



Wisconsin CREP Perpetual Conservation Easement Provisions



The purpose of the Conservation Reserve Enhancement Program (CREP) easement is to preserve, enhance, restore and maintain the natural features and ecological value of the premises. The landowners have agreed to comply with all provisions under the easement in addition to the concurrent federal CRP contract during its term. Provisions listed in this document apply only to land enrolled in the easement program and defined within the easement document.

LANDOWNER(S) RESPONSIBILITIES:

- Landowners shall maintain the conservation practice as defined in the Conservation plan originally established for the CREP easement, unless amended and approved by LCC and DATCP.
- Landowners shall notify DATCP in writing of names and addresses of any party to whom the premises is granted or conveyed at or prior to the time the transfer is consummated.
- Landowners agree to ensure the restoration of any features or vegetation, installed or maintained according to the conservation plan, which are destroyed, damaged, or in any way altered from the stated terms of the conservation easement. All restoration activities must be approved by DATCP or the County.
- No right of passage across the premises is to be allowed or granted.
- Existing tiles draining lands outside the premises may be maintained/replaced by the landowners.
- Fences established for CREP must be maintained by the landowner.

LANDOWNER(S) LANDUSE ACTIVITY OPTIONS/RIGHTS:

Activity	Never Allowed	Allowed with DATCP & LCC Approval	Allowed
Property Uses			
Sell, lease, give or convey property			X
Control Right of Access			X
Use premises as collateral for loan			X
Maintain existing structure or roads			X
Alter Vegetation *		X	
Alter Water Movement	X		
Agricultural and Economic Uses			
Haying*		X	
Pasture*		X	
Timber Harvest*		X	
Plant Agricultural Crops for Wildlife*		X	
Mow or spray with chemicals*		X	
Game Farm, Deer Farm or Fur Farm	X		
Confined Animal Facility	X		
Dump or store of garbage, manure, sewage, compost or other material	X		
Storage of Vehicles or Machinery		X	
Extract minerals, gas & oil with extraction activities outside property			X
Shooting Preserve	X		
Recreational and Hunting Uses			
Hunt, fish, hike for personal use, family members or guests			X
Charge fee to hunt or fish for guests			X
Dog Training			X
Hunting Blinds or Stands - Temporary			X
Hunting Blinds or Stands - Permanent	X		
Recreational Vehicle	X		
New Building and Construction Uses			
Structures, buildings or docks	X		
Construction of new roads, trails, paths or widening existing roads	X		
Commercial, industrial, or multiple dwelling activity	X		
Mobile Home or Trailer	X		
Sanitary Facilities	X		
Underground storage tanks	X		
Billboard, sign or advertising structure	X		
Grading	X		
Drainage	X		
Place Fill Material	X		
Create Ponds		X	

* Must be included specifically as part of the conservation plan approved or amended by DATCP and County Land Conservation Committee (LCC). See "How to Amend a CREP Conservation Plan" section.

RIGHTS OF THE STATE & COUNTY:

Activity	With Landowner Consent	WITHOUT Landowner consent
Establish or Restore Boundaries		X
Manage Vegetation	X	
Protect from Erosion	X	
Manage Fish and Wildlife Habitat	X	
Ingress & Egress		X
Manage Conservation Plan		X

HOW TO AMEND A CREP CONSERVATION PLAN

DATCP may authorize the use of the easement area for compatible economic uses at the expiration of the USDA FSA CRP-1 contract period in the applicable Conservation Plan. Compatible use authorizations will only be made if, upon a determination by DATCP the proposed use is consistent with the long-term protection of the CREP easement area. DATCP along with USDA NRCS shall prescribe the amount, method, timing, intensity and duration of the compatible use(s) in a revised Conservation Plan. In addition, any conservation plan used to achieve the purpose of this easement must be approved by the County Land Conservation Committee (LCC) and the landowners, and becomes part of this easement by reference.

The amendment must be agreed upon by all CREP partners (NRCS, DATCP and LCC) and any amended practice must follow the provisions in the CREP easement document. The process for amending the conservation plan is described below.

Process:

- 1) Landowner works with NRCS and/or LCD to determine the appropriate amendments to the conservation plan.
- 2) NRCS and/or LCD along with Landowner draft a new conservation plan (to replace existing conservation plan)
- 3) Landowner requests update to conservation plan as an agenda item for approval by LCC.
- 4) Landowner submits the following to DATCP
 - a. A letter of intent to amend the conservation plan along with rationale from the landowner.
 - b. Copy of proposed amended conservation plan with associated documents (maps, descriptions, grazing plan, etc)
 - c. Proof of approval by the LCC of the conservation plan amendment. Copy of minutes or letter from chair.
- 5) DATCP reviews materials submitted by landowner and either approves or denies request.
- 6) DATCP sends letter to landowner (copies County) with result of the review.
- 7) LCD and DATCP update the records on file for the CREP easement with either a copy of the amended conservation plan with approval letter or copy of the denial letter. Also include in file copies of all materials submitted by landowner for review.

Agricultural Use Amendment Option/Limitations:

Haying: Vegetation must not be cut lower than 6 inches in length. Must be done outside the nesting season (May 15 – July 31) and only once in a 12-month period.

Grazing: Vegetation must not be cut lower than 6 inches in length. Must comply with a NRCS certified grazing plan approved by LCC and DATCP. Only on a periodic basis.

Managed Timber Harvest: Must be according to a NRCS certified forest management plan approved by LCC and DATCP.

Mow or Spray Chemicals: As necessary to comply with noxious weed control and to control pests on an emergency basis when such controls are necessary to protect public health.

For Questions Contact:

WI Department of Agriculture, Trade and Consumer Protection, CREP Program Manager, 608-224-4632