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**July 17, 2003**

**WEST VIRGINIA BULLETIN NO: WV300-3-10**

**SUBJECT: LTP- Grassland Reserve Program (GRP)**

**Purpose: To provide NRCS and FSA employees with a program overview, WV Policy, and FY-2003 Ranking Criteria.**

**Expiration Date: September 30, 2003**

**ACTION REQUESTED BY: August 6, 2003**

**The Grassland Reserve Program (GRP) is authorized by the Food Security Act of 1985, as amended by the Farm Security and Rural Investment Act of 2002. The Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA) administer the program, in cooperation with the USDA Forest Service. NRCS and FSA started accepting application sign ups on June 30, 2003.**

**We will hold a joint teleconference Monday, July 21, 2003 at 1:00 PM for District Conservationist and County Executive Directors to review the program. Call in information will be sent out separately.**

**This bulletin transmits West Virginia Policy and documents the State Conservationist and State Executive Director decisions for FY – 03. The draft GRP Manual will be transmitted through a separate email.**

**The Farm Security and Rural Investment Act of 2002, states “the Secretary shall enroll in the program from a willing owner not less than 40 contiguous acres of land ...” This Act continues to state “The Secretary may enroll in the program such parcels of land that are less than 40 acres as the Secretary determines are appropriate to achieve the purposes of the program.” As part of West Virginia Policy, the State Conservationist will consider a waiver for applications of parcels of land that are 20 to 40 acres on a case by case basis. Criteria are included in the ranking criteria sheet for consideration of a waiver by the State Conservationist.**

**Priority will be included in the ranking criteria for rapidly developing areas and areas established by West Virginia Department of Natural Resources that are bird habitat areas of concern.**

The approved FY-03 Environmental Quality Incentive Program cost lists by Local Work Groups will be used in calculating cost sharing. The cost share rate for all restoration agreements will be 75%.

The approved practices available for cost share in restoration contracts are:

528 – Prescribed Grazing

512 – Pasture Hayland Planting

342 – Critical Area Planting

590 – Nutrient Management

Fencing practices offered in EQIP

Watering facilities offered in EQIP

Other practices approved by the program manager and SRC.

Please refer to the attachments for a Grassland Reserve Program Fact Sheet, 2003 Ranking Criteria, High Conversion Risk Map, GRP Worksheet, and GRP Timeline to assist with the sign up. Additional Fact Sheet, Question and Answers, and Key Points are located on the web at <http://www.nrcs.usda.gov/programs/GRP/index.html>.

For applications to receive consideration, please submit all the requested items from the Application Submission Check List on the WV GRP Worksheet to Butch Woodson, Resource Conservationist in the Mount Clare Service Center no later than Wednesday, August 6, 2003.

If you have questions or need additional information, please contact Kelley Sponaule, ASTC-FO at (304) 255-9225 ext. 130 or Kevin Hinkle, Program Specialist at 304-284-4805.

/s/

LILLIAN V. WOODS  
State Conservationist

/s/ Robert P. Ferrebee,  
Acting for

JOHN B. RADER  
State Executive Director

#### Attachments

DIST: District Conservationists  
County Executive Directors  
District Directors  
Kevin Hinkle, Ag. Program Specialist, Morgantown, WV  
ASTC-FO's  
Butch Woodson, Res. Cons., Mount Clare, WV

# ***Grassland Reserve Program***

### ***Overview***

The Grassland Reserve Program (GRP) is a voluntary program that helps landowners and operators restore and protect grassland, including rangeland, and pastureland, and certain other lands, while maintaining the areas as grazing lands. The program emphasizes support for grazing operations, plant and animal biodiversity, and grassland and land containing shrubs and forbs under the greatest threat of conversion. GRP is authorized by the Food Security Act of 1985, as amended by the Farm Security and Rural Investment Act of 2002. The USDA Natural Resources Conservation Service (NRCS) and USDA Farm Service Agency (FSA) administer the program, in cooperation with the USDA Forest Service. Funding for the GRP comes from the Commodity Credit Corporation (CCC).

### ***Benefits***

Restoring and protecting grasslands contributes positively to the economy of many regions, provides biodiversity of plant and animal populations, and improves environmental quality.

### ***How GRP Works***

Applications may be filed for an easement or rental agreement with NRCS or FSA at any time. Participants voluntarily limit future use of the land while retaining the right to conduct common grazing practices; produce hay, mow, or harvest for seed production (subject to certain restrictions during the nesting season of bird species that are in significant decline or those that are protected under Federal or State law); conduct fire rehabilitation; and construct firebreaks and fences.

The program offers several enrollment options:

***Permanent Easement.*** This is a conservation easement in perpetuity. Easement payments for this option equal the fair market value, less the grazing value of the land encumbered by the easement. These values will be determined using an appraisal.

***Thirty-year Easement.*** USDA will provide an easement payment equal to 30 percent of the fair market value of the land, less the grazing value of the land for the period during which the land is encumbered by the easement. For both easement options, USDA will provide ALL administrative costs associated with recording the easement, including appraisal fees, survey costs, title insurance, and recording fees. Easement payments may be provided, at the participant's request, in lump sum or annual payments (equal or unequal amounts) for up to 10 years.

***Rental Agreement*** Participants may choose a 10-year, 15-year, 20-year, or 30-year contract. USDA will provide annual payments in an amount of \$7.00 to \$10.00 per acre per year on the land covered by the agreement for the life of the agreement. Payments will be disbursed on the agreement anniversary date each year. Rental rates are available in your local FSA office.

***Restoration Agreement*** If restoration is determined necessary by NRCS, a restoration agreement will be incorporated within the rental agreement or easement. CCC will provide 75 percent of the cost on restoration agreements. Participants will be paid upon certification of the completion of the approved practice(s) by NRCS or an approved third party. Participants may contribute to the application of a cost-share practice through in-kind contributions.

### ***Eligibility***

Landowners who can provide clear title are eligible to participate for either easement option.

Landowners and others who have general control of the acreage may submit an application for a rental agreement. Applications will be accepted for areas of 20 acres or more of contiguous grassland. For areas of 20 to 40 acres the State Conservationist must issue a waiver for inclusion in the program.

### ***For More Information***

If you need more information about GRP, please contact your local USDA Service Center, listed in the telephone book under U.S. Department of Agriculture, or your local conservation district. Information also is available on the World Wide Web at <http://www.nrcs.usda.gov/programs/GRP/index.html>.

For additional information in West Virginia contact:

[kelley.sponaule@usda.nrcs.gov](mailto:kelley.sponaule@usda.nrcs.gov) or [kevin.hinkle@usda.fsa.gov](mailto:kevin.hinkle@usda.fsa.gov)

## 2003 Ranking Criteria- West Virginia (Current conditions)

Rental Agreement 10yrs  15yrs  20 yrs   
30 yr. rental  30yr. Easement  Permanent easement   
Number of acres \_\_\_\_\_  
Acres of Native cover \_\_\_\_\_  
Acres that need restoration \_\_\_\_\_

1. a. The offered acres are a part of an established grazing operation and will be maintained or the life of the agreement.

MIG system	10 pts	_____
Rotation System	5 pts	_____
Continuous System	2 pts	_____

- b. There is a partnership commitment to provide input to reduce federal costs.  
5 pts \_\_\_\_\_

2. Biodiversity of Plants and Animals.

- a. The offer acres are in a WV-DNR bird habitat priority area.  
10 pts \_\_\_\_\_

- b. Shrub borders are present and will be maintained on 25% or more of the field borders.

10 pts \_\_\_\_\_

- c. The offer area contains 3 or more major vegetative species (15% or more)  
5 pts \_\_\_\_\_

- d. The offer area contains small scrub and/or wetland areas. (2 to 10%)

5 pts \_\_\_\_\_

- e. There is threatened or endangered plant species habitat included in the offer area.

5 pts \_\_\_\_\_

3. Risk of conversion.

- a. The offer acres are within an identified high risk area.

10 pts \_\_\_\_\_

- b. The offer acres have public water and/or sewer available.  
10 pts \_\_\_\_\_

- c. The offer acres is adjacent to developed area on 1 or 2 sides  
(1 side) 10 pts \_\_\_\_\_

or

(2 sides) 20 pts \_\_\_\_\_

- d. The owner has an option to sell for development in hand.  
20 pts \_\_\_\_\_

e. The offer area is adjacent to other protected acres.  
(CRP, CREP, etc and public lands)

5 pts \_\_\_\_\_

f. The offer area includes 25% or more prime farmland or farmland of  
statewide importance.

10pts \_\_\_\_\_

Subtotal (1, 2 and 3) A \_\_\_\_\_

**4. Areas of 20 to 40 acres. (if greater than 40 acres go to 5)**

\_\_\_\_\_ acres/40 X subtotal (A) \_\_\_\_\_ =

**(Must have a check in each block below to continue)**

+ must be in 2a or 3a  check

+ must be in 3b, 3c or 3d  check

Subtotal B \_\_\_\_\_

**5. The offered area does not require restoration cost-share to achieve program objectives.**

check

Subtotal (A) or (B) \_\_\_\_\_ X 5 =

If the offer area requires restoration to meet program objectives use subtotal (A) or (B) as offer index.

Offer Index \_\_\_\_\_

Estimated annual rental: \_\_\_\_\_ rate X acres= \_\_\_\_\_

Estimated easement cost: \_\_\_\_\_ cost/acre X \_\_\_\_\_ acres= \_\_\_\_\_



# Attachment #4

## WV GRP Worksheet

The attached GRP application (Name) \_\_\_\_\_ Tract No. \_\_\_\_\_ meets eligibility requirements.

\_\_\_\_\_ Signed \_\_\_\_\_ Date \_\_\_\_\_

### Eligible lands

Only privately owned land is eligible for participation.

There is no national limitation on the amount of land that can be offered for the program. However, a State may establish such an acreage enrollment limitation.

This eligible land criteria applies to both rental agreement and easement applications. Eligible lands include:

- rangeland,
- improved pastureland, including lands with adapted introduced species, lands containing plants that will endure for the life of the easement or rental agreement, and that will maintain grassland functions and values,
- savannas and shrublands, and
- riparian areas.

Other eligibility conditions include:

- incidental lands may be included to allow for efficient administration of an agreement or easement as determined by the State Conservationist and State Executive Director.
- land that has existing corrals, barns, pens, etc., necessary for the management of the grazing operation are eligible as eligible land. However these structures can be maintained in current condition and may not be expanded without prior approval.
- the offered land must not be subject to an existing easement if it prevents the landowner or operator with complying the with the terms of the easement or agreement.

GRP eligibility is subject to the Conservation Compliance Provisions of the Food Security Act of 1985, as amended, 16 U.S. C. 3801 et seq. Persons who are in violation of the HELC/WC provisions and who are currently ineligible for USDA program benefits shall not be eligible to participate in GRP. When the person's eligibility is reinstated, the person regains eligibility to participate in GRP. See Highly Erodible Land and Wetland Conservation Determination, NRCS-CPA-026E (Exhibit 514.61) [http://policy.nrcs.usda.gov/scripts/lpsis.dll/M/m\\_440\\_514\\_61\\_x.pdf](http://policy.nrcs.usda.gov/scripts/lpsis.dll/M/m_440_514_61_x.pdf). The policy for conducting HELC/WC provisions is located in Part 511 and Part 514 of the National Food Security Act Manual.

### Site Visit Checklist:

Step	Action	Check Mark
1	Verify: land eligibility - the absence of offsite and onsite conditions that would preclude successful restoration.	
2	Prepare the Restoration Plan, if applicable. ( After ranking and Tentative Acceptance)	
3	Complete NEPA requirements, when applicable. (Cultural Resources WS) &( WV-CPA052)	
4	Complete ranking worksheet.	
5	Complete a Preliminary Certificate of Inspection and Possession ( <a href="#">Exhibit 514.67 &lt;M 440 514 i.htm&gt;</a> ) and the Hazardous Substance Examination Checklist ( <a href="#">Exhibit 514.68 &lt;M 440 514 i.htm&gt;</a> ). The certificate and checklist verify that: NRCS has visually and physically inspected the property. The landowner is occupying the land and by what evidence. There are no apparent, visible activities or uses observed that may be unrecorded claims against the property which could cloud the landowner's ability to provide clear title. There are no apparent, visible activities or uses by a party other than the landowner that could be detrimental or conflict with the Government's interest in land. (Exhibits are in WRP Manual)	
6	Flag the easement area.	
7	Identify cropping rights that the landowner will retain during the fiscal year in which the easement is actually recorded as provided for in <a href="#">section 514.22 &lt;M 440 514 d.htm&gt;</a> . (WPR Manual)	

### Application Submission Check List

Item	Description	Check Mark
1	Cover letter certifying eligibility	
2	Application for Long-Term Contracted Assistance (AD-1153)	
3	Current and planned map. Listing of estimated costs.	
4	Land-eligibility determination.	
5	Completed ranking worksheet.	
6	Copy of the deed or other ownership eligibility evidence.	
7	Other related documentation required by the State Conservationist.	

**2003 GRP TIMELINE**

<b><u>July 21, 2003</u></b>	Training Teleconference.
<b><u>July 31</u></b>	End of Ranking Period.
<b><u>August 6</u></b>	Complete ranking of applications and forward to Butch Woodson.
<b><u>August 8</u></b>	Selection/Notification of applicants.
<b><u>August 25</u></b>	DC's follow up with selected applicants.
<b><u>August 29</u></b>	Easements – Landowner response
<b><u>September 5</u></b>	Rental Agreements, GRP PO & Contracts completed and submitted to FSA.