

Grassland CRP: Working Land Opportunities on Tribal Lands



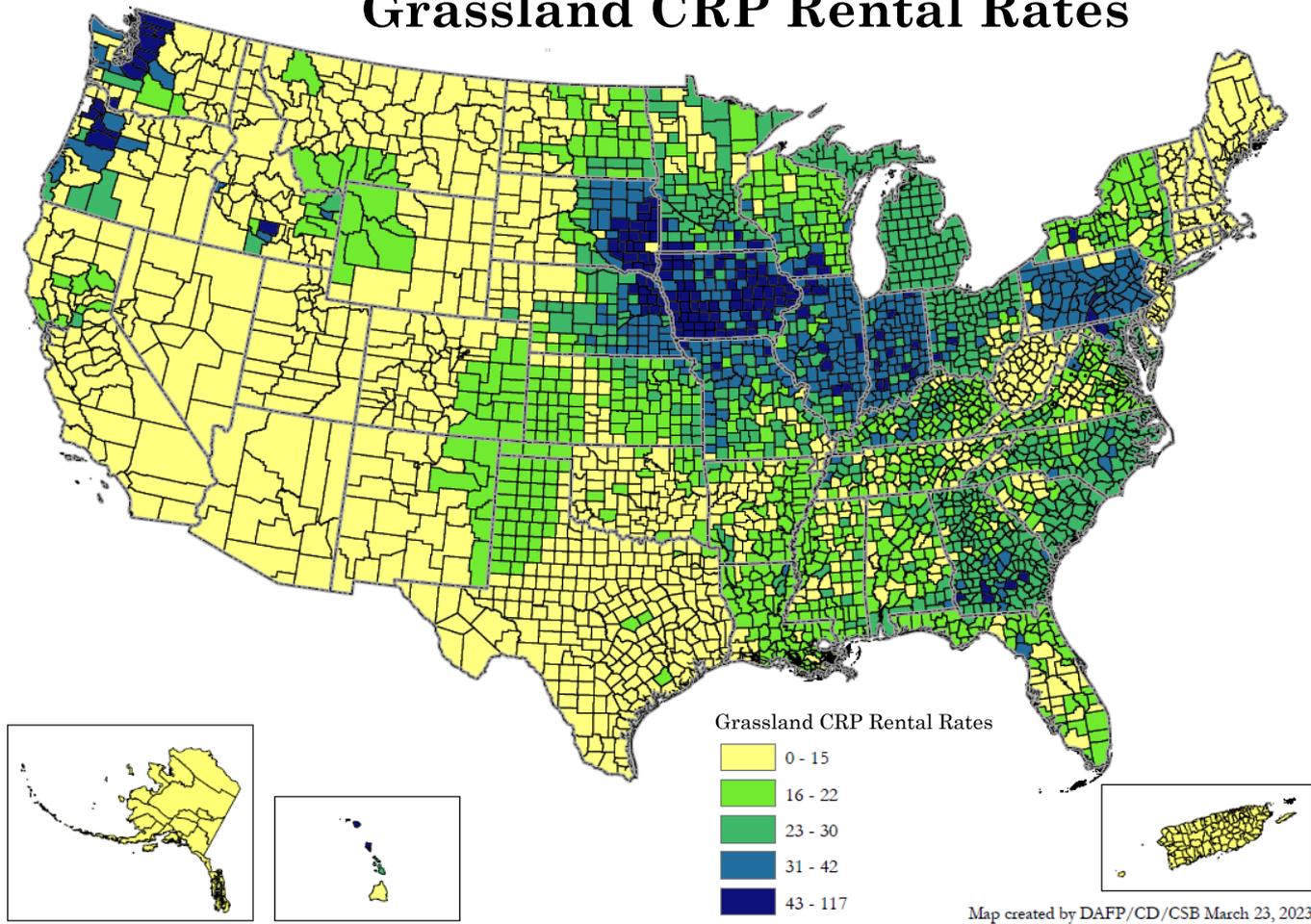
Today's Agenda

- TJ Wilson, Conservation Director
- Ivy Reynolds, Grassland CRP Program Manager
- Kim Martin, Conservation Reserve Enhancement Program (CREP) Program Manager
- Question and Answer Session
- Resources

Grassland CRP Rental Rates

- Market grazing value of the land
- Based on 75% of the NASS pastureland rental rates
- Include climate-smart incentive rate of 5%

Grassland CRP Rental Rates



Map created by DAFP/CD/CSB March 23, 2023

Contract Effective Date

- Signup runs until May 26
- Effective date is 10/01/2023 for SU205
- The CRP-1 period is 10 or 15 years



2-CRP(Rev. 6) Par. 264 A and B



Program Eligibility

Eligible Participants

Individual	Trust – Revocable
General Partnership	State and local government
Joint venture	Churches, charities, and non-profits
Corporations or organizations	Limited liability company
Public school	Limited partnership
BIA or Indian represented by BIA	Limited liability partnership
Trust – irrevocable	Limited liability limited partnership
Individual operating as a small business	Estate
Indian tribal venture	

Eligible Participants

Native American Tribal land is eligible for CRP. Tribal lands are:

- subject to BIA management
- subject to Tribal land management
- not U.S. owned.

The typical requirements for signatures apply unless:

- a trustee of BIA representing the native Americans owning the land signs on their behalf
- a Native American has a restrictive 5-year BIA farm lease that has been extended according to BIA provisions.

Land Ownership Requirement

An owner is eligible to submit an offer for grassland CRP if they have owned the land for 12 months before the close of signup.

Exceptions:

- Land acquired as a result of death
- Land acquired under circumstances other than for placement in CRP
- Expiring CRP

Operator Requirements

An operator is eligible to offer land for enrollment in grassland CRP **both** of the following are met:

- operated the land for 12 months before the close of signup.
- provides satisfactory evidence that control of the land will continue uninterrupted for the CRP-1 period.

Landlord Tenant Provisions

When **not enrolled** in CRP at the time of signup, landlords must:

- provide tenants, who have an interest in the acreage being offered at the time of signup, an opportunity to participate in CRP
- not reduce the number of tenants on the farm as a result of or in anticipation of enrollment in CRP

Landlord Tenant Provisions

When **enrolled in CRP** at the time of signup, landlords must:

- provide tenants, with an interest in the CRP-1 acreage, an opportunity to participate in CRP if either of the following apply:
 - the tenant is otherwise involved in farming other cropland acreage on the farm at the time of signup
 - the tenant has an interest in the acreage being offered on the effective date of the new CRP-1.

What can participation in CRP look like?

How will FSA process offers to enroll land that have multiple owners?

All landowners associated with the land offered for enrollment must agree to participate even if they do not want a share of the contract payment.

For Example:

If a Tribal Nation and one or more individual owners represented by BIA have an undivided ownership interest in the land being offered, they must all agree to participate (and sign the CRP-1).

What does participation in CRP look like?

Can a permittee submit an offer to enroll land in CRP?

Yes. A permittee that meets the operator requirements, may submit an offer to enroll eligible land in grassland CRP. All landowners and other permittees associated with the land offered for enrollment must also agree to participate.

Are permittees required to participate in CRP?

No. Permittees associated with land being offered for enrollment in CRP must be given the opportunity, however, permittees may voluntarily relinquish their right to participate in CRP.

What Do I Bring With Me to Submit an Offer?

- Land to be offered identified on a map
- Ownership documentation
For Example: Deed or Title Status Report
- Payment Shares
 - All participants must agree to CRP-1 payment shares
 - Lessees associated with land being offered must either:
 - sign the CRP-1 or
 - provide a signed statement voluntarily relinquishing their right to participate in CRP
- Representative authorities
Who will be signing the CRP-2G and CRP-1?

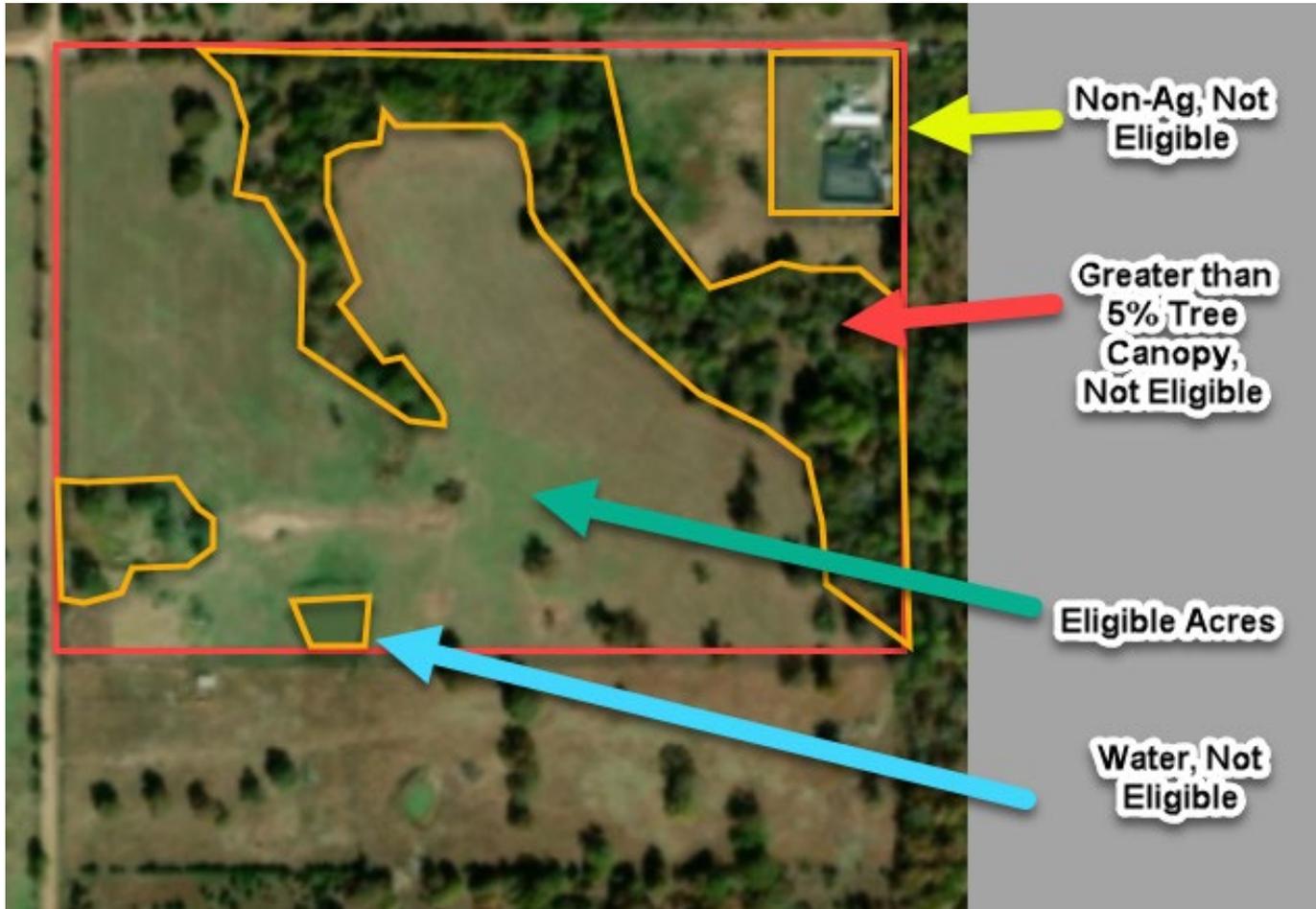
Eligible Land

- Classified in 10-CM as cropland or rangeland, **and** has a permanent cover established.
 - With less than 5% tree canopy interspersed throughout offered acreage
- Expiring CRP or expiring GRP.
- Private, State, and Tribally owned land.

Remember: Cropping history is not required.



Eligible Land



Ineligible Land

- Forest or woodland
- Land under easement with a resource conserving measure
- Federally owned land



2-CRP(Rev. 6) Par. 263C

Easements



Land enrolled in
grassland CRP

Land encumbered
by an easement

Participant may continue to earn CRP payments if :

- participant continues to comply with CRP terms and conditions
- **entity/organization/agency** providing the conservation easement certifies, in writing, that:
 - it was aware of the existence of CRP-1 at the time the participant agreed to encumber the acreage
 - the participant will be able to comply with all CRP provisions.

Easements



Land encumbered
by an easement

Land enrolled in
grassland CRP

May be eligible if the easement does **not** contain a resource conserving measure.

- If the easement restricts agricultural uses, it will likely be **ineligible**
- If the easement restricts development but not agricultural uses, it is likely **eligible**

Easements

FSA will review all land encumbered by an easement and make a determination on a case-by-case basis.





Payment Eligibility

Payment Limitation for CRP

Annual payment limitation is \$50,000 for eligible persons or entities.

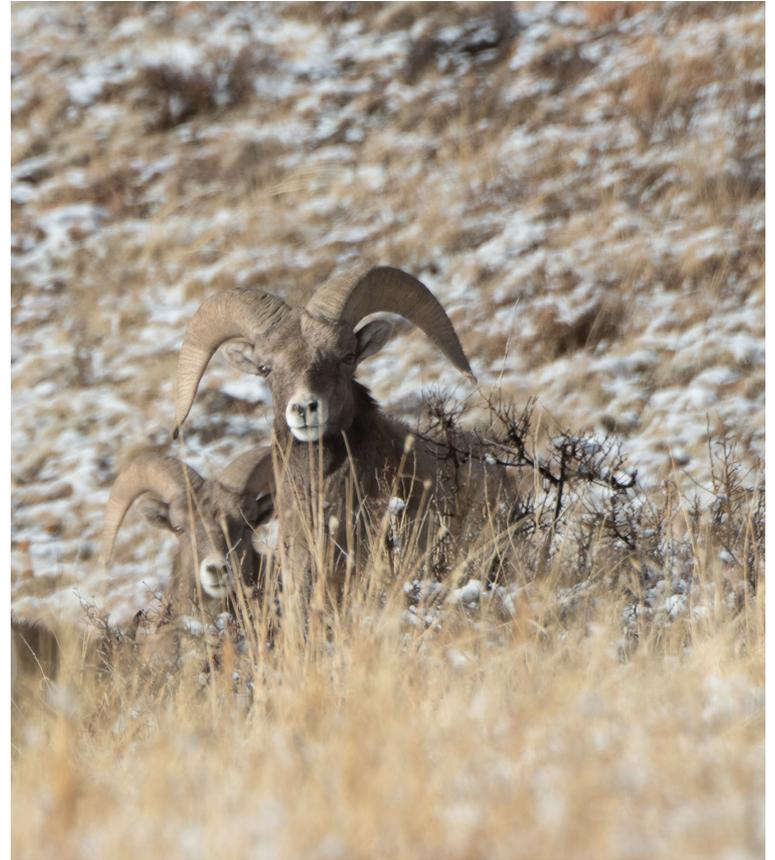
Cost share payments are not included.

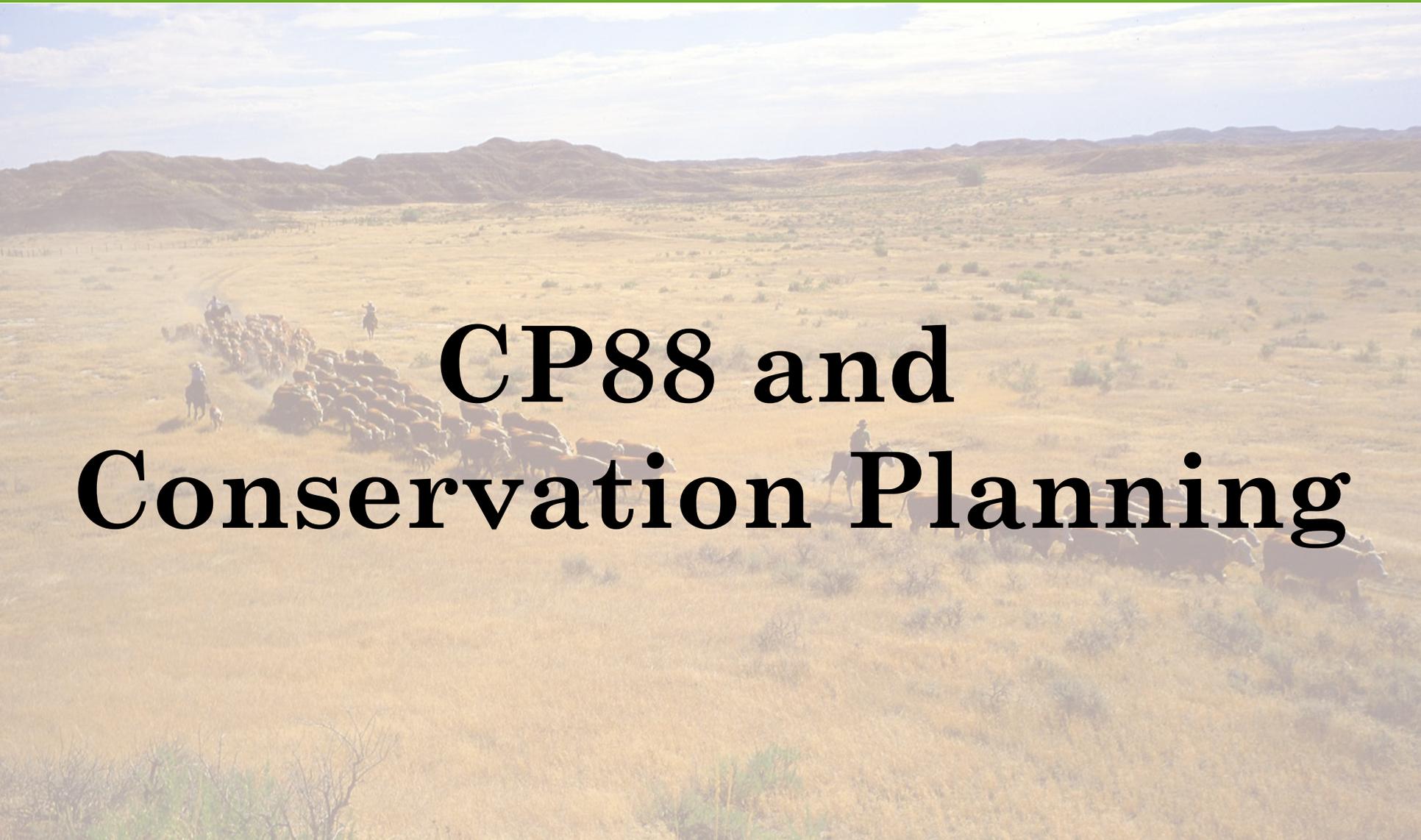


Adjusted Gross Income

The \$900,000 average AGI limitation applies as follow CRP.

- Calculated using 3 taxable years. ‘
- For 2023,
 - 2021, 2020, and 2019 will be used
- Participants can request a waiver of this provision





CP88 and Conservation Planning

Grassland CRP Practice CP88

CP88 allows for:

- Grazing
- Haying or mowing
- Harvesting for seed production
- Maintaining existing cover
- Fire pre-suppression, fire-related rehabilitation, and construction of fire breaks.



Grassland CRP Practice CP88

Producers must:

- maintain cover and keep free of noxious and invasive species (no C/S available).
- Complete an annual acreage certification for acres enrolled
- Not cultivate land
- Not develop land (housing, oil field, wind turbines etc.)



Cost Share Policy

- 50% cost share is authorized when installation:
 - Promotes common grazing activities
 - Prevents degradation of environmental benefits
 - Is included in conservation plan
 - Is based on a resource concern as determined by NRCS or TSP
 - Is the most effective and cost-efficient alternative.

Cost Share Policy

Eligible Components:

- Permanent internal fence
- Ponds, wells, spring developments, pipelines, and water facilities
- Fuel break
- Livestock trails and walkways
- Prescribed burning



Conservation Planning Overview

- Conservation plans must include:
 - Applicable system management items
 - 528, if grazed
 - 511, if hayed
 - 472, 315, and/or 645 if being managed as wildlife habitat.
 - Facilitating practices
 - 382, 614, 533, 642, etc.
 - Applicable vegetation management items
 - 315, 314, 338, others





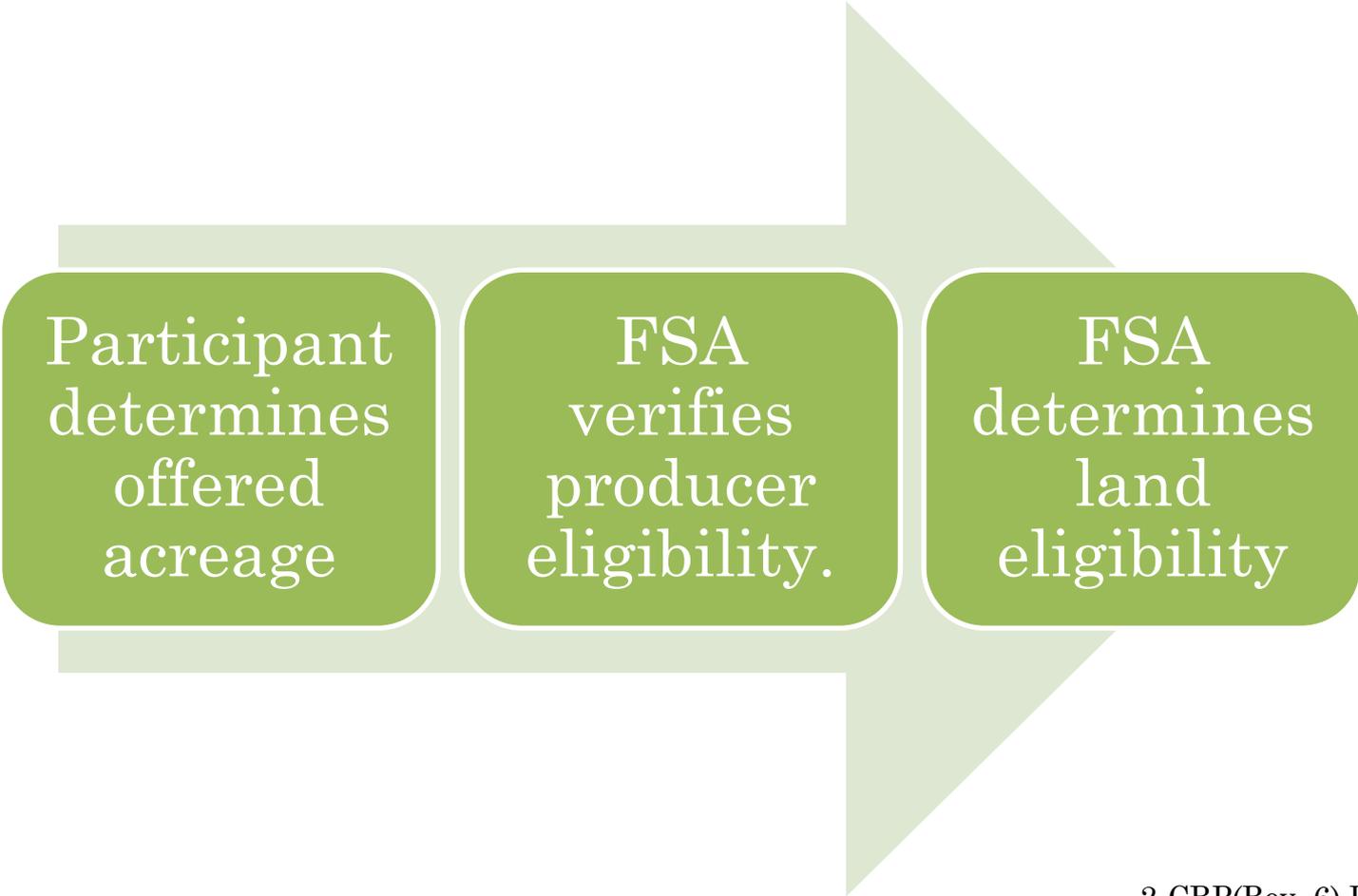
Offer Process

Grassland CRP Offer Process

County Office shall explain program details:

- Eligibility
- Rental rates
- Requirements of the program
- Availability of cost share
- Grassland CRP Ranking Process

Grassland CRP Offer Process



Participant
determines
offered
acreage

FSA
verifies
producer
eligibility.

FSA
determines
land
eligibility

2-CRP(Rev. 6) Par. 265B, Steps 2-3

Grassland CRP Offer Process



2-CRP(Rev. 6) Par. 265B, Steps 5-8

Grassland CRP Offer Process

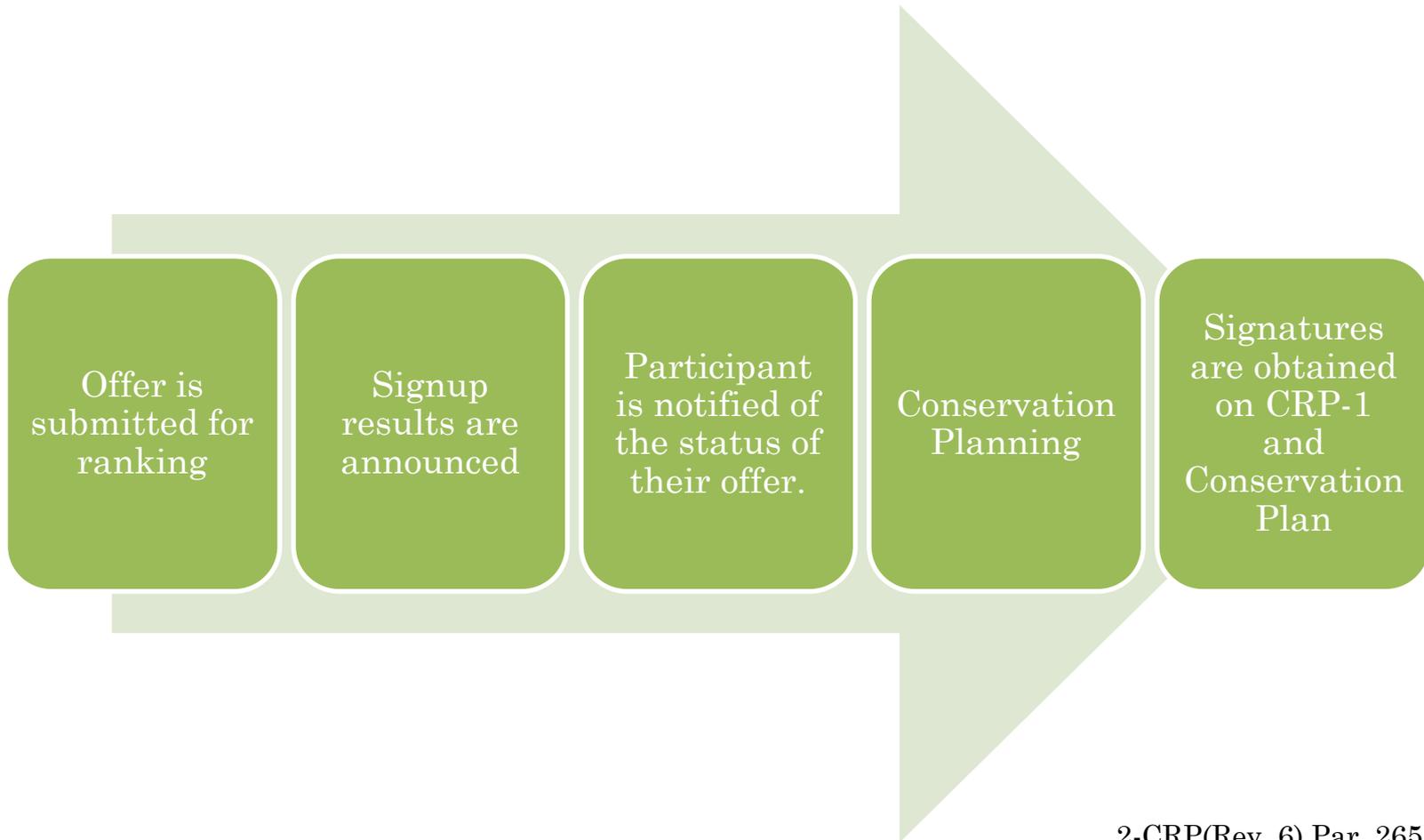
Owner and/or operator sign:

- CRP-1,
- CRP-2G
- CRP-2G-1 (if applicable)

Only 1 signature is required to submit an eligible offer



Grassland CRP Offer Process



2-CRP(Rev. 6) Par. 265B, Steps 10-17

Grassland CRP Offer Process

Producers can back out of the offer up until the point they sign the NRCS or TSP Conservation Plan without any penalty.



Grassland CRP Ranking Factors

Grassland Ranking Factors

- F1 Current and future use (30 points)
- F2 Beginning Farmer/Rancher, Veteran or Underserved Producer (20 points)
- F3 Maximizing grassland preservation (35 points)
- F4 Vegetative cover (30 points)
- F5 Environmental factors (45 points)
- F6 Small Scale Livestock Operation (10 points)
- F7 Cost (25 points)

F1 - Current and Future Use

Current use:

F1a – up to 20 points if more than 50% of offer is expiring CRP or expiring GRP this will be prorated if less than 50% (0 to 20)

F1b - 10 points if more than 50% of offer is expiring CP2 or CP10's (0 or 10)

These factors (F1a + F1b) are additive

F2 - Beginning, Underserved, Limited Resource, Veteran Producer (0-20 Points)

50% of the contract shares are held by producers who certify to:

- Beginning Farmer or Rancher,
- Veteran Farmer or Rancher,
- Limited Resource, or
- Historically Underserved



Definition of Beginning Farmer or Rancher

A person or legal entity for which both of the following are true:

- has not actively operated and managed a farm or ranch for more than 10 years
- materially and substantially participates in the operation

For a legal entity, to be considered a beginning farmer or rancher, at least 50 percent of the interest must be beginning farmers or ranchers.

Definition of Socially Disadvantaged Farmer or Rancher

Socially disadvantaged groups include the following and no others unless approved in writing by the Deputy Administrator:

- American Indians or Alaskan Natives
- Asian Americans
- African Americans
- Hispanic Americans
- Native Hawaiians or other Pacific Islanders
- Women

Definition of Veteran Farmer

A farmer or rancher who served in the active military, naval, or air service, and who was discharged or released from the service under conditions other than dishonorable and who:

- has not actively operated and managed a farm or ranch for more than 10 years
- materially and substantially participates in the operation

Definition of Limited Resource Producer

Producer must meet the criteria for **both** of the following:

- a producer whose direct or indirect gross farm sales do not exceed the amount identified in the Limited Resource Farmer/Rancher Self Determination Tool
 - <https://lrftool.sc.egov.usda.gov/>
- a producer whose total household income was at or below the national poverty level for a family of 4.

F3 – Maximizing Grassland Preservation (0-35 points)

F3a - if eligible land is at the greatest risk from the threat of conversion to uses other than grassland (0, 2.5, 5, 7.5, or 10 points).

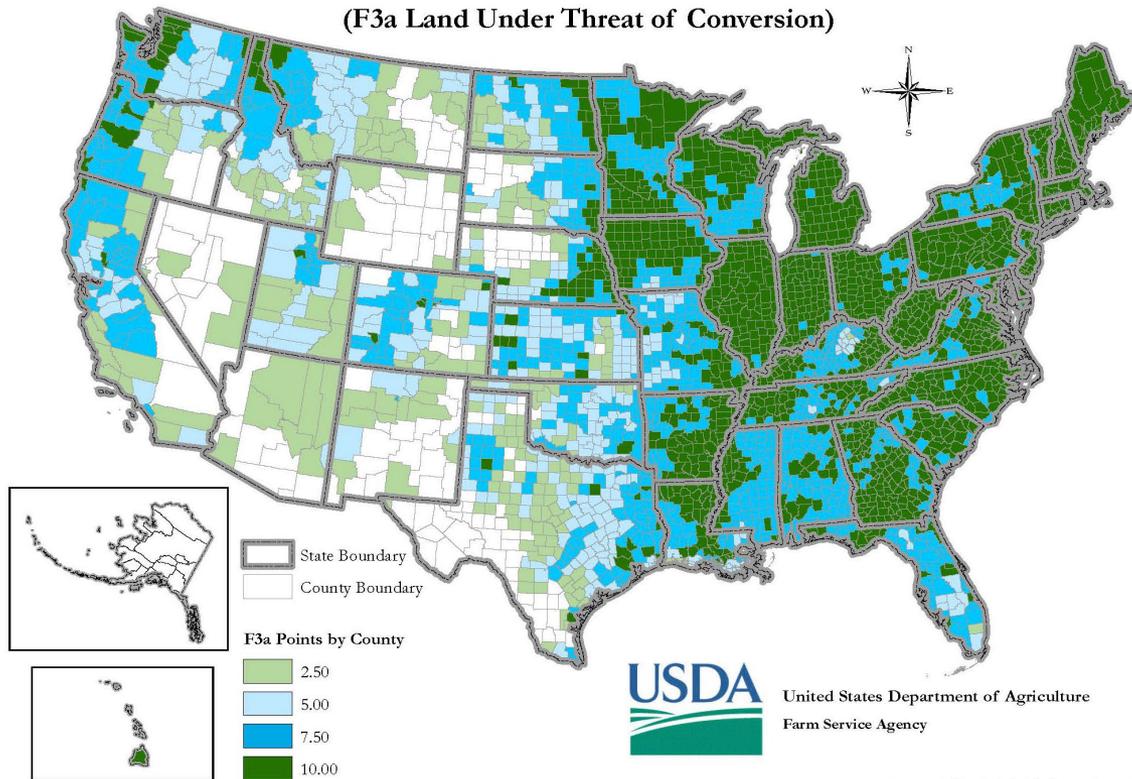
F3b - if over 50 percent of offer is in the national threat of conversion GIS layer (0 or 20 points).

F3c - if the offer is for a 15-year contract (0 or 5 points).

F3a – Greatest Risk from Threat of Conversion (0-10 points)

The offers will receive 0, 2.5, 5, 7.5, or 10 points.

Grassland CRP Threat to Conversion Map by County (F3a Land Under Threat of Conversion)



Map created by dafp/cd/csb March 21, 2022

F3b – National Threat of Conversion GIS Layer (0 – 20 points)

- 20 points are assigned if over 50 percent of the offered acreage is within the GIS layer.
- This factor provides additional points for land with less than 3% slopes, which are more likely to be converted to cropland or development.



F3c –Contract Length

A 15-year contract
will receive 5 points.
(0 or 5 points)



F4 - Vegetative Cover (0-30 Points)

- 0 – 30 points determined by the established grass cover
- Weighted average is taken on offers with multiple fields.



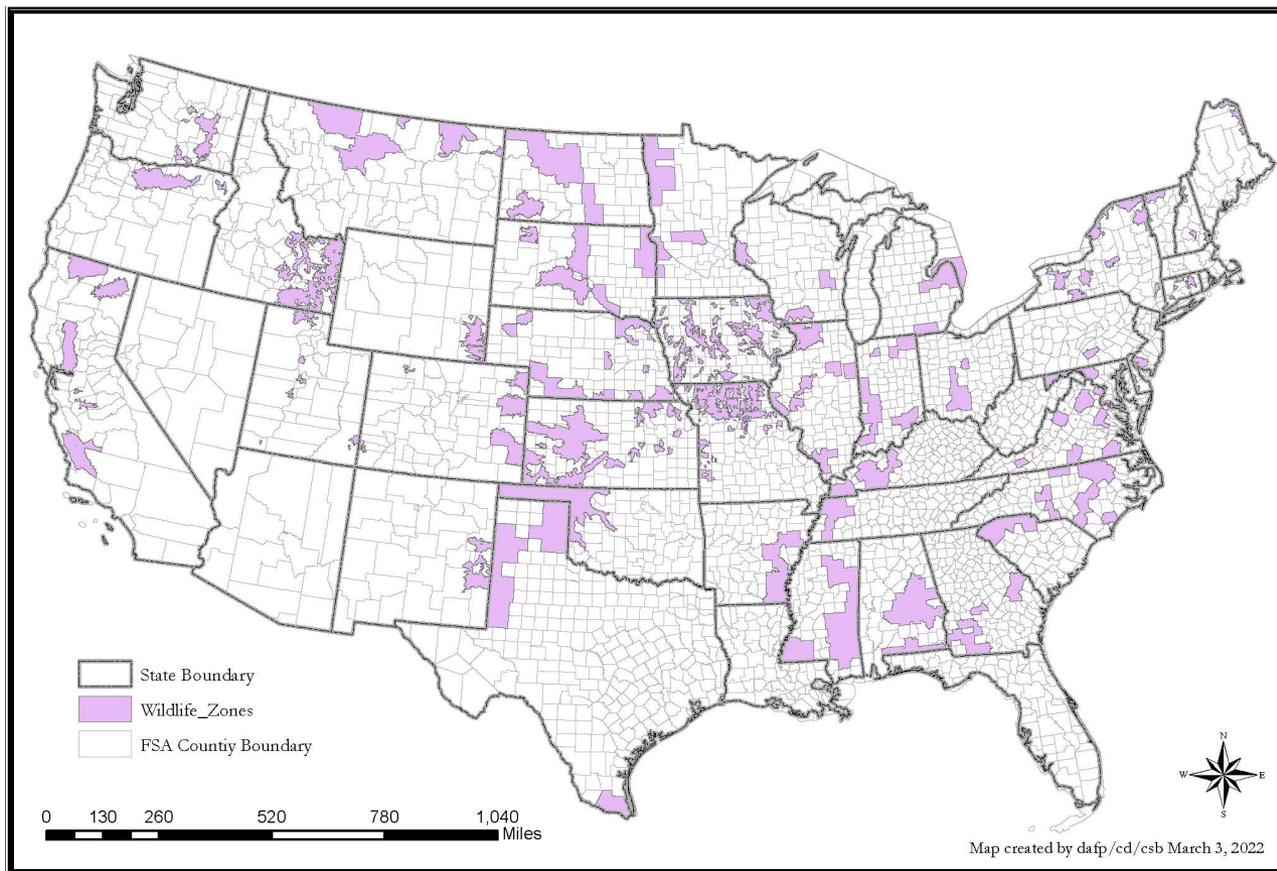
F4 – Vegetative Cover (0-30 Points)

Practice CP88 ^{1/}	Assigned Point Score
Permanent Introduced Grasses and Legumes ^{1/}	
Monoculture stand.	5
Existing stand of 2 or more species of an introduced grass species.	10
Existing stand (minimum of 4 species) of at least 3 introduced grasses and at least 1 forb or legume species best suited for wildlife in the area.	20
Permanent Native Grasses, Forbs, or Legumes ^{1/}	
Monoculture stand.	10
Existing stand (minimum of 3 species) or at least 2 native grass species.	20
Existing stand (minimum of 5 species) of at least 3 native grasses.	30

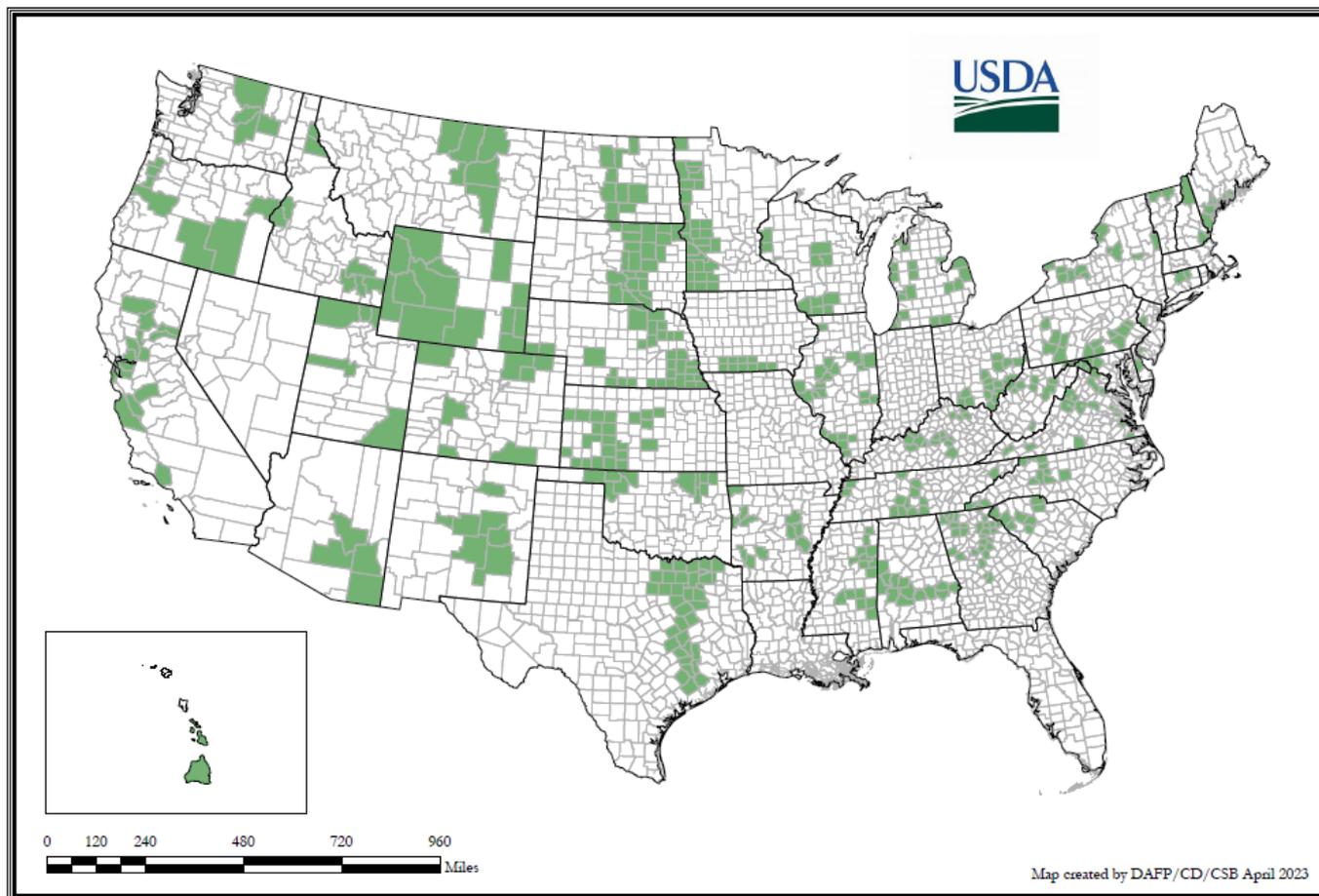
F5 - Environmental Factors (0 to 45 points)

- F5a - Over 50% of offer is in State CRP Wildlife Priority Zones (0 or 15 points)
- F5b - Over 50% of the offer is in the State Grassland CRP Priority Zone (0 or 15 points)
- F5c – Over 50% of the offer is in the Grassland CRP National Grassland Priority Zone (0 or 15 points)

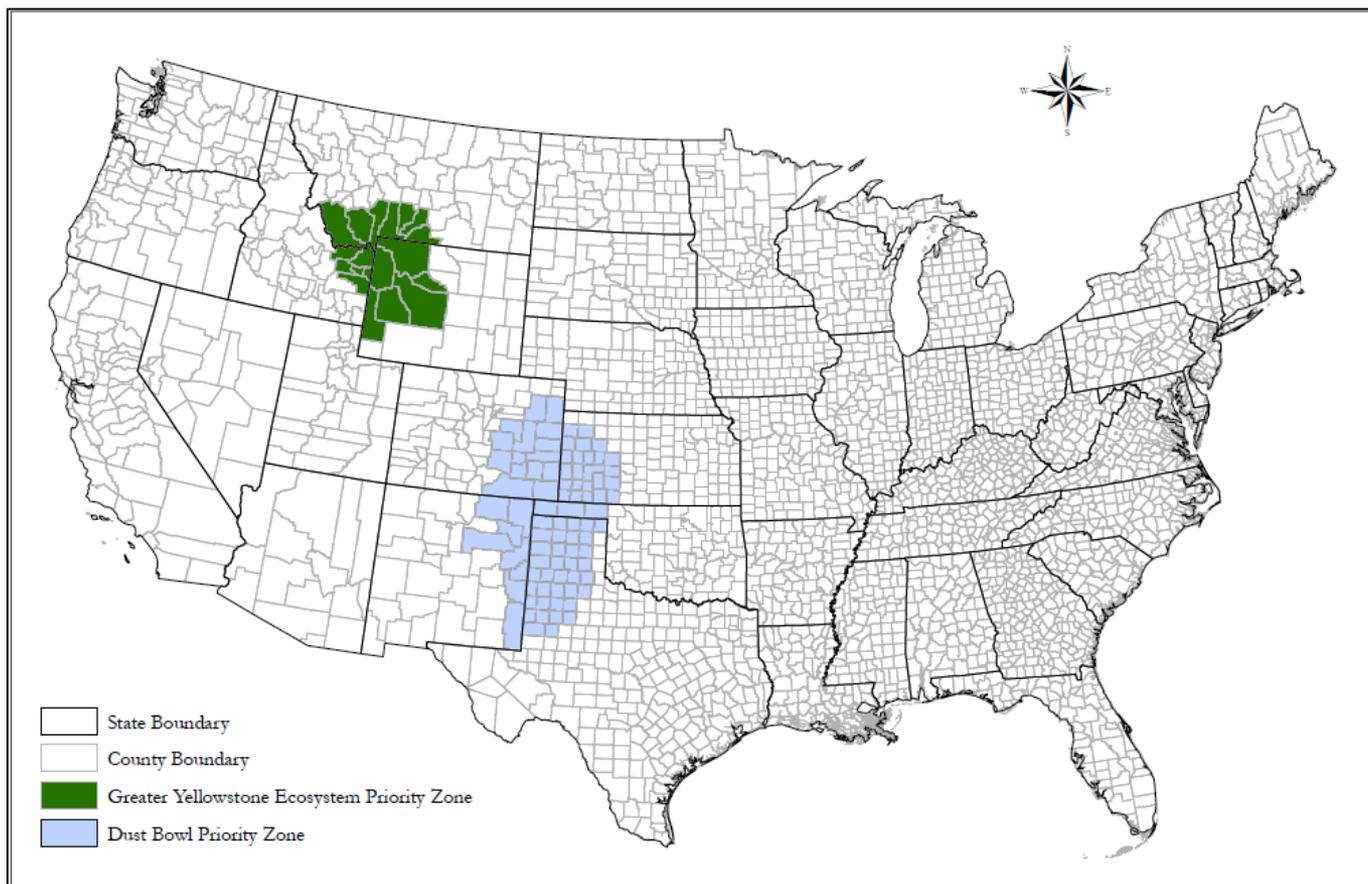
F5a - State CRP Wildlife Priority Zones (0 or 15 Points)



F5b – State Priority Grassland Zone (0 or 15 Points)



F5c – Grassland CRP National Priority Zones (0 or 15 Points)



F6- Small-Scale Livestock Operation (0 or 10 Points)

Producer certifies to:

- Grazing less than 140 animal units, and
- Offering less than 200 acres for grassland CRP



F7 – Cost Factors (0 to 25 points)

F7a – Maximum rental rate less than \$15, (0 or 15 points)

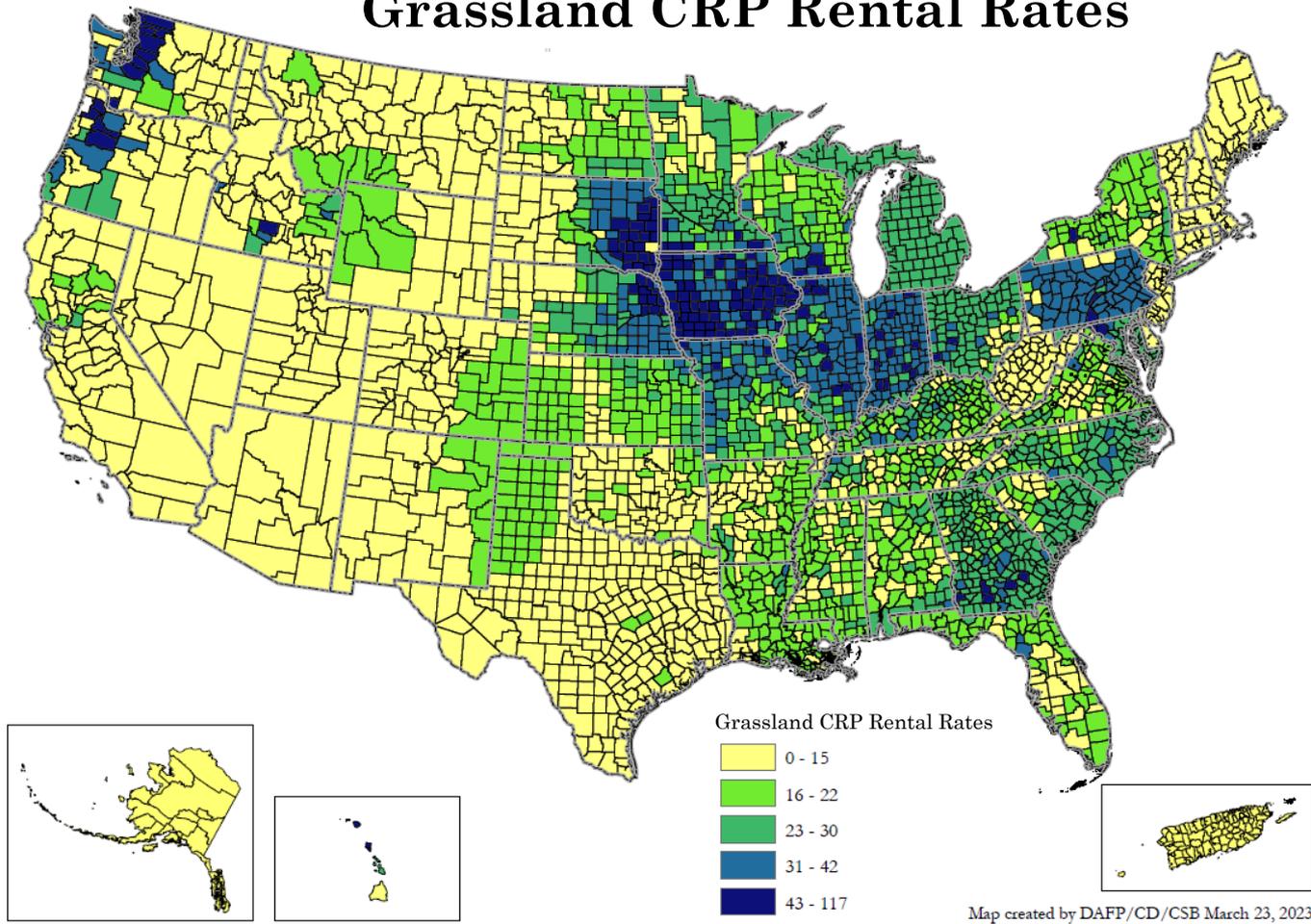
F7b - Offer less than maximum payment rate, (0-25 points)

F7a– Cost Factors (0 or 15 points)

Offers with maximum rental rates less than \$15 receive 15 points.



Grassland CRP Rental Rates



F7b– Cost Factors (0 to 25 points)

F7 points will be awarded for **whole percent** below the maximum payment rate, based on the following. Percentage values are **reduced** to a whole number.

Percent Below Maximum Payment Rate	F7 Point
1	2
2	4
3	6
4	8
5	10
6	12
7	14
8	16
9	18
10	20
11	21
12	22
13	23
14	24
>15	25

Conservation Reserve Enhancement Program (CREP)

- Component of CRP
- Partnership program
- Requires development of an agreement and Programmatic Environmental Assessment (PEA)
- 10-to-15-year CRP contracts
- Annual rental and cost share payments

Conservation Reserve Enhancement Program (CREP)

- Ability to negotiate provisions to differentiate from other CRP
- Not required for enrollment in grassland CRP
- Currently three CREP projects with Tribal Governments
 - Existing projects are grasslands based.
 - Other practice combinations could be utilized to meet goals.

Contact

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- **FSA Website:** fsa.usda.gov/crp
- **Farmers.gov:** farmers.gov/consERVE
- **Locate USDA Service Center:** farmers.gov
- **FSA Outreach:** fsa.usda.gov/outreach

Grasslands CRP Signup 205

