



July 20, 2004

Easement Division  
P.O. Box 2890  
Washington, D.C. 20013-2890

To Whom It May Concern:

The Partnership of Rangeland Trusts (PORT) is an association of locally-based, agriculturally-oriented land conservation organizations established to leverage resources to enhance the voluntary conservation and stewardship of America's ranchlands. Member organizations are national leaders in the agricultural and land conservation fields, holding a total of 638 conservation easements on 776,000 acres of land. Similarly, member organizations are unique by their direct focus on conserving working ranching operations and by working from within the cattle industry through associations with their state livestock organizations either through direct affiliations or cooperative agreements.

Grasslands make up the largest land cover on America's private lands. Nationally, there are over 524 million acres of private and 250 million acres of public grazing lands and around 903,000 livestock producers. PORT was pleased to see federal efforts to retain this national resource through the establishment of the Grasslands Reserve Program (GRP); however, we believe this program has strayed from its original intent and will fall short of its potential conservation value to ranchers and the American public.

### **Conservation Plan**

It is our understanding that the purpose of the GRP was to keep large grass landscapes intact for working ranches and biodiversity by providing incentives to prevent residential, commercial or industrial development, and cultivation. The conservation values of a conservation easement properties, as well as allowed and prohibited uses, are carefully documented in the baseline reports which accompany all such agreements. PORT members find that prescriptive management plans are difficult to administer for long-term and perpetual agreements because of potential changes in weather, ownership, grazing practices, and agricultural technology. The uncertainty surrounding the fact that management requirements may be changed over time and be established and enforced by personnel that were not involved with the original drafting of the agreement is extremely threatening to landowners. We believe the GRP's conservation plan requirement will not advance the purposes of the program, but will greatly increase its administrative costs. Furthermore, we believe the conservation plan requirements will severely reduce landowner participation on many of the most productive and threatened grasslands.

### **Ownership of Easements**

PORT members have a proven track, successful track record of administering long-term agreements to conserve grasslands and working agricultural landscapes. Our experience in this field, local orientation, and agricultural affiliations provide unequal confidence for landowners to

*American's Ranchlands... A Legacy of Stewardship*

California Rangeland Trust • Colorado Cattlemen's Agricultural Land Trust • Montana Land Reliance • Kansas Livestock Association Ranchland Trust • Ranch Open Space of Nevada • Wyoming Stock Growers Agricultural Land Trust

enter into these agreements. Under current GRP guidelines, local land trusts cannot hold GRP easements or leases, but are allowed to receive monitoring and enforcement authority. PORT members see no incentive to take on monitoring and enforcement responsibilities for GRP easements without any financial compensation. Similarly, we are reluctant to take on conservation agreements that we are not involved in negotiating or writing. We believe allowing local land trusts to hold and administer easements will improve the GRP's effectiveness by both increasing landowner participation and reducing administration costs.

### **Haying Restrictions**

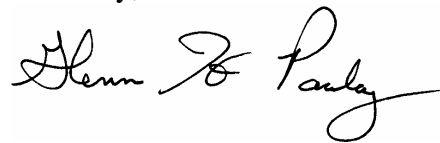
The provision limiting haying "during the nesting season" for birds in the local area that are in "significant decline" will greatly increase the uncertainty regarding future allowed and prohibited land uses for GRP participants. This would be true in both trying to determine the time and length of the nesting seasons and the possibility of bird populations being determined to be in significant decline after agreements have been signed.

### **Reserve Interest Deed**

PORT sees no reason to use a deed in which all "interests" in the easement area is granted to the United States Department of Agriculture (USDA). The future rights and uses of the property should be limited to only those which are necessary to accomplish the GRP's purposes. We believe using such a deed will be unnecessarily complex and threatening to potential landowner participants.

We appreciate this opportunity to share these concerns and the support we have received at the local level from the Natural Resource Conservation Service to effectively implement this program. We enjoy the opportunity to carry on discussions to increase the effectiveness of this and other USDA programs aimed at retaining working ranching operations and the natural values they encompass at a later date. Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink that reads "Glenn H. Pauley". The signature is written in a cursive style with a large, stylized initial 'G'.

Glenn H. Pauley  
PORT Board Member  
Wyoming Stock Growers Agricultural Land Trust