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HOW A REFOCUSED CRP COULD BE ADMINISTERED IN MINNESOTA[†]

DAVID H. BEHM[‡]

ABSTRACT

Reinvest In Minnesota (RIM) Reserve and Permanent Wetland Preserves (PWP) are state conservation easement programs designed to keep certain marginal agricultural land, including drained restorable wetlands, and existing types 1, 2, 3, or 6 wetlands out of crop production to protect soil and water quality and enhance fish and wildlife habitat.

The Minnesota Board of Water and Soil Resources (BWSR) suggests an alternative approach to administering a refocused Conservation Reserve (CRP) and the new Wetland Reserve Programs (WRP), in Minnesota. BWSR could enter into a delegation agreement with the U. S. Department of Agriculture to transfer easement acquisition, practice establishment, and necessary administrative funding through BWSR to local soil and water conservation districts (SWCDs).

This presentation will outline how this arrangement could successfully administer a federally delegated program through the state and local SWCDs to participating landowners. Benefits of this arrangement will also be discussed.

INTRODUCTION

In an effort to foster a federal-state-local partnership to administer necessary federal land retirement programs, the Minnesota Board of Water and Soil Resources (Board) offers the following proposal to advance the current policy discussions regarding the future of CRP as part of the 1995 Farm Bill. This proposal illustrates how an established state program, administered locally, could be used to deliver the same resource protection benefits of CRP and WRP through an existing administrative infrastructure. After describing the proposal, I will identify several benefits of this unique partnership arrangement.

APPROACH

The Board has administered conservation easement programs through local soil and water conservation districts (SWCDs) since 1986 with the establishment of the Reinvest In Minnesota (RIM) Reserve Program. This program was created to keep certain marginal agricultural land out of crop production thereby protecting soil and water quality and enhancing fish and wildlife habitat. In 1991, the Permanent Wetlands Preserve (PWP) Program was established to preserve types 1, 2, or 3 wetlands. Recently, PWP was amended to also provide protection to type 6 wetlands.

Local SWCDs administer these conservation

easement programs with the assistance of local screening committees, composed of representatives from federal, state, and local agencies as well as state and local conservation, farming, and environmental interest groups. The committees review and prioritize applications and submit them to the Board for funding consideration.

RIM Reserve and PWP programs (a) acquire cropping, grazing and drainage land rights; (b) prohibit alteration of wildlife habitat and other natural features; (c) prohibit spraying with chemicals or mowing unless necessary to comply with noxious weed control laws or emergency control of pests; and (d) prohibit the placement of any permanent structures on the easement area. These provisions, at least in part, were identified as highly desirable by the National Wetlands Policy Forum (4) before the creation of WRP.

EXPECTATIONS

Enrollment goals for a continued WRP and a refocused CRP should be accomplished through the acquisition of conservation easements. Several recent policy documents (1,2,3,5,6,7,8,9) have suggested that a future CRP should be targeted to the most environmentally sensitive lands; RIM Reserve has always done so. Some of these documents have also suggested that perhaps easements should be used to enroll such lands (1,2,5,6,8,9); again, both RIM Reserve

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and PWP have always done so. Furthermore, the National Wetlands Policy Forum referenced RIM Reserve in its call for a national agricultural wetland reserve program in 1988 (4); WRP was largely designed after RIM Reserve.

A key component of this proposal is for the Board to seek a delegation agreement with USDA to transfer the necessary federal funding through the Board and local SWCDs to participating landowners. Necessary funding covers the costs to acquire easements, to provide professional services (administrative and technical assistance), and to establish permanent vegetative cover on the enrolled parcels. Also, the Board and the Agricultural Stabilization and Conservation Service (ASCS) have agreed to administer a policy which provides a unique option for CRP contract holders. Under the agreement, when existing CRP contracts are terminated for enrollment of those lands under a perpetual RIM Reserve easement, the landowner is not obligated to repay the annual payments received or to pay any penalty for premature termination. Therefore, ASCS should "reinvest" the balance of payments for those CRP contracts prematurely terminated into additional RIM Reserve easements.

A mutual funding commitment from Congress and the Minnesota Legislature is necessary for a successful federal/state and local partnership to jointly administer a conservation easement program. Congress must reauthorize funding for a new, refocused CRP as part of a 1995 Farm Bill. The Minnesota Legislature must continue the level of funding demonstrated in its recent appropriation of \$9 million in state bonds. If the will to fund this partnership exists in Congress and in the Minnesota Legislature, then this proposal will succeed because the existing administrative infrastructure of the Board and local SWCDs have ample experience in acquiring easements and assisting landowners throughout the process of enrollment.

The federal-state-local partnership suggested for this alternative approach to administering a refocused CRP would also apply to a continued WRP. There are several benefits of this partnership approach. First, a landowner's perspective of management options will be incorporated into program administration. Second, the program will be administered locally with federal delegation through the state – providing all levels with ample opportunity to provide overall guidance in matters concerning prioritization of lands enrolled. Third, coordination and cooperation of the agencies at all levels will be assured and enhanced by the active participation of natural resource interest groups comprising the local screening committees. Lastly, stable base funding from Congress and the Minnesota Legislature may become more likely since each legislative body has a greater stake in the overall success of this partnership – each will want to

optimize its capability to leverage funds from the other to support the program.

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