

WISCONSIN

Conservation Reserve Enhancement Program

2021 DATCP Annual Report



PROGRAM OVERVIEW

The goal of the Wisconsin Conservation Reserve Enhancement Program (CREP) is to work with landowners to install conservation practices aimed at improving water quality on existing agricultural land. These practices reduce sediment and nutrient runoff from agricultural lands to waterbodies on the state's impaired waters (303d list).



Wisconsin's CREP was established in 2001 and is a partnership between landowners and Federal, State and County governments.

Contract Options
 15 Year Agreement
 Perpetual Easement

Project Areas:
 Riparian
 Southern grassland
 Northern grassland
 Lake Superior

Eligible Land (acres)
 Estimated potential - 362,000

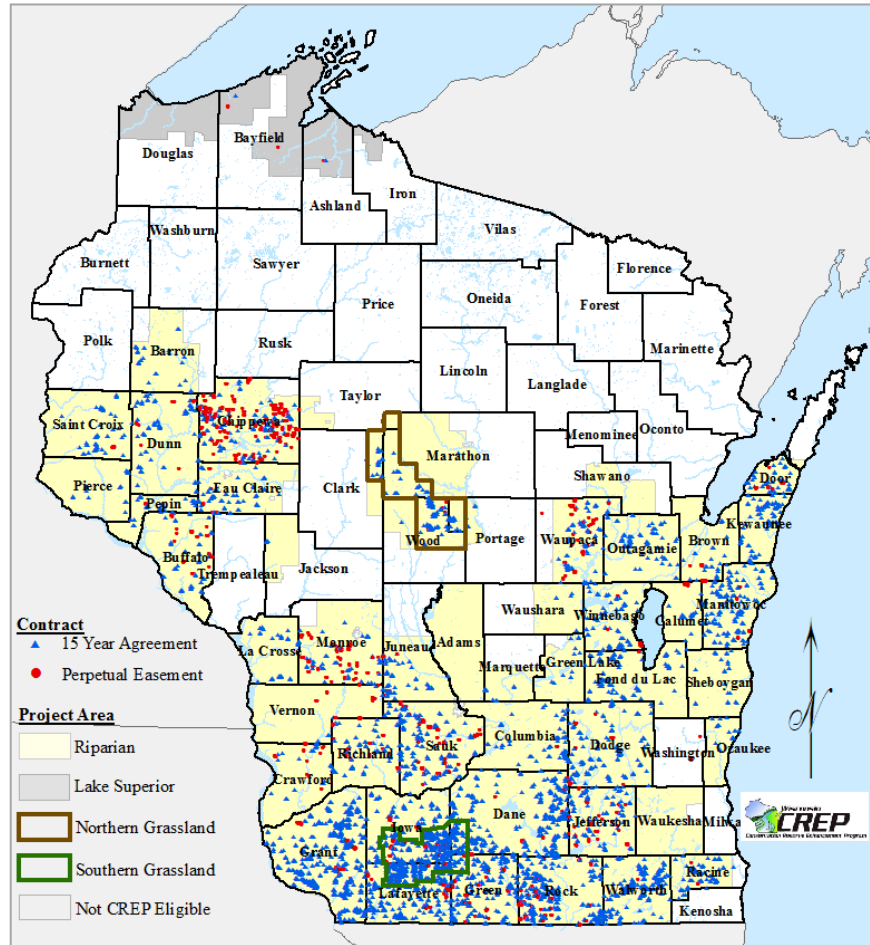
Total available to enroll -100,000

- Riparian practices - 80,000
- Grassland practices - 15,000
- Lake Superior practices - 5,000

Conservation Practice Options
 Grass Filter Strip-CP21
 Riparian Buffer-CP22
 Wetland Restoration-CP23
 Grass Waterway-CP8a
 Permanent Grasses-CP1, 2, 10
 Oak Savanna Restoration-CP25
 Marginal Pasture Buffer-CP29, 30

ENROLLMENT

The USDA- Farm Service Agency (FSA) authorized CREP sign-up 55 on October 1, 2020. At that time, county offices reported continued momentum with interest from landowners rolling over from the previous sign up. On April 22, 2021, FSA paused enrollment to make program rule adjustments. On June 14, 2021, FSA reauthorized CREP enrollment with reevaluated payment rates, an inflationary adjustment and a new enrollment deadline of August 6, 2021. With the enrollment pause and sign up deadlines, CREP enrollment was authorized in federal fiscal year (FFY) 2021 for 8 months.



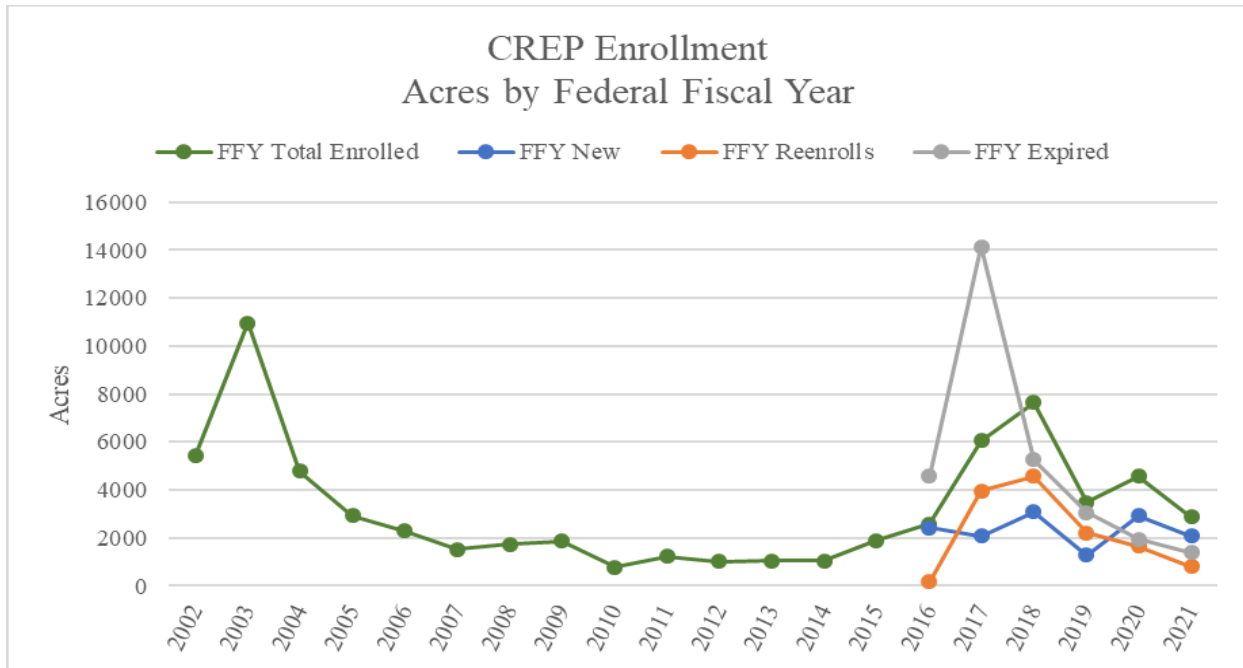
Overall, CREP had a net gain of acres enrolled in FFY 2021 as new and reenrolled acres were greater than acres under contracts that expired. State active CREP contracts include both 15-year agreements and all perpetual easements, including those with expired FSA contracts. New enrollment and reenrollment trends continued to be historically high this year. While this may be a result of the increased financial benefits to landowners, reports from county offices was that several landowners opted not to enroll due to the timing, uncertainty with program availability and provisions that occurred during the FSA enrollment pause. Below are the enrollment totals on the federal and state side of CREP reported as of October 1, 2021. See graph on page 2. Differences in enrollment numbers between agencies are due to enrollment timing and easements with expired federal CRP1's.

FSA CREP Enrollment - FFY2021:

- Acres Reenrolled: 1,211
- Acres New: 1,311
- Acres Total FFY Enrollment: 2,522
- Acres Total Enrollment: 36,108

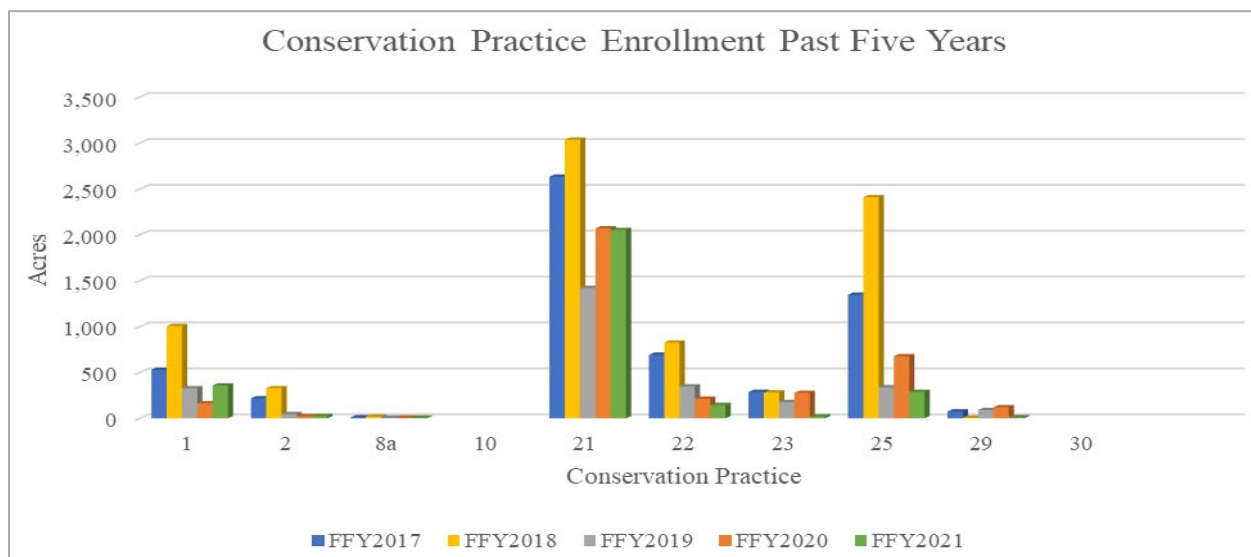
State CREP Enrollment - FFY2021:

- Acres Reenrolled: 806
- Acres New: 2,074
- Acres Total FFY: 2,880
- Acres Total: 41,436
- Acres Easement: 6,814
- Contracts FFY: 274
- Contracts Total: 3,593
- Agreements Total: 3,068
- Easements Total: 525



The majority of acres enrolled in Wisconsin CREP are in riparian practices. Filter strips (CP21) comprise 65% (18,788 acres) of the riparian practices currently enrolled in CREP, while riparian buffers (CP22) make up another 21% (6,187 acres) along with 2,937 acres of wetland restorations (CP23) in the state. The graph below shows enrollment trends by practice for the past 5 years.

Just over 11,000 acres of grassland conservation practices are currently under an active CREP contract in the CREP grassland project areas. Conservation practices unique to these project areas include CP1 (permanent introduced grasses), CP2 (permanent native grasses), and CP25 (rare and declining habitat: prairie and oak savanna restoration). Since 2016, the CREP southern grassland project has continued to be at the maximum allowable acres (10,000 acres). The northern grassland project area enrolled about a fifth of its allowable grassland practices. The CP25 is the most commonly enrolled grassland practice enrolled.

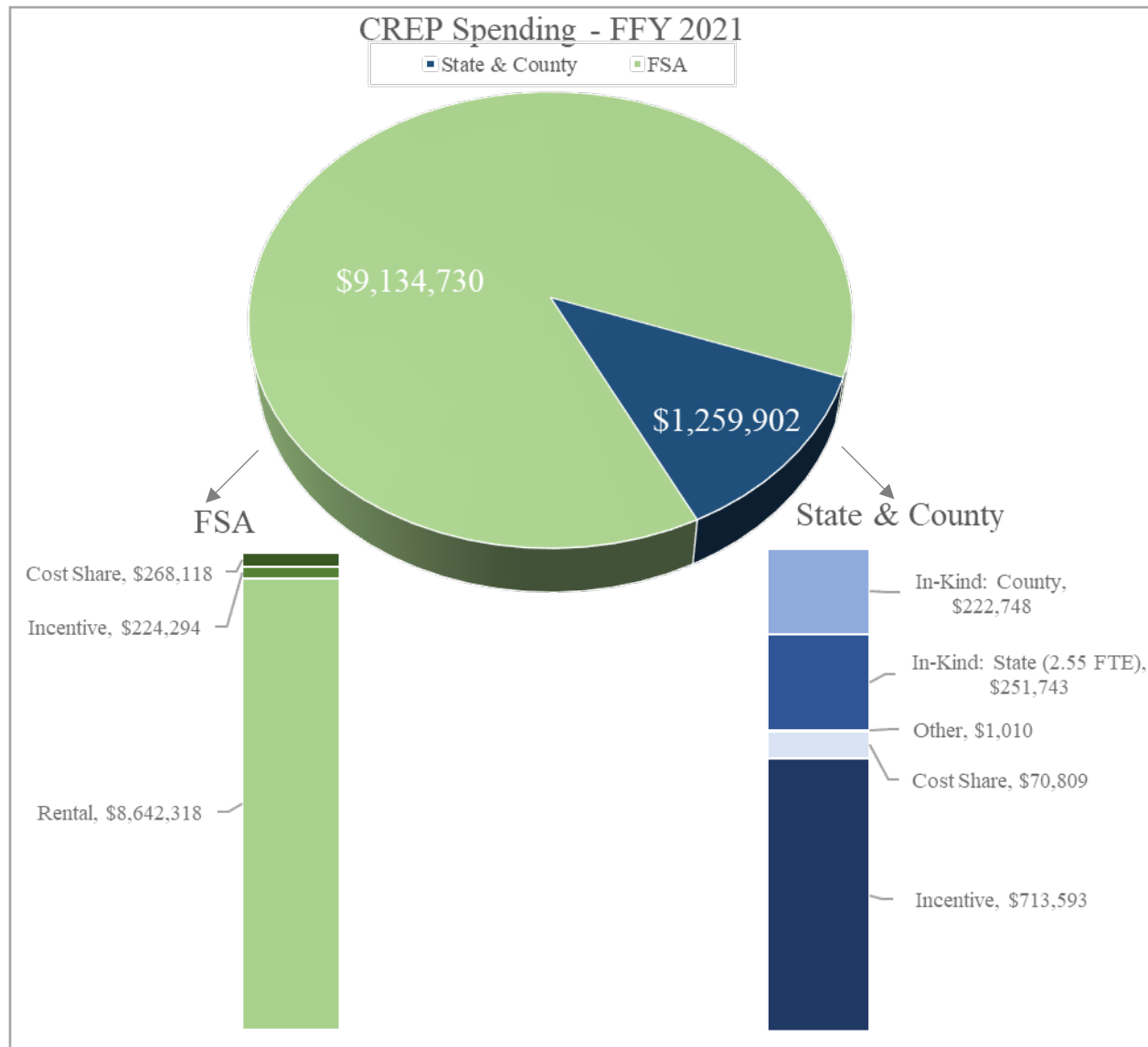


PAYMENTS AND COSTS

Wisconsin authorized \$28 million in funding for CREP. As of October 1, 2021, the state has made 12,500 CREP incentive and cost share payments to landowners totaling \$20.9 million. In addition, counties reported they spent \$4.1 million in non-federal staff and other costs to administer CREP. Since inception, state and local costs for CREP total \$25.0 million. These funds leverage over \$200 million in federal funds to be paid over the life of the CREP contracts.

State Payments/Contracts 2001 - Oct 1 2021	
Payment Type	Total (Contracts)
Easement Incentive	\$6,750,890 (537)
15-yr Agr Incentive	\$12,286,074 (5,555)
Total Incentive	\$19,036,964 (6,092)
Total Cost Share	\$2,516,211
Total Materials	\$80,037
Buyouts Received	-\$688,061
TOTAL	\$20,945,151 (6,092)

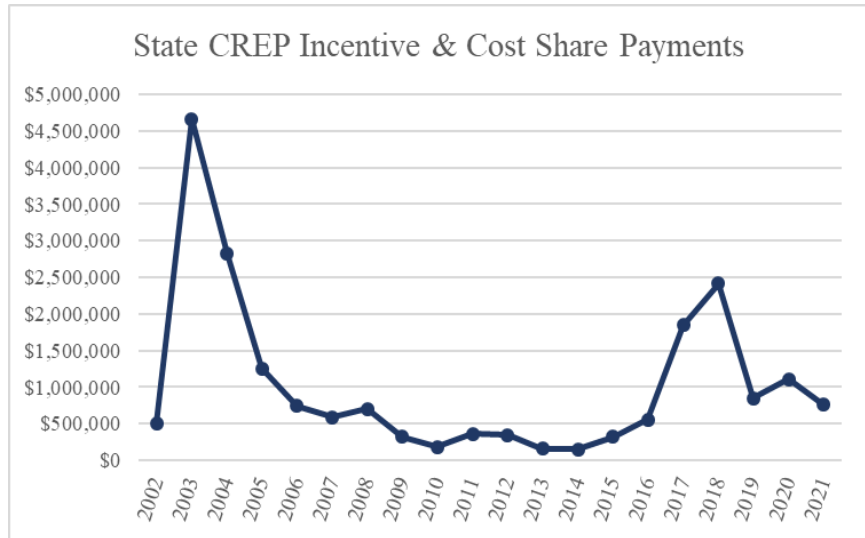
The USDA - FSA provides direct annual rental, incentive and cost share payments to landowners. WI CREP landowners receive signing incentive and practice incentive payments at contract initiation followed by annual rental payments for 15 years. FSA cost-shares 50% of installing the conservation practices. Spending by agency for FFY 2021 shown in graphs below.



State incentive and cost share payments to landowners averaged about a million dollars annually over the past 3 years.

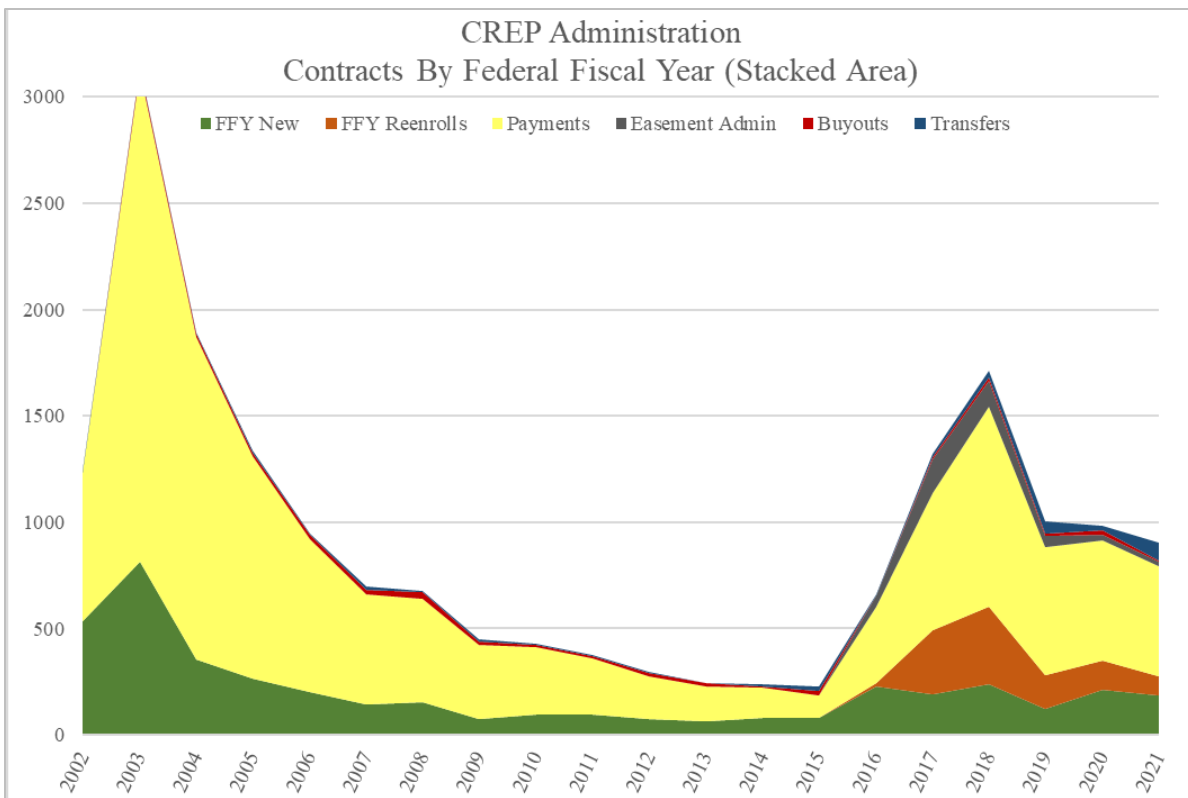
CREP has 28 million in bond authority dedicated for payments to landowners. If current enrollment trends along with steady increases in rental rates continue the WI –Dept. of Agriculture, Trade and Consumer

Protection (DATCP) estimates there are sufficient funds for the next 4 to 5 years. See graph above. Additional bonding authority will be needed soon for CREP to continue.



ADMINISTRATION AND CONTRACT MANAGEMENT

Once CREP contracts are established, administration over their lifespan often entails revisiting and updating the contract records. Initially, updates were mostly after issuing cost-share payments after practice establishment. As the CREP contracts mature, however, there is an increased need to process administrative updates such as reenrolls, landowner transfers, buyouts, additional cost share payments, monitoring records or other items such as FSA records updates or emergency order tracking. The table below shows the number of contract updates annually for each of the update types.



EMERGENCY HAYING AND GRAZING RESPONSE TO DROUGHT

Like much of the country, 2021 was a drought year for a good portion of Wisconsin. As a result, many of the counties with CREP became eligible for emergency haying and grazing on CRP enrolled land. This was a good opportunity to allow producers an option to use forage from their CREP sites to help alleviate hardships brought on by the drought. The FSA State office, DATCP and LCD staff worked together to coordinate approval notifications with landowners to allow for the emergency provisions. FSA state reviewed requests for approval of the emergency haying and grazing requests while LCD offices worked with landowners to submit a notification to DATCP indicating they were approved through FSA. The state tracked notifications on 115 CREP contracts totaling about 1,600 acres that qualified for emergency haying and grazing in Wisconsin. FSA state reported a total of 1,259 acres within those contracts were reported as actually utilized of which 1,181 CREP acres were hayed and 78 were grazed under emergency provisions.

ENVIRONMENTAL GOALS

The state expects installing CREP conservation practices will result in annual environmental benefits to water quality and wildlife habitat. The table below lists the 2021 estimates of the amount of stream or shoreline adequately buffered, the annual reduction in phosphorus, nitrogen and sediment runoff, and the grassland habitat established.

	Program Goal	Annual Benefit 10/1/2021
Shoreline Buffered (Miles)	3,700	727
Phosphorus (Pounds)	610,000	82,250
Nitrogen (Pounds)	305,000	44,270
Sediment (Tons)	335,000	40,474
Grassland Habitat (Acres)	15,000	11,000

TRAINING AND OUTREACH

The state continues to offer virtual CREP trainings for all agency staff at local offices working on CREP. There were eight virtual CREP trainings offered in federal fiscal year 2021. Attendance at the trainings was a mix of professional staff from the Land Conservation Departments, NRCS and FSA offices and in total 59 staff from 18 counties participated. Trainings are vital to ensuring staff at these offices have sufficient knowledge of the program to identify eligible sites, discuss benefits with landowners and assist landowners with enrollment. The half-day trainings are tailored toward the needs of the local staff and include a CREP overview, agreement processing and logistics, and discussion of local CREP issues. These trainings have been well received and several are already scheduled for 2022. In addition, CREP was part of the New Conservation Employee Trainings held in 2021 by the Wisconsin Land & Water Association. These roundtable discussions introduced new county and partner staff to CREP and gave them an opportunity to ask questions one-on-one.

EASEMENT MANAGEMENT

DATCP holds over 500 CREP perpetual easements. These easements coincide with a FSA CRP contract for the first 15 years, after which the state and counties become responsible for administering the easement. As of September 30, 2021 there are 281 easements covering 4,100 acres in 33 counties with expired FSA CRP contracts. DATCP and the county conservation department staff work jointly with landowners to ensure the conservation practices on the CREP easement sites remain in compliance in order to maintain water quality benefits paid for by the taxpayers. DATCP sends a reminder letter, easement map and easement guidance document out annually to each landowner with a CREP easement that had the CRP contract expire that year. In 2021, 15 CREP easements had their CRP contract expire and reminders sent from DATCP.



Monitoring

Since 2018, DATCP has aimed to monitor easements after the FSA CRP contract portion expires. The purpose of monitoring visits are to reestablish easement boundaries, get a benchmark on the conservation cover condition and identify existing or potential violations. The goal is to remind landowners of the CREP easement and work with them to maintain compliance with the conservation plan.

To assist with monitoring this year, DATCP hired an intern through the DOA Wisconsin Student Diversity Internship Program. The intern along with DATCP CREP staff worked with county staff to perform in-office and field assessments of CREP easements across the state.



There were 45 CREP easements in 13 counties that had monitoring visits this year. Compliance status of the monitored sites are shown in the table to right.

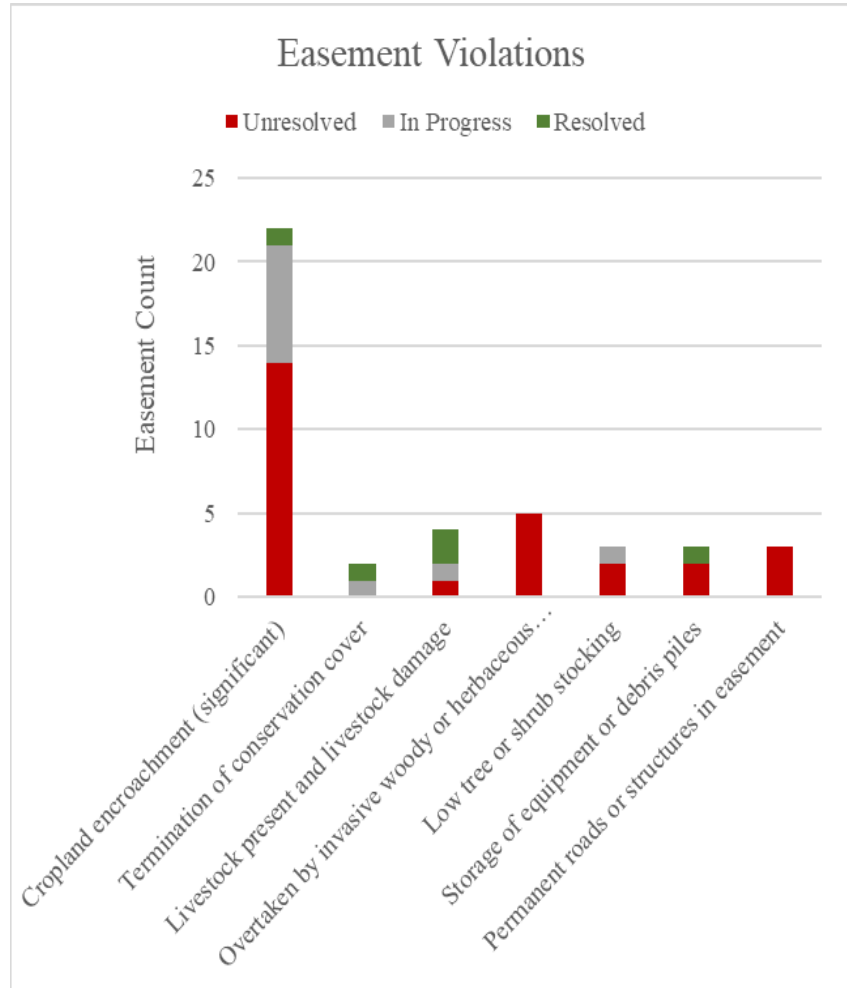
Around 80 percent of the easements visited were considered in compliance. However, a third of those considered in compliance in FFY 2021 had a concern that needs to be addressed through a maintenance activity or the issue could evolve into a violation. These included concerns such as slight encroachment along edges by cropland, patches of woody invasive species or low stocking of desirable tree and shrub species. Violations included complete termination of the conservation cover, uncontrolled invasive woody species across the entire site and unapproved livestock grazing. All landowners that have monitoring visits on their CREP site are sent follow up correspondence by either the state or the county land conservation department.

Monitoring Compliance Status	Count
In Compliance	22
In Compliance – Maintenance Needed	14
Violation	9

Violations

There are 41 known easements with violations that have been reported to DATCP or identified during monitoring. Of these violations, 5 are resolved and 36 continue to have unresolved issues. Violations differ in type as some relate to conservation cover maintenance while others are a conflict of allowable uses for the site.

Common violations include: encroachment by adjacent cropland, termination of conservation cover, livestock within easement, invasive species overtaking conservation cover, low tree or shrub stocking, storage of equipment and building roads within easement areas. See graph to the right.



State and county CREP staff work together with landowners to find resolution within the allowable uses defined by the easement provisions. A compliance agreement is developed between the landowner and DATCP as a guide to resolving the violation. Resolving easement violations, however, is time intensive as it often takes continual follow up and is sometimes met with resistance from the landowners.

Amendments

Perpetual CREP easements allow landowners to request amendments to the conservation practice and the use once the federal contract expires. Amendments must be approved by the county land conservation committee (LCC) and DATCP and can allow limited agricultural use such as annual haying, grazing or timber harvest as well as change the conservation practice type.

In 2021, DATCP approved several requests to amend the conservation plan on CREP easements. These included changing a conservation practice from a grass filter strip to a riparian forest buffer to account for wet site conditions and difficulty controlling woody invasive species. Another request changed a forest riparian buffer to a grassed marginal pastureland wildlife habitat buffer since the ash trees originally planted had all succumb to emerald ash borer. With most of the trees gone, the landowner preferred the option to maintain the site as perennial grasses with the opportunity to harvest the forage annually.