

July 20, 2004

Mr. Floyd Wood
Easement Division
Natural Resource Conservation Service
P.O. Box 2890
Washington DC, 20013-2890

Dear Mr. Wood:

I am writing to express The Nature Conservancy's (Conservancy) strong support for the Grasslands Reserve Program (GRP) and NRCS' proposed implementation. The Conservancy appreciates the opportunity to comment on the interim final regulation to implement the GRP. Below are the Conservancy's comments on USDA's proposed rule.

The Nature Conservancy is dedicated to preserving the plants, animals and natural communities that represent the diversity of life on earth by protecting the land and water they need to survive. We currently have programs in all 50 states and in 30 nations. Our conservation work is grounded on sound science, strong partnerships with other landowners, and tangible results at local places.

“Native” versus “Natural”

The interim final regulation provides separate definitions for “native” and “natural” species in section 1415.3. We support this distinction with the change to “naturalized” (see below). However, the rule itself fails to make full use of it. For example, it appears from the rule that equal weight is given to native and natural grasslands. We strongly urge NRCS to give preference to native over natural grasslands when it establishes priority for the enrollment of properties. Moreover, we urge NRCS to give preference to the restoration of native over natural grasslands. Native habitats will nearly always better achieve the program's goal of maintaining and improving plant and animal biodiversity.

In addition, the terms seem to be used interchangeably. For example section 1415.4(h)(1) reads: “Easements and rental agreements will allow the following activities: Common grazing practices on the land in a manner that are consistent with maintaining the viability of natural grass and shrub species;” No mention is made of “native” in this section; if the agency intends to use “native” in this section (which we believe it should), then the term should be included.

The rule should be revised to carry the clear distinction between native and natural with preference given to native grassland enrollments under section 1415.8.

Definition of Native

The current definition of “native” in section 1415.3 is “a species that is part of the original fauna or flora of the area.” The rule does not make clear what is meant by “original” fauna or flora. The Conservancy recommends that “original” be defined, or replaced by another more specific word such as “pre-settlement.”

Definition of Natural

The current definition of “natural” in section 1415.3 includes invasive species. We urge NRCS to replace the term “natural” with “naturalized” and use the following definition: “naturalized means an introduced species that can perpetuate itself in the environment without cultural treatment. For the purposes of this part the term naturalized does not include any plant listed as “invasive or noxious” on USDA’s “PLANTS” database and species that the State Conservationist determines to be invasive or otherwise harmful.”

We appreciate your consideration of our comments and look forward to working with you as you implement this important program. Thank you.

Sincerely,

/s/

Louise F. Milkman
Acting Director, Government Relations
The Nature Conservancy