Acceptable Structure(s) on Easements

Land enrolled under the Agricultural Conservation Easement Program – Wetland Reserve Easement (ACEP-WRE) (i.e. repealed Wetland Reserve Program [WRP] and Emergency Watershed Protection Program [EWPP]) is subject to national policy as described in the Conservation Program Manual (CPM) Title 440 Part 528 Agricultural Easement Program (ACEP). Acceptable structures are referenced at CPM 440 Part 528.152 D.

Hunting and observation blinds are applicable to easements. Undeveloped recreation uses are reserved to the landowner based on the Warranty Easement Deed. Non-permanent hunting or observation blinds are not subject to authorization and must meet the following requirements:

- Accommodates no more than four people.
- External dimensions are less than 80 square feet and 8 feet in height.
- Disturbance to easement vegetation and wildlife is minimal.
- Temporary and easily assembled, disassembled, and moved without heavy equipment.

Acceptable Examples:

Any hunting blinds that do not meet the above criteria REQUIRE a Compatible Use Authorization (CUA). Blinds that do not meet the above criteria are considered semi-permanent for undeveloped recreational use and can meet any of the following considerations:

- Accommodates four or more people.
- External dimensions are greater than 80 square feet and 8 feet in height.
- Disturbance to easement vegetation, soils, hydrology, and/or wildlife habitat is a concern.
- Requires heavy equipment for movement and/or assembly and disassembly.
Examples requiring CUA’s:

The CUA is an agreement between the easement landowner and NRCS that describes the activities or actions to be undertaken by the landowner in regard to the Warranty Easement Deed. The CUA will address the following:

- The number, location, and features of blinds.
- Actions to limit disturbances to the wildlife from the blind’s location, placement, installation, maintenance, and use, particularly during critical periods such as night roosting and nesting season.
- Any vegetation disturbance.
- Responsibilities of the landowner for maintaining the vegetation cover of the area.

The CUA is valid for a specific period of time. If the CUA is not renewed, the blind must be removed from the easement or contract area by the date of expiration on the CUA.

Structures that do not meet the policy requirements or have not been authorized under a CUA are violations of the Warranty Easement Deed and must be removed immediately by the easement landowner. Structures not removed by the landowner will be disposed of by NRCS, and all costs associated with such removal will be billed to the landowner.

Please refer to your local NRCS Field Office to begin the CUA process.