
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 NRCS State Office.

Table of Contents

Part 1: Eligible Land Type Worksheet.....	2
Part 2. Land Eligibility. Ecological.....	5
Part 3: Landowner Disclosure Worksheet	6
Part 4: Hazardous Materials Field Inspection Checklist and Landowner Interview	6
Part 5: Application Pre-Screening	7
Part 6. CPA-52	8
Part 7. Preliminary Restoration Plan.....	8
Part 8. T & E Species	8
Part 9. Application Ranking.....	9
Part 10. Certification and Approval of Land Eligibility	12
Workbook Attachment Checklist.....	13



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>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, berms, tile, or other water management infrastructure where the hydrology can be restored.</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)	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, 195, 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.

Application No _____
 ME WRE Parcel Proposal Workbook

Parcel Name: _____
 NRCS Lead: _____

Part 2. Land Eligibility. Ecological

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

Planned Habitat Acres:

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

The sum of existing acres and restorable acres must equal the total proposed easement 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.

Describe the Ingress and 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: _____

Lien Holder Contacted: _____ Date: _____

2. Is the parcel non-contiguous through physical evidence or landowner disclosure (e.g. 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. 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 _____
ME WRE Parcel Proposal Workbook

Parcel Name: _____
NRCS Lead: _____

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 (50%)	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	100		
	B. Hay/pasture produced or managed within the past 3 years	50		
	C. All other agriculture land uses	0		
2.	Percent of hydric soils or soils with hydric inclusions to be restored in the restoration area (Restoration Potential):			
	A. 75% or more	100		
	B. 50% to < 75%	50		
	C. < 50%	0		
3.	Type of Application:			
	A. Permanent Easement	20		
	B. 30-year easement/contract	10		
4.	Current hydrology impacts and increment of hydrology restoration (Restoration Potential):			
	A. Wetland significantly impacted and will be fully restored on $\geq 70\%$ of the acreage	150		
	B. Wetland significantly impacted and will be fully restored on $\geq 50\%$ but $< 70\%$ of the acreage	125		
	C. Wetland significantly impacted and will be fully restored on $< 50\%$ of the acreage	100		
	D. Wetland moderately impacted and will be fully restored on $\geq 30\%$ of the acreage	75		
	E. Wetland moderately impacted and will be fully restored on $< 30\%$ of the acreage	50		
	F. Riparian zone connecting two protected wetlands	25		
7.	Site includes (Select all that applies, but only select one category per species):			
	A. Documented presence and/or benefits to Federally threatened and endangered species	30		
	B. State species of concern or Federal candidate species	30		
	C. State wetland community rarity S1 or S2	30		
	D. State wetland community rarity S3	25		
	E. State wetland community rarity S4 or S5	15		

ECONOMIC CONSIDERATIONS (25%)

**POSSIBLE PARCEL PARCEL
 POINTS DATA SCORE**

		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 \$500 per acre (includes previously restored wetlands)	100		
	B. \$500 to \$2,500 per acre	50		
	C. More than \$2,500 per acre	0		
3.	Partnership funds are being contributed to the restoration or acquisition of this project identified through a signed letter by contributing party indicating the dollar amount or percent being committed.			
	A. Yes	50		
	B. No	0		
4.	Are exotic species present or invasion potential problematic and will require long-term treatment to maintain restoration?			
	A. Yes	0		
	A. No	50		

SPECIAL CONSIDERATIONS (25%)	POSSIBLE POINTS	PARCEL DATA	PARCEL SCORE
1. Connectivity to permanently protected sites (choose one):			
A. Project is contiguous with an existing WRP/WRE site	150		
B. Project is contiguous with a perpetual non-WRP conservation area or State-owned wetlands	125		
C. Project is contiguous with a perpetual easement \geq 100 acres in size which includes wetlands	100		
D. Project is contiguous with a perpetual easement $<$ 100 acres OR with an easement of any size with no wetlands	75		
E. Project protects a riparian corridor up to 300' wide and connects two existing protected wetlands	50		
F. Project has no contiguous protected property	0		
2. Does the project permanently protect previously restored wetlands that were not fully protected by an easement or similar protection?			
A. Yes	50		
B. No	0		
3. The project restores and protects priority wetland habitat (choose one):			
A. Spartina saltmarsh; peatland (ie. bogs and fens); freshwater emergent marsh; Atlantic white cedar swamp; vernal pool complexes ($>$ 3 acres)	50		
B. Seepage forest; riverine floodplain forest; fresh or brackish tidal marsh; Northern white cedar swamp; vernal pool	40		
C. Bluejoint or tussock sedge meadow; lacustrine fringe; scrub-shrub wetlands	30		
D. Other priority wetland community types not listed above*	20		

Ranking Score:

- **Environmental Considerations** = _____ (Max. 500pts)
- **Economic Considerations** = _____ (Max. 250pts)
- **Special Considerations** = _____ (Max. 250pts)

TOTAL: = _____

Application No _____
ME WRE Parcel Proposal Workbook

Parcel Name: _____
NRCS Lead: _____

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..

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 (ACEP – WRE).

Resource 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 potentially 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).

Conservation Engineer: _____
(Signature)

Printed Name: _____ **Date:** _____

Resource Conservationist

The undersigned reviewed the parcel application workbook as complete.

Resource Conservationist: _____
(Signature)

Printed Name: _____ **Date:** _____

Application No _____
ME WRE Parcel Proposal Workbook

Parcel Name: _____
NRCS Lead: _____

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