Overview

Land enrolled under the Agricultural Conservation Easement Program – Wetland Reserve Easement (ACEP-WRE) (i.e. repealed Wetland Reserved Program [WRP] and Emergency Watershed Protection Program [EWPP]) is subject to national policy as described in the Conservation Program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

Wildlife Food Plot(s) are not reserved rights to the easement landowner based on the Warranty Easement Deed. Easement landowners who wish to establish food plot(s) onto the easement must request that opportunity through a Compatible Use Authorization (CUA). Landowners can only establish a Wildlife Food Plot with an approved CUA signed by the State Conservationist or delegator. Note that wetland easements exist due to limited habitat resources for the majority of migratory birds in Minnesota, which is wetlands and grasslands. Food plots on easement land should be minimized.

Easements within Minnesota must follow the national policy requirements, which can be referenced at CPM 440 Part 528.152 H. Wildlife Food Plot(s) on easement(s) must meet the following requirements:

- Determined necessary by Natural Resources Conservation Service (NRCS) to complete the planned functions and values of the easement.
- Will not be harvested for any reason.
- Pesticides are not allowed.

Planning

Easement landowners seeking to establish Wildlife Food Plot(s) must also incorporate the following into the CUA:

- Cannot be developed in the middle of the easement and must minimize the negative effects on habitat and wildlife due to equipment travel ways and the degradative effect of field ends or turnarounds.
- Configuration of the plot must be accessible from the road for management purposes.
- Follow NRCS Practice Standard 645 (Upland Wildlife Habitat Management) and Food Plot Job Sheet.
- Incorporate NRCS Practice Standard 315 (Herbaceous Weed Control) and associated Job Sheet(s).
- Specifications must eliminate use of pesticide.
Compatible Use Authorization

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

✓ The number, location, and features of the Wildlife Food Plot(s).

✓ Limited disturbances to the wildlife habitat from the Wildlife Food Plot's location, installation, maintenance, and use, particularly during critical periods such as night roosting and nesting season.

✓ Limited vegetation disturbance.

✓ If the CUA is canceled or renewed, landowners are responsible for all costs associated with revegetation of native cover.

  • Revegetation of native cover must meet NRCS Practice Standard 643 (Management of Declining Habitats).
  
  • Revegetation of native cover must meet original restoration seed mix or meets NRCS Practice Standard 643.
  
  • If the native cover has not been established at the expiration of the CUA, the landowner is responsible for establishing native cover at the landowner's expense, and must meet NRCS Practice Standard 643.

✓ Cannot exceed more than 10 years.

The CUA is valid for a specific period of time. If the CUA is not renewed, the Wildlife Food Plot(s) must be removed and restored as determined by NRCS and by the date of expiration on the CUA.

Wildlife Food Plot(s) that exceed the policy requirement(s) or have not been authorized under a CUA are violations of the Warranty Easement Deed and must be removed and restored immediately by the easement landowner. Wildlife Food Plot(s) not removed and restored by the easement landowner will be removed and restored by NRCS, and all costs associated with such removal and restoration will be billed to the easement landowner.

More Information

For more information about Wildlife Food Plots, visit your local USDA Service Center at www.nrcs.usda.gov.

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