

# Idaho NRCS Grasslands of Special Environmental Significance (GSS) Guidance

**“Grassland of special environmental significance (GSS)”** means grasslands that contain little or no noxious or invasive species, as designated or defined by State or Federal law; are subject to the threat of conversion to non-grassland uses or fragmentation; and the land—

- (i) Is rangeland, pastureland, shrubland, or wet meadows on which the vegetation is dominated by native grasses, grass-like plants, shrubs, or forbs, or
- (ii) Is improved, naturalized pastureland, rangeland, or wet meadows.
- (iii) Provides, or could provide, habitat for threatened or endangered species or at-risk species,
- (iv) Protects sensitive or declining native prairie or grassland types or grasslands buffering wetlands, **or**
- (v) Provides protection of highly sensitive natural resources as identified by the State conservationist, in consultation with the State technical committee.

While eligibility is defined within 7 CFR Section 1468.3 and the 440-528-M ACEP-ALE manual, Idaho Natural Resources Conservation Service (NRCS) in consultation with the State Technical Committee provided additional parameters for eligibility in Idaho.

Agricultural Land Easement - Grassland of Special Significance (ALE-GSS) easements in Idaho are typically very large due to the landownership structure in the state with large ranching operations. Due to the size of these easements, there are often other incidental land uses within the properties determined as GSS. However, to effectively manage the easements, it is often not practical to exclude the non-grassland areas as these other land uses are typically intermixed throughout the proposed easement area. This guidance further clarifies what other lands will be acceptable under the umbrella of GSS within Idaho and sets parameters to determine GSS eligibility.

Idaho NRCS will accept ALE-GSS applications that consist of a minimum 75% rangeland, pastureland, shrubland, or wet meadows with vegetation that are dominated by native grasses, grass-like plants, shrubs, or forbs or is improved or naturalized pastureland, rangeland or wet meadows or any combination thereof. At a minimum 75% of the application area must meet the regulatory and manual requirements for ALE-GSS. The remaining 25% of the application area can consist of incidental lands and lands that contribute to the grassland functions and values and related conservation values.

## **Incidental land use that may be incorporated into the ALE-GSS easement area are as follows:**

All lands that do not meet the ALE-GSS criteria will be considered incidental lands for ALE-GSS eligibility purposes. This includes Non-Industrial Private Forestland (NIPF), associated agricultural, farmstead, water, and other rural land. The aggregate total of the incidental land uses cannot exceed 25% of the proposed easement area.

Lands that contain conifer encroachment will not be counted as NIPF and may render the GSS application ineligible if identified during the evaluation process. This is due to ability of the conifer encroachment to affect the “little to no invasives” criteria in the ALE-GSS regulatory definition.

To further clarify, NIPF is defined by NRCS as: Rural land that has existing tree cover or is suitable for growing trees and is owned by any nonindustrial private individual, group, association, corporation, Indian Tribe, or other private legal entity that has definitive decision-making authority over the land.

NIPF is at least 10 percent stocked by single-stemmed woody species of any size that will be at least 4 meters (13 feet) tall at maturity. Also included is land bearing evidence of natural regeneration of tree cover (cut over forest or abandoned farmland) and not currently developed for non-forest use. Ten percent stocked, when viewed from a vertical direction, equates to an aerial canopy cover of leaves and branches of 25 percent or greater.

**Note:** For the purposes of Idaho Agricultural Conservation Easement Program-Agricultural Land Easement (ACEP-ALE) land eligibility, land covered by trees is considered cropland when the trees are non-native species such as orchard species or native species that are planted in rows, fertilized, and cultivated.

Where the incidental land use exceeds the maximum aggregate, the land may be eligible for regular ALE enrollment under the grassland’s eligibility criteria.

### **Other Application Considerations:**

1. In assessment of ALE-GSS land eligibility NRCS will consider the presence, extent, and current management of invasive and noxious weeds on the offered land as specified in 7 CFR Section 1468.3. It is recommended that the Eligible entity communicate with the local County Weed District to identify and document any potential noxious weed threats in the vicinity of the proposed easement.
2. Various infrastructures such as cell phone towers, wind and solar, are commercial land uses and are ineligible for ACEP-ALE GSS. The infrastructure in some cases may be excluded from the easement area; however, the potential effects of such structures adjacent to the offered land will still be considered in land eligibility and ranking.
3. Land units currently identified as annual cropland, by the Farm Service Agency (FSA), must be managed following a no-till (329) conservation plan or be converted to a multi-species perennial mix after easement enrollment and before closing. Land units identified as hayland or pastureland, by the FSA, must be renovated as needed in accordance with the National Food Security Act Manual and approved by the eligible entity in consultation with the NRCS Team Lead.
4. Eligible entities applying for GSS must have a letter of support from the State Wildlife Agency (IDFG) or from U.S Fish and Wildlife Services (USFWS) concurring that the property “provides, or could provide, habitat for threatened or

endangered species or at-risk species”. Those applicants without a support letter will not be considered for GSS.

This guidance is approved by the Idaho NRCS State Conservationist in consultation with the State Technical Committee and will be effective upon issue as an addendum to the corresponding state instruction.