



**AMERICAN FARM BUREAU FEDERATION®**

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July 26, 2004

Mr. Richard Swenson  
Director, Easement Division  
Natural Resource Conservation Service  
P.O. Box 2890  
Washington, DC 20013-28980

Floyd  
[FILED] 7/29/04

**RE: Comments on The Grassland Reserve Program**

Dear Mr. Swenson:

The American Farm Bureau Federation (AFBF) offers these comments on the interim final rule implementing the Grassland Reserve Program (GRP), which was authorized by the 2002 farm bill.

AFBF generally supports the goals and objectives of the GRP. Rangelands are the dominant land cover in the continental United States, and are most threatened from conversion to other uses.

We support a program in which farmers and ranchers can voluntarily agree to enroll their rangelands. We also support a program where farmers and ranchers can continue to use those lands for livestock grazing purposes which seeks to enhance biodiversity. We also support the emphasis of the program to allow participants to use a wide array of management practices to achieve management goals. The GRP incorporates all three of these features.

We support the approach taken by USDA on ranking criteria. We support USDA providing general program guidance, and then allowing the states to develop their own ranking criteria for individual grants. We ask USDA to incorporate criteria such as endangered species enhancement and other conservation benefits into the three main purposes of the program.

The notice asks for comment on the relationship of the GRP and other USDA conservation programs, especially whether lands currently enrolled in one program can be re-enrolled in the GRP.

The interim final rule would make lands enrolled in other USDA programs ineligible for the GRP. With demand outstripping supply for participation in USDA programs, we agree with the conclusion that lands should not be paid twice for the same protections. Also, while we certainly believe that there should be coordination between programs in order to achieve an overarching strategy, we do not support lands being taken out of one program to be enrolled in another.

The interim final rule makes much of the need to conserve "native" or "natural" grasslands. This section needs to be clarified. It correctly states that many areas that have been converted from the native grasslands cannot be restored to the native condition. Yet, those areas should not be ineligible for participation in the GRP. Furthermore, grasslands containing non-native species may be as important or more important than native grasslands. The statute does not require restoration to "native" or "natural," and no clear definition has been developed to distinguish these lands. We believe that the program should focus on current functioning grasslands, whether they are native or not.

The interim final rule also addresses the subsurface mineral situation. GRP would prohibit disturbances caused by exploration for minerals. If the subsurface mineral rights are distinct from the surface ownership, any enrolled lands where mineral development would occur would be taken out of the GRP with no penalty to the surface owner enrollee. This is a fair process.

We have a couple of additional concerns that should be addressed in a final rule:

- a. Any information that is obtained by the agency as a result of the GRP enrollment process (i.e. appraisal) must be confidential with the agency.
- b. The agency should obtain the consent of the landowner or enrollee before any easement or rental agreement is assigned to a third party for administration.

Thank you for the opportunity to provide these comments on the Grassland Reserve Program.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Maslyn". The signature is fluid and cursive, with the first name "Mark" and last name "Maslyn" clearly distinguishable.

Mark A. Maslyn  
Executive Director  
Public Policy