



MN CREP Questions & Answers

6/30/2017



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Contacts:

Q. Who at BWSR should I contact with questions regarding general program information and eligibility for CP2 and CP21 applications?

Contact **Tabor Hoek** Tabor.hoek@state.mn.us 507-537-7260, or **Tim Fredbo** Tim.Fredbo@state.mn.us 651-539-2564.

Q. Who at BWSR should I contact with questions regarding potential and/or approved CREP applications for CP23 and CP23A?

For general program and eligibility related questions about CP23 and CP23a applications, contact either **John Voz** or **Tom Wenzel**.

For technical questions about CP23 and CP23a applications please contact either **Tom Wenzel** or **Karen Bonde**. Alternatively, you can contact any of BWSR engineering's **field staff** that represent your work area. Their contact information is as follows:

<i>Name</i>	<i>Location</i>	<i>E-mail Address</i>	<i>Office Phone</i>	<i>Cell Phone</i>
<i>John Voz</i>	<i>Detroit Lakes</i>	john.voz@state.mn.us	<i>(218) 846.8426</i>	<i>(218) 850.4283</i>

<i>Name</i>	<i>Location</i>	<i>E-mail Address</i>	<i>Office Phone</i>	<i>Cell Phone</i>
<i>Tom Wenzel</i>	<i>St. Paul</i>	thomas.wenzel@state.m.us	(651) 296-0883	(612) 720.1412
<i>Karen Bonde</i>	<i>St. Paul</i>	karen.bonde@state.mn.us		(651) 297.3998
<i>Scott Santjer</i>	<i>SW Tech</i>	scott.santjer@state.mn.us	(507) 537.6097	(612) 723.0298
<i>Mike Anderson</i>	<i>WC Tech</i>	mike.anderson@state.mn.us		(320) 292.5466
<i>Bruce Wilken</i>	<i>NW Tech</i>	bruce.wilken@state.mn.us	(218) 846.8425	(218) 849.2820
<i>Vacant</i>	<i>SE Tech</i>			

General Questions:

Q: Is land currently enrolled in CRP eligible for CREP?

If a contract has been approved for CRP, it cannot just convert to MN CREP. We advise against landowners considering cancellation (with or without penalty) and applying as a new MN CREP contract.

RIM would still consider areas in CRP (even if a terminated contract) as having crop history, but there are several factors that suggest pursuing cancellation and then applying for MN CREP is not advisable. Due to FSA/NRCS determinations, especially tied to an existing environmental problem after a terminated contract, the fact that MN CREP is a competitive signup with no guarantee of being funded, as well as other RIM eligibility items coming into play (is it owned by an entity that needs to be certified by the Dept. of Ag, do they have 1 year of ownership, etc.), it's best to leave the area in CRP.

If an area is currently in CRP, only a re-enrollment which could include signing up for CREP, during the last 12 months of the contract would be a possibility on those same acres.

Q: If we have a large easement application where CRP hits the \$50,000 annual payment cap, what will RIM pay as their easement payment?

If the amounts on lines 10B or 10C on the CRP-1 are over \$50,000, enter \$50,000 on the CRP Data Sheet of the Application Workbook. RIM will pay the difference between the annual CRP payment amount shown on the CRP Data Sheet (after considering present value adjustment and SIP) and the RIM Crop Value.

If the landowner has other existing CRP contracts in effect that will bump them over the CRP \$50,000 annual payment limitation with this latest contract, there will not be an adjusted amount shown on the CRP Data Sheet, since the amount of the CRP-1 will generally be less than \$50,000 for the CREP contract. Landowners are responsible for calculating their present CRP Payments and concluding the actual CRP payment they would receive from FSA for enrollment in MN CREP. BWSR, SWCD, or Farm Bill Staff should not be making this determination. Again, the only adjustment that is allowable on the CRP Data Sheet is when the current offer exceeds \$50,000 in 10B or 10C on the CRP-1.

Q: Will the workbook automatically cap the \$50,000?

No. As Local Staff complete applications, they will need to enter no more than \$50,000 onto lines 10B and 10C of the CRP Data Sheet.

Q: How are cross county applications being handled? For example, a landowner has chosen Cottonwood County as their service center, but the land is physically located in Redwood County.

The RIM portion would be handled by the SWCD of the county where the land is physically located. In the above example, the application would be handled by the Redwood SWCD. If a landowner with a potential offer outside your SWCD area comes in to your office, we would encourage you to provide the landowner with more information before directing them to the appropriate SWCD office. Perhaps you could run a quick payment calculation based on an estimated acreage or determine a preliminary score and give that information to the landowner. It would be courteous to inform the appropriate SWCD that this landowner may be stopping in their office.

In addition, FSA will follow their current guidance that they use for CRP, servicing the administrative work in the county chosen by the producer as their service center (Cottonwood) and requesting assistance from NRCS/SWCD for CRP Plan Development in the county (Redwood) the land is located.

Q: Minimum 8 Acre Eligibility Question: A CRP offer is 7.5 Acres, but there are an additional 0.5 acres of non-crop being applied for. Will the non-crop acres be eligible to bring the acres up to the 8 acre minimum?

If the Easement area meets or exceeds 8 acres, a waiver is not needed. Therefore, the additional 0.5 acres that are donated (or eligible for non-crop payment) can be used to meet the 8 acre minimum.

There are a variety of options within the minimum size waiver form that can be utilized in order to have an application be scored and ranked, so that should be looked at first before adding additional acres to the offer. Only one factor on the 8 Acre Waiver form has to be checked for the application to move forward to be scored and ranked.

Q: Does the previous minimum buffer size of 50 feet in width still apply to CREP, or do we follow the 393 standard?

In past buffer signups, BWSR had a minimum of 50 feet for buffer widths, which is not the case with this MN CREP signup. Follow the 393 Standard for proper width determinations with MN CREP.

Q: On a CP23a application, if we go through the process and submit an application in the following weeks, when will the landowner know if they are approved?

For CP2, 23, and 23A the batching period will be done on 8/15/17. We will accept applications for that batching period through 7/31/17. After scoring and ranking, the cutoff score will need to be approved by USDA in Washington as well.

Q: Where is the payment calculation sheet?

Local Staff should use the calculation sheets within the workbook, which includes the CRP Data Sheet and CEFW (Conservation Easement Financial Worksheet), to develop payment estimates, and complete actual applications. If you do not see the CEFW after opening the workbook, make sure to expand the field of view for the tabs at the bottom of the page, or use the arrow keys to navigate tabs.

Q: Is there a worksheet with cost estimates to give to the landowner?

Use the CEFW/CRP Data sheet for estimates. BWSR has prepared a 1-page reference sheet that shows the required fields to give this quick payment estimate. This sheet can be found under "Signup Documents and Supporting Information" on the [MN CREP Guidance Materials Webpage](#).

Q: Where are the RIM Rates?

RIM rates were sent out in an email on 5/8/2017 from Dave Rickert. If you do not have a copy of the RIM Rates, email bwsr.rim@state.mn.us to request a copy.

Q: If a landowner owns both sides of a watercourse, but only wants to put one side under easement, is this allowed?

Yes, while both sides of a watercourse is preferred, if the circumstances, including landowner decision, do not allow for both side to be enrolled, just one side can be enrolled.

Q: I have multiple offers from a landowner, due to proposed enrolled areas existing within different tracts. Due to proximity or other reasons, these sites could be combined into one easement. How should I address this on the application?

BWSR needs to consider these separate offers as separate applications and so does FSA for the CRP part of MN CREP. If these multiple applications are funded, BWSR may consider consolidating them into one easement. This will be an after-the-fact determination after determining eligibility and considering the remaining easement processing steps.

As a way for BWSR to flag multiple applications as potentially being part of a project, list an identifying name in the Project Name field of those applications. Doing so will help BWSR Staff to identify these applications, for consideration of combining them into one easement later on. For Example, listing "LASTNAME 1 of 3", "LASTNAME 2 of 3"... on each application will address the linkage between these multiple applications.

Note that each application must stand on its own for eligibility and scoring for both the CRP and RIM part of MN CREP.

SIP Questions:

Q: How does the CRP Signing Incentive Payment (SIP) factor into the total payment the landowner will receive?

The SIP is considered part of the federal portion of the payment that must be deducted from the RIM value.

Q: How are SIP payments being made?

If the landowner is eligible for SIP, FSA will be paying the SIP shortly after the CRP-1 is signed by FSA. Emphasize when working with landowners that if they are under the \$50,000 annual payment cap and everything else is good to go, they will be getting a full SIP. Landowners should ask FSA for SIP payment specifics.

PIP Questions:

Q: Is the Practice Incentive Payment (PIP) being subtracted from the total payment amount?

PIP will be a topic covered under future guidance. Calculations of PIP are not a part of the current CEFW, as PIP is a practice-related payment and not an easement payment.

CP 23 and 23A Questions:

Q. Do identified eligible drained and altered wetlands need to be restorable to be eligible for CREP?

Generally yes. However, it is recognized that restoration feasibility, costs, off-site hydrology impacts, and other project constraints can limit the extent of hydrology restoration that can be completed. Therefore, wetland hydrology will be considered minimally restored if certain physical or legal issues prevent hydrology restoration of a drained and altered wetland. While

minimally restorable wetlands are eligible for MN CREP, they will not likely be allowed in the scoring of the easement application. It is therefore likely that for a site to be funded, a substantial portion of the drained and altered wetland areas within an application will need to be evaluated as being restorable with the goal of being completed as part of conservation plan implementation.

Q: I am having trouble determining what exactly qualifies as drained and altered wetland area as part of preparing an application for CREP. What should I be considering?

First of all, determining the extent of eligible drained and altered wetland area as part of a potential MN CREP application and scoring those wetlands are two different things. All drained and altered wetland areas that meet CRP and RIM program eligibility criteria are potentially eligible for MN CREP enrollment. To determine the extent of these areas a number of resources should be used. The first, and most widely used is the NRCS Web Soil Survey. The NRCS Web Soil Survey will provide a map of all hydric and non-hydric soil map units (SMU). It also will provide the classification of each map unit along with its hydric rating.

When attempting to identify former wetlands through the presence of hydric soils, it is important to understand that many soil map units are typically composed of one or more soil types and will often contain inclusions of dissimilar soils that are not mapped. In other words, a map unit that is identified as being hydric may have small areas, or inclusions, of non-hydric soils within it. Conversely, a non-hydric map unit may have inclusions of hydric soils within it. The extent of these dissimilar inclusions, if they exist, varies with each map unit and also varies from site to site for the same soil map unit. In addition, mapping variances and errors do exist and may not always accurately represent the actual extents of wetland areas.

In summary, a map of hydric soils may be all that is needed to accurately identify the extent of former wetland areas on the site. However, for reasons stated above, an accurate assessment of the drained and altered wetlands often requires review of additional data and resources. This includes utilizing other resources such as current and historic aerial photos, LiDAR data, USDA wetland determinations, extent of known drainage systems, National Wetland Inventory maps, drained wetland inventories, landowner discussions, on-site evaluation and finally, best professional judgement.

Q. I am working with a producer to prepare a wetland restoration application for CREP but I cannot accurately determine if the identified drained and altered wetlands are restorable or if they qualify for scoring. I am also concerned whether the proposed easement boundary is large enough to allow successful restoration of wetland hydrology. Where can I get technical assistance in evaluating restoration potential and associated easement boundary questions for pending applications?

Aside from any technical expertise that may be available to your local field office, BWSR engineering staff has extensive experience in evaluating and restoring drained and altered wetlands as part of conservation easement program delivery. They are prepared to provide technical assistance to field office staff and landowners as part of application development for

MN CREP. Please feel free to contact them with any technical or legal questions relating to wetland restoration eligibility or scoring. Their contact information is provided at the top of this document.

Q. A lot of acres are target towards restoring drained and altered wetlands as part of this CREP. Furthermore, wetland restoration can be a complicated practice for which lots of time and technical expertise is needed to effectively complete these practices. Who is going to do all this?

Much of what needs to be done to successfully evaluate, design, and then implement CP23 and CP23A practices as part of MN CREP will be considered an engineering practice by NRCS. This requires technical staff working on these projects to have the appropriate level of engineering job approval authority (EJAA) assigned to them. Unfortunately, numerous NRCS Conservation Practices could potentially be applicable to the planned work for which EJAA would be needed. While some amount of work and responsibility to complete wetland restorations under MN CREP will lie with the SWCD, it is likely that additional technical/engineering support to SWCDs will be needed due to the technical complexity of these practices and the associated pending workload.

Q. BWSR Engineering staff has traditionally provided technical assistance to SWCDs and cooperating landowners in support of wetland restoration work done under RIM Reserve easements. Is BWSR going to continue to provide technical support for MN CREP?

Yes, BWSR engineering is ramping up staffing expertise and equipment to fully support the technical needs of MN CREP. This includes; evaluating the restoration opportunities for each application, working with field offices to prepare a preliminary (concept) plan of restoration strategies and opportunities, site investigations and field surveys, preparing engineering designs, construction plans, and associated construction documents, and assisting the field office and landowners with construction oversight and project closeout.

Q. Early in the application process a CRP conservation plan needs to be prepared and environmental and cultural resource reviews need to be completed. What information is going to be prepared for each application to allow these actions to be successfully completed given that this will likely need to occur before the RIM easement is recorded?

BWSR engineering staff will be working with the local field office to prepare a detailed preliminary wetland restoration or concept plan for each funded MN CREP application. This preliminary concept plan will show the location and type of proposed construction strategies to restore site hydrology and, when coupled with the overall map of identified drained and altered wetland areas, should allow for development of conservation plans and associated environment and cultural resource reviews. It is intended to prepare these comprehensive concept plans in consultation with field office staff shortly after funding decisions are made. In some cases, field reviews and survey investigations will be needed to accurately prepare this plan. The CRP and RIM Conservation Plans will then be developed utilizing these concept plans.

SHPO and THPO consultations are required to be completed by FSA trained staff. It's important that FSA be advised of the extent and specifics of any proposed wetland restoration plans, so they can accurately request consultations for projects that will require ground disturbance below the existing plow line. NRCS Archeologist does provide FSA a preliminary opinion that FSA forwards to SHPO along with our request to consult.

Q. Can our local Technical Service Agency (TSA) staff assist with the design and implementation of the CP23 and CP23A practices and if so, are there funds available to pay them for this service?

Yes, TSA and other technical staff at the field office level can design and implement wetland restoration practice work as part of MN CREP assuming they have the appropriate level of JAA for the applicable NRCS Conservation Practices. Local technical assistance, if planned and desired, should be coordinated with BWSR engineering staff. Unfortunately, aside from SWCD technical assistance money available thru Master Joint Powers Agreements, BWSR has no budget to provide SWCD's and/or TSA's with additional compensation for these engineering services.