

## SECTION 2

### 2.11 STEP CHART: CREP-EQUIVALENT PAYMENTS

Step	Activity	Person Responsible	Date Completed
1	<b>Initiate request</b> for cost-sharing	Landowner	
2	Obtain the following <b>application information</b> : <ul style="list-style-type: none"> <li>• the entity owning the land (individual, corporation, trust, etc)</li> <li>• owner names</li> <li>• project location information (to ¼ ¼ Section)</li> </ul>	LCD and Landowner	
3	Make <b>eligibility determinations</b> : <ul style="list-style-type: none"> <li>• The land involved must be riparian land.</li> <li>• The landowner must agree to install or maintain a riparian buffer or forest buffer and other needed conservation practices on the land.</li> <li>• The project must take at least ½ acre of land out of agricultural production (This means that the land can no longer be used for normal crop or livestock production. Land is not taken out of production if it can be used for pasture, hay production, or cropping subject to residue management).</li> </ul> <p><b>Note:</b> If the land meets these criteria, counties can make CREP-equivalent payments “regardless of whether the lands are actually eligible for the CREP program.” This means that the land may qualify for CREP-equivalent payments even if it is located outside of the CREP project area or does not meet crop history requirements of CREP participation. It does not mean that landowners may install buffers wider than the 150-foot maximum provided for in CREP. For answers to other questions regarding this provision, contact DATCP.</p>	LCD	
4	Obtain the following <b>additional information</b> as part of the application: <ul style="list-style-type: none"> <li>• The most recent property tax statement for all parcels</li> <li>• Aerial photo, map, plat or other document indicating boundaries, natural or man-made features such as lakes, ponds, swamps, rivers, streams, wood lots, roads (named), structures such as barns, houses and storage facilities, power lines, fences, lot lines and field number delineations.</li> <li>• Confirm tax-related information.               <ul style="list-style-type: none"> <li>• Landowner understanding and acceptance of tax implications</li> </ul> </li> </ul>	LCD	

Step	Activity	Person Responsible	Date Completed	
5	Complete a <b>site visit</b> to determine the following: <ul style="list-style-type: none"> <li>• The acreage is suitable for a filter strip or forest buffer and related conservation practices.</li> <li>• The conservation practice(s) that are needed and feasible to solve the resource concern.</li> <li>• There are no apparent, visible activities or uses by a party other than the landowner that could be detrimental or conflict with the county's interest in land.</li> <li>• The eligible area to be flagged in the field.</li> </ul>	LCD		
6	<b>Define</b> the flagged or marked area on map	LCD		
	<b>15 Year Agreement</b>	<b>15 Year or Perpetual Conservation Easement</b>	LCD (NRCS may GPS)	
	<b>GPS measurements</b> or other methods describing the property are completed. Note: GPS points are not crucial for 15-year agreements.	GPS measurements are required. Monumentations (fence post, magnets, rebar) are installed.		
	GPS points are retained in the following formats: txt file, mps file, shp file, (polygon and point) and notes by NRCS GPS ID#			
Develop a map, preferably in GIS, that accurately depicts the location and boundaries of the covered acres.				
7	<b>Calculate</b> payment using CREP-equivalent calculation sheet: <ul style="list-style-type: none"> <li>• Determine eligible acres</li> <li>• Refer to Soil Map Data</li> <li>• Calculate maximum payment rate</li> </ul> If LCD will offer payments lower than maximum amounts, LCD will document the differences and retain information in files.	LCD consulting with FSA		
8	<b>Develop a conservation plan</b> that details: <ul style="list-style-type: none"> <li>• Conservation practices to be implemented with and without cost-sharing.</li> <li>• County and landowner roles in implementation, maintenance and monitoring.</li> <li>• Specific management activities that must be performed to maintain the practices.</li> <li>• Time frame and deadline to implement practices and management activities.</li> </ul>	LCD and Landowner		

Step	Activity		Person Responsible	Date Completed
9	15 Year Agreement	15 Year or Perpetual Conservation Easement		
		<p>Contract for a <b>title search</b> to determine the following information:</p> <ul style="list-style-type: none"> <li>a.) Names of all present owners.</li> <li>b.) Tax statement of property from assessors office.</li> <li>c.) Copy of last deed or unsatisfied land contract of record including legal description and any exceptions/reservations.</li> <li>d.) All easements of record including those that go back more than 60 years and other encumbrances such as utilities, secondary roads, dedications, mineral rights claims, drainage districts, and managed forest law.</li> <li>e.) Judgments, liens, mortgage information, delinquent real estate taxes, state and federal tax liens.</li> <li>f.) CSMs and Subdivision Plats if applicable.</li> <li>g.) Any deed restrictions, <i>e.g.</i>, referencing State or Federal closure letters for contaminated sites.</li> </ul>	Landowner and Title Company	
10		<p>Title search results are received by landowner, who is responsible for <b>submitting title search results</b> and search fee receipts (marked "paid") to LCD.</p> <p><b>Note:</b> Landowner cannot be reimbursed for title search fee until easement is recorded.</p>	Title Search Company and Landowner	
11		<p><b>County Corporation Counsel</b></p> <ul style="list-style-type: none"> <li>• Reviews title search for mortgages, liens, encumbrances, and other factors affecting title, and provides a title opinion regarding current ownership and all persons with interests in the property who must sign the easement as subordinating their interest and consenting to the easement.</li> </ul>	County Corporation Counsel	

Step	Activity	Person Responsible	Date Completed				
12	<b>DATCP approval:</b> If cost-share payments exceed \$50,000, unsigned cost-share contract, calculation sheet, and title search and other easement related documents must be submitted to DATCP for review and approval.	DATCP					
13	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th data-bbox="232 415 646 485" style="width: 50%;"><b>15 Year Agreement and Conservation Easement</b></th> <th data-bbox="646 415 1057 485" style="width: 50%;"><b>Perpetual Conservation Easement</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="232 485 646 1314"> <p><b>Execute</b> these documents:</p> <ul style="list-style-type: none"> <li>• ARM-LWR-255 (Cost-Share Contract) and ARM-LWR-387 (Addendum For CREP-Equivalent Payment -15 Year Agreement) (Clearly indicate payments for practices installed separate from payments for land out of production) <i>Note:</i> Record at register of deeds if cost-share amount exceeds \$14,000.</li> <li>• ARM-LWR-390 (15-year easement) <i>only if the Addendum (ARM-LWR-387) has been modified require a 15 year easement</i> and record at register of deeds.</li> <li>• Obtain signatures for parties required to consent (e.g. mortgage and lien holders) as identified by corporation counsel.</li> </ul> </td> <td data-bbox="646 485 1057 1314"> <p><b>Execute</b> these documents:</p> <ul style="list-style-type: none"> <li>• ARM-LWR-255 (Cost-Share Contract) and ARM-LWR-388 (Addendum For CREP-Equivalent Payment-Perpetual Easement) (Clearly indicate payments for practices installed separate from payments for land taken out of production)</li> <li>• ARM-LWR-389 (permanent conservation easement) and record at register of deeds.</li> <li>• Obtain signatures for parties required to consent (e.g. mortgage and lien holders) as identified by corporation counsel.</li> </ul> </td> </tr> </tbody> </table>	<b>15 Year Agreement and Conservation Easement</b>	<b>Perpetual Conservation Easement</b>	<p><b>Execute</b> these documents:</p> <ul style="list-style-type: none"> <li>• ARM-LWR-255 (Cost-Share Contract) and ARM-LWR-387 (Addendum For CREP-Equivalent Payment -15 Year Agreement) (Clearly indicate payments for practices installed separate from payments for land out of production) <i>Note:</i> Record at register of deeds if cost-share amount exceeds \$14,000.</li> <li>• ARM-LWR-390 (15-year easement) <i>only if the Addendum (ARM-LWR-387) has been modified require a 15 year easement</i> and record at register of deeds.</li> <li>• Obtain signatures for parties required to consent (e.g. mortgage and lien holders) as identified by corporation counsel.</li> </ul>	<p><b>Execute</b> these documents:</p> <ul style="list-style-type: none"> <li>• ARM-LWR-255 (Cost-Share Contract) and ARM-LWR-388 (Addendum For CREP-Equivalent Payment-Perpetual Easement) (Clearly indicate payments for practices installed separate from payments for land taken out of production)</li> <li>• ARM-LWR-389 (permanent conservation easement) and record at register of deeds.</li> <li>• Obtain signatures for parties required to consent (e.g. mortgage and lien holders) as identified by corporation counsel.</li> </ul>	LCD and Landowner	
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14	Provide the landowner <b>CREP-equivalent payments, except for practice payments</b> , upon execution of the contract with all required attachments, and recording of documents as required. Payments may reimburse landowner for costs of title search and monuments.	LCD					
15	Provide the landowner <b>CREP-equivalent practice payments</b> for installing eligible practices upon certification that the practice(s) are complete and paid in full.	LCD					
16	<b>Maintenance and Monitoring</b> <ul style="list-style-type: none"> <li>• Carry out responsibilities for implementation and maintenance consistent time frames <ul style="list-style-type: none"> <li>• Schedule for county site visits and review of aerial photographs.</li> </ul> </li> <li>• Follow system for documentation of maintenance activities including landowner activities</li> </ul>	LCD					