



*This publication is the first issue of a direct mail piece intended to provide information to holders of NRCS Wetlands Reserve Program (WRP) and Emergency Watershed Protection Program Floodplain Easements (EWP-FPE) and to identify the activities that are taking place with respect to easements across Indiana. This publication replaces the certified letters that have been sent to easement holders in past years.*

INDIANA ● WRP/EWP-FPE ISSUE 1 ● JANUARY, 2013

WRP/EWP-FPE

# Easement Owner Newsletter

## IN THIS ISSUE...

### NRCS Contact Information

*Find out which NRCS employee to contact in case of easement questions.*

### 20 years Restoring Wetlands

*Learn how many Indiana wetlands have been restored over the last 20 years.*

### Frequently Asked Questions

*Answers to all of your frequently asked easement questions.*

## COMPATIBLE USE...ASK FIRST

Wanting to mow a trail? Add a food plot? Manage water levels? These are all activities that may be compatible with the intent of the easement, but must receive authorization from NRCS prior to commencing. Any activity that impacts the vegetation or hydrology (water), or results in surface disturbance must be reviewed and approved by NRCS, with consultation from the U.S. Fish and Wildlife Service.

Landowners retain the right to ownership of the land, control access, and non-developed recreation (i.e., hiking, hunting, bird watching, and primitive camping). All other activities require a *Compatible Use Authorization*. Compatible Use Authorizations are not guaranteed. Please contact your local NRCS field office prior to beginning any activity. When in doubt whether or not an activity is permissible- ASK FIRST. Be prepared to explain what activity you intend to do, how much, and how often. You will also be asked to draw the area of potential impact on a map.

## 2013 MONITORING BEGINS

2013 monitoring has begun! If your site is selected for an onsite review, you will be contacted by NRCS personnel prior to anyone accessing your property. If you would like to participate in the monitoring event, or have any questions, please contact your local NRCS office as soon as possible so arrangements can be made. This is a great chance to discuss your easement and its management with NRCS staff.

## PHOTOS & STORIES NEEDED

Spot a charismatic bird on your easement? Find a fantastic flower? Snap a serene photo of a sunset over your easement? We would love to hear your stories and see your photos! Please send easement success stories to our State Easement Program Specialist at [brianne.lowe@in.usda.gov](mailto:brianne.lowe@in.usda.gov). Stories and locations used in future publications may remain anonymous upon request.



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# 20 YEARS OF RESTORING AMERICA'S WETLANDS

More than 11,000 of America's private landowners have voluntarily enrolled over 2.3 million acres into the Wetlands Reserve Program. The cumulative benefits of these wetlands reach well beyond their boundaries to improve watershed health, the vitality of agricultural lands, and the aesthetics and economies of local communities. For a copy of "Wetlands: A Private Lands Conservation Success Story" go to: [www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1045079.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045079.pdf)

Here in Indiana, your easement is an important part of a broader picture. As of 2013, over 60,000 acres on more than 650 easements have been protected through the WRP. The Floodplain Easement Program has protected more than 8,400 acres of vulnerable floodplain areas. These easements amount to a tremendous amount of habitat for wildlife, including some threatened and endangered species. These areas also provide flood retention, helping alleviate the high volumes of water experienced in Indiana's waterways during heavy rain events and reducing sediment and chemical runoff that can contaminate streams and rivers. Thank you for your participation!



Photo by Mark Trabue



## FREQUENTLY ASKED QUESTIONS...

### **Q: Are easements open to the public?**

No, the landowner of the easement land retains the right to control access to the land. NRCS retains the right to access the site to ensure easement terms and conditions are being met, but it is up to the landowner's discretion what type of access is granted to others.

### **Q: My WRP/EWP-FPE deed says no permanent structures are permitted on the easement. What about hunting blinds?**

Through the Warranty Easement Deeds for both the WRP and EWP-FPE, the landowner reserves the right to undeveloped recreational use of the easement, including the use of hunting equipment, such as tree stands and hunting blinds that are rustic and customary. In Indiana, blinds meeting the rustic and customary definition will be temporary in nature and result in minimal surface disturbance. For all easements enrolled prior to 2012, blinds currently existing on the easement, that do not meet the definition of rustic and customary, may be utilized "as is." Once the existing blinds degrade and are no longer useable, they may not be replaced, except with a blind meeting the rustic and customary specifications. Any new blind must also meet the definition of rustic and customary. Please consult your local NRCS field office with questions regarding the permissibility of a specific type of blind.

### **Q: I have observed invasive plants on my property. Will NRCS pay to have these controlled?**

First, it is important to determine if the plant you are observing is invasive, or is it noxious. In Indiana, it is the landowner's legal obligation to control noxious weeds. Please consult the Weed List at: <http://plants.usda.gov/java/noxiousDriver> to determine if you have a noxious weed. If the invasive plant is not on this list, NRCS may be able to provide technical assistance with the development of an invasive species management plan. A Compatible Use Authorization must be requested and approved before any control activities may begin. In some instances, funds may be available to assist with invasive species control, but are not guaranteed. No government funds may be used to control noxious weeds.

### **Q: My easement is for sale. What does NRCS need to know?**

It is key during an ownership transfer to keep NRCS informed. A copy of the warranty deed can be made available for you and the realtor to ensure information is available for the prospective buyer. When the easement is sold, please provide NRCS with the name of the new landowner so that NRCS can begin contacting them. If you are currently completing a restoration project on your land, a transfer agreement may be completed between you and the new owner to move responsibility of the restoration to the new owner.