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KANSAS BULLETIN NO. KS300-12-24

Subject: LTP—Grassland Reserve Program—Accepting Applications Update

Action required by field offices: February 10, 2012

Purpose. Provide updates to Bulletin KS300-11-19 regarding guidance on accepting Grassland Reserve Program (GRP) applications

Expiration Date: September 30, 2013

Both a Farm Service Agency (FSA) county office (CO) and a Natural Resources Conservation Service (NRCS) field office (FO) can accept GRP applications. Applicants will apply for the program using Form AD-1153, Application for Long-Term Contracted Assistance. Please ensure that applicants properly complete Form AD-1153 (correct program, enrollment option, legal description, signatures, etc.).

Application Process

Landowners may submit applications for easements and rental contracts. Operators may submit applications for rental contracts only when they can provide written evidence of control of the property or the land, for the duration of the rental contract.

Rental contract applicants will receive a copy of the rental contract, Forms CCC-920, GRP Program Contract, and CCC-920 appendix (attachment 1), a copy of the applicable rental rates by county, and a copy of the GRP fact sheet (attachment 2). Applicants have three rental contract options: 10-year contract, 15-year contract or 20-year contract.

When the application is for a permanent easement, the applicant will receive a copy of the GRP fact sheet, a copy of Form NRCS-LTP-50, Agreement for the Purchase of Conservation Easement (attachment 3), and a copy of Form NRCS-LTP-60, GRP Conservation Easement Deed, (attachment 4) from NRCS. Landowners must provide clear title and written recorded access rights, and all existing cropland base and allotment history will be permanently retired. When mortgages and other liens exist, they will be subordinated to the conservation easement deed. A perpetual easement is the only easement application option.

When the rental contract or conservation easement application includes restoration cost-share, a blank Form AD-1154, Long Term Agreement, (attachment 5), will be provided to the applicant. Restoration cost-share agreements will be for the length of time to complete scheduled restoration plus 10 years. Maximum restoration cost-share will not exceed 50 percent of the total actual cost of restoration and will not exceed \$50,000 per year to a person or legal entity.

Conservation Reserve Program (CRP) contracts within one year of the scheduled expiration date are eligible to apply for either the permanent easement or 20-year contract option.

All applications and forms will be signed by landowners of record. Operators who demonstrate control of the property for the length of the contract will have written concurrence from the landowner.

(more)

DIST: A, F, S, Ramsey

All applicants must complete the following:

- a. Form CCC-505, Base Reduction Certification
- b. Form AD-1026, Highly Erodible Land/Wetland Conservation Determination
- c. Form CCC-931, Adjusted Gross Income (AGI) Certification
- d. Forms CCC-901 or CCC-902, Member's Information for legal entity and joint operations only

In addition, easement applicants must provide a copy of the current land deed to NRCS. FSA will work with customers to gather additional information, if needed, to complete the Service Center Information Management System (SCIMS) record.

Land eligible for enrollment includes:

- a. Privately owned lands, which include Tribal lands
- b. Grassland, land that contains forbs, or shrubs (including rangeland and improved pastureland) for which grazing is the predominant use; or
 1. Land located in an area that has been historically dominated by grassland, forbs, and shrubs, is compatible with grazing uses, and
 2. Land that has potential to provide habitat for animal or plant populations of significant ecological value if the land is retained in the current use, and condition of the land, or restored to a natural condition or contains historical or archeological properties listed in or eligible for listing in the National Register of Historic Places, or addresses issues raised by state, regional, and national conservation priorities

Incidental lands, such as rock outcrop or pond, may be included in the easement area to allow for the efficient administration of the project area. NRCS Easement Program Division must be consulted before enrolling any application if the incidental land exceeds 10 percent of the total acres offered. Incidental land includes relatively small areas that are part of the land unit that contributes to grassland functions and values or assists in the practical administration of a GRP easement. Land on which corrals, barns, pens, and energy or water supply structures exist may be eligible as incidental land when such structures are necessary to the grazing operation of the offered property. Wooded areas may also be considered incidental lands. However, when wooded areas account for more than five percent of the total offered acres, restoration assistance will be deemed necessary.

Ineligible lands include:

- c. Publicly-owned lands and subsidiaries of publicly owned lands
- d. Land already under ownership by an entity whose purpose is to protect and conserve grassland and related conservation values;
- e. Land that has easements or right of ways that would adversely affect the benefits of GRP;
- f. Land without right of access;
- g. Land with deed restrictions that prohibit the grazing use of the land or that would defeat any of the purpose of GRP;
- h. Land under an active Environmental Quality Incentive Program (EQIP) which treats the same resource concern as GRP – Grazing Lands Health. Some lands under EQIP may be made eligible if the State Conservationist waives the maintenance requirement.
- i. Land under an existing conservation easement, contract or deed restriction that already provides protection for the grassland resources. This land becomes eligible for enrollment when the existing easement, contract or deed expires or is terminated within the next 12 months.

For all new easement applications, the FO must send the following documents to the NRCS State Office no later than close of business (COB) February 10, 2012:

- a. Form AD-1153 signed by the landowner and district conservationist or supervisory district conservationist
- b. Easement plan map
- c. Copy of the landownership deed

- d. Subsidiary printout report for adjusted gross income and highly erodible land/wetland conservation determination

Further, if an application is approved for funding the FO must send the above listed documents as well as the following documents to the SO no later than COB February 10, 2012:

- a. Form AD-1154, if applicable
- b. Any documents associated with a legal entity (e.g. trust agreement, articles of incorporation, etc.), if applicable
- c. Forms CCC-901 or CCC-902, if applicable
- d. Form CCC-505, Base Reduction Certification. Alternatively, FSA CO Director's acknowledgement of no base acres may be sent when applicable.
- e. A Dun and Bradstreet Universal Numbering System (DUNS) number and current registration in the Central Contractor Registration (CCR) database are required for receiving payment under an Employee Identification Number. If a landowner does not have a number, information is available at <http://fedgov.dnb.com/webform/displayHomePage.do>.

Contact: Jeffrey L. Gross, Assistant State Conservationist for Water Resources, at 785-823-4550, or Steve M. Ramsey, Economist, at 785-823-4517.

(Signed) LOREN L. GRAFF, ACTING FOR

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State Conservationist