

Comments on Grassland Reserve Program from Texas Parks and Wildlife Department
7 CFR Part 1415 RIN 0578-AA38
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1. We support the FY 2003, CCC intention to use GRP to protect grazing lands from conversion, and support efforts to maintain or enhance biodiversity.
2. We support incentives to protect grassland resources while enabling agricultural producers to use the forage in their agricultural operations.
3. We support program emphasis on participants having opportunity to use a wide range of management practices to maintain viable, high quality grasslands.
4. We support the objectives as set forth in 1415.1(b) – to emphasize preservation (conservation is a better word as it implies necessary management) of native grasslands and shrublands, protect these lands from the threat of conversion, support grazing operations, and maintain and improve plant and animal biodiversity.
5. We do not support the use of GRP to enroll pastureland monocultures that require cultural amendments to maintain productivity. Allowing monocultures of less desirable species is not consistent with the intent of co-equal status of maintaining and improving biodiversity. We believe that participants should be required to manage their lands in a way that increases native plant diversity to the maximum extent possible, including range reseeding with native species where necessary. Such requirements should provide up to 75% restoration costs as allowed by program rules.
6. We do not support the use of the term “natural grasslands” as it is being used throughout the document. The term “natural” elevates introduced plants and, in some cases, monocultures to the status of native grasslands while implying that they provide similar ecological and biodiversity functions to native plants. We suggest that the term “natural” be deleted throughout most of this document or be replaced with the correct term “naturalized” wherever it must remain to meet legislative intent.
7. We do not agree with the statement that “introduced forage species that are managed like rangeland” should be defined as rangeland. The use of introduced forage species for livestock management reduces biodiversity and is best defined as pastureland.
8. We believe program emphasis should be on conservation of existing grasslands with high quality native plant communities. Secondary consideration could be given to land supporting non-native plant communities, but only after careful evaluation of the land’s ability to support acceptable plant and animal diversity.
9. We strongly encourage USDA to allow states to establish criteria to evaluate and rank applications based on broad national guidelines while allocating funds to states for selection of projects at the state level. We believe it is very important for states, through their State Technical Committees, to have the opportunity to address statewide concerns and develop ranking systems that make sense for the conservation issues and landowners of each state.
10. To secure maximum conservation benefits for the United States, land restoration should emphasize establishment of native plant communities with high plant and animal diversity and viable ecosystem function. States should be encouraged to develop ranking systems that consider tract size in relation to landscape scale conservation effectiveness.
11. We believe it is very important to require landowner authorization for any delegation of easement administration to a third party organization.

12. We support the prohibition of industrial windmills on GRP acreage due to the potential for these installations to adversely affect migratory and ground nesting birds, bats, and other wildlife.
13. We understand that USDA should be allowed right of access to easement and rental property, but we believe it is important to make every effort to contact the landowner prior to entry onto the property.
14. We believe that programmatic appraisals should not be used in lieu of county averages for fair market value or grazing values. Using broad regional values will likely not benefit landowners.
15. We support the USDA policy that land appraisals are confidential information.
16. We have a question about 1415.4 (j) in the summary. Does the contract cancellation policy apply if the landowner dies with an easement as well as rental agreement? If not, you should change the wording from “Contracts” to “Rental Agreements”.
17. The issue of GRP subsurface resource concerns has been a contentious one in Texas. Barring oil and gas development on GRP lands or restricting applications from landowners who no longer hold full mineral rights would severely limit enrollment opportunities in Texas. Required offsite drilling would be impractical on large properties. Section 1238 O. (b) (3) of the 2002 Farm Bill on GRP allows the Secretary of Agriculture to “include such provisions as the Secretary determines are appropriate to carry out or facilitate the administration of this subchapter.” We suggest that the Secretary follow WRP easement deed policy on this point: “Subsurface ~~mineral~~ (resource) exploration and removal activities within the boundaries of the easement will be authorized by USDA, NRCS in accordance with a plan as developed by the landowner, NRCS ~~and~~ USFWS. The plan will contain provisions to minimize adverse impacts to the ~~wetlands~~ (grasslands/shrublands) functions and values. ~~and will be in compliance with all Federal, State and Local laws and regulations governing disturbance of a wetland.~~ Cross outs and parenthesis are included as suggestions.
18. We support Section 1415.11 Restoration Agreements Section (d)’s emphasis on giving priority to using native seed. We suggest eliminating the section below it outlining the use of naturalized species seed. Our experience has shown us that the use of nonnative seed in grassland situations is less beneficial to wildlife and ultimately more expensive in the long run on CRP fields. We would expect the same to be true on GRP.
19. Our final comment has to do with the GRP Warranty Easement Deed. We feel that the current version places unacceptable restrictions on landowner rights. We have heard from our constituents in the private lands community that the easement document as it now stands is unacceptable to private landowners and is a “deal killer”. We suggest that an easement document that more closely resembles the well tested and accepted WRP easement document be adopted.