

A wide, flat landscape of tall grasses and yellow wildflowers under a cloudy sky. The foreground is filled with green and brown grasses, interspersed with bright yellow wildflowers. The middle ground shows a vast expanse of similar vegetation stretching to the horizon. The sky is overcast with soft, grey clouds.

# **RIM Reserve Easements 101**

**BWSR Academy 2011**

# History

RIM Reserve was established in 1986

Concept was initially proposed in 1984 by the 'Citizen Commission to Promote Hunting and Fishing in MN', established by Gov. Perpich

Farm crisis in the '80's helped establish RIM as a way to not only benefit wildlife, but to help financially strapped farmers

First appropriation in 1986 was for \$10 M

# History

Early easements ('86 & '87) were 10 year easements

Highly erodible land was only eligible land type in first years

Many other eligible land types were added by legislation in the late '80s

Permanent Wetland Preserves (PWP) was added in 1991 as part of WCA

# History

1994

MN River Citizens' Advisory Comm.  
adopts plan to restore the MN River.

Top two recommendations are:

- 1) Restore floodplains and riparian areas,
- 2) Restore wetlands

BWSR allocates 50% of all RIM funds  
to easements in the  
MN River Watershed

1997

First RIM-WRP partnership  
30-year NRCS easement  
plus a perpetual RIM  
easement

1998

MN River CREP

2005

CREP II in the Red River,  
Lower Mississippi,  
Missouri/  
DesMoines watersheds

2007

RIM-WRP Partnership with NRCS

# Reinvest in Minnesota Resources Act

## 103F.505 PURPOSE AND POLICY.

It is the purpose of sections 103F.505 to 103F.531 to restore certain marginal agricultural land and protect environmentally sensitive areas to enhance soil and water quality, minimize damage to flood-prone areas, sequester carbon, and support native plant, fish, and wildlife habitats. It is state policy to encourage the restoration of wetlands and riparian lands and promote the retirement of marginal, highly erodible land, particularly land adjacent to public waters, drainage systems, wetlands, and locally designated priority waters.

*History: 1990 c 391 art 6 s 71; 1992 c 415 s 1; 2009 HF 1231 s 12*

# RIM Reserve Funding

***\$250,900,000.00 Total funding as of Oct. 2011***

\$200 M from legislative bond appropriations

\$1.8 M from LCCMR

\$3.0 M from federal NAWCC

\$23 M from LSOHC (2009 and 2010) for RIM-WRP

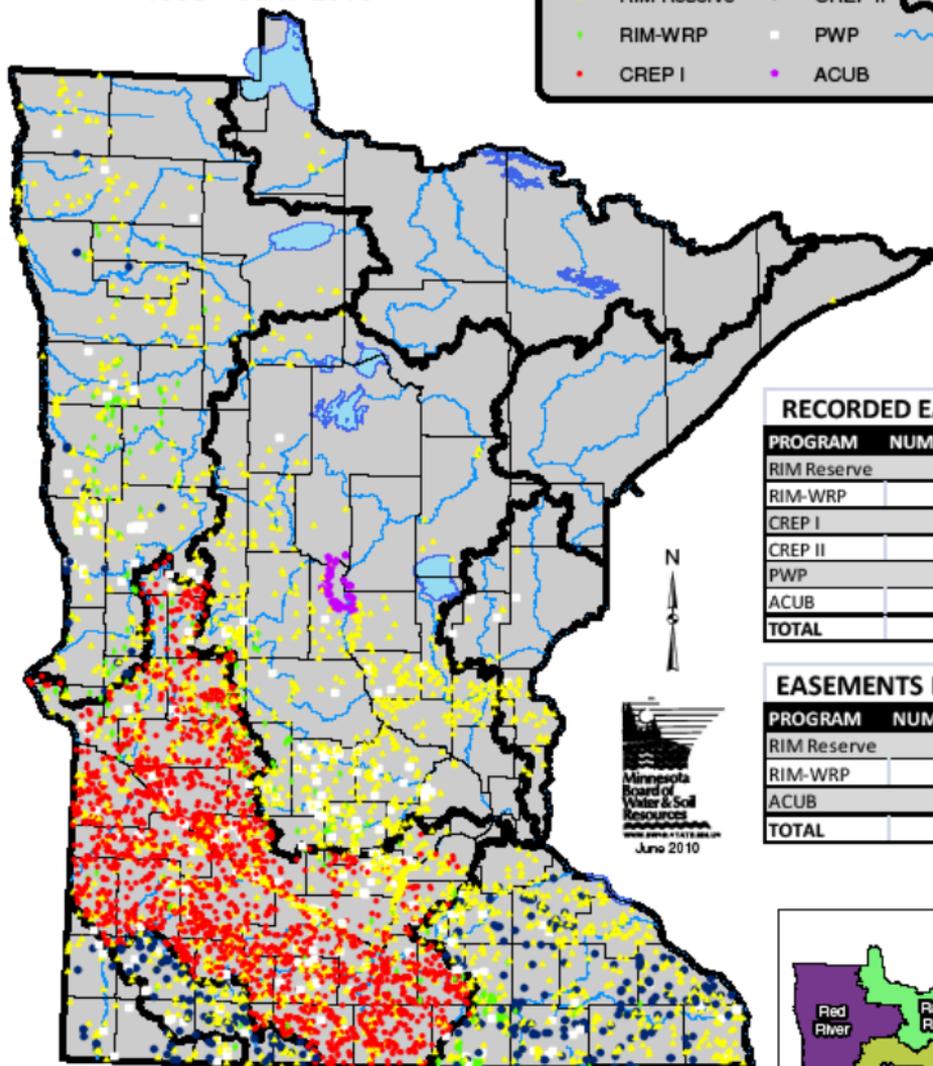
\$23.1 M from CWL (2009) – buffers \$6.5M and wellhead protection \$2.0M

# Minnesota's State-Funded Conservation Easements

1986 - June 2010

## State Easement Programs

- RIM Reserve
- RIM-WRP
- CREP I
- CREP II
- PWP
- ACUB
-  River Basins
-  Major Rivers



### RECORDED EASEMENTS

PROGRAM	NUMBER	ACRES
RIM Reserve	1,845	58,254
RIM-WRP	167	13,434
CREP I	2,481	100,005
CREP II	277	7,095
PWP	299	11,413
ACUB	43	7,024
<b>TOTAL</b>	<b>5,112</b>	<b>197,225</b>

### EASEMENTS IN PROCESS

PROGRAM	NUMBER	ACRES
RIM Reserve	144	2,448
RIM-WRP	183	17,498
ACUB	7	1,319
<b>TOTAL</b>	<b>334</b>	<b>21,265</b>

**RIM Reserve:** Minnesota's RIM easement program removes lands from agricultural production to benefit water quality and fish and wildlife habitat.

**RIM-WRP:** Minnesota's Rainwater in Minnesota (RIM) Reserve Program combined with federal Wetland Reserve Program (WRP).

**CREP I:** Conservation Reserve Enhancement Program (CREP), combines RIM Reserve with the federal Conservation Reserve Program (CRP). Easements must be in the Minnesota River basin.

**CREP II:** Conservation Reserve Enhancement Program (CREP), combines RIM Reserve with the federal Conservation Reserve Program (CRP). Easements must be in the Red, Missouri, or Lower Mississippi River basins.

**PWP:** Rim Reserve Permanent Wetland Preserves (PWP) for existing wetlands at high risk of being drained or filled.

**ACUB:** Army Compatible Use Buffers is a partnership with the US Army to acquire easements that provide for land conservation and prohibit development of critical open areas near Camp Ripley.



# Minnesota's State Conservation Easements

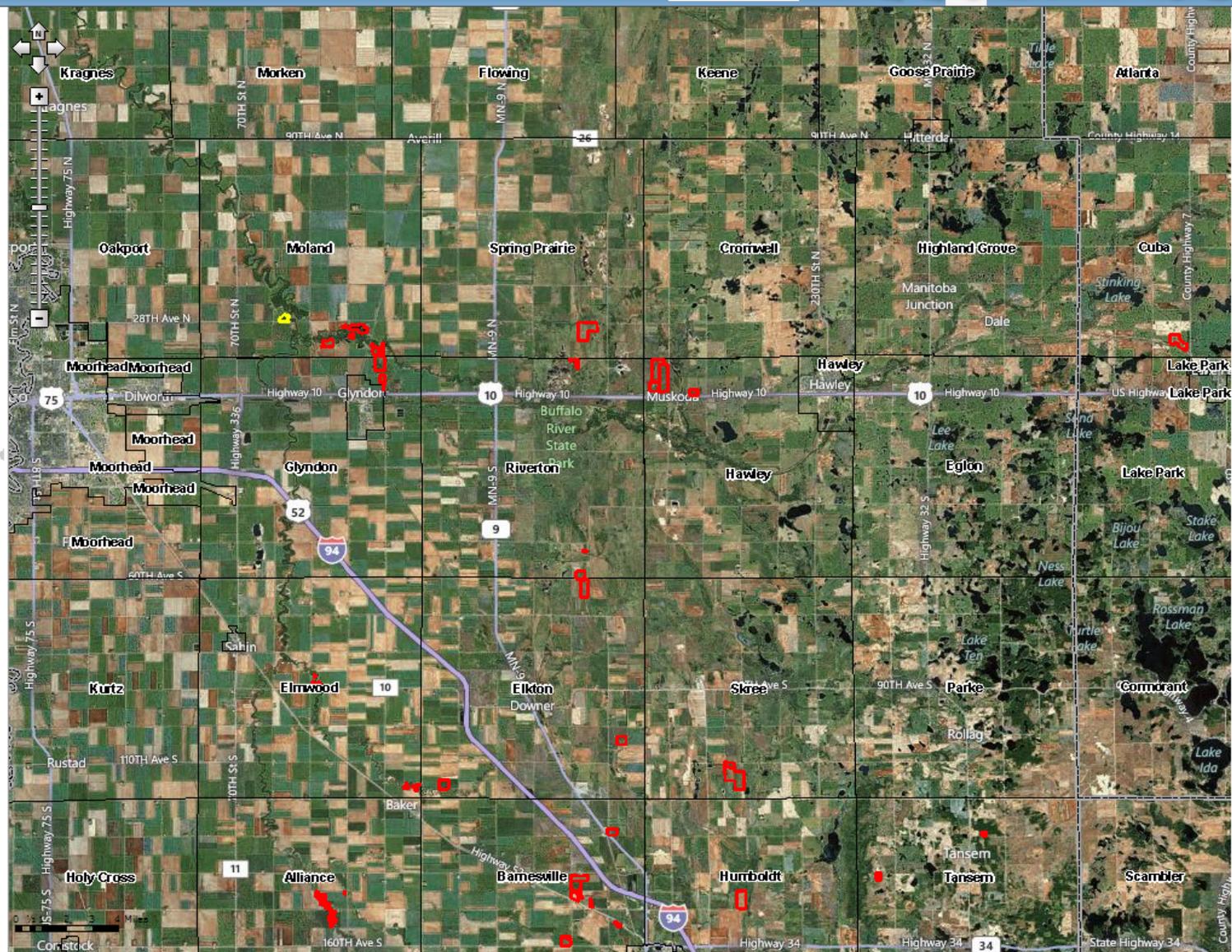
Find by: Conservation District | TRS (All fields are required) | Township Name | RIM Program | RIM ID | Print

1:288,895

Query Results (Right click entries to zoom to easement)

Data Layers (Grayed out layers are not active or visible at current zoom level)

- RIMserver
  - Rim Reserve Easements (Point)
    - RIM
    - CREP I
    - CREP II
    - PWP
    - RIM-WRP
    - ACUB
  - Rim Reserve Easements
    - Expires
    - Permanent
  - County Boundaries
  - Minor Civil Divisions
  - Sections
  - Aerial with labels



# Total Accomplishments

Past and  
recent  
activity

*5,590  
easements  
221,999  
acres*

***‘to protect soil and water quality and support fish and wildlife habitat’***

**RIM’s focus has been riparian and wetland restoration easements since 1992 when Gov. Carlson issued his challenge to clean up the MN River, as a result . . .**

1,600 wetland restoration easements on 88,000 acres



9. 3. 2002

2,100 riparian easements on 63,000 acres



# What IS a Conservation Easement?

A voluntary agreement between a landowner and qualifying private or governmental organization that sets forth specific restrictions on future land use.

Acquiring an easement is a purchase of some of the legal rights to the property and uses the same process as a fee title sale of the land.

In MN, the legal basis for state easements as a conservation tool is provided for in Chapter 84C of the Minnesota Statutes.

# **An Easement is a Legal Document**

**It takes the form of a binding contract that is filed in the public records (County Recorder) of the county in which the land is located.**

**The landowner who establishes the easement and all future owners of the property are legally obligated to abide by its terms.**

**The State serves as guardian for the land's conservation values, monitoring the property regularly to assure that easement terms are upheld, and can enforce via the courts.**

# Key Aspects of Conservation Easements

Landowner retains title to property and all associated rights and obligations of ownership aside from those that are restricted and transferred to the State in the easement.

Property retains its private status; an easement DOES NOT require that land be accessible to the public.

Runs with the title to the land; all future owners are bound by it's terms.

A new easement does not affect previously recorded documents.

May affect property's resale value.

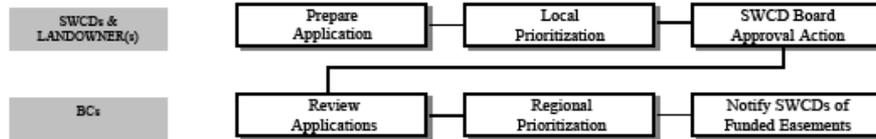
May, or may not, lower property tax assessments.

# Easement Processing

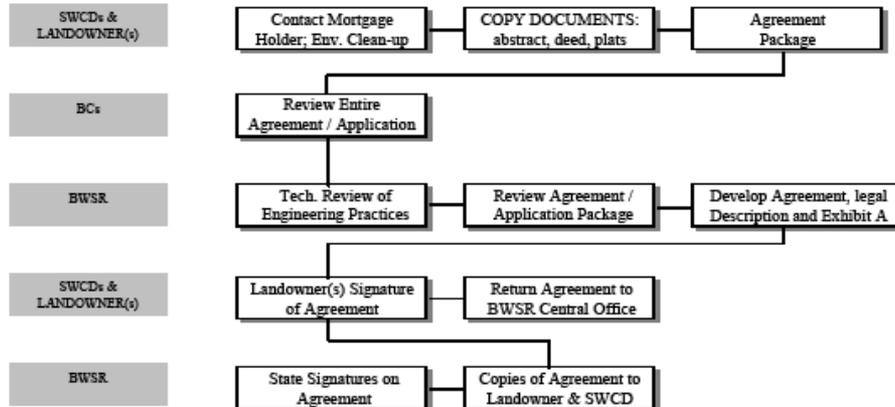
- Three distinct stages:
  - Application
  - Agreement
  - Easement

# CONSERVATION EASEMENT ACQUISITION FLOWCHART

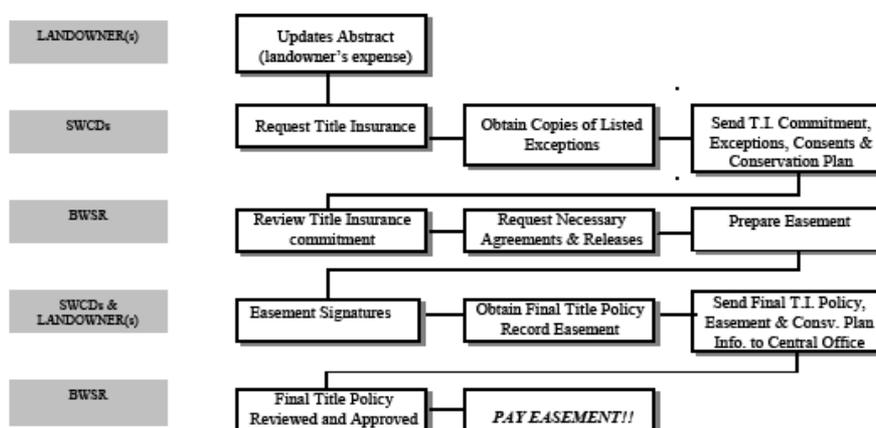
## Application Stage



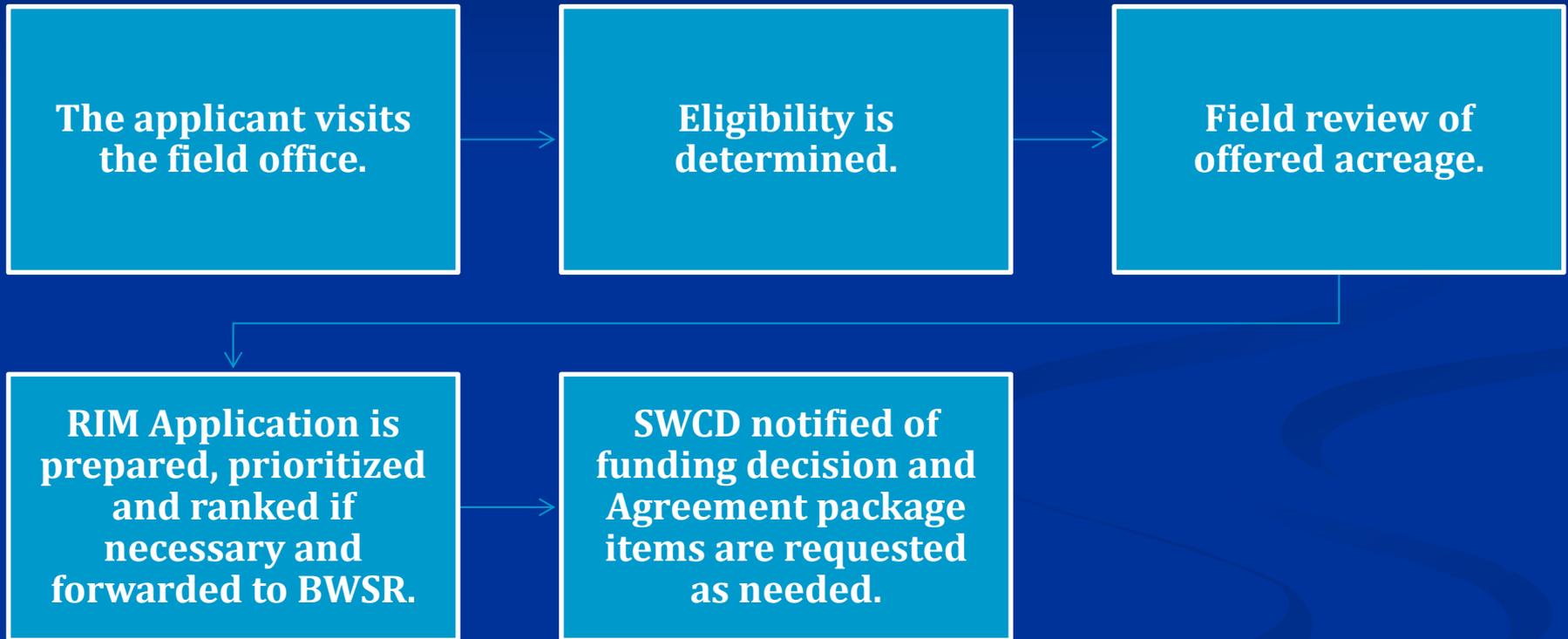
## Agreement Stage



## Easement Stage



# Application Phase



# The SWCD Checklist

**An invaluable reference source of items needed and steps to take throughout the easement acquisition process.**

*Available at ~*

*<http://www.bwsr.state.mn.us/easements/handbook/index.html>*

Landowner Name: \_\_\_\_\_

Easement ID # \_\_\_\_\_

**SWCD CHECKLIST**  
**Conservation Easement Acquisition**  
*Part I*

**FOR CONTINUOUS, NONCOMPETITIVE SIGN-UPS, SUBMIT ALL ITEMS LISTED IN BOTH THE "APPLICATION PACKAGE" BOX AND THE "AGREEMENT PACKAGE" BOX. SUBMIT AS ONE PACKAGE TO BWSR.**

Application Package ____ Application ____ Aerial Photos ____ Easement Area Assessment	____ CEFW ____ CEPPW	____ Wetland Restoration Info form* ____ W-9 Federal Tax ID Certification* ____ Land Use & Soils* <p style="text-align: right; margin: 0;">*submit when applicable</p>
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**Application Stage**

- 1) Date \_\_\_\_\_ **Application package completed**
- 2) Date \_\_\_\_\_ **Local prioritization completed**  
Screening Committee action (optional) \_\_\_\_\_ SWCD Board Action \_\_\_\_\_  
Approved by SWCD Board \_\_\_\_\_ Not approved by SWCD Board \_\_\_\_\_  
If the SWCD Board does not approve the application, stop here. Owner notified of the action on \_\_\_\_\_  
(date)
- 3) Date \_\_\_\_\_ **Mail to BWSR for review and funding approval**
- 4) Date \_\_\_\_\_ **BWSR notification of funding status**  
Approved by BWSR for funding \_\_\_\_\_ Not approved by BWSR for funding \_\_\_\_\_  
If the application is not funded, stop here. Owner notified of the action on \_\_\_\_\_  
(date)

**IF APPLICATION APPROVED, PROCEED TO AGREEMENT STAGE BELOW.**

# *New form required*

## **Federal IRS W-9 form**

**State's new financial management system (SWIFT) requires that we have this form for all new landowners, and existing landowners who may be in the system but have not received any state payment in the last 2 years.**

- **SSN or Taxpayer ID # landowner certification**
- **Form required by MMB to encumber or make payments to landowners**

Form

**W-9**

(Rev. January 2011)  
Department of the Treasury  
Internal Revenue Service

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

Print or type  
See Specific Instructions on page 2.

Name (as shown on your income tax return)

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification (required):

Individual/sole proprietor     C Corporation     S Corporation     Partnership     Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ► \_\_\_\_\_

Other (see instructions) ► \_\_\_\_\_

Exempt payee

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

## Part I Taxpayer Identification Number (TIN)

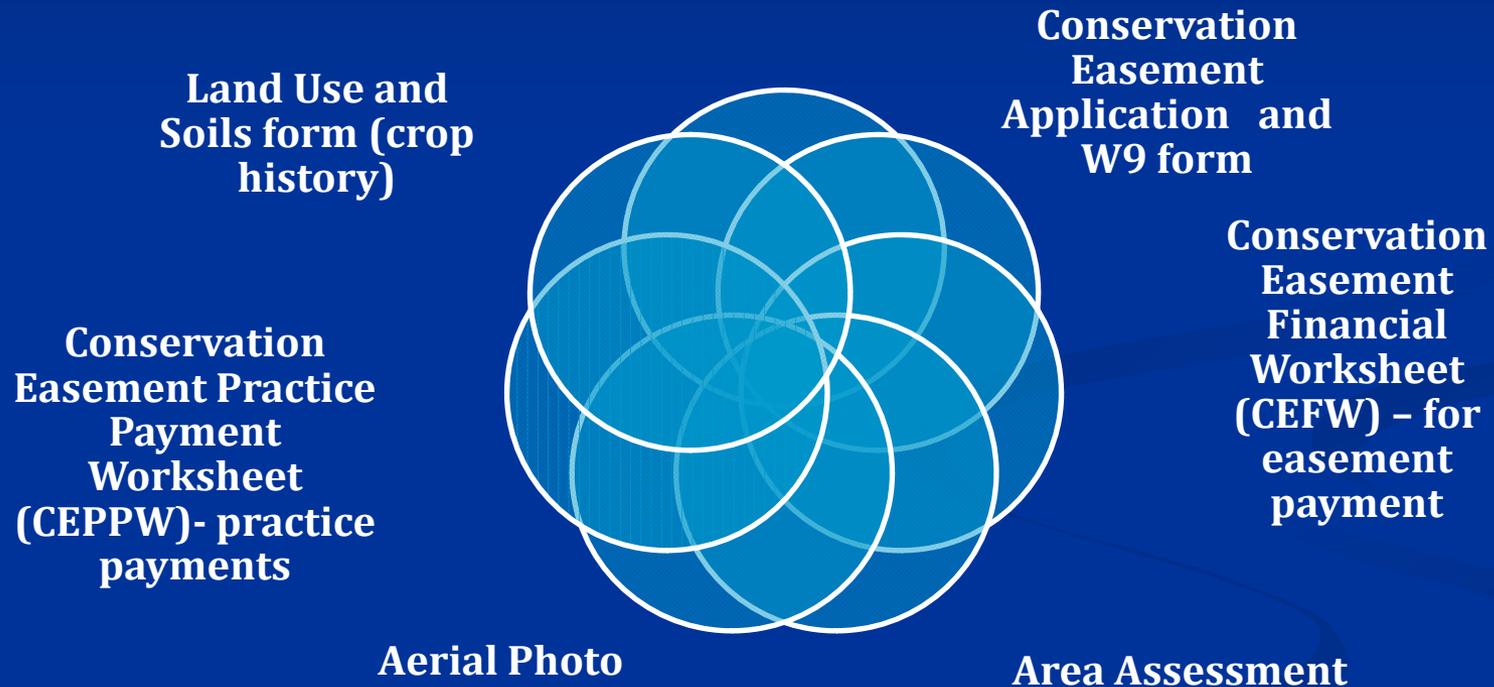
Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a*

**Social security number**

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# The Application Package

**Refer to your SWCD Checklist!!**



*All forms Available at ~ <http://www.bwsr.state.mn.us/easements/handbook/index.html>*

# Aerial Photo

**Show the following:**

- **Boundaries of proposed easement area.**
- **River, streams, ditches, lakes, etc.  
including name/number designation.**
- **Dimension and distance information;  
especially important when enrolling  
parts of existing crop fields.**

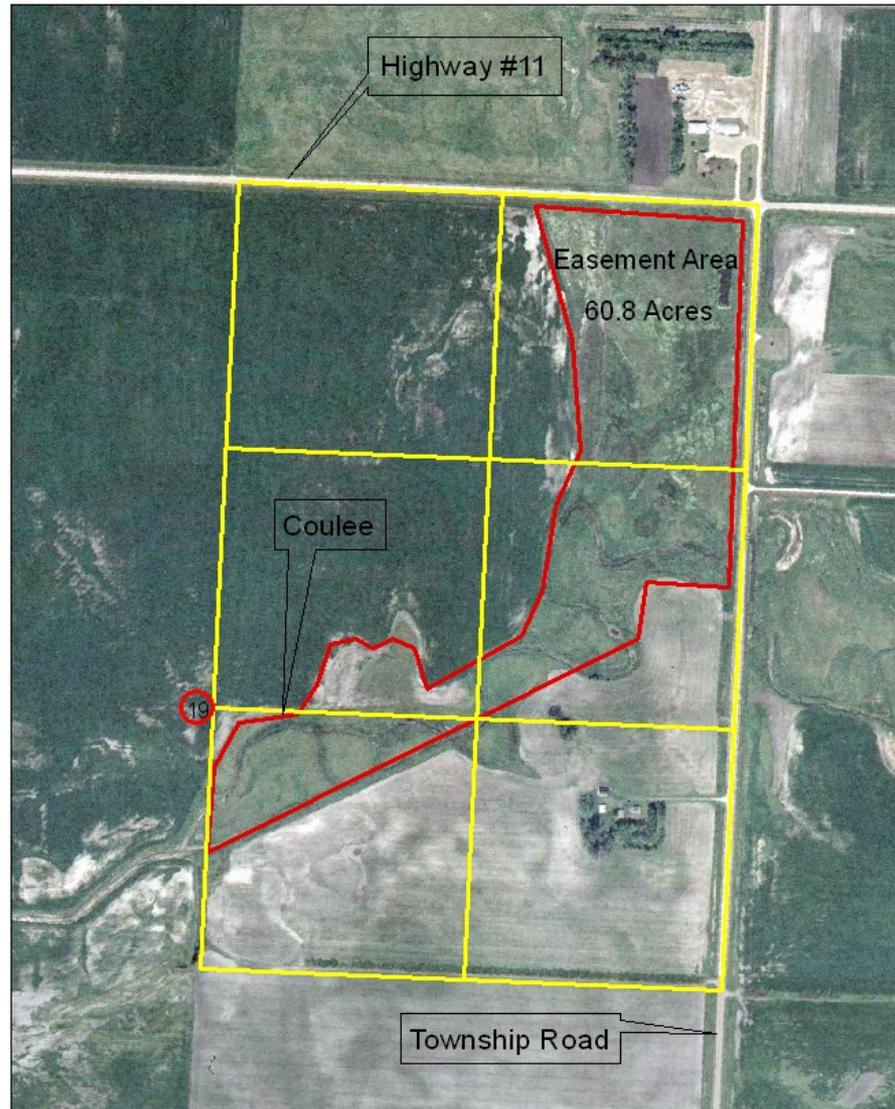
# Aerial Photo

- Section corners/center.
- All known utilities.
- Building sites.
- ID info for existing or proposed easements on adjoining properties.
- Other pertinent info.
- Should also submit aerial photo shape files electronically to BWSR, St. Paul. If you chose this option, submit a paper copy with the application package you submit. Attach \*.shp, \*.shx and \*.dbf files to electronic files.

Landowner Name: Les Scaup  
Section 19  
Township 159 Range 47

Date:  
Prepared By:  
Kittson County

### Easement Boundary



#### Legend

- Section\_Lines
- Easement Boundary

0 330 660 1,320 Feet



# The Agreement Package

Refer to your SWCD Checklist!!

Agreement Information Form

Copy of the deed

Other items as required -items to clarify ownership, such as:  
corporation or partnership docs  
government lot maps and/or plat maps  
death certificates  
divorce decree, etc.

# Agreement Information Form

- Stipulates who is to receive payment for easements and practices. *Easement payments must go to owner.*
- 1031 Like Kind Land Exchanges
- Co-payees to be listed on check .  
**State does not do assignment to pay contractors directly for practice payment reimbursements like USDA.**

# Agreement Stage

## The Agreement for Conservation Easement

- creates a legal contract between the landowner and the state
- discloses the terms of the easement
- identifies the parties involved, ownership, easement boundary, legal description, payment info, land title responsibilities
- allows the landowner to crop or graze the area during the easement acquisition process
- enables the state to encumber the funds required

# The Agreement for Easement

BWSR easement staff prepares the state's agreement for RIM using all of the components included in the Application/Agreement package.



Agreement is sent (1 copy) to the SWCD for the landowner(s) signature.



SWCD reviews the agreements for accuracy of grantor and payment information, legal description and Exhibit A before meeting with the landowner to sign.



The agreement is reviewed in detail with the landowner – this is a legal binding document.

# The Agreement

The SWCD sends signed agreement back to BWSR St. Paul for the state's signature.

One fully executed document is sent to the landowner, and a copy to the SWCD along with a letter explaining the next steps.

**DO NOT RECORD THE AGREEMENT!!!!**

# What's a Title Commitment? And How Do I Get One??



# Title Insurance – Don't Be Afraid!

Three very important resources.....

- Easement Stage – (Handbook Chapter)
- Title Insurance Procedures – quick reference guide for you.
- Specimen Title Insurance Policy – you and your title agent should both have a copy.

Available at ~ <http://www.bwsr.state.mn.us/easements/handbook/index.html>  
(under the Handbook Chapters heading)

➤ A title commitment is a document issued by a title agent that outlines the agent's intent to issue a final title **policy** and what the policy will cover.

Obtain a title commitment by providing the title agent of your choice with:

- *Title Insurance Request form*
- copy of the signed RIM Agreement
- an updated abstract (landowner)
  - *If county has electronic land records you may not need, check with title agent*
- ❖ *Helps to bring Title Ins. Specimen Policy and Title Insurance Procedures guide if working with new title agent*

Easement I.D. \_\_\_\_\_  
Date Requested \_\_\_\_\_  
Date Needed \_\_\_\_\_

### TITLE INSURANCE REQUEST

1. Requested by : \_\_\_\_\_ Soil and Water Conservation District  
Address: \_\_\_\_\_  
Telephone No: \_\_\_\_\_
  
2. Landowner Name: \_\_\_\_\_  
Full Address: \_\_\_\_\_  
Telephone No: \_\_\_\_\_
  
3. Policy amount: \_\_\_\_\_
4. Legal description of Property: (Attach copy if necessary)  
\_\_\_\_\_
  
5. Loan No (if mortgaged): \_\_\_\_\_
6. Occupant: (if not owner) \_\_\_\_\_

\* Insured: State of Minnesota, Board of Water and Soil Resources, 520 Lafayette Rd., St. Paul, MN 55155

\* Bill to the Soil and Water Conservation District Listed Above. (See Number 1.)

# Now What?

- Once you have the title commitment in hand, you should review it for the following –
- On Schedule A – verify correct amount of insurance, name of insured (Board of Water & Soil Resources, State of Minnesota), name of landowner, legal description.
- On Schedule BI – review the requirements and start to work on meeting them. Common requirements are mortgage consents or releases, affidavits of identity, and the recorded easement.

# There's more....?

## ■ On Schedule BII –

- **make sure taxes are current.**
- **review the items listed, such as utility easements, judgments, liens, highway easements, mineral rights, other conservation easements etc. With the exception of road/highway easements, your title agent should include copies of the items listed. In the case of utility easements, please include an aerial photo with the location of the utility marked.**

# Reimbursement for Title Expenses

- The state will reimburse the SWCD for expenses incurred relating to the purchase of the title insurance policy. (Use the Reimbursement Request form)
- Updating of the abstract is not included in the above, this cost is responsibility of the landowner. *If your county has electronic land records, title agent may not need updated abstract.*

# The Easement Phase

BWSR St. Paul reviews title commitment and conservation plan

Issues are resolved and clear title is established.

Easement document is prepared and sent to SWCD for landowner signature.

Easement document is reviewed for accuracy and signed by landowner.

A gap check is performed by the title agent.

If no new encumbrances, the easement is recorded by title agent.

A final title policy is issued by the title agent and sent to BWSR St. Paul with the recorded easement.

State's attorney reviews and BWSR issues easement payment.

# Conservation Plans for RIM

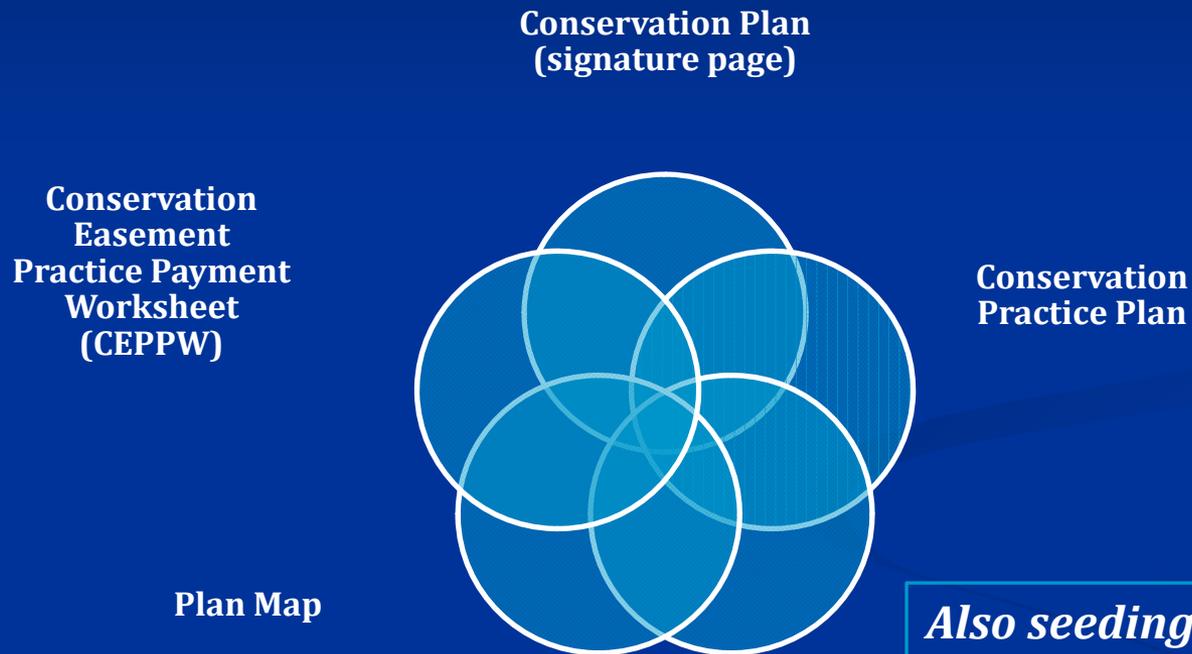
RIM Reserve law requires all areas of an easement to be established and maintained in permanent native vegetation or water.

<http://www.bwsr.state.mn.us/easements/handbook/RIMpracticespecs.pdf>

## CONSERVATION PRACTICE CODES AND DESCRIPTIONS

- RR-1a Introduced Grasses/Legumes To Be Established
- RR-1b Introduced Grasses/Legumes Already Established
- RR-2a Native Grasses To Be Established
- RR-2b Native Grasses Already Established
- RR-3a Tree and/or Shrub Planting To Be Established
- RR-3b Tree and/or Shrub Planting Already Established
- RR-4a Field Windbreak To Be Established
- RR-4b Field Windbreak Already Established
- RR-8 Wetland Restoration
- RR-11 Highway Windbreak
- RR-12 Wetland Creation
- RR-13 Existing Wetland
- RR-14 Existing Watercourse/Ditch
- RR-FP Wildlife Food Plot

# Conservation Plan consists of:



*Also seeding and planting plans, construction plans, and O & M plans.*

## CONSERVATION PLAN FOR STATE OF MINNESOTA CONSERVATION EASEMENTS

Conservation Easement I.D.:	SWCD/County:	Easement Acres:	
Principal Land Owner Name:		Easement Duration: <input type="checkbox"/> Perpetual <input type="checkbox"/> Limited (exp. date:      )	
Address:	City:	State:	Zip Code:

This Conservation Plan is part of the Conservation Easement which is recorded on the land title. Any willful action not in compliance with this Conservation Plan is a direct violation of the Conservation Easement which is enforceable by State Law.

The Grantors, all successors, assigns, and heirs, as identified in the Conservation Easement and herein collectively referred to as "Landowners", are required to establish and maintain the conservation practices described in this Conservation Plan for the duration of the Conservation Easement. The Landowners shall establish all conservation practices described in this Conservation Plan in accordance with the easement program Conservation Practice Specifications and within the schedule provided in the attached Conservation Practice Plan.

The Landowners shall appoint a "Principal Landowner" to serve as the primary contact for implementing and distributing information pertaining to the conservation practices identified in this Conservation Plan.

The local soil and water conservation district (SWCD) will provide the Principal Landowner with the following information which is considered as "attachments" to this Conservation Plan.

- A) Conservation Practice Plan**
- B) Conservation Plan Map**
- C) Construction Plans (if necessary)**
- D) Seeding/ Planting Plans (if necessary)**
- E) Operation and Maintenance Requirements**
- F) Supplementary Information (as needed):**

The State will reimburse the landowner for the establishment of the conservation practices identified in the Conservation Plan documents up to the payment limits provided in Minnesota Statutes section 103F.515. A State Cost-Share Voucher certifying completion of the practice establishment is required from the SWCD before any eligible cost-share payments can be made by the State. No payments for establishing conservation practices will be made until the Conservation Easement is recorded and accepted by the state.

I hereby agree to and acknowledge my obligations associated with this Conservation Plan.

\_\_\_\_\_  
(Principal Landowner)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Authorized SWCD Representative)

\_\_\_\_\_  
(Date)

### CONSERVATION PRACTICE PLAN

Conservation Easement I.D.:	Principal Property Name:
Prepared By:	Date Prepared:

**Example 1**

PRACTICE AREA <i>(one per line)</i>	PRACTICE AREA SIZE <i>(acres)</i>	CONSERVATION PRACTICE CODE TYPE		PLANNED YEAR OF PRACTICE INSTALLATION	
		PRIMARY	SUPPORTING	PRIMARY	SUPPORTING
1	55.2	RR-2a	---	2009	---
2	36.5	RR-2a	---	2009	---
3	6.7	RR-2a	---	2009	---
4	1.4	RR-2b	---	---	---
5	2.2	RR-8	RR-2a	2009	2009
6	0.4	RR-8	RR-2a	2009	2009
7	0.5	RR-8	RR-2a	2009	2009
8	2.9	RR-8	---	2009	---
9	13.8	RR-8	---	2009	---
10	9.8	RR-8	RR-2a	2009	2009
11	1.0	RR-8	RR-2a	2009	2009
12	0.6	RR-8	RR-2a	2009	2009
13	0.7	RR-8	RR-2a	2009	2009
14	4.2	RR-3b	---	---	---
15	5.4	RR-13	---	---	---
16	3.5	RR-13	---	---	---
17	0.9	RR-13	---	---	---

**145.7** = Total Easement Acres

#### CONSERVATION PRACTICE CODES AND DESCRIPTIONS

- |   |   |
|---|---|
| <b>RR-1a</b> Introduced Grasses/Legumes To Be Established   | <b>RR-5</b> Diversion                   |
| <b>RR-1b</b> Introduced Grasses/Legumes Already Established | <b>RR-6</b> Erosion Control Structure   |
| <b>RR-2a</b> Native Grasses To Be Established               | <b>RR-7</b> Grass Waterway              |
| <b>RR-2b</b> Native Grasses Already Established             | <b>RR-8</b> Wetland Restoration         |
| <b>RR-3a</b> Tree and/or Shrub Planting To Be Established   | <b>RR-11</b> Highway Windbreak          |
| <b>RR-3b</b> Tree and/or Shrub Planting Already Established | <b>RR-12</b> Wetland Creation           |
| <b>RR-4a</b> Field Windbreak To Be Established              | <b>RR-13</b> Existing Wetland           |
| <b>RR-4b</b> Field Windbreak Already Established            | <b>RR-14</b> Existing Watercourse/Ditch |
|   | <b>RR-FP</b> Wildlife Food Plot         |

## CONSERVATION EASEMENT PRACTICE PAYMENT WORKSHEET (CEPPW)

Easement ID No.:	Landowner Name:	Prepared By:	Date Prepared:
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# Example 1

PRACTICE CODE & SUBCODE	PRACTICE AREA(s)	PRACTICE ACRES			PRACTICE DOLLARS		
		A	B	C = (A+B)	D	E = (Cx D)	
		Primary	Supporting	Total	Max. Allowed Per Acre <sup>1</sup>	Max. Available	
RR-1 Introduced Grasses	a. To Be Established				\$150		
	b. Already Established						
RR-2 Native Grasses	a. To Be Established	1,2,3,5,6,7,10,11,12,13	98.4	15.2	113.6	\$300	\$34,080
	b. Already Established	4	1.4		1.4		
RR-3 Tress/Shrubs	a. To Be Established				\$400		
	b. Already Established	14	4.2		4.2		
RR-4 Field Windbreak	a. To Be Established				\$400		
	b. Already Established						
RR-5 Diversion							
RR-6 Erosion Control Structure							
RR-7 Grass Waterway							
RR-8 Wetland Restoration	5 - 13	31.9		31.9	\$600	\$19,140	
RR-11 Highway Windbreak					\$400		
RR-12 Wetland Creation							
RR-13 Existing Wetland	15 - 17	9.8		9.8			
RR-14 Existing Watercourse/Ditch							
RR-FP Wildlife Food Plot							

**145.7** = TOTAL EASEMENT ACRES

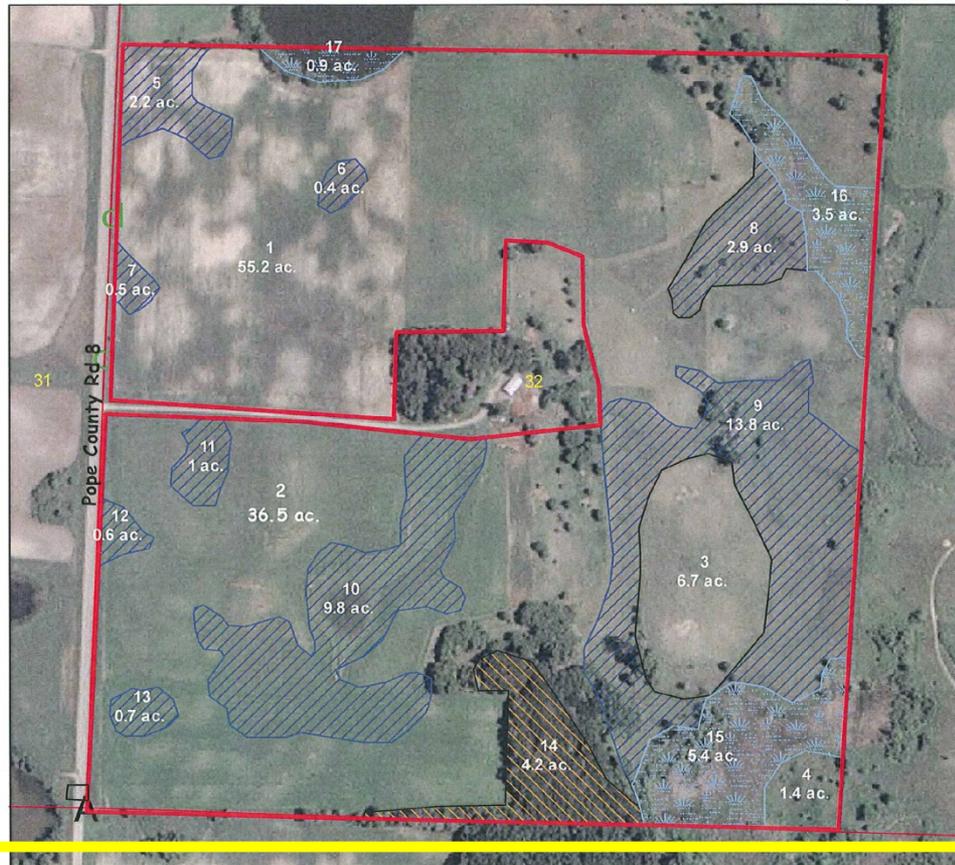
<sup>1</sup> The dollar values in this column represent the maximum amount payable per acre that will be allowed for the identified practice. In no case will payments be made that are in excess of actual costs, less other partner contributions. Custom farm rate data will be taken into consideration when reviewing total amounts submitted for reimbursement.

WRP/RIM Conservation Plan Map  
 WRP 66-6322-6-6064 RIM 61-03-07-02  
 SW 1/4 S.32 T123N R37W Gilchrist Twp.  
 Pope County, MN  
 145.7 Acres

Date: 10/20/2008

GLENWOOD SERVICE CENTER  
 Agency: USDA-NRCS  
 Assisted By: Mark Norton, DU

District: POPE SOIL & WATER CONSERVATION DISTRICT



**Legend**

- |   |                  |
|---|------------------|
| 1-4, 643/RR2 - Tall Grass Prairie - 99.8 ac.    | WRP/RIM Boundary |
| 5-13, 657/RR8 - Wetland Restoration - 31.9 ac.  | Power Box        |
| 14, 645/RR3 - Native Trees and Shrubs - 4.2 ac. | SW Corner S.32   |
| 15-17, 644/RR13 - Existing Wetland - 9.8 ac.    | Sections         |



# Important Points on Plans

- For each practice area identified, a primary practice must be designated. This is the permanent practice cover expected to exist on the easement in the long-term.
- Some primary practices will also require the establishment of a supporting practice,  
*example: RR-2a supporting, RR-8 primary*

# Conservation Practice Implementation and Payment

- Once a practice is installed or partially installed, the SWCD certifies that the practice meets standards and specifications and submits a cost-share voucher to BWSR St. Paul for reimbursement on behalf of the landowner.

# COST SHARE VOUCHERS

*When preparing vouchers, please refer to the Conservation Plan Implementation section of the handbook for complete instructions. This information is available on BWSRs website at --*  
[http://www.bwsr.state.mn.us/easements/handbook/CONSPLAN\\_IMPLEMENT.pdf](http://www.bwsr.state.mn.us/easements/handbook/CONSPLAN_IMPLEMENT.pdf)

## COST-SHARE VOUCHER &amp; PRACTICE CERTIFICATION FORM

A. PAYEE INFORMATION (Check if name and address change)		B. PROJECT INFORMATION			
Name: John Doe		I.D. Number XX-XX-XX-XX			
Address: 111 Any Street		BWSR Program: <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Cost-Share <input type="checkbox"/> Other			
City, State, & Zip Anywhere, MN 55555		Practice Type (one only) RR2	Practice Area(s) 1, 3, 6-9*	Acres Completed: 27.5*	
C. COST INFORMATION		Basis of Request		Type of Request	
<input checked="" type="checkbox"/> Installation <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Reinstallation		<input type="checkbox"/> Partial <input checked="" type="checkbox"/> Final		Completion Date: 6/5/2011	
R/I	ITEM	QUANTITY	UNIT	UNIT PRICE	COST
I	Site prep	1.00	EA	\$500.00	\$500.00
R	24 species native mix	137.50	LB	\$23.00	\$3,162.50
I	Seeding	27.50	AC	\$20.00	\$550.00
I	Clipping	27.50	AC	\$14.00	\$385.00
					\$0.00
	*only the upland portion of practice area 7 was planted				\$0.00
					\$0.00
					\$0.00
R - Receipted Item / Invoiced Item I - In-Kind Contribution (attach additional sheets as necessary) Total:					\$4,597.50

I certify that this is an accurate and true summation of the actual costs and quantities of material, labor, and equipment used on the above project. In cases where the receipts included items not used on the project, I have corrected them accordingly.

John Doe

(Payee Signature)

10/11/2011

(Date)

D. PAYMENT INFORMATION		EASEMENT PROGRAMS [(c) cannot exceed (a) - (b)]	
TOTAL COST OF PRACTICE	\$4,597.50	(a) Maximum Payment Allowed	8,250.00
OTHER FUNDING SOURCES (please identify source)		(b) Total of Previous Payments	\$0.00
WRP	\$3,448.13	(c) Balance Available	\$8,250.00
		COST-SHARE PROGRAM ONLY [(b) + (c) cannot exceed 75% of (a)]	
		(DO NOT USE THIS SECTION FOR EASEMENT PROGRAMS)	
		(a) Total Cost Approved:	
		(b) Other public funds	%
Cost-Share Reimbursement Requested	1,149.38	(c) District Share	%
LANDOWNER / LAND OCCUPIER COST:	0.00	(c) District Share	%

E. SWCD CERTIFICATION	
I certify that an inspection has been performed and that the items identified in part C have been completed and are in accordance with the required practice standards and specifications.	
<u>Jerry Haggemiller</u>	<u>10/11/2011</u>
(Conservation District Technical Representative)	(Date)
I certify that I have reviewed this voucher and all supporting information and that to the best of my knowledge and belief, the quantities and billed costs or disbursements are accurate and are in accordance with terms of the program identified.	
<u>Board Chair or designee</u>	<u>10/11/2011</u>
(Authorized SWCD Representative)	(Date)

# COST SHARE VOUCHERS

## IMPORTANT POINTS:

- One practice type per voucher (RR2 etc)
- Practice Area and Acres Completed boxes must be the same as shown on the CEPPW and Practice plan for the Practice Type specified on the voucher!

*This means get out your CEPPW and conservation practice plan and use it to fill out the voucher*

# COST SHARE VOUCHERS

- Choosing Installation, Establishment, or Reinstallation
- Installation should be checked if the work that involved preparing the land, planting trees, seeding of grasses, wetland restoration construction activities, etc.
- Establishment should be checked if there is any work done during the early growth stages of a practice such as mowing, chemical applications, etc. A Practice Implementation Request Form must be submitted and approved for use of any establishment funds before the voucher is submitted, or if an installation voucher has already been prepared and paid for.
- Reinstallation should be selected if after the installation is completed, the land requires any of the original installations be repeated due to failure. A Practice Implementation Request Form is required and must be approved before a Cost-Share Voucher payment on a reinstallation is sent to the Central Office.

# COST SHARE VOUCHERS

- Choosing Partial vs. Final
- Partial should be checked if the payment amount requested or work completed represents only part of the total amount allowed, AND more money will be needed later to finish the installation. There should be no completion date included until the practice is completely installed.
- Final should be selected if the installation is complete. Checking partial, even if all the funds were not used is incorrect and will not result in funds being left for future establishment activities. When establishment work is needed after initial installation, a Practice Implementation Request Form must be submitted.

## PRACTICE IMPLEMENTATION/AMENDMENT REQUEST FORM

LINE	FY	FUND	AGENCY	ORG/SUB	APPR UNIT	OBJECT/SUB
AMOUNT				DESCRIPTION		
Vendor # _____		PO # _____		PI# _____		

### PAYEE INFORMATION

Easement I.D. Number:	Landowner Name:	Address:
-----------------------	-----------------	----------

**INSTALLATION REQUEST**     **Reinstallation**     **or Conservation Plan Amendment**   

Has Practice Failed Before? (Applies to Reinstallations Only) <input type="checkbox"/> Y or <input type="checkbox"/> N				Proposed Date of (Re)installation (Month/Year)		
Practice Type	Practice Area(S)	Acres to be Treated:	Max. C/S Payment Rate	Max. C/S \$'s Available	Total C/S \$'s Requested	Est. Total Cost:
Explain Reason for Failure or Conservation Plan Amendment (attach additional sheets if necessary):						

### ESTABLISHMENT REQUEST

# COST SHARE VOUCHERS

- *One final word of advice... make sure the voucher you submit agrees with the Conservation Easement Practice Payment Worksheet (CEPPW) and the practice plan on file. If it does not, the voucher will not be approved and paid!*

# RIM Reserve Conservation Easements

An aerial photograph showing a large, irregularly shaped wetland area. The wetland is characterized by a mix of green grasses and blue water, forming a winding path or pond system. The surrounding area consists of brown, tilled agricultural fields. In the background, there are more fields and some distant structures under a clear sky.

- **Monitoring**
- **Management**
- **Enforcement**

# Stake Easement Boundaries

- **Very important where cropland is adjacent!**
- **Non-linear boundaries**
- **Stakes and fence posts are a reimbursed expense**

# SWCD Roles with Long-Term Management on Easements

- Perform site inspections
- Notify BWSR of ownership changes on easement lands (Ownership Change Form)
- Work with landowners on:
  - weed control
  - habitat improvement
  - violations
  - conservation plan changes, etc.

# Inspection Schedule

- **Every year for 5 years after recording**
- **Every 3<sup>rd</sup> year thereafter**
- **Use site inspection form and make sure landowner gets a copy!!**

# Inspections Are Important!

- **Meet with landowner or operator if possible**
- **Provide guidance on issues that need attention**

# Weed Control is Important!

- RIM does cost-share on spraying and clipping up to program maximums during the practice establishment period (2-3 years).
- After the establishment period, weed control is the landowner's responsibility.
- Cost-share beyond the establishment period, or after initial installation and state payment, must be requested by the landowner (Practice Implementation Request Form).

# ~ Not Allowed ~

- Permanent cabin, home or any other storage facility
  - Cell towers
  - Wind generators
  - Driveways
  - Wells, septic systems
  - Dumping of any solid wastes
  - Timber harvest without an approved plan
  - Motocross tracks
  - Big game shooting preserves
- (The above list is not to be considered all inclusive)*

# Examples of Violations







# ~ Allowed ~

**Activities that do not destroy the cover:**

- **Deer stands and hunting blinds**
- **Camping**
- **Limited mowing of trails for camping / hunting access**
- **Motorized vehicles only if they do not destroy cover or cause erosion**
- **Horseback riding**

***Be reasonable and use common sense!!***

# You find a violation ... then what?

- Document the violation on the site inspection form and contact the landowner (Sending a letter is not enough).
- If landowner does not fix the problem, SWCD initiates *corrective action transmittal* (form found in handbook)



# Vegetative Management

*... activities are allowed and encouraged*

- Habitat management policy allows activities intended to improve the cover

<http://www.bwsr.state.mn.us/easements/VegMgmtPolicy.pdf>

- Prescribed burns, grazing, haying, light disking, and timber harvest all are allowed if they are part of an approved management plan.
- 2008 bonding legislation provides an opportunity to acquire funding to enhance and restore native species on existing easements(\$1.25 M). Must include planting of additional native species. Request these funds with the Practice Implementation Request form. **\$200,000 still available!**

# RIM Services Grants

- Currently \$345,000 ≈ \$70 / easement from general fund revenues

## In addition:

- BWSR has been reimbursing SWCDs at \$2,000 per easement for new program initiatives (RIM-WRP, SE Flood, RRVRI)
- Up to \$3,500 per easement for technical assistance related to wetland restorations (e-mail sent 7-27-10)

# Easement Alterations

**BWSR has authority to alter or terminate easements – MS 103F.535 subd.5 – if it determines that the “public interest and general welfare are better served” by the alteration or release.**

**How does BWSR define this *public interest*?**

- **Safety issues**
- **Public infrastructure projects**

# Easement Alteration Policy

Adopted by BWSR June 24, 2006

[http://www.bwsr.state.mn.us/easements/easement\\_alteration\\_policy.pdf](http://www.bwsr.state.mn.us/easements/easement_alteration_policy.pdf)

## *Public Projects*

- **\$500 processing fee**
- **2 X current RIM payment rate for released acres**

# Easement Alteration Policy

## *Private landowner requests*

- Minimum 2:1 replacement acres for changes associated with farming

**NO buyout provision!**

- \$500 processing fee
- Board will not approve if alteration will result in building or development of any kind, or to enable a sale to a potential buyer.

# Current Program Opportunities – Clean Water Fund

## *Riparian Buffer Easements*

- **\$12.0M** for RIM Reserve easements, **\$6.0 M** each year FY 12 and FY 13
- **RFP process beginning in Dec. or Jan., details coming soon!!**

## *Wellhead Protection Easements*

**\$2.6M** now available for easements in WHPAs with high or very high vulnerability as mapped by MN Dept. of Health, **\$1.3M** each year FY 12 and 13.

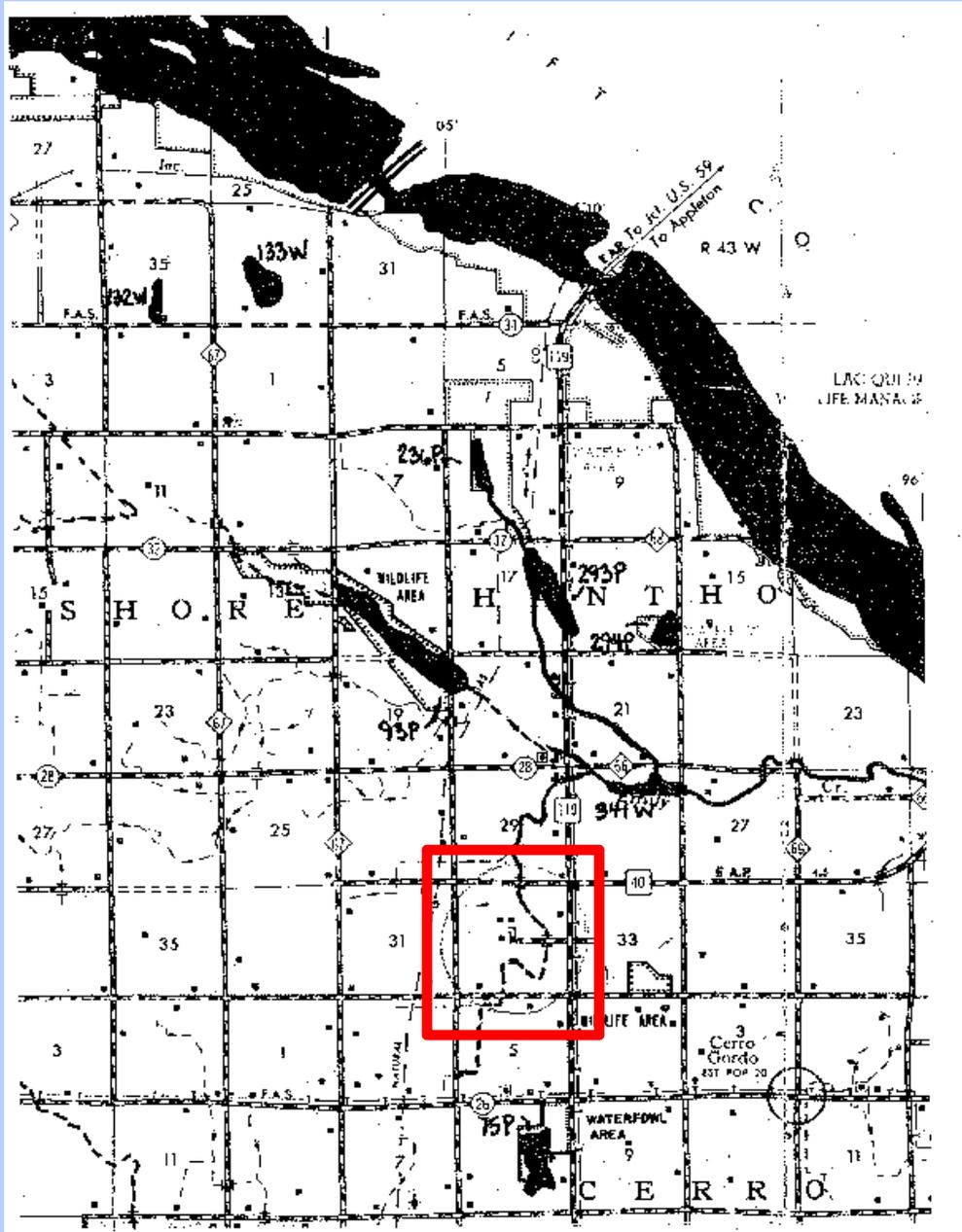
# Riparian Buffer Easements - CWF

## Statute requirements/conditions

**Permanent easements**

**Minimum 50 feet  
Maximum of 100 feet**

**Adjacent to public waters, streams, ditches and lakes (excludes wetlands).  
*Streams ID'd as solid blue lines, ditches as dashed line, and basins marked with a P on the DNR PWI***

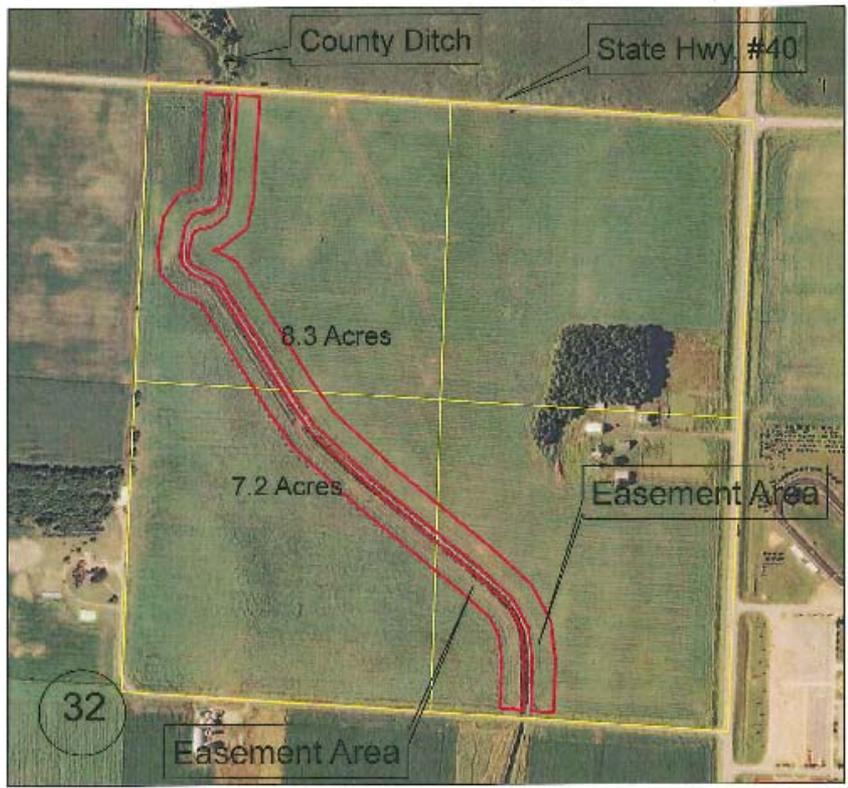


PWI MAP  
LAQ QUI  
PARLE  
COUNTY

Landowner Name:  
Section 32  
Township 119 Range 43  
Total Easement Acres: 15.5

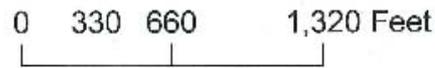
Date:  
Prepared By:  
Lac Qui Parle

### Easement Boundary



### Legend

- Easement Boundary
- Section\_Lines



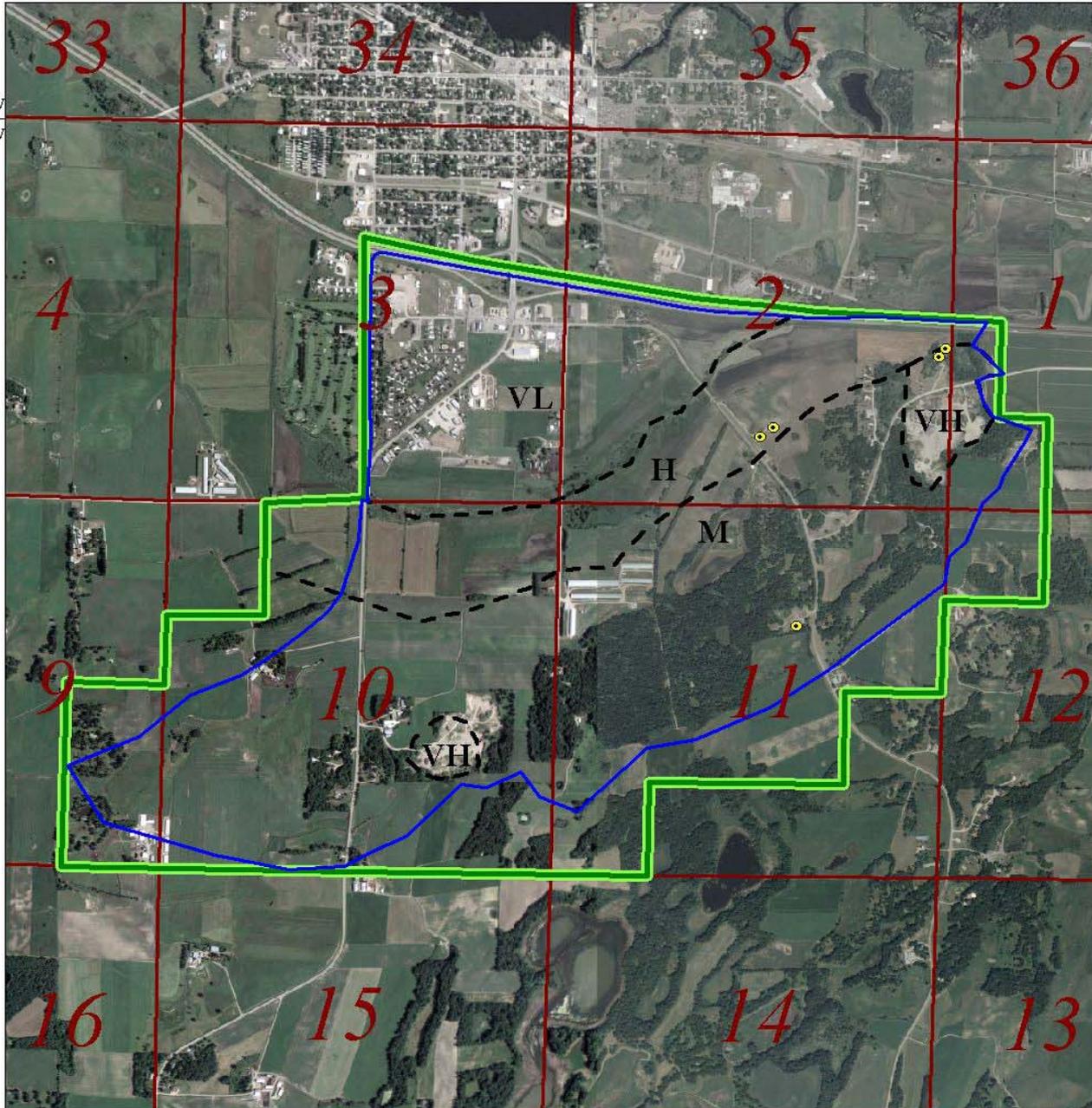
# Wellhead Protection Easements - CWF

## Statute requirements/conditions

**Permanent easements**

**Lands in wellhead protection areas mapped as high or very high vulnerability by the MN Dept. of Health.**

**Eligible wellhead areas have been expanded as recommended by MDH, MDA, and MRWSA. *Maps of eligible project areas on BWSR website.***



# Melrose

## Drinking Water Supply Management Area (DWSMA) MN-00087 10 year Time of Travel

- Public Water Supply Well**
- Primary
  - Wellhead Protection Area (WHPA)
  - DWSMA
  - - - DWSMA Vulnerability Boundary

VH = Very High Vulnerability  
 H = High Vulnerability  
 M = Moderate Vulnerability  
 VL = Very Low Vulnerability



# Sign-up Criteria for CWF Buffers and Wellhead Easements

All existing RIM statute and rules apply:

- One year ownership.
- Landowner – an individual or entity that is not prohibited from owning ag land under MS 500.24 (Corporate farm law).  
Corporations need Dept. of Ag certification.
- Use existing RIM forms to take applications from landowners.

<http://www.bwsr.state.mn.us/easements/handbook/index.html>

## **Sign-up Criteria (cont.)**

- **Buffer width measured from top of bank or water's edge. Non-crop fringe must be included in easement.**
- **Can be used on new or existing CRP contracts.**
- **Priority on cropland areas.**
- **For wellhead easements, a majority >50% must be in the high or very high vulnerability zone.**

# RIM Application Package

Conservation Easement Application form

Area Assessment form

Land Use and Soils form (Just crop history portion of form)

Air photo with easement area identified

Conservation Easement Financial Worksheet (easement payment)

Conservation Easement Practice Payment Worksheet (CEPPW)

Agreement Information Form

Landowners deed(s) to property

Completed W9 form

# Current program opportunities – Outdoor Heritage Fund (\$17.1M)

## *RIM-WRP Wetland Restoration Partnership*

**\$13.0M available for restoring drained wetlands on agricultural lands**

## *Riparian Buffer Easements - wildlife*

**\$2.249M to extend CWF buffers out to 200' for wildlife enhancement in Prairie Section of state only.**

## *Shallow Lake Shoreland Protection: Wild Rice Lakes*

**\$1.9 M for 2012 . Eight Counties (Aitkin, Carlton, Cass, Crow Wing, Hubbard, Itasca, St. Louis, Wadena)**

# RIM - WRP Partnership

Landowners voluntarily enroll in a:

- 30-year federal WRP easement and a
- Perpetual state RIM Reserve easement

***Lengthy process so important to manage  
landowner expectations!!***

# RIM-WRP Partnership

- ✓ *\$1.4 federal leveraged for every \$1 state*
- ✓ *Restore drained wetlands and adjacent grasslands*
- ✓ *Statewide eligibility with focus on prairie and transition ecoregions*
- ✓ *Partnership pay rates – 125% cropland, 70% noncrop*



## 2011 RIM-WRP Application Checklist

Landowner Name:

County (Field Office):

Check if this application is part of a group project

### SECTION I. Required Forms and Worksheets

- RIM-WRP Application Checklist (this form) \*
- RIM-WRP Land Eligibility Acreage Calculator \*
- RIM-WRP Conservation Easement Payment Calculation Worksheet \*
- RIM-WRP Conservation Easement Application Form \*
- Minnesota Wetland Restoration Evaluation Worksheet (for WRP and RIM-WRP) \*
- NRCS-CPA-1200 WRP Application Form \*
- SF-1199A, Direct Deposit sign-up form
- Preliminary Certificate of Inspection and Possession
- Hazardous Substance Worksheet
- Most recent SCS-026 Wetland Determination
- MN-CPA-052 Minnesota Environmental Evaluation Worksheet

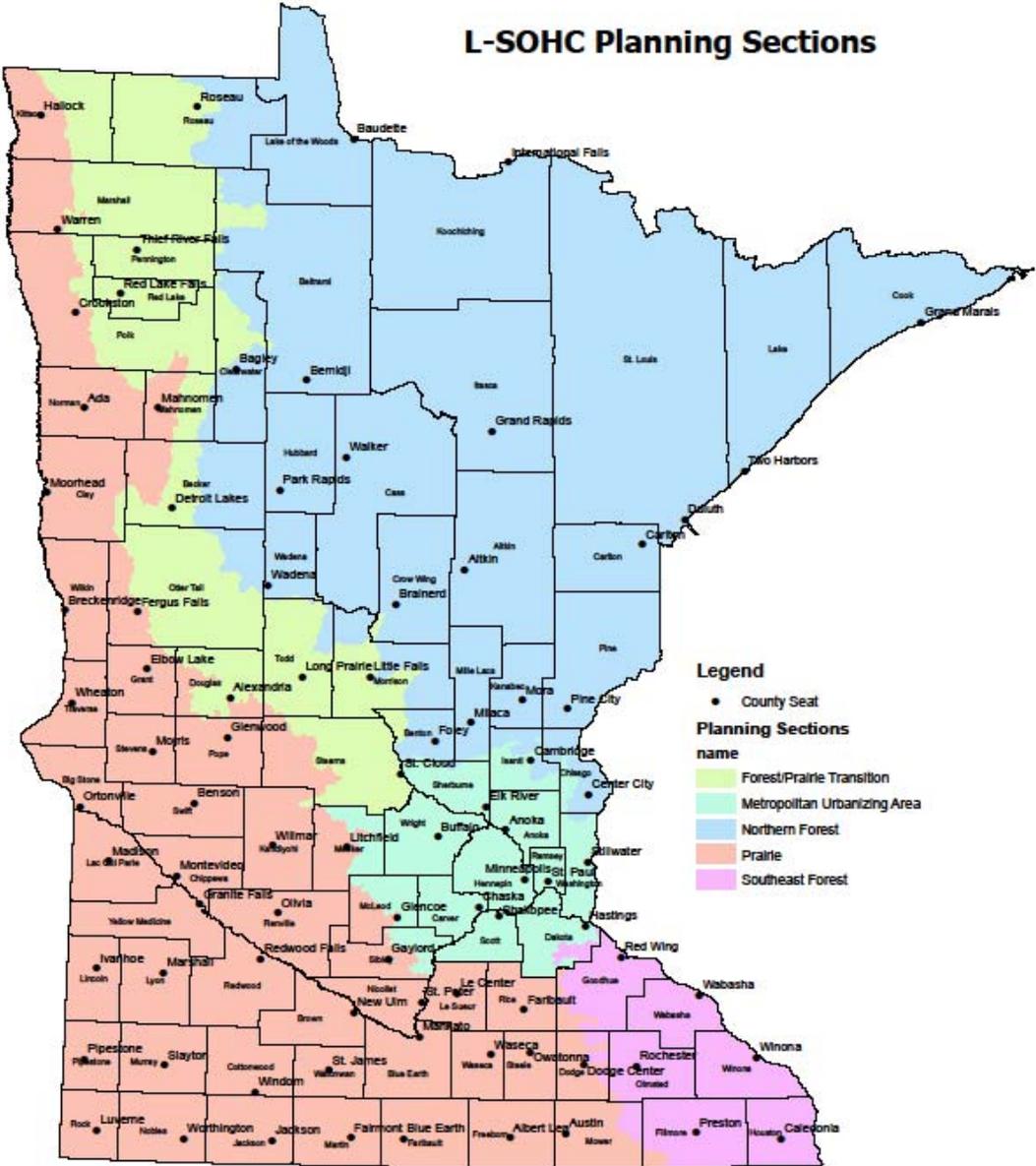
**\*NOTE: For applications scoring below 70 only the forms and worksheets marked with an asterisk (\*) are required for submittal with the application.**

### SECTION II. Other Required Documents

# **OHF Riparian Buffers for wildlife**

- **\$2.25 M to extend CWF buffers up to 200'**
- **Available in the LSOHC Prairie Section**
- **BWSR authorized staff to develop guidelines for sign-up to begin around Jan. 2012**
- **RFP process, more details soon!**

# L-SOHC Planning Sections



# ***Shallow Lake Shore-land Protection: Wild Rice Lakes***

- **\$1.9 M for riparian easements**
- **Available in eight counties (Aitkin, Carlton, Cass, Crow Wing, Hubbard, Itasca, St. Louis, Wadena)**
- **Priority on shallow wild rice lakes that need protection from future shoreline development**
- **Wild Rice Working group has identified 117 tracts for easement acquisition – Dan Steward is contact person**

# **Current program opportunities – \$20 M from 2011 bond fund**

- **RIM-WRP wetland restoration will be the focus for this \$ via several initiatives:**
  1. **USDA-NRCS Mississippi River Basin WREPs (Root River, Cedar River, Crooked Lake) \$9.5M WRP and \$6M RIM**
  2. **USDA – NRCS Red River Flood Retention initiatives (\$14M WRP and up to \$5M RIM)**
  3. **Fund additional Southern MN Flood Response (DR-1941 from 9-22-10 storm)**

## Others:

- **\$1.645 M for RIM-WRP ‘special projects’ from the Environment and Natural Resources Trust Fund – Crooked Lake restoration in Douglas Co.**
- **Camp Ripley ACUB (Morrison and Crow Wing counties)**

# Native Vegetation Requirements

*2009 Legislation (MS 84.02) was repealed in 2011 legislative session. Dan Shaw, BWSR Veg Specialist, currently working on new guidelines .*

***'Native Vegetation Establishment and Enhancement Guidelines – 12-23-2009'***

**[http://www.bwsr.state.mn.us/native\\_vegetation/seeding\\_guidelines.pdf](http://www.bwsr.state.mn.us/native_vegetation/seeding_guidelines.pdf)**

# BWSR Easement Staff

**Kevin Lines, Conservation Easement Section Manager**

**651-297-1894 [kevin.lines@state.mn.us](mailto:kevin.lines@state.mn.us)**

**Tim Fredbo, Easement Specialist**

**651-296-0880 [tim.fredbo@state.mn.us](mailto:tim.fredbo@state.mn.us)**

**Polly Remick, Senior Easement Acquisition Specialist**

**651-297-4365 [polly.remick@state.mn.us](mailto:polly.remick@state.mn.us)**

**Kristie Mack, Easement Development Specialist**

**651-215-9420 [kristie.mack@state.mn.us](mailto:kristie.mack@state.mn.us)**

**Char Sokatch, Easement Development Specialist**

**651-297-4016 [char.sokatch@state.mn.us](mailto:char.sokatch@state.mn.us)**

**Seth Weeks, GIS/Easements**

**651-296-1466 [seth.weeks@state.mn.us](mailto:seth.weeks@state.mn.us)**

A mallard duck is captured in mid-flight over a body of water. The duck's wings are fully extended, showing the white upper surfaces and dark lower surfaces. Its head is turned to the right, and its red webbed feet are visible below. The background is a blurred natural setting with green and brown tones.

*RIM Reserve easements, must  
continue to make wildlife habitat  
and clean water a priority!*

*Thanks for your time.*