

Easement Owner Newsletter

Annual Easement Monitoring Underway

As the owner of an easement, you've likely been contacted by NRCS staff or a contractor requesting to "monitor your easement" and wondered what that entailed. Since monitoring season is underway, here's an overview of the "why" and "how" of easement monitoring.

NRCS has a responsibility to ensure the terms and conditions of the easement deed are met, and that the natural restored values are protected and maintained. To fulfill its responsibility, NRCS conducts annual and periodic monitoring to verify the condition of its easements. This in-

cludes verifying current ownership and looking at site conditions through aerial photography (off-site) or in the field (on-site).

During the on-site visits, staff look for signs of encroachment on easement boundaries, check vegetation to see that it is established and adequate without the presence of noxious weeds, and make sure the wetlands are functioning as designed.

Landowners are always welcome to participate in the monitoring process. In fact, we encourage you to come with us. No one knows the land as well as you—the landowner. This is a great opportunity to discuss any concerns you may have, as well as jointly evaluate the progress of the easement restoration. If you are interested in participating in the monitoring process or have any concerns or questions, please contact your local field office or Area Easement Specialist. Contact numbers can be found at: <http://www.nrcs.usda.gov/wps/portal/nrcs/main/ia/contact/local/> or in this newsletter.



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Inside this Issue:

Controlling Trees with Prescribed Burning

Easement Compatible Use Requests

**Who to call for help:
Iowa NRCS Easement Specialist Contacts**



**Attention
WRE • WRP
EWP • EWRP
Easement
Owners**

When Trees Are Like Weeds

Many easement owners are concerned about growth of volunteer trees on their property. They can be scattered throughout the native seeding, on the edges of the wetlands, or on the embankments, invading the planned habitat.

Iowa's landscape was once dominated by prairie and wetlands. Historically, lightning would start fires periodically and burn across the prairie, invigorating the native plants. That same fire also eliminated vegetation not tolerant of fire, destroying many of the willows and cottonwoods that may currently plague your easements. With time, as land was converted for crop production, nature's influence on the landscape was gradually decreased and the natural influence of fire diminished.

Today, prescribed fire is still a very good management tool to use when done properly. Prescribed burning can help to control undesirable vegetation, increase diversity, and improve wildlife habitat. Landowners should carefully consider their land use goals and placement of fire breaks before a burn is conducted. NRCS recommends planning fire break placement a year prior to the burn.

If you are not comfortable using prescribed burning as a management tool, NRCS can provide alternative control methods. These may include haying, mowing, or spot spraying—all of which can be incorporated into a comprehensive management plan through a compatible use authorization. If interested, contact NRCS and we will work with you to develop a comprehensive management plan.



Trained conservationists conduct a prescribed burn on an wetland easement in Winnebago County.

Compatible Uses: What Can You Do On Your Easement?

It is understandable that there may be some confusion in the "do's and don'ts" of easement ownership. When in doubt, referencing your warranty easement deed is an excellent starting point. If you don't have a copy of your warranty easement deed let us know and we will get you a copy. They are also recorded at the county courthouse.

On WRP/WRE and EWP-FPE easements the warranty easement deed describes the six reserved rights of the property landowner (refer to Part II of the warranty easement deed recorded with your easement for specific information). These rights are summarized as follow:

1. Right to ownership, and subsequently the right to transfer or sell the property;
2. Right to quiet enjoyment of the property without interference from others;
3. Right to control access. Properties are not open to the public unless the landowner chooses to make access available;
4. Undeveloped recreational uses, such as hunting, hiking, bird watching, etc.;
5. Right to subsurface resources, however these resources cannot be extracted through the surface of the easement. Horizontal or other offsite extraction method must be used and NRCS should be notified of such activity under its easement; and
6. Water rights, which are typically not applicable in Iowa.

Any activity on the property not covered under the six reserved rights is prohibited (see Part III of warranty easement deed) but may be permissible if authorized as a Compatible Use. Compatible uses are activities identified by NRCS which will further the long term protection and enhancement of the natural value of the easement (see Part IV of your deed). As a general rule, if the activity alters the vegetation or impacts the water levels, there is a good chance it will require a Compatible Use Authorization. Examples of allowable compatible uses that must be authorized prior to implementing include, but are not limited to:

- Mowed trails
- Food plots
- Invasive species control
- Vegetation management
- Water level management
- Prescribed burning
- Haying
- Mowing
- Grazing

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Compatible Use Authorization requests are not guaranteed; each is evaluated on an individual basis in the context of the site conditions. Compatible Use Authorizations may be authorized for up to 10 years. Duration is dependent upon the activities.

We hope that every easement owner takes an active role in managing their property to the benefit of wetlands and wildlife. If you have an interest in finding out more about compatible uses and developing a management plan for your easement, we encourage you to call us. We can help you develop a plan that is right for your easement and habitat objectives. Contact us at: <http://www.nrcs.usda.gov/wps/portal/nrcs/main/ia/contact/local/>.

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