

Memorandum of Understanding

By and between the

Natural Resource Conservation Services

And the

Wisconsin Department of Transportation

On

MITIGATION, COORDINATION AND ALLOWABLE MAINTANCE ACTIVITIES THAT
WOULD OCCUR ON DEFINED PROPERTY WITH OVERLAPING EASEMENTS
BETWEEN AGENCIES.

This Memorandum of Understanding (MOU) is made and entered into by and between the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) and the Wisconsin Department of Transportation (WisDOT)

A. Background/Purpose

WisDOT is replacing the existing structure B-12-0618, on STH 131 in Crawford County; Wisconsin, with a proposed structure B-12-0079.

The purpose of this document is to provide an understanding of agreed mitigation on said property, Grassland Reserve Program (GRP), hierarchy of easements on said defined property, proper coordination between the two agencies and allowable maintenance activities.

B. Definitions

- 1) Permanent Limited Easement- is an acquisition for a limited purpose. It is typically used for construction outside the normal Right of Way that does not seriously impair the property owner's use, but does require occasional access for maintenance purposes. This type of acquisition is also used in areas where the acquiring agency will jointly use the same lands with others.
- 2) Grassland Reserve Program - The Grassland Reserve Program (GRP) is a voluntary conservation program that emphasizes support for working grazing operations, enhancement of plant and animal biodiversity, and protection of grassland under threat of conversions to other uses.

- 3) Defined Parcel- The property where the easements are on are described as Parcel Number 3 of the Transportation project Plat No: 5783-03-21-4.01. This document is attached as a supporting document to the MOU.

C. Applicability

This MOU is being implemented to address the following activities:

- 1) Hierarchy of Easement- WisDOT acknowledges that the NRCS's GRP easement supersedes the WisDOT's PLE.
- 2) Mitigation for purchasing PLE-
 - a. For re-vegetation of disturbed areas, WisDOT will use a seed mix that meets the NRCS Critical Area Planting (342) standard. Mix NO. 10 from the WisDOT Seeding standard (Section 630), at a rate of 1.5 lbs. PLS/1,000 sq. ft, meets the NRCS standard.
 - b. Equipment brought into the site must be properly cleaned to reduce the spread of invasive species in the easement area.
 - c. Erosion control measures must be taken to reduce streambank erosion and the prevalence of sedimentation into the creek.
- 3) Access Control: Livestock shall have access to stream only if a portion of the bank is properly sloped and protected to prevent erosion concerns. Well-managed flash grazing of the stream corridor may be allowed.
- 4) Coordination for Maintenance activities- In the instance that a failure to the stream banks or structure occurs, and a need to access this PLE parcel arises, WisDOT shall contact NRCS prior to accessing said parcel to inform NRCS of the event and proposed maintenance activity.
- 5) Maintenance activities- the only time WisDOT would need to access this parcel is in the case of an emergency situation; e.g. after a hazardous weather event. If this event occurs, WisDOT will re-establish the stream features and vegetation as agreed upon through C-2
- 6) No building of structures, trash or waste, asphaltic paving, or mining will be allowed on this easement area.

D. Period of Performance

The performance period of this MOU is effective the date of the last signature on the MOU and shall remain in effect for as long as both the easements in sections B-1 and B-2 are in effect.

WISCONSIN DEPARTMENT OF TRANSPORTATION

Jim Rohe

Wisconsin Project Development Chief

Steve Vetsch Jr

WisDOT Environmental Coordinator

Greg Messling

WisDOT Real Estate Specialist

U.S. DEPARTMENT OF AGRICULTURE - NATURAL RESOURCES CONSERVATION
SERVICE

Jimmy Bramblett

Wisconsin State Conservationist