scrub Shrub-Needle-Leaved Evergreen <input type="radio"/> P-Palustrine-Forested-Broad-Leaved Deciduous <input type="radio"/> P-Palustrine-Forested-Needle-Leaved Deciduous <input type="radio"/> P-Palustrine-Forested-Broad-Leaved Evergreen <input type="radio"/> P-Palustrine-Forested-Needle-Leaved Evergreen <input type="radio"/> Modified-Agricultural Wetland | <ul style="list-style-type: none"> <input type="radio"/> P-Palustrine Scrub Shrub-Board-Leaved Evergreen <input type="radio"/> P-Palustrine Scrub Shrub-Needle-Leaved Evergreen <input type="radio"/> P-Palustrine-Forested-Broad-Leaved Deciduous <input type="radio"/> P-Palustrine-Forested-Needle-Leaved Deciduous <input type="radio"/> P-Palustrine-Forested-Broad-Leaved Evergreen <input type="radio"/> P-Palustrine-Forested-Needle-Leaved Evergreen |
| A. Site currently has a wide diversity of wetland types throughout the Easement Area (restoration and buffer areas) – Five or more wetland types | 120 |
| B. Site currently has a moderate diversity of wetland types throughout the Easement Area (Restoration and Buffer Areas combined)- 2-4 wetland types | 90 |
| C. Site is currently monotypic or moderately diverse, but formerly had a wide diversity of wetland types that will be restored- 5 or more wetland types (post-restoration): | 70 |
| D. Site is currently a monotypic wetland, but formerly had a moderate diversity of wetland types that will be restored-2-4 types wetland types (post-restoration): | 40 |
| E. Site is/will be a monotypic wetland- 1 type checked below (Current & Post-restoration)- | 0 |
| 6. Dominate hydrologic soil group: | |
| A. Group D | 120 |
| B. Group C/D | 100 |
| C. Group B/D | 85 |
| D. Group A/D | 70 |
| E. Group C | 50 |
| 7. Site includes species identified by the Endangered/Threatened Layer (Select all that applies, but only select one category per species): | |
| A. Federally threatened and endangered species | 40 |
| B. State species of concern or Federal candidate species | 25 |
| C. State threatened and endangered species | 15 |

| ECONOMIC CONSIDERATIONS (20%) | | POSSIBLE POINTS | PARCEL DATA | PARCEL SCORE |
|-------------------------------|--|-----------------|-------------|--------------|
| 1. | Does restoration require any regulatory permits? | | | |
| | A. No | 50 | | |
| | B. Yes | 0 | | |
| 2. | Estimated cost of restoration per acre: | | | |
| | A. Under \$1,000 per acre (includes previously restored wetlands) | 50 | | |
| | B. \$1,000 to \$3,000 per acre | 25 | | |
| | C. More than \$3,000 per acre | 0 | | |
| 3. | Partnership Considerations identified by partner proposal letter (Select all that apply.) | | | |
| | A. Partners are contributing funds to the restoration/ acquisition | 15 | | |
| | B. The project is part of a larger easement acquisition project | 10 | | |
| 4. | Site will retain habitat function without routine management (no structures or vegetative management) | | | |
| | A. Yes | 75 | | |
| | B. No | 0 | | |

Complete this section for general WRE applications. Skip to next section for Bog Turtle applications.

| SPECIAL CONSIDERATIONS (20%) | | POSSIBLE POINTS | PARCEL DATA | PARCEL SCORE |
|------------------------------|--|-----------------|-------------|--------------|
| 1. | Connectivity to permanently protected sites: | | | |
| | A. Project is immediately adjacent to an existing or proposed WRP/WRE easement | 70 | | |
| | B. Project is within ¼ mile of an existing or proposed WRP/WRE easement. | 60 | | |
| | C. Project is within ¼ mile of a permanently protected area providing wildlife habitat (such as a wildlife management area, natural area refuge) | 40 | | |
| 2. | Does the project enhance long-term protection of previously restored wetlands that were not fully protected by an easement or similar protection? | | | |
| | A. Yes | 60 | | |
| | B. No | 0 | | |
| 3. | Engineering Requirements: | | | |
| | A. No engineering required beyond existing field office approval authority | 70 | | |
| | B. Some engineering required (earth moving only) | 40 | | |
| | C. Complex engineering required for one or more structures | 0 | | |

Complete the special considerations for Bog Turtle if this application is eligible under the Bog Turtle fund pool. All criteria needs to be documented through a trip report provided by a Bog Turtle Specialist.

| SPECIAL CONSIDERATIONS (BOG TURTLE) (20%) | POSSIBLE POINTS | PARCEL DATA | PARCEL SCORE |
|---|--------------------|----------------|-----------------|
| 1. How many of the following threats will be managed through restoration? | | | |
| <ul style="list-style-type: none"> • Ditching, filling, ponds, beavers, roads, etc. • Disturbance to vegetation (mowing, over grazing, ATC traffic) • Exotic/Invasive Plants • Inputs (outfall pipe, agricultural runoff, erosion/sedimentation) • Succession (ex. red maple, alder) | | | |
| A. One Threat | 65 | | |
| B. Two Threats | 45 | | |
| C. Three Threats | 20 | | |
| D. Four or More Threats | 0 | | |
| 2. What is the age of the active site? | | | |
| A. Less than or equal to 5 Years | 65 | | |
| B. Greater than 5 but less than or equal to 10 Years | 45 | | |
| C. Greater than 10 but less than or Equal to 20 Years | 20 | | |
| D. Greater than 20 Years | 0 | | |
| 3. Connectivity to the site | | | |
| A. The proposed easement area is adjacent and shares a common border with an area with known populations. | 70 | | |
| B. The proposed easement is proximal to an area with known populations and there is connectivity to the site. (Site has no barriers to movement such as large roads.) | 50 | | |
| C. The proposed easement site has barriers to movement or no connectivity to other sites | 25 | | |

Environmental Considerations: _____

Economic Considerations: _____

Special Considerations: _____

Bog Turtle (If Applicable): _____

Note: Application can only be ranked under Special Considerations OR Bog Turtle. There should not be a value for both Special and Bog Turtle.

TOTAL: _____

Completed by: _____ Date: _____

Applications will be ranked only once during each fiscal year. Once an application is ranked, it retains that ranking score for the entire fiscal year. If the landowners revise and resubmit their application within the same fiscal year in order to improve their ranking score, their revised application will not be re-ranked or reconsidered for funding until the subsequent fiscal year.

Landowner Review: _____ Date: _____

Part 10. Certification and Approval of Land Eligibility

The undersigned certifies that the parcel information contained in this workbook accurately represents the applicant, land and agricultural operation associated with this application for the NRCS Agricultural Conservation Easement Program Wetlands Reserve Easement Component (ACEP – WRE).

Soil Conservationist: _____
(Signature)

Printed Name: _____ **Date:** _____

The undersigned certifies that the parcel eligibility information, ranking, and restoration potential contained in this workbook were accurately reviewed and represents the ecological interest in the parcel application for the NRCS Agricultural Conservation Easement Program Wetlands Reserve Easement Component (ACEP – WRE).

Biologist: _____
(Signature)

Printed Name: _____ **Date:** _____

If this parcel will require engineering, the engineer has visited the site and reviewed the restoration potential and ranking information for the NRCS Agricultural Conservation Easement Program Wetlands Reserve Easement Component (ACEP – WRE). (A signature is required if Special Considerations Ranking Question 3 is answered as B or C.)

Conservation Engineer: _____
(Signature)

Printed Name: _____ **Date:** _____

District Conservationist

The undersigned reviewed the parcel application workbook as complete.

District Conservationist: _____
(Signature)

Printed Name: _____ **Date:** _____

Send signed workbook to State Office Easement Staff. Electronic files should be posted to the NJ SharePoint or can be emailed to the Easement Programs Staff.

If the parcel is determined to be ineligible through any step of review, send ineligible letter to applicant with a copy to State Office. Contact the Easement Staff if you need assistance in drafting the letter.

Workbook Attachment Checklist

- Conservation Plan
- CPA-52
- Preliminary WRPO and Restoration Plan Map
- Draft NRCS-CPA-1155 “Conservation Plan or Schedule of Operations”
- Landowner Disclosure
- Hazardous Material Checklist and Interview Worksheet with pictures and map
- Historical aerial showing prior agricultural history
- Current aerial showing proposed habitat areas
- Supporting documentation for ranking
- Trip reports
- Correspondence with applicant