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July 9, 2003

**OKLAHOMA BULLETIN NO. OK440-3-14**

**SUBJECT: PGM – Grassland Reserve Program Information for Fiscal Year 2003**

**Purpose:** To provide field offices with the information necessary to communicate the availability of and policy for operating the Grassland Reserve Program in fiscal year 2003.

**Expiration Date:** September 30, 2003

**Action Required By August 1, 2003 – Close Evaluation Period**  
**Action Required By August 7, 2003 – Complete Ranking & Provide Report**

Secretary Veneman announced the availability of the Grassland Reserve Program (GRP) to all states beginning June 30, 2003. The Oklahoma NRCS Programs Section has been providing information to all field offices via email as the program has developed. Much of the policy remains in draft form. However, the nature of the program requires initiation of the application and evaluation process immediately to meet the obligation and reporting requirements established at the national level. The following enclosures are provided for use in program implementation this fiscal year:

- Notice of Fund Availability (NOFA)**. Published in the Federal Register on June 13, 2003, this provides the public notification of the availability of this program for this fiscal year. It includes the definitions, requirements, options, application process, priorities, and payment information for this fiscal year. This will serve as the short-term operational procedure for the program. A long-term procedure is being developed and will be released through the formal rulemaking process for 2004 and remainder of the Farm Bill.
- Press Release for Local Use**. The attached press release is an adaptation of Secretary Veneman's release. Please tailor to meet your local needs and coordinate the release with the local FSA office. District Conservationists, Tribal Resource Conservationists, and Tribal Liaisons will ensure broad distribution of this and other program related information.
- Application For Long-Term Contracted Assistance (AD-1153)**. The form has been revised to accommodate application for the GRP.
- Application Evaluation Criteria and Worksheet (7/08/2003)**. This criteria was developed in consultation with the Oklahoma State Technical Committee on July 2, 2003. These criteria reflect the priorities identified in the NOFA and will be used for the evaluation of applications for 2003 funding only. The evaluation criteria will be revised when the long-term GRP rules and policy are issued for FY2004.
- Warranty Easement Deeds [Forms CCC-1255-GRP-30 and CCC-1255-GRP (Permanent)]**. These forms are to be provided to landowners at the time of application for those requesting the 30-year or permanent easement options of the GRP, as appropriate. The copy provided at application is informational only. It will provide landowners with the details of the easement and requirements that will be placed on the land subject to successful enrollment in the GRP.

(MORE)

DIST: AO

- ❑ Grassland Reserve Program Contract [CCC-920 and Appendix (07-01-03)]. This form will be used to execute rental agreements for the GRP. Provide a copy of this form and appendix to applicants (operators and/or owners) enrolling in the rental agreement option.
- ❑ Conservation Programs Manual, Part 524, Grassland Reserve Program (DRAFT). This includes the draft policy guidance available to date for the GRP. Use as a reference document until the final document becomes available.
- ❑ Rental Rates Table. The table includes the county level rental rates developed by FSA for calculating annual rental payments for GRP rental agreements. Use this table to calculate the total projected cost of the rental agreement.
- ❑ Estimated Easement Acquisition Costs. This table includes the ESTIMATED cost of acquiring easements by county for permanent and 30-year easements. These are only estimates and are to be used for calculating the estimated easement acquisition costs for the application. Final easement prices will be determined by an appraiser for the specific property and may vary considerably from this table. The numbers in this table are for program planning purposes only and do not represent a purchase price for any application. DO NOT represent this number to the landowner in any form that would indicate a value specific to their easement.
- ❑ Fact Sheet, Key Points, and Q&A. These information products are available on the web at:  
<http://www.nrcs.usda.gov/programs/farmbill/2002/pdf/GRPFct.pdf>  
<http://www.nrcs.usda.gov/programs/farmbill/2002/pdf/GRPKyPt.pdf>  
<http://www.nrcs.usda.gov/programs/farmbill/2002/pdf/GRPQnA.pdf>
- ❑ Practice and Cost List. Includes the practices, average costs, and cost share rates for restoration agreements under the Grassland Reserve Program. Applications for easements and rental agreements that include restoration are allowed, but do receive lesser points in the evaluation process. Restoration does not include returning cropland back to grass. Cropland is ineligible for enrollment in GRP.

The implementation schedule is as follows:

Announce and accept applications for GRP	June 30–August 1, 2003
Finalize ranking of all applications and report to NRCS State Office	August 7, 2003
Report enrollment data to NHQ (State Office)	August 8, 2003
Select and Notify Applicants and Field Offices	August 15, 2003
Obligate Allocation in Contracts or Easements	September 30, 2003

Initiate implementation actions on the GRP immediately. Refer any questions to your respective Program Liaison or to the Programs Section.

/s/

M. DARREL DOMINICK  
State Conservationist

Enclosures

**GRASSLAND RESERVE PROGRAM  
 CRITERIA WORKSHEET**

Participant: \_\_\_\_\_

Application No.: \_\_\_\_\_

Land being offered is currently being utilized as a grazing operation or hayland (excluding alfalfa or annual hay species) and is 40 ac. or larger in size. The land includes grasslands; land that contains forbs; shrubland, including improved rangeland and pastureland; or land that is located in an area that has been historically dominated by grassland, forbs, forbs and shrubland when these lands have the potential to enhance plant and animal biodiversity. Yes  No  [If "Yes" continue. If "no", discontinue ranking and notify the applicant the land is ineligible for the Grassland Reserve Program.]

Type of GRP agreement offered (check one): Rental Agreements  10-year  15-year  20-year  30-year  
 Easement  30-year  Permanent

Summary of offered land (Land types other than rangeland, pastureland and grazed forest are not eligible to be offered or enrolled):

Enter nearest whole acre

Total acres offered \_\_\_\_\_ ac.

Acres of native cover (native sod—never been tilled) \_\_\_\_\_ ac.

Acres needing restoration \_\_\_\_\_ ac.

Enter to nearest whole dollar

Estimated restoration costs \$ \_\_\_\_\_ (Total cost share required for restoration)

Estimated total cost of rental agreement \$ \_\_\_\_\_ (Annual rental x total acres x length of contract)

Estimated total cost of easement \$ \_\_\_\_\_ (Estimated easement cost x total acres)

EVALUATION CRITERIA	Circle Correct Value	Score
<b>A. THREATS TO CONVERSION – must total at least 55% of total application points</b>		
<b>1) Threat to conversion – urban land</b> [If offered land is predominate cover of native rangeland ( $\geq 75\%$ ), <u>multiply points times two.</u> DO NOT award points for land inside corporate city limits regardless of county listed.]		
Land is located in one or more listed counties (Canadian, Carter, Cleveland, Comanche, Craig, Creek, Garfield, Grady, Kingfisher, Lincoln, Logan, McClain, Osage, Muskogee, Nowata, Pottawatomie, Oklahoma, Okmulgee, Rogers, Tulsa, Wagoner, and Washington counties)	50	
Land is located in one or more listed counties (Bryan, Garvin, Love, Kay, Mayes, Murray, Noble, Okfuskee, Pawnee, and Payne counties)	25	
Land is not located in listed counties	0	
[If offered land is predominate cover of native rangeland ( $> 75\%$ ), <u>multiply points times two.</u> ]	<b>Score</b>	
<b>2) Threat to conversion – large scale utility development</b> [Land is identified as location for wind farm – OWPI Neural Network reference map with excellent wind resource potential.]		
Land is located on reference map - $\geq 50\%$ of acres	30	
Land is not located on reference map or $< 50\%$ of the land offered in an identified area.	0	
[If offered land is predominate cover of native rangeland ( $> 75\%$ ), <u>multiply points times two.</u> ]	<b>Score</b>	
<b>3) Threat to conversion - cultivation</b> [Percent of offered grassland suitable for cultivation. Percent of offer with soil map units having non-irrigated cropland capability classes I and II. If soil map units have predominate cover of native rangeland ( $\geq 75\%$ ), <u>multiply points times two.</u> ]		
75% or greater of the offered acres in cropland capability class I and II	10	
50% – 74% of the offered acres in cropland capability class I and II	5	
Less than 50% of the offered acres in cropland capability class I and II	0	
[If offered land is predominate cover of native rangeland ( $> 75\%$ ), <u>multiply points times two.</u> ]	<b>Score</b>	
<b>4) Threat to conversion - invasive plants</b> [Area must have presence of, or adjacent to land with invasive species present. Musk thistle, sericea lespedeza, salt cedar ( <i>Tamarix spp.</i> ) and juniper.]		
Species not present or less than 30% of offered acres impacted	15	
Species present on offered acres at 30 - 50% of offered acres impacted	10	
Species present on offered acres at 51 - 75% of offered acres impacted	5	
Species present at $\geq 76\%$ of offered acres impacted	0	
<b>Score</b>		
<b>Total points for threat to conversion (A.1.+A.2.+ A.3.+A.4.= Total) Maximum allowed is 165 points.</b>		<b>Total Score A.</b>
<b>Calculate maximum points allowed for non-conversion considerations</b> [(Total of all A items/.55) x .45 = max. allowed points in section B.] Maximum allowed 135 points out of a possible 300.		<b>Maximum Allowable Points for Category B.</b>



## GUIDANCE FOR RANKING GRP APPLICATIONS

The following guidance is effective beginning July 7, 2003, and will be used for evaluating all GRP applications for funding in fiscal year 2003 (June 30, 2003 through Sept 30, 2003):

### EVALUATION CRITERIA

**The use of the terms native cover, native grassland, or native rangeland in this worksheet refers to land possessing native grasses, forbs and shrubs, that have never been plowed or otherwise manipulated by tillage or other similar activity.**

**A. THREATS TO CONVERSION – The GRP Notice of Fund Availability (NOFA) requires priority consideration be given to grasslands under the greatest threat of conversion. The identified threats include urbanization, cultivation, and loss of plant and animal biodiversity.**

#### 1) Threat to conversion – urban land

Assign points in this category for land located in the counties identified in the 1997 NRI as land having greatest expansion of urban build-up 1982-1997. The identified counties are listed and include five major metropolitan areas of Oklahoma and certain other counties experiencing fragmented corridor development. Nowata and Craig counties are represented due to the predominance of tall grass prairie being fragmented by “ranchette” development. Grazing lands ineligible to receive points in this category are lands residing within the corporate city limits and easement land that will include reserved land for future permanent structures except as defined in the following. Easement offers may include land reserved from easement not to exceed 1 – 2 acre area per 640 acres of offered land. If 75% or greater of the offered acres is native grassland, multiply the score times two.

#### 2) Threat to conversion – wind farms

Assign points to this category when at least 50% of the offered acres is located in an area identified as excellent resource potential on the Oklahoma Wind Power Initiative (OWPI) Neural Network Computer Model Map 02/22/02. The map is available at <http://www.seic.okstate.edu/owpi/WindRes/owrc.htm>.

#### 3) Threat to conversion – cultivation

Assign points under this category based on the percent of the offered acres with soil map units having desirable classification for conversion to cropland. Cropland is not eligible for enrollment in the GRP. However, there are many acres of grassland, native and introduced, that could be converted to cropland with minimal land treatment costs by the land holders. The soil map units with the greatest potential for cropland conversion have a non-irrigated cropland capability classification of class I or II. These classifications are recorded in Section 2 of the Field Office Technical Guide, Cropland Interpretations, Land Capability and Yields per Acre of Crops Report. These tables can be accessed in the local Field Office or at [http://www.ok.nrcs.usda.gov/technical/soils/county\\_files/index.html](http://www.ok.nrcs.usda.gov/technical/soils/county_files/index.html). If the offered cover on at least 75% of the class I and II land is historic native grasslands, multiply the assigned points by two.

#### 4) Threat to conversion – invasive plants

Assign points under this category based on the percent of offered acres covered by the targeted invasive plant species. The specie(s) **must** be present on the offered land or the land immediately adjacent to the offered land must be infested at a concentration that poses an imminent threat to the offered acres. If the specie is not present on the offered acres or adjacent property score zero points. Targeted species for this evaluation period include junipers, salt cedar (*Tamarix spp.*), musk thistle, and sericea lespedeza. Participants will be required to remove and maintain the control of these species for the life of the agreement. Restoration cost-share may be available for the initial treatment within two years of enrollment in the GRP. Following the initial treatment the participant will have to maintain the population of these plants at or below a 15% plant composition for the field in which they are present.

**B. Non-Conversion Evaluation Considerations. The criteria in this section will be used to further evaluate applications that provide the greatest support to existing grazing operations and enhance the biodiversity through protection of the grassland resource. For the FY2003 NOFA, emphasis is placed on grasslands that do not require restoration cost-share assistance.**

#### 1) Enrollment options selected by the applicant

Assign points in this category based on the enrollment option selected by the participant. The points are weighted to the enrollment options providing the greatest long-term protection of the grassland resource.

#### 2) Acres of grazing lands to be protected, restored, or enhanced

Area enrolled will have Prescribed Grazing (528A) &/or Forage Harvest Management (511) planned and maintained in the conservation plan for the life of the agreement/easement. Exclusion from easements may not exceed one (1) undeveloped two (2) ac. site per 640 acres offered. Points are awarded to give preference for physical site conditions and ownership patterns that offer a likelihood that the site will retain its habitat function and values.

3) Proximity of area offered to other protected areas such as refuges, wildlife management areas, national forests, natural areas, and permanent conservation easements

Proximity to other protected grassland areas will be as measured from the closest point on the edge of the offered acreage. Other protected areas must be at least 2,500 acres in size to allow points in this category. Land enrolled in the CRP or WRP 10-year restoration agreements **do not qualify** as other protected areas for wildlife habitat under this category. WRP 30-year and perpetual easements can be considered as protected habitat areas.

4) Area offered includes predominately native rangeland and prairies

Assign points for the percent of offered land that is native grasslands that have never been tilled or re-established by planting. Abandoned cropland fields that have established native plants through natural regeneration, native range plantings, trees and introduced grasses do not contribute to the 75% criteria.

5) Area Offered Will Include Restoration or Enhancement of Stream Corridors/Riparian Zones

Assign points under this category when a stream and adjacent buffer will be protected from livestock grazing or encroachment from cropping, by fencing or use exclusion. Areas within the protected corridor/riparian area will be established to native vegetation by either natural regeneration or by planting grasses, trees, or shrubs as determined on site by NRCS field staff in consultation with the applicant. Minimum widths of protected corridors/riparian areas will be in accordance with the Standard and Specification for Riparian Forest Buffer (391). Limited summer grazing that avoids nesting and fawning seasons and allows for fall re-growth can be planned as a wildlife management practice where habitat benefits would be achieved. Tree plantings will have livestock excluded for the entire period of establishment. Score this category only when all streams are protected and restored. Streams for this criterion are perennial streams as defined and designated on USGS topographic maps. If no perennial streams are present on the offered acres score no points in this category.

6) Critical habitat for at-risk wildlife or protection of threatened plant species

Assign points only when the at-risk wildlife specie(s), Greater prairie chicken, Lesser prairie chicken, and Black-tailed prairie dog, are known to be present on the offered acres. Conservation practices will be installed and maintained to the habitat needs of the specie(s). We can never be sure that the targeted species will utilize habitats maintained or enhanced by conservation practices, but we can insure that the practices will provide all or part of the habitat requirements of the species. Be sure that the wildlife habitat improvement plan will provide habitat that is suitable for use by the targeted species before assigning points under this category.

7) Cost Per Acre for Restoration

Use only the acres that are directly benefited by cost-share practices or management practices specifically implemented for grazing land restoration when calculating the cost per acre. As an example: The landowner wants to develop a GRP plan on part of a 640-acre tract of rangeland. The plan consists of constructing a 2-acre farm pond and fencing another 10 acres of riparian buffer to exclude livestock. The total benefited area will be 12 acres. In this situation, all of the cost for constructing the pond, installing a freeze-proof tank, and fencing the area should be divided by the 12 acres included in the plan. Do not divide the cost by the entire 160 acres within the tract. However, if the same landowner also planned to construct a firebreak and use prescribed burning as a management tool on the entire tract, the cost of all practices should be divided by 640 acres. The acres used for calculating the cost per acre are crucial in assigning points under this category. Be sure the correct procedures are used.

**GRASSLAND RESERVE PROGRAM  
RENTAL RATES  
Fiscal Year 2003**

County	GRP Rental Rates
Adair	\$8.75
Alfalfa	\$8.75
Atoka	\$7.75
Beaver	\$7.00
Beckham	\$7.50
Blaine	\$8.25
Bryan	\$7.88
Caddo	\$8.25
Canadian	\$8.25
Carter	\$7.50
Cherokee	\$9.25
Choctaw	\$7.75
Cimarron	\$6.00
Cleveland	\$8.38
Coal	\$7.88
Comanche	\$7.75
Cotton	\$7.50
Craig	\$11.50
Creek	\$8.75
Custer	\$7.88
Delaware	\$10.00
Dewey	\$7.75
Ellis	\$7.50
Garfield	\$8.88
Garvin	\$7.75
Grady	\$8.25
Grant	\$8.75
Greer	\$7.50
Harmon	\$7.50
Harper	\$7.50
Haskell	\$7.75
Hughes	\$8.25
Jackson	\$7.50
Jefferson	\$7.50
Johnston	\$7.75
Kay	\$9.50
Kingfisher	\$8.25
Kiowa	\$7.75
Latimer	\$7.75
LeFlore	\$8.13
Lincoln	\$8.25
Logan	\$8.25
Love	\$7.50
McClain	\$8.50
McCurtian	\$7.88
McIntosh	\$8.25
Major	\$8.25
Marshall	\$7.75
Mayes	\$10.00
Murray	\$7.75
Muskogee	\$8.25

County	GRP Rental Rates
Noble	\$9.25
Nowata	\$10.50
Okfuskee	\$8.25
Oklahoma	\$8.25
Okmulgee	\$8.25
Osage	\$10.00
Ottawa	\$11.50
Pawnee	\$9.75
Payne	\$8.25
Pittsburg	\$7.88
Pontotoc	\$7.75
Pottawatomie	\$8.50
Pushmataha	\$7.75
Roger Mills	\$7.50
Rogers	\$10.00
Seminole	\$8.25
Sequoyah	\$8.50
Stephens	\$7.75
Texas	\$6.50
Tillman	\$7.63
Tulsa	\$9.25
Wagoner	\$9.25
Washington	\$10.50
Washita	\$7.88
Woods	\$8.25
Woodward	\$7.75

### Grassland Reserve Program

Estimated Permanent and 30-Year Per Acre Easement Values  
(7 % Interest Rate)

			Pasture	Oklahoma	Oklahoma	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated
		Oklahoma	Sales	Pasture	Pasture	Fair	Annual	Perpetuity	30-Year	Permanent	30-Year
FIPS	County	Land Value	Per Acre	Rental Rate	Rental	Market	Grazing	Grazing	Grazing	Easement	Easement
A	B	Regions	2001	Regions	Rates	Value	Value	Value	Value	Value	Value
		C	D	E	F	G	H	I	J	K	L
40001	ADAIR	East Northeast	\$ 857	East	\$ 10.57	\$ 857	\$ 10.57	\$ 151	\$ 131	\$ 706	\$ 218
40003	ALFALFA	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40005	ATOKA	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40007	BEAVER	Panhandle	\$ 272	Northwest	\$ 7.67	\$ 272	\$ 7.67	\$ 110	\$ 95	\$ 162	\$ 53
40009	BECKHAM	Southwest	\$ 251	Southwest	\$ 9.86	\$ 251	\$ 9.86	\$ 141	\$ 122	\$ 110	\$ 39
40011	BLAINE	West-Northwest	\$ 483	Northwest	\$ 7.67	\$ 483	\$ 7.67	\$ 110	\$ 95	\$ 373	\$ 116
40013	BRYAN	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40015	CADDO	South Central	\$ 604	Southwest	\$ 9.86	\$ 604	\$ 9.86	\$ 141	\$ 122	\$ 463	\$ 144
40017	CANADIAN	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40019	CARTER	South Central	\$ 604	Southwest	\$ 9.86	\$ 604	\$ 9.86	\$ 141	\$ 122	\$ 463	\$ 144
40021	CHEROKEE	East Northeast	\$ 857	East	\$ 10.57	\$ 857	\$ 10.57	\$ 151	\$ 131	\$ 706	\$ 218
40023	CHOCTAW	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40025	CIMARRON	Panhandle	\$ 272	Northwest	\$ 7.67	\$ 272	\$ 7.67	\$ 110	\$ 95	\$ 162	\$ 53
40027	CLEVELAND	South Central	\$ 604	Southwest	\$ 9.86	\$ 604	\$ 9.86	\$ 141	\$ 122	\$ 463	\$ 144
40029	COAL	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40031	COMANCHE	Southwest	\$ 251	Southwest	\$ 9.86	\$ 251	\$ 9.86	\$ 141	\$ 122	\$ 110	\$ 39
40033	COTTON	Southwest	\$ 251	Southwest	\$ 9.86	\$ 251	\$ 9.86	\$ 141	\$ 122	\$ 110	\$ 39
40035	CRAIG	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40037	CREEK	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40039	CUSTER	West-Northwest	\$ 483	Northwest	\$ 7.67	\$ 483	\$ 7.67	\$ 110	\$ 95	\$ 373	\$ 116
40041	DELAWARE	East Northeast	\$ 857	East	\$ 10.57	\$ 857	\$ 10.57	\$ 151	\$ 131	\$ 706	\$ 218
40043	DEWEY	West-Northwest	\$ 483	Northwest	\$ 7.67	\$ 483	\$ 7.67	\$ 110	\$ 95	\$ 373	\$ 116
40045	ELLIS	West-Northwest	\$ 483	Northwest	\$ 7.67	\$ 483	\$ 7.67	\$ 110	\$ 95	\$ 373	\$ 116
40047	GARFIELD	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40049	GARVIN	South Central	\$ 604	Southwest	\$ 9.86	\$ 604	\$ 9.86	\$ 141	\$ 122	\$ 463	\$ 144
40051	GRADY	South Central	\$ 604	Southwest	\$ 9.86	\$ 604	\$ 9.86	\$ 141	\$ 122	\$ 463	\$ 144
40053	GRANT	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40055	GREER	Southwest	\$ 251	Southwest	\$ 9.86	\$ 251	\$ 9.86	\$ 141	\$ 122	\$ 110	\$ 39
40057	HARMON	Southwest	\$ 251	Southwest	\$ 9.86	\$ 251	\$ 9.86	\$ 141	\$ 122	\$ 110	\$ 39
40059	HARPER	West-Northwest	\$ 483	Northwest	\$ 7.67	\$ 483	\$ 7.67	\$ 110	\$ 95	\$ 373	\$ 116
40061	HASKELL	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40063	HUGHES	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40065	JACKSON	Southwest	\$ 251	Southwest	\$ 9.86	\$ 251	\$ 9.86	\$ 141	\$ 122	\$ 110	\$ 39

### Grassland Reserve Program

**Estimated Permanent and 30-Year Per Acre Easement Values  
(7 % Interest Rate)**

			Pasture	Oklahoma	Oklahoma	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated
		Oklahoma	Sales	Pasture	Pasture	Fair	Annual	Perpetuity	30-Year	Permanent	30-Year
		Land Value	Per Acre	Rental Rate	Rental	Market	Grazing	Grazing	Grazing	Easement	Easement
FIPS	County	Regions	2001	Regions	Rates	Value	Value	Value	Value	Value	Value
A	B	C	D	E	F	G	H	I	J	K	L
40067	JEFFERSON	South Central	\$ 604	Southwest	\$ 9.86	\$ 604	\$ 9.86	\$ 141	\$ 122	\$ 463	\$ 144
40069	JOHNSTON	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40071	KAY	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40073	KINGFISHER	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40075	KIOWA	Southwest	\$ 251	Southwest	\$ 9.86	\$ 251	\$ 9.86	\$ 141	\$ 122	\$ 110	\$ 39
40077	LATIMER	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40079	LE FLORE	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40081	LINCOLN	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40083	LOGAN	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40085	LOVE	South Central	\$ 604	Southwest	\$ 9.86	\$ 604	\$ 9.86	\$ 141	\$ 122	\$ 463	\$ 144
40093	MAJOR	West-Northwest	\$ 483	Northwest	\$ 7.67	\$ 483	\$ 7.67	\$ 110	\$ 95	\$ 373	\$ 116
40095	MARSHALL	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40097	MAYES	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40087	MCCLAIN	South Central	\$ 604	Southwest	\$ 9.86	\$ 604	\$ 9.86	\$ 141	\$ 122	\$ 463	\$ 144
40089	MCCURTAIN	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40091	MCINTOSH	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40099	MURRAY	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40101	MUSKOGEE	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40103	NOBLE	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40105	NOWATA	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40107	OKFUSKEE	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40109	OKLAHOMA	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40111	OKMULGEE	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40113	OSAGE	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40115	OTTAWA	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40117	PAWNEE	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40119	PAYNE	North Central	\$ 842	North Central	\$ 11.72	\$ 842	\$ 11.72	\$ 167	\$ 145	\$ 675	\$ 209
40121	PITTSBURG	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40123	PONTOTOC	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40125	POTTAWATOMIE	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40127	PUSHMATAHA	Southeast	\$ 612	East	\$ 10.57	\$ 612	\$ 10.57	\$ 151	\$ 131	\$ 461	\$ 144
40129	ROGER MILLS	Southwest	\$ 251	Northwest	\$ 7.67	\$ 251	\$ 7.67	\$ 110	\$ 95	\$ 141	\$ 47
40131	ROGERS	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162

### Grassland Reserve Program

**Estimated Permanent and 30-Year Per Acre Easement Values  
(7 % Interest Rate)**

			Pasture	Oklahoma	Oklahoma	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated
		Oklahoma	Sales	Pasture	Pasture	Fair	Annual	Perpetuity	30-Year	Permanent	30-Year
		Land Value	Per Acre	Rental Rate	Rental	Market	Grazing	Grazing	Grazing	Easement	Easement
FIPS	County	Regions	2001	Regions	Rates	Value	Value	Value	Value	Value	Value
A	B	C	D	E	F	G	H	I	J	K	L
40133	SEMINOLE	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40135	SEQUOYAH	East Northeast	\$ 857	East	\$ 10.57	\$ 857	\$ 10.57	\$ 151	\$ 131	\$ 706	\$ 218
40137	STEPHENS	South Central	\$ 604	Southwest	\$ 9.86	\$ 604	\$ 9.86	\$ 141	\$ 122	\$ 463	\$ 144
40139	TEXAS	Panhandle	\$ 272	Northwest	\$ 7.67	\$ 272	\$ 7.67	\$ 110	\$ 95	\$ 162	\$ 53
40141	TILLMAN	Southwest	\$ 251	Southwest	\$ 9.86	\$ 251	\$ 9.86	\$ 141	\$ 122	\$ 110	\$ 39
40143	TULSA	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40145	WAGONER	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40147	WASHINGTON	Northeast	\$ 671	East	\$ 10.57	\$ 671	\$ 10.57	\$ 151	\$ 131	\$ 520	\$ 162
40149	WASHITA	Southwest	\$ 251	Southwest	\$ 9.86	\$ 251	\$ 9.86	\$ 141	\$ 122	\$ 110	\$ 39
40151	WOODS	West-Northwest	\$ 483	Northwest	\$ 7.67	\$ 483	\$ 7.67	\$ 110	\$ 95	\$ 373	\$ 116
40153	WOODWARD	West-Northwest	\$ 483	Northwest	\$ 7.67	\$ 483	\$ 7.67	\$ 110	\$ 95	\$ 373	\$ 116

- A Federal Information Processing Standards Code
- B Oklahoma Counties
- C Groups of Oklahoma Counties displayed in the Source Publication (D below).
- D Oklahoma Land Values 1971 - 2001, Darrel Kletke, Department of Agricultural Economics, Oklahoma State University, for the Oklahoma Chapter, American Society of Farm Managers and Rural Appraisers, October 25, 2002.
- E Groups of Oklahoma Counties displayed in the Source Publication (F below).
- F Dollars Per Acre Per Year from Oklahoma Pasture Rental Rates: 2002-2003, Damona Doye, Darrel Kletke, Bart L. Fischer, OSU Extension and Department of Agricultural Economics, Oklahoma State University.
- G Estimated Fair Market Value equals Average of 2001 Pasture Land Sales by Oklahoma Region.
- H Estimated Annual Grazing Values equals the Average of Pasture Rental Rates in Oklahoma Pasture Rental Rate Regions.
- I Present Value of an Annuity of 1 Per Year in Perpetuity at 7 Percent Interest (14.28571) times Estimated Fair Market Value of Land.
- J Present Value of an Annuity of 1 Per Year for 30-Years at 7 Percent Interest (12.40904) times Estimated Fair Market Value of Land.
- K Estimated Fair Market Value of Land minus Estimated Perpetuity Grazing Value
- L Estimated Fair Market Value of Land minus Estimated 30-Year Grazing Value times 30 Percent.

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### Grassland Reserve Program

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Notice of availability of program funds for the Grassland Reserve Program.

**SUMMARY:** The Commodity Credit Corporation (CCC) announces the availability of \$49,492,000 to implement the Grassland Reserve Program (GRP) in fiscal year 2003. Section 2401 of the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) amended the Food Security Act of 1985 to authorize this program. The Secretary of Agriculture delegated the authority to administer GRP on behalf of the CCC, to the Administrator, Farm Service Agency (FSA) and the Chief, Natural Resources Conservation Service (NRCS). These agency leaders are officers of the CCC.

Although this notice applies only to funds made available in FY2003, CCC will, at a later date, issue a regulation for FY 2004 through FY 2007 program implementation. The rule will address and seek comment on a number of issues including: the process for establishing program priorities and criteria; the administration of easements and long-term contracts; the process of allocating and focusing funding at State and local levels; and the process for private organizations and State agencies to apply to hold and enforce GRP easements.

**DATES:** Funds will be available from June 30, 2003 through September 30, 2003.

**ADDRESSES:** Address all comments to Charles Whitmore, Acting Director, Conservation Operations Division, Natural Resources Conservation Service, P.O. Box 2890, Washington, DC 20013, (202) 720-1845, fax 202-720-4265; Submit electronic comments to

*FarmBillRules@usda.gov*; Attn: Grassland Reserve Program.

**FOR FURTHER INFORMATION CONTACT:**

Leslie Deavers, Watersheds and Wetlands Division, Natural Resources Conservation Service, P.O. 2890, Washington, DC 20013, (202) 720-1067, fax (202) 720-2143, e-mail: *leslie.deavers@usda.gov*.

**SUPPLEMENTARY INFORMATION:**

Grasslands constitute the largest land cover on America's private lands. Privately-owned grasslands and shrublands cover more than 525 million acres in the United States. These lands contribute significantly to the economies of many regions, provide biodiversity of plant and animal populations, and play a key role in environmental quality. Specifically, grasslands and shrublands impact water quantity and quality and, when properly managed, can result in cleaner water supplies, healthy riparian areas, reduce potential for flooding, and control sediment loadings in streams and other water bodies. These lands are vital for the production of forage for domestic livestock, and provide forage and habitat for maintaining healthy wildlife populations. These lands also improve the aesthetic character of the landscape, provide scenic vistas and open space, provide recreational opportunities, and protect the soil from water and wind erosion.

Large expanses of grassland acreage are annually threatened by conversion to other land uses such as cropland and urban development. Approximately 23 million acres of grassland and shrubland were converted to cropland between 1982 and 1997, and about six million acres were converted to urban and other uses (1997 NRI).

#### Background

Section 2401 of the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) amended the Food Security Act of 1985 to authorize GRP (16 U.S.C. 3838n-3838q). The purpose of the program is to assist landowners with restoring and conserving grassland, rangeland, pastureland, and certain other lands. The statute provides that no more than two million acres of restored or improved grassland, rangeland, and pastureland can be enrolled in the program through FY 2007. The program offers landowners the option to grant an easement to the Secretary or enter into

a long-term agreement to preserve and protect the ecological benefits of eligible land.

The GRP statute requires the Secretary to consider grazing operations, biodiversity, and grassland under the greatest threat of conversion when evaluating and ranking applications. In FY 2003, CCC plans to use GRP to protect grazing lands from conversion and support efforts to maintain or enhance biodiversity.

Although CCC is implementing the program nationwide in FY2003, it recognizes that with limited funding and large pool of eligible acreage, nationwide implementation may result in a large number of applications remaining unfunded. Therefore, the application selection criteria are critical to ensure only the highest priority areas are protected.

#### Definitions

For the purposes of this notice, the following definitions apply.

*Conservation plan* means a record of the decisions, and supporting information, for the conservation treatment of a unit of land or water. The conservation plan includes the schedule of operations, activities, and estimated expenditures, if needed to solve identified natural resource concerns.

*Eligible applicant* means the landowner(s) for easement applications because only a landowner can transfer land rights. Easement applications will only be considered when the applicant can provide evidence of ownership. For annual rental agreements, eligible applicant means both landowners and operators who have evidence of control of the land for the agreement period.

*Eligible practices* means any practice identified in the NRCS Field Office Technical Guide (FOTG) that enhances or restores native grasses, forbs, or shrubs as determined by the NRCS State Conservationist.

*Fair market value* for easement acquisition means the amount determined through a real property appraisal that will be used to calculate the offer to the participant. Fair market value is the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and

reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at the time of the appraisal. For the purposes of GRP, the fair market value will be determined by an appraisal, or other method determined reasonable by CCC, less the grazing value. Grazing values will be determined by CCC based on appraised grazing values.

*Forb* means any herbaceous plant other than those in the grass family.

*Grassland* means land on which the vegetation is dominated by grasses, grass-like plants and/or forbs.

*Grazing values* for rental agreements will be determined by CCC based on local prevailing grazing values.

*Rangeland* means land on which the native vegetation (climax or natural potential) is predominantly grasses, grass-like plants, forbs, or shrubs suitable for grazing or browsing use. Rangelands include natural grassland, savannas, most deserts, tundra, alpine plant communities, coastal marshes, wet meadows and introduced plant communities managed like rangeland.

*Restored grassland* means acreage restored from cropland, non-native grasses, or some other vegetative cover to native grass, forbs or shrubs. When native seed is not available, plants that provide similar functions and values for the intended use are permitted.

*Shrubland* means a type of rangeland dominated by small woody perennial plants.

### Program Requirements

Effective upon the publication date of this notice, CCC announces the availability of \$49,942,000 for GRP, from June 30, 2003 until September 30, 2003. Applications for participation will be accepted on a continual basis throughout this period at local USDA Service Centers from landowners of private land. NRCS State Conservationists will establish funding cut-off periods throughout FY 2003 to batch and select applications. These cut-off periods will be available in program outreach material provided by CCC. Once funding levels have been exhausted, eligible applicants will remain on file until additional funding becomes available or the applicant chooses to be removed from consideration.

GRP contracts and easements prohibit: (1) The production of crops (other than hay), fruit trees, vineyards, or any other agricultural commodity that requires breaking the soil surface; and (2) any other activity that would disturb the surface of the land except for

appropriate land management activities identified in the easement or agreement. For applicants who are interested in restoring grasslands, forbs, and shrublands, the program offers an opportunity to enroll in restoration agreements.

The GRP statute provides that eligible land includes grasslands; land that contains forbs; shrubland, including improved rangeland and pastureland; or, land that is located in an area that has been historically dominated by grassland, forbs or shrubland when these lands have the potential to enhance plant and animal biodiversity. Other eligible land includes land that is incidental to the eligible land when it is considered necessary by CCC for the efficient administration of an agreement or easement.

Applicants may submit applications for easements, rental agreements, and restoration agreements. Offers for participation must include no less than 40 contiguous acres, unless CCC determines a small parcel is appropriate to achieve the purposes of the program. When selecting offers of eligible lands, CCC shall emphasize support for grazing operations; plant and animal biodiversity; and other eligible land under the greatest threat of conversion. The conversion threat may include conversion to agriculture or non-agriculture uses.

Pursuant to section 1604 of the Farm Security and Rural Investment Act of 2002, benefits under this part shall not be available to a person whose adjusted gross income exceeds \$2.5 million, as determined under the standards set forth in 7 CFR part 1400.

### Enrollment Options

The GRP offers applicants multiple enrollment options. Landowners may submit applications for permanent easements or 30-year easements. Landowners and others who have general control of the acreage being offered may submit applications for 10-year, 15-year, 20-year, or 30-year rental agreements. Each enrollment option permits: (1) Common grazing practices, including maintenance and necessary cultural practices, that are consistent with maintaining the viability of grassland, forb and shrub species common to the local area; (2) haying, mowing, or harvesting for seed production, subject to certain restrictions, such as restrictions during the nesting season of bird species that are in significant decline or those that are required to be protected under Federal or State law, as determined by NRCS or its designee; and (3) fire rehabilitation and the construction of

fire breaks and fences. Participants will be required to follow a conservation plan, developed by NRCS or its designee, and the participant, to preserve the integrity of the grassland enrolled in the program.

For easement offers, land is considered enrolled after CCC makes a tentative offer of acceptance, and the landowner signs an intent to continue in the program. For rental agreement offers, the land is considered enrolled after a GRP contract is approved by CCC.

### Additional Requirements for Easements

CCC shall use a standard easement deed that is available on-line at <http://www.sc.egov.usda.gov>.

In addition to the requirements identified in the "Program Requirements" section, landowners who participate in an easement enrollment option agree to:

- (1) Provide written statement of consent to the easement signed by persons holding a security interest or any vested interest in the land;
- (2) Provide proof of clear title;
- (3) Comply with other terms of the easement; and
- (4) Provide access to NRCS or its representative for easement administration and monitoring activities on the property.

### Funding Allocations

The GRP statute requires that of the total amount of funds expended under the program to acquire easements and rental agreements, 60 percent of the program funds are to be used for easements and 30-year agreements and 40 percent of the funds are to be used for 10-year, 15-year, and 20-year rental agreements.

CCC may divide the \$49,942,000 into two equal pools. Fifty percent of the funds will be distributed to the USDA State office in proportion to the number of grazing operations, the acres of pasture and rangeland under the threat of conversion, and biodiversity considerations. The remaining funds may be held in a national reserve. This reserve will be distributed after program demand, expressed in terms of the number of applicants, acres, and estimated cost to enroll the land, and, ecological considerations, such as biodiversity and threat of grassland conversion, are known. If the State office is unable to use its allocation, CCC may redistribute funds to other States that can obligate the funds to eligible projects prior to September 30, 2003.

### Application Process

CCC will consider for funding under this notice applications received throughout FY 2003. USDA will widely distribute information on the availability of assistance through GRP, State, and National goals, and information needed to submit applications. Applicants must submit an application, Form AD-1153, Application for Long-Term Contracted Assistance, to CCC to be considered for participation. Program applications can be obtained from any local USDA Service Center or on the USDA website at <http://www.sc.egov.usda.gov>. Applications should be submitted to the office that administers the records for the area in which the land being offered for participation is located. Applications may be submitted by mail, fax, or electronically to a USDA Service Center. USDA will evaluate the application for eligibility and complete an application ranking process. Selection of individual applications will be made at the State level as described below.

### Application Selection

CCC is required by statute to emphasize support for grazing operations; plant and animal biodiversity; and grassland, land that contains forbs, and shrubland under the greatest threat of conversion. Selection criteria which incorporates these areas of emphasis, will be developed at the State level by the NRCS State Conservationist and the FSA State Executive Director, with advice from the State Technical Committee. Individual application selection will be made at the State level by the NRCS State Conservationist and the FSA State Executive Director. Selection criteria for each State will be made available to the public prior to signup upon request. Each State's application selection criteria will be available on the NRCS Web site at <http://www.nrcs.usda.gov/farmbill> and <http://www.fsa.usda.gov/dafp/grp>.

Selection criteria will, at a minimum, consider the following national criteria: the threat of conversion from grass to cropland; the threat of conversion from grass to non-agriculture use; location significance; whether the land is part of an existing grazing operation; and whether the site serves as habitat that promotes and enhances plant and animal biodiversity, as determined by the NRCS State Conservationist, with advice from the State Technical Committee.

State offices have the flexibility to determine state-specific criteria that emphasizes grasslands of state

significance or locations of critical need based on the threat of conversion or biodiversity of plant or wildlife populations.

### Payments

For permanent easement acquisition, CCC will provide payment equal to the fair market value of the land, less the grazing value of the land encumbered by the easement. Market values will be determined using an appraisal process. In addition, CCC will provide all the administrative costs associated with recording the easement, including appraisal fees, survey costs, title insurance, and recording fees. For 30-year easements, CCC will provide payment equal to 30 percent of the fair market value of the land, less the grazing value of the land for the period during which the land is encumbered by the easement. Easement payments may be provided, at the participant's request, in lump sum or annual payments (equal or unequal amounts) for no more than 10 years.

For long-term rental agreements, annual rental payments will be an amount not more than 75 percent of the grazing value of the land covered by the agreement for the life of the agreement, as determined by CCC. Payments will be disbursed on the agreement anniversary date of each Federal fiscal year.

For restoration agreements, CCC will provide up to 90 percent of the restoration costs on lands that have never been cultivated, and up to 75 percent of the cost on restored grasslands. Restoration agreements can be entered into in conjunction with either easement projects or rental agreements. Participants will be paid upon certification of the completion of the approved practice(s) by NRCS or an approved third party. Participants may contribute to the application of a cost-share practice through in-kind contributions. Eligible in-kind contributions include: personal labor; use of personal equipment; donated labor or materials; and use of on-hand or used materials that meet the requirements for the practice to be installed. The participant's share of the project may be provided by a public or private third party.

Participants may assign the right to receive any payments described in this notice, in whole or in part, as provided in 7 CFR part 1404.

Subject to 7 CFR part 1403, any payment under this notice or portion thereof due any person under this part shall be allowed without regard to questions of title under State law, and without regard to any claim or lien in

favor of any creditor, except agencies of the United States Government.

### Delegation of Easement Administration to Private Organizations

The GRP statutory authority provides that the Secretary may permit a private conservation or land trust organization or a State agency to hold and enforce an easement provided that: (1) Granting permission will promote protection of eligible land; (2) the owner authorizes the private organization or State agency to hold and enforce the easement; and (3) the private organization or State agency agrees to assume the costs incurred in administering and enforcing the easement, including costs of restoration or rehabilitation of the land, as specified by the owner and the private organization. In addition, permission is contingent upon the Secretary having the right to conduct periodic inspections, and provide enforcement action, if the private organization is unable to effectively implement enforcement action. The provisions for implementing this authority will be addressed in a proposed rule to be published later this year. The GRP authority is different than the authority provided for the Farm and Ranchland Protection Program (FRPP). Under FRPP the Secretary has the authority to acquire an interest in property that is subject to a pending offer by another entity. In GRP, the Secretary is the holder of the easement and may delegate the easement administration responsibilities to a private organization.

### Violations

When the terms or conditions of an easement, rental agreement, or restoration agreement are violated, the easement or rental agreement will remain in force. For rental agreements or restoration agreements, CCC may require the participant to refund all or part of any payments received, with interest. For easement violations, USDA reserves the right to enter upon the easement area at any time to remedy deficiencies or easement violations, even under situations where a third party assumed administrative responsibility for the easement. Such entry may be made at the discretion of USDA when such actions are deemed necessary to protect important grassland areas.

### Civil Rights

CCC and USDA have collected civil rights data on farmers and ranchers who participate in conservation programs. Based on past participation, it is estimated that the funding being made

available with this notice will not negatively or disproportionately affect minorities, women, or persons with disabilities who are program beneficiaries or applicants for program benefits.

#### Environmental Evaluation

On each farm or ranch, during the application evaluation process, the environmental effects of any proposed actions are evaluated on a case-by-case basis. That evaluation is used to determine whether further environmental analysis is required. Accordingly, neither an EA nor an EIS has been prepared for this notice.

#### Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993), USDA must determine whether the regulatory action is "significant" and therefore subject to review by the Office of Management and Budget (OMB) and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of the Executive Order 12866, it has been determined that this Notice of Fund Availability is not a "significant regulatory action".

Signed in Washington, DC, on June 1, 2003.

**Bruce I. Knight,**

*Vice President, Commodity Credit Corporation, Chief, Natural Resources Conservation Service.*

[FR Doc. 03-14977 Filed 6-12-03; 8:45 am]

BILLING CODE 3410-16-P

## DEPARTMENT OF AGRICULTURE

### Federal Crop Insurance Corporation

#### Request for Applications (RFA): Risk Management and Crop Insurance Education

**AGENCY:** Federal Crop Insurance Corporation, USDA.

**ACTION:** Announcement of availability of funds and request for applications under two programs—(1) Commodity Partnerships for Risk Management Education and (2) Crop Insurance Education in Targeted States.

**SUMMARY:** In accordance with sections 552(d) and 524(a) of the Federal Crop Insurance Act (Act), the Federal Crop Insurance Corporation (FCIC), operating through the Risk Management Agency (RMA), announces the availability of funding for two educational and informational programs:

1. Commodity Partnerships for Risk Management Education (Commodity Partnerships program). FCIC announces the availability of up to \$3.5 million for partnership agreements for risk management training and informational activities, with a priority for reaching agricultural producers of (a) agricultural commodities covered by section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333); (b) specialty crops; and (c) underserved commodities. (For purposes of these announcements, these commodities are collectively referred to as "Priority Commodities.") A maximum of thirty-nine partnership agreements will be funded: One in each of thirty-five specific States, one in Puerto Rico, and one in each of three multi-state areas. Recipients of awards must demonstrate non-financial benefits from a partnership agreement and must agree to the substantial involvement of RMA in the project.

2. Crop Insurance Education in Targeted States (Targets States program). FCIC announces the availability of up to \$4.25 million for cooperative agreements that will be used to conduct crop insurance education and information programs in fifteen States that have been determined to have low participation or are underserved by the Federal crop insurance program. The fifteen States are Connecticut, Delaware, Maine, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Utah, Vermont, West Virginia, and Wyoming. Funding will be limited for each of the fifteen States and a maximum of one cooperative agreement will be funded for each State. Recipients of awards must agree to the substantial involvement of RMA in the project.

Awards under both of these programs will be made on a competitive basis for projects of up to one year. This announcement lists the information needed to submit an application under either of these programs.

**CLOSING DATES:** The closing date and time for receipt of applications for both programs is 5 p.m. EDT on July 28, 2003. Applications received after the deadline will not be evaluated by the technical review panel.

**FOR FURTHER INFORMATION CONTACT:** Applicants and other interested parties are encouraged to contact: Michelle Fuller, USDA-RMA-RME, 1400 Independence Ave. SW., Stop 0808, (Portals Bldg., Suite 508), Washington, DC 20250-0808, phone: 202-720-6356, fax: 202-690-3605, e-mail: [michelle.fuller@wdc.usda.gov](mailto:michelle.fuller@wdc.usda.gov). You may also obtain information regarding this announcement from the RMA website at: <http://www.rma.usda.gov>.

Applicants may download an application package for either of the two programs from the RMA Web site at: <http://www.rma.usda.gov>. Applicants may also request an application package from: Michelle Fuller, USDA-RMA-RME, 1400 Independence Ave. SW., Stop 0808, (Portals Bldgs., Suite 508), Washington, DC 20250-0808, phone: 202-720-6356, fax: 202-690-3605, email: [michelle.fuller@wdc.usda.gov](mailto:michelle.fuller@wdc.usda.gov). <<mailto:michelle.fuller@wdc.usda.gov>>

Applicants are strongly encouraged to submit completed and signed application packages using overnight mail or delivery service to ensure timely receipt by the USDA. The applicable address for such submissions is: RME Agreement Programs, c/o Michelle Fuller, USDA-RMA-RME, 1250 Maryland Ave. SW., Suite 508, Washington, DC 20024.

Completed and signed application packages sent via the U.S. Postal Service must be sent to the following address: RME Agreement Programs, c/o Michelle Fuller, USDA-RMA-RME, 1400 Independence Ave. SW., Stop 0808, (Portals Bldg. Suite 508), Washington, DC 20250-0808. Applicants using the U.S. Postal Service should allow for extra security-processing time for mail delivered to government offices.

#### Paperwork Reduction Act

Under the provisions of the Paperwork Reduction Act of 1995, as amended (44 U.S.C. chapter 25), the collection of information requirements contained in this announcement have been approved under OMB Document Nos. 0348-0043, 0348-0044, 0348-0046, and 0348-0040.

## **SUBPART A - General Provisions**

### **524.00 Overview**

The Grassland Reserve Program (GRP) is a voluntary program that is designed to assist landowners and others with restoring and conserving eligible land. The goal of GRP is to conserve and restore two million acres of eligible land through easements, rental agreements and restoration agreements. Technical and financial assistance is available for restoring and protecting the functions and values of grasslands, land that contains forbs, and shrubland.

The lands targeted for participation, including rangeland and improved pasture, land that contains forbs and shrubland, provide ecological and economic benefits to local communities and society in general. The importance of grasslands lies not only in the immense area they cover, but also in the diversity of benefits they produce. These lands contribute significantly to the economies of many regions, provide biodiversity of plant and animal populations, and play a key role in environmental quality. Specifically, grasslands and shrublands impact water quantity and, when properly managed, can result in cleaner water supplies, healthy riparian areas, reduce potential for flooding by controlling sediment loadings in streams and other water bodies. These lands are vital for the production of forage for domestic livestock, and provide forage and habitat for maintaining healthy wildlife populations. These lands also improve the aesthetic character of the landscape, provide scenic vistas and open space, provide recreational opportunities, and protect the soil from water and wind erosion.

This part will provide:

- general information about the GRP,
- the sources of program authority, and
- roles and responsibilities.

#### **a General Administration**

The Secretary of Agriculture delegated the authority to administer GRP on behalf of the CCC, to the Administrator, Farm Service Agency (FSA) and the Chief, Natural Resources Conservation Service (NRCS). These agency leaders are officers of the CCC. The Secretary also delegated certain responsibilities to the Forest Service (FS). NRCS has lead authority for easement projects and FSA has the lead authority for agreements

#### **b Program Emphasis**

The emphasis of GRP is to protect and restore privately owned grasslands to:

- preserve high quality grasslands, land that contains forbs, and shrublands,
- help eligible landowners, conserve and protect eligible lands that are subject to risk of conversion,

- support grazing operations, and
- maintain and improve plant and animal biodiversity,

### **c Enrollment Options**

GRP enrollment options include permanent and 30-year easements and 10-year, 15-year, 20-year, or 30-year rental agreements. Restoration agreements are required when the grassland functions and values of the land need to be improved. Restoration agreements are made in conjunction with either an easement and rental agreement option.

### **d Source of Authority**

The GRP is authorized by 16 U.S.C. 3838n through 3838q.

The program regulations have not been published. For FY2003 GRP is operating under a Notice of Funds Availability published in the Federal Register on June 13. See Exhibit 524.xx

## **524.01 Roles and Responsibilities**

### **a General**

NRCS and FSA have been jointly delegated the responsibility to administer GRP. Although many of the leadership activities are performed jointly, the responsibility for most activities performed at the local level have been assigned to one agency. NRCS State Conservationists and FSA State Executive Directors have flexibility to determine how best to deliver the program if either agency lacks resources to effectively deliver the program.

### **b National Headquarters**

The Chief, NRCS, and the Administrator, FSA provide:

- program policy and administrative guidance,
- funding allocations to achieve national program objectives,
- budget formulation, and
- oversight of State operations.

*Note:* NRCS Regional Conservationists provide leadership to NRCS State Offices regarding administrative procedures and evaluation of State developed standards and specifications.

### **c FSA State Offices**

In addition to the activities described in paragraph (e) that are jointly conducted by NRCS and FSA at the State level, FSA State Executive Directors are responsible for the following activities:

- conduct contract enrollment activities as described in paragraph 524.xx
- monitor and tract acreage and funding obligations.

### **d NRCS State Offices**

In addition to the activities described in paragraph (e) that are jointly conducted by FSA and NRCS at the State level, NRCS State Conservationists are responsible for the following activities:

- serving as Chairperson of the State Technical Committee,
- developing agreements with other Federal and State agencies and other partners for the most efficient use of personnel and other resources to meet the GRP workload demand and to achieve ecologically sound and cost-effective projects,
- designate staff persons and delegate appropriate authorities to carry out NRCS activities at the State, Area, and Field office level,
- prepare necessary State supplements to this manual,
- conduct a thorough review of legal jurisdictional requirements for recording easements, including the need for legal surveys,
- determine the method of cost-sharing based on GM 120, Part 404,
- conduct easement enrollment activities,
- monitor enrolled lands unless this responsibility is delegated to a third party,
- track progress and accomplishments in the GRP database,
- complete payment documents and provide documents to FSA for processing
- track financial outlays and provide financial reports,
- coordinate technical standards and specifications used for restoration,
- coordinate priorities and procedures with adjoining States,
- ensure that conservation treatment in restoration agreements is in accordance with the Field Office Technical Guide (FOTG), planning activities are in accordance with the National Planning Procedures Handbook (NPPH), and this manual.

### **e Joint NRCS and FSA State Activities**

NRCS and FSA at the State level shall jointly:

- determine, with advice from the State Technical Committee, State policy, procedures and guidelines, conservation practice payment rates, payment limitations, and cost-share practice lists,
- establish criteria to evaluate and rank applications for easements and rental agreements, and select applications for funding according to subpart C.
- establish statewide guidelines with advice from the State Technical Committee, and
- conduct outreach activities.

#### **f FSA Field Offices**

In addition to the activities described in paragraph (h) that are jointly conducted by FSA and NRCS at the local level, FSA offices are responsible for the following activities:

- take AGI certification and perform compliance associated with such certification;
- attach maps of the land being offered for GRP to the application; and
- complete appropriate contract documents according to paragraph 524.xx; and
- issue payments according to paragraph 524.xx.

#### **g NRCS Field Offices**

In addition to the activities described in paragraph (h) that are jointly conducted by FSA and NRCS at the local level, the Designated Conservationist or other local NRCS representative is responsible for the following activities:

- complete land eligibility determinations and the program ranking sheet,
- complete all conservation planning activities in accordance with NPPH and this manual,
- ensure that National Environmental Policy Act (NEPA) requirements are met according to NPPH and GM 190, Part 410, when applicable,
- mark easement boundaries of offered land, complete the Present Condition Report according to Exhibit 524.xx,
- complete a preliminary restoration plan, when applicable,
- complete appropriate easement documents according to paragraph 524.xx
- forward application packages to the State Office.
- prepare final restoration plans after projects are accepted,
- arrange for the application of conservation practices that are identified in restoration agreements and ensure the practices meet the standards and specifications in the FOTG,
- provide the participant with technical assistance to comply with the terms of the easement, rental agreement or restoration agreement,
- certify practice establishment for payment,
- complete status reviews until practices are established,
- advise the State Conservationist of compliance and easement enforcement issues unless this responsibility has been delegated to another party, and
- conduct other activities considered necessary by the State Conservationist.

#### **h Joint NRCS and FSA Field Level Activities**

NRCS and FSA at the local level shall jointly conduct outreach and program educational activities and conduct signup activities. Each agency shall be able and willing to assist persons with completing program applications and providing other information necessary to enroll land in the program.

Both agencies shall ensure that marketing efforts reach all potential GRP participants, including limited-resource farms and ranchers, beginning farmers and ranchers, Tribal

Nation and Alaska Natives, and socially disadvantaged owners of eligible land.

## **524.02 Other Agency and Organization Involvement**

### **a Conservation Districts**

Conservation Districts may participate by:

- convening local workgroups,
- recommending resource objectives
- recommending priorities, ranking criteria, eligible practices and the development of average costs at the county or local level,
- assisting with local education and outreach efforts,
- assisting with the development, implementation and approval of restoration agreements
- providing assistance, through cooperative agreements or other mechanisms when determined appropriate by the State Conservationist.

### **b Others**

Persons participating in GRP may utilize Technical Service Providers.

The NRCS State Conservationist may permit a private conservation or land trust organization, or a State agency to hold and enforce an easement acquired through GRP providing certain parameters are met. These parameters will be outlined in a regulation published in the Federal Register.

## **Subpart B - Eligibility Requirements and Application for GRP**

### **524.12 Program Eligibility**

#### **General**

Applicants may submit applications for easements and rental agreements. Restoration agreements are used in conjunction with easements or rental agreements but are not offered as an individual enrollment option. Offers for participation must include no less than 40 contiguous acres, unless the State Conservationist determines, with input from the State Technical Committee, a small parcel is appropriate to achieve the purposes of the program. When selecting offers of eligible lands, the ranking criteria shall emphasize support for grazing operations; plant and animal biodiversity; and eligible land under the greatest threat of conversion. The conversion threat may include conversion to agriculture or non-agriculture uses or from native species to non-native species.

The State Conservationist and State Executive Director shall decide how program administration is handled at the local level.

### **524.13 Land Eligibility**

#### **a General**

NRCS may:

- Conduct an onsite evaluation to determine eligible land if the agency is unfamiliar with the offered property.
- Complete site evaluation for ranking purposes.
- Develop a Preliminary Assessment to determine if restoration is needed.

#### **b Eligible lands**

Only privately owned land is eligible for participation.

There is no national limitation on the amount of land that can be offered for the program. However, a State may establish such an acreage enrollment limitation.

This eligible land criteria applies to both rental agreement and easement applications. Eligible lands include:

- rangeland,
- improved pastureland, including lands with adapted introduced species, lands containing plants that will endure for the life of the easement or rental agreement, and that will maintain grassland functions and values,
- savannas and shrublands, and
- riparian areas.

Other eligibility conditions include:

- incidental lands may be included to allow for efficient administration of an agreement or easement as determined by the State Conservationist and State Executive Director.
- land that has existing corrals, barns, pens, etc., necessary for the management of the grazing operation are eligible as eligible land. However these structures can be maintained in current condition and may not be expanded without prior approval.
- the offered land must not be subject to an existing easement if it prevents the landowner or operator with complying the with the terms of the easement or agreement.

GRP eligibility is subject to the Conservation Compliance Provisions of the Food Security Act of 1985, as amended, 16 U.S. C. 3801 et seq. Persons who are in violation of the HELC/WC provisions and who are currently ineligible for USDA program benefits shall not be eligible to participate in GRP. When the person's eligibility is reinstated, the person regains eligibility to participate in GRP. See Highly Erodible Land and Wetland Conservation Determination, NRCS-CPA-026E (Exhibit 524.xx)

### **c Ineligible Land**

Publicly owned land is ineligible for GRP. Other ineligible lands include:

- land where restoration potential is not adequate to meet the objectives of the program;
- land where deed restrictions prohibit use of the land that would defeat any of the purposes of GRP, and
- land without right of access. Note: for easement projects participants must be willing and able to grant to the United States, written recorded access to the easement area for the life of the easement for the purposes of restoration, when applicable, monitoring, and enforcement purposes, including providing access from neighboring lands.

In addition to the above criteria, land on which hazardous materials have been identified, cannot be offered for easement unless the landowner cleans up the identified contaminated area.

## **524.14 Landowner and Tenant Eligibility**

### **a Adjusted Gross Income Provisions**

Persons applying for participation in GRP shall not be eligible for payment when their adjusted gross income (AGI) exceeds \$2.5 million, as determined under the standards set forth in 7 CFR, Part 1400. FSA is responsible for making AGI determinations. NRCS and FSA field level employees shall ensure applicants submit appropriate information according to FSA manual 1-PL. FSA will provide NRCS with a copy of the written determination prior to NRCS proceeding with the collection of ranking criteria.

### **b Easement Eligibility Requirements**

Only landowners can submit applications for easements. Landowners are required to meet the conditions in this paragraph in order to be eligible to sell an easement to the United States. Either NRCS or FSA can determine whether appropriate evidence of ownership exists. For an applicant to be eligible to participate in the easement option the applicant must be a landowner and must provide the following:

- provide written statement of consent to the easement signed by persons holding a security interest or any vested interest in the land;
- provide proof of clear title;
- comply with other terms of the easement; and
- provide access to NRCS or its representative for easement administration and monitoring activities.

### **c Rental Agreements**

Both landowners and operators can submit applications for rental agreements. However, signatures of both parties are needed before a contract can be approved. When an application is received from a tenant, NRCS will not proceed with project ranking until the applicant submits evidence of control of the land for the life of the intended agreement.

## **524.15 Application for GRP**

### **a About the Application Process**

Landowners who are interested in GRP participation must apply by completing an AD-1153 ([Exhibit 514.56 <M 440 514 i.htm>](#)).

Upon application for an easement, the landowner(s) will receive the following:

- A sample copy of the Grassland Reserve Program Warranty Easement Deed (CCC-1255-Grass ??) The Warranty Easement Deed is the basic document used by a landowner to grant and convey to NRCS an easement with appurtenant rights of access to the easement area. Revisions to the Warranty Easement Deed are not permitted. A "special provisions" section may be added to the document for

special requirements that may warrant some individual reference, such as a special instance under State law, but only if it is approved by the National Program Manager and Deputy Assistant General Counsel, Natural Resources Division, OGC, Washington D.C.

- A sample copy of the Subordination Agreement and Limited Lien Waiver (AD-1158). The Subordination Agreement and Limited Lien Waiver is used to subordinate mortgages and obtain limited lien waivers, when applicable, to the United States with respect to any and all interests of the subordinating party in, or related to, the easement area. The form will be recorded with the Warranty Easement Deed.
- A sample copy of the Option Agreement to Purchase (AD-1157) ([Exhibit 514.57 <M\\_440\\_514\\_i.htm>](#)). The Option Agreement to Purchase is the equivalent of a real estate option contract for purchasing land. It is usually signed by the landowner before NRCS proceeds with incurring costs for surveys, where applicable, title clearance and closing procedures on the easement. It is used by NRCS as the mechanism to obligate its funds.
- Notification of landowner requirement to provide clear title and written recorded access rights.
- Notification of requirement to provide copies of ownership documents upon acceptance into the program.

Upon application for a rental agreement, the applicant will receive:

- Notification of the requirement to provide copies of ownership documents or evidence of control for the length of the intended agreement; and
- a copy of a rental agreement with an agreement appendix.

## **b Site Visit**

The local NRCS representative will coordinate and conduct a site visit, when determined necessary by the State Conservationist, with the landowner to:

<b>Step</b>	<b>Action</b>
1	Verify: land eligibility - the absence of offsite and onsite conditions that would preclude successful restoration.
2	Prepare the Restoration Plan, if applicable.
3	Complete NEPA requirements, when applicable.
4	Complete ranking worksheet.
5	Complete a Preliminary Certificate of Inspection and Possession ( <a href="#">Exhibit 514.67 &lt;M_440_514_i.htm&gt;</a> ) and the Hazardous Substance Examination Checklist ( <a href="#">Exhibit 514.68 &lt;M_440_514_i.htm&gt;</a> ). The certificate and checklist verify that: NRCS has visually and physically inspected the property. The landowner is occupying the land and by what

	evidence. There are no apparent, visible activities or uses observed that may be unrecorded claims against the property which could cloud the landowner's ability to provide clear title. There are no apparent, visible activities or uses by a party other than the landowner that could be detrimental or conflict with the Government's interest in land.
6	Flag the easement area.
7	Identify cropping rights that the landowner will retain during the fiscal year in which the easement is actually recorded as provided for in <a href="#">section 514.22 &lt;M 440 514 d.htm&gt;</a> .

### **c Notification of Ineligibility**

Landowners found to be ineligible for GRP will be notified in writing by the State Conservationist of their status and advised of their appeal rights. Appeal rights are located in the National Food Security Act Manual (NFSAM).

### **d Submission of Material for Ranking**

The local NRCS representative will include the following documents in the application packet submitted to the State office for ranking:

<b>Item</b>	<b>Description</b>
1	Cover letter certifying eligibility
2	Application for Long-Term Contracted Assistance (AD-1153)
3	Current and planned map. Listing of estimated costs.
4	Land-eligibility determination.
5	Completed ranking worksheet.
6	Copy of the deed or other ownership eligibility evidence.
7	Other related documentation required by the State Conservationist.

### **e Letter of Tentative Acceptance**

After ranking, eligible applications will be selected and approved for funding.

- For easement projects:

The State Conservationist shall send a Letter of Tentative Acceptance along with a Notification of Intent to Continue, AD-1159, to funded applicants via certified, return-receipt mail. The returned receipt card must be kept in the official agreement file. As a means of expediting the easement acquisition process, the landowner can be contacted directly by telephone or otherwise to determine if the landowner is still interested in the program. Upon receipt of verbal acceptance, NRCS can begin the appraisal process in advance of receiving written notification.

The Letter of Tentative Acceptance will contain the assigned agreement number. The agreement number format will be xx-xxxx-x-xxxx . Example: Consider the following example agreement number:

xx-8B05-8-0001. In this example "xx" represents the WRP cost- share agreement series, "8b05" represents the GSA FEDSRIP requisition code, "8" represents the second digit of fiscal year in which the funds were obligated, and "0001" represents the four-digit sequential agreement number assigned by the State.

Within 15 calendar days of receipt of the Letter of Tentative Acceptance, landowners must sign and return a Notification of Intent to Continue, AD-1159, to the State Conservationist.

Provide a copy of landowner's intent to the State Office FNM to record estimated information on easement and related restoration

- For rental agreements:

The State Conservationist shall send completed GRP-1, with a contract appendix, for signature and a conservation plan for the enrolled acres. Since in FY2003 USDA is focusing on projects that do not require restoration, and funding is extremely limited, a restoration agreement should not be necessary.

Landowners who are eligible, but not approved for funding, will be notified in writing by the State Conservationist of their status and that they are on the waiting list and subject to future availability of funds and may be contacted by NRCS or FSA in the if such funds become available. At this point, the landowner is considered covered by an agreement with NRCS for potential future enrollment.

#### **f When Landowner Indicates Intent to Continue with an Easement Offer**

Once the landowner has indicated an intent to continue, the landowner is considered "enrolled" in the program. "Enrolled" acres will be used to track the acreage limitations for permanent and 30-year easements. The State Conservationist will notify the local office of the landowner's intent. The landowner's indication of an Intent to Continue authorizes NRCS to proceed with activities necessary to establish an easement value.

When the landowner intends to continue in the program, the following must be submitted to the local NRCS representative:

- copy of document by which the landowner took title to the easement area, and,
- when applicable, copies of organizational and other supporting documents, such as:
  - Articles of Incorporation
  - Partnership Agreements
  - Trusts
  - Conservatorships
  - Power of Attorney

- Corporate by-laws
- Corporate officers
- Trustee appointment
- Conservator appointment

**g Failure to Return Intent to Continue**

Failure to return the Intent to Continue within the specified time will result in termination of the application. NRCS or FSA shall notify the landowner by certified return-receipt mail of the termination. The returned receipt card must be kept in the official agreement file.

**SUBPART C - Ranking Criteria and Determining Payment Rates**

**524.15 - General Information**

**524.16- Development of Ranking Criteria**

**524.17 - Determining Easement Values and Rental Agreement Payment Rates**

**524.18-20 Reserved**

## **524.15 - General Information**

### **a Overview**

Ranking criteria will enable USDA to prioritize applications offered within each State based on the environmental criteria described below. Each State will develop a ranking system to ensure consistent and efficient GRP implementation. The ranking process assists States with determining the projects that merit enrollment. However, such ranking does not vest any right or entitlement to funding by an applicant.

### **b Ranking Criteria Emphasis**

The ranking criteria will emphasize:

- support for grazing operations;
- biodiversity of plants and animals; and
- grasslands with the greatest risk of conversion.

### **c Special Projects**

For FY 2003 States do not have the authority to enroll projects outside of the ranking process.

## **524.16 Ranking Criteria Development**

### **a Policy**

The State Conservationist, with assistance from the State Technical Committee:

- will establish a weighted ranking process to prioritize all eligible applications. For FY2003 priority should be given to applications of existing grasslands and those applications that do not require restoration cost-share assistance to achieve restoration objectives.
- determine whether separate ranking criteria are needed for easement and rental agreement applications. If separate ranking criteria are developed, 30-year rental agreements will be ranked with easement applications.

At least 55 percent of the points must be for conversion risk. Risk of conversion may include loss of grassland values as a result of invasive species, loss associated with conversion to cropland, and loss associated with conversion to urban uses. The point spread on the ranking system should be of sufficient size to allow differentiation between applications.

States should strive to develop criteria that does not require a field visit in FY 2003.

### **b Ranking Considerations**

At a minimum, the ranking process will include the following:

- whether the land is part of an existing grazing operation.
- the risk of conversion from grassland to cropland or non-agriculture use.
- location significance. Consideration should be given to whether the property is adjacent to other protected sites.
- whether the site serves as habitat or contains plants critical to maintain biodiversity.
- whether the site needs restoration. Note: for FY2003 GRP will focus on existing grasslands that require no restoration.
- operation and maintenance requirements.
- likelihood that the site will retain its habitat functions and values after the easement or agreement period ends. The ranking process should consider both the physical site conditions and the ownership pattern that may result in some form of increased protection such as a separate conservation easement or purchase agreement.
- partnership contributions that reduce USDA's cost, such as in-kind services or funding contributions.

### **c Ranking Process**

Each State will develop a process to collect and rank each application.

- The State Conservationist in consultation with the State Executive Director, will:
  - develop ranking criteria, with input from the State Technical Committee.
  - develop a form to record the ranking criteria; in addition to the ranking criteria, the form shall include:
    - Number of acres to be enrolled
    - Length of easement or contract
    - Acres to be enrolled that need restoration
    - Estimated annual rental rate or estimated easement cost
    - Acres of Native cover
    - Other ranking criteria developed by the State Conservationist in consultation with the State Executive Director
  - develop a process to collect data and rank the applications;
  - document State Technical Committee's recommendations and comments regarding any wetlands enrolled as exceptions to the ranking process.
- Field Office Staff will:

complete ranking form with the landowner;  
forward the ranking form to State Conservationist;  
receive from partners any offers to contribute financially or with in

## **524.17 - Determining Easement Values and Rental Agreement Payment Rates**

### **a Easement Value**

For FY 2003, the State Conservationist and State Executive Director shall use a formal appraisal to determine the value of easement projects. The value of the easement shall not exceed the fair market value of the land minus the grazing value. The fair market value and grazing value are ascertained through standard real property appraisal methods. Fair market value is the amount of cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure of time on the open competitive market by a willing and reasonably knowledgeable seller to a reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at the time of the appraisal process to determine easement values. The value of the easement shall not exceed the fair market value of the land. The appraiser will be required to appraise the grazing value separately from the fair market value. For the purposes of GRP payment rates, "grazing value" is defined as the grassland value for seed production, hay production, grazing of livestock and similar uses consistent with the conservation purpose of the easement.

### **b Appraisals**

After the landowner has indicated an intent to continue, an appraisal of the easement area shall be ordered. See Appraisal instructions found in Exhibit 524.xx. Appraisal instructions shall not be modified unless FSA certified appraisers confirm that modifications are needed and the National Program Managers are notified of the scenario requiring modification.

Appraisals will be conducted by Certified, General Real Property Appraisers. Appraisals may be acquired by Federal contract, interagency agreement, cooperative agreement, or other methods as may be appropriate.

### **c Confidentiality of Appraisal Reports**

The appraisal is considered confidential information and is not to be distributed. According to the Department of Justice appraisal policy, utmost caution must be exercised before permitting any Government appraisal to be examined by a landowner or his/her attorney. The appraisal document will not be given to the landowner prior to the landowner signing an option agreement to purchase document. After the option agreement is signed, the appraisal may be provided to the landowner upon written request.

### **d Appraisal Reviews**

- Administrative Reviews are completed to ensure that the land value results of the appraisal report are reasonable from a business decision making perspective. These

reviews may be conducted by NRCS or FSA and will be conducted on up to 90 percent of all appraisal reports.

- Technical Reviews will be completed by FSA certified appraisers. Note, if FSA staff is not available to conduct these reviews some partner agencies such as USFWS, USFS and cooperating non-government partners may have Certified Land Appraisers on staff that may be able to assist with technical reviews.

**e Rental Agreement Grazing Values**

Payment rates for rental agreements, regardless of duration, shall be in an amount that is not more than 75 percent of the grazing value of the land under contract.

*Grazing value information to be inserted.*

## **SUBPART D - Developing Easements and Agreements**

**524.21 - Easement Acquisition Process**

**524.22 - Developing Rental Agreements**

**524.23-25 Reserved**

### **524.21 General**

GRP shall follow the easement acquisition used for the Wetlands Reserve Program described in 440-Conservation Programs Manual - Part 514. There are no variations from this policy for GRP.

### **524.22 Developing Rental Agreements**

*To be inserted by Jim*

## Grassland Reserve Program (GRP) Cost List

Practice Code	Practice Name	Component (Component Code)	Units	Cost Per Unit	Cost Share Type	Cost Share Rate
<b>314</b>	<b>BRUSH MANAGEMENT</b>					
	Aerial Treatment Application (ATA)		AC	\$7.50	AC	50%
	Broadcast Treatment Application (BTA)		AC	\$3.50	AC	50%
	Chaining--One way (1CH)		AC	\$11.00	AC	50%
	Chaining--Two way (2CH)		AC	\$16.00	AC	50%
	Chemical Spot Treatment--high priority (CST3)		AC	\$63.00	AC	50%
	Chemical Spot Treatment--low priority (CST1)		AC	\$21.00	AC	50%
	Chemical Spot Treatment--medium priority (CST2)		AC	\$42.00	AC	50%
	Clipping & Cutting, high priority (MBR6)		AC	\$60.00	AC	50%
	Clipping & Cutting, low priority (MBR4)		AC	\$24.00	AC	50%
	Clipping & Cutting, med priority (MBR5)		AC	\$36.00	AC	50%
	Cutting & Spraying, high priority (BMCS3)		AC	\$100.00	AC	50%
	Cutting & Spraying, low priority (BMCS1)		AC	\$60.00	AC	50%
	Cutting & Spraying, medium priority (BMCS2)		AC	\$80.00	AC	50%
	Herbicide--2,4-D Amine (H24DA)		GAL	\$11.15	AC	50%
	Herbicide--2,4-D Ester (H24DE)		GAL	\$18.45	AC	50%
	Herbicide--Clopyralid (HREC)		GAL	\$180.00	AC	50%
	Herbicide--Dicamba (HBAN)		GAL	\$83.00	AC	50%
	Herbicide--Dicamba: 2,4-D (1:3) (HWEED)		GAL	\$24.00	AC	50%
	Herbicide--Metsulfuron Methyl (HALLY)		LB	\$325.00	AC	50%
	Herbicide--Picloram (HT22K)		GAL	\$85.00	AC	50%
	Herbicide--Picloram: 2,4-D (1:2) (HGRAZ)		GAL	\$28.00	AC	50%
	Herbicide--Tebuthiuron (HS20P)		LB	\$6.65	AC	50%
	Herbicide--Triclopyr (HREM)		GAL	\$85.00	AC	50%
	Mechanical Brush Removal--high priority (MBR3)		AC	\$140.00	AC	50%
	Mechanical Brush Removal--low priority (MBR1)		AC	\$40.00	AC	50%
	Mechanical Brush Removal--medium priority (MBR2)		AC	\$70.00	AC	50%
<b>338</b>	<b>PRESCRIBED BURNING</b>					
	Prescribed Burn Category 1a, 1b, 2a, 3a (PB1)		AC	\$6.60	AC	75%
	Prescribed Burn Category 1c, 1d, 2b, 3b (PB2)		AC	\$17.00	AC	75%
<b>342</b>	<b>CRITICAL AREA PLANTING</b>					
	Alkali Sacaton CA (GASA)		AC	\$46.00	AC	75%
	Bahiagrass CA (GBHA)		AC	\$64.00	AC	75%
	Bermudagrass Mulch Sod (GBGMS)		SY	\$1.00	AC	75%
	Bermudagrass Solid Sod (GBGSS)		SY	\$4.90	AC	75%
	Bermudagrass Sprigging - CA (GBGS)		AC	\$90.00	AC	75%
	Erosion Control Blanket (ECB)		SY	\$1.25	AC	75%
	Guymon or Wrangler Bermudagrass CA (GGBGA)		AC	\$114.00	AC	75%
	Native Grass Mixture CA (GNMA)		AC	\$73.00	AC	75%
	Old World Bluestem CA (GOWBA)		AC	\$64.00	AC	75%
	Shaping and Filling Gullies (GFS)		AC	\$500.00	AC	75%
	Smooth Bromegrass CA (GSBA)		AC	\$55.00	AC	75%
	Switchgrass CA (GSGA)		AC	\$31.00	AC	75%
	Tall Fescue CA (GTFA)		AC	\$90.00	AC	75%
	Tall Wheatgrass CA (GTWA)		AC	\$40.00	AC	75%
	Tree Establishment by Planting Pine (TSPP)		EACH	\$0.14	AC	75%
	Trees &/or Shrubs-barerooted (TSB)		EACH	\$0.80	AC	75%
	Vegetation <1 acre (VEG)		ITEM	\$175.00	AC	75%
	Weeping Lovegrass CA (GLGA)		AC	\$29.50	AC	75%
	Western Wheatgrass CA (GWWGA)		AC	\$80.00	AC	75%
<b>362</b>	<b>DIVERSION</b>					

## Grassland Reserve Program (GRP) Cost List

Practice Code	Practice Name	Component (Component Code)	Units	Cost Per Unit	Cost Share Type	Cost Share Rate
		Diversion Terrace - Ridge and/or Channel (RC)	CY	\$1.00	AC	75%
<b>378</b>	<b>POND**</b>	** Limited to a maximum cost-share of \$7,500.00 per pond for all components listed under the pond practice, including the pipe and appurtenances.				
		Anti-vortex Baffle (AVB)	SF	\$3.55	AC	50%
		Barrel &/or Riser-Aluminized<=12ga (BRA12)	DIFT	\$1.60	AC	50%
		Barrel &/or Riser-Aluminized>=14ga (BRA14)	DIFT	\$1.42	AC	50%
		Barrel &/or Riser-CSP<=12ga (BR12)	DIFT	\$1.47	AC	50%
		Barrel &/or Riser-CSP>=14ga (BR14)	DIFT	\$1.29	AC	50%
		Barrel &/or Riser-Plastic (BRP)	DIFT	\$0.86	AC	50%
		Barrel &/or Riser-Polymer coated<=12ga (BRC12)	DIFT	\$1.95	AC	50%
		Barrel &/or Riser-Polymer coated>=14ga (BRC14)	DIFT	\$1.75	AC	50%
		Barrel &/or Riser-Steel (BRS)	DIFT	\$1.38	AC	50%
		Blanket Material (BM)	CY	\$22.50	AC	50%
		Clay Liner (CL)	CY	\$3.00	AC	50%
		Concrete--Concrete/Steel in structural items(CON1)	CY	\$175.00	AC	50%
		Drainage Pipe & Filter (PDF)	DIFT	\$1.20	AC	50%
		Excavation &/or Embankment (EM)	CY	\$1.10	AC	50%
		Fly Ash (FA)	TON	\$24.00	AC	50%
		Gypsum for dispersive soils (GYP2)	LB	\$0.03	AC	50%
		Hydrated Lime (HL)	TON	\$15.00	AC	50%
		Principal Splway Drainage Diaphragm Filter (PSDDF)	CY	\$36.00	AC	50%
		Riprap and Filter (RRF)	CY	\$30.00	AC	50%
		Trash Guard (TG)	EACH	\$220.00	AC	50%
<b>382</b>	<b>FENCE</b>					
		Fence--Critical and Small Area (FENCA)	LF	\$1.40	AC	75%
		Fence--Five Wire Permanent Power Fence (FEN5E)	LF	\$0.48	AC	50%
		Fence--Floating Electric (FENFE)	EACH	\$200.00	AC	75%
		Fence--Four Wire Permanent (FEN4)	LF	\$0.90	AC	50%
		Fence--Four Wire Permanent Power Fence (FEN4E)	LF	\$0.42	AC	50%
		Fence--Net Wire-Woven Mesh (FENWM)	LF	\$1.50	AC	50%
		Fence--Energizer for Permanent Power Fence (FENE)	EACH	\$300.00	AC	50%
		Fence--Three Wire Permanent (FEN3)	LF	\$0.88	AC	50%
		Fence--Three Wire Permanent Power Fence (FEN3E)	LF	\$0.35	AC	50%
<b>391</b>	<b>RIPARIAN FOREST BUFFER</b>					
		Geotextile Fabric/Plastic Mulch - Weed Barrier (GEOTF)	LF	\$0.35	AC	75%
		Seedbed Preparation for tree/shrub planting (SP)	AC	\$50.00	AC	75%
		Tree Establishment by Planting Pine (TSPP)	EACH	\$0.14	AC	75%
		Trees &/or Shrubs-barerooted (TSB)	EACH	\$0.80	AC	75%
		Trees &/or Shrubs-potted (TSP)	EACH	\$1.05	AC	75%
<b>394</b>	<b>FIREBREAK</b>					
		Firebreak - Burned Firebreak (FBF)	AC	\$70.00	AC	75%
		Firebreak - Heavy Equipment required (FBHE)**	AC	\$200.00	AC	75%
		** Use of FBHE is only authorized for those areas of the firebreak where heavy equipment is required as specified in the Burn Plan.				
		Firebreak (FBCGL)	AC	\$50.00	AC	75%
<b>410</b>	<b>GRADE STABILIZATION STRUCTURE</b>					
		Anti-vortex Baffle (AVB)	SF	\$3.55	AC	75%
		Barrel &/or Riser-Aluminized<=12ga (BRA12)	DIFT	\$1.60	AC	75%
		Barrel &/or Riser-Aluminized>=14ga (BRA14)	DIFT	\$1.42	AC	75%

## Grassland Reserve Program (GRP) Cost List

Practice Code	Practice Name	Component (Component Code)	Units	Cost Per Unit	Cost Share Type	Cost Share Rate
		Barrel &/or Riser-CSP<=12ga (BR12)	DIFT	\$1.47	AC	75%
		Barrel &/or Riser-CSP>=14ga (BR14)	DIFT	\$1.29	AC	75%
		Barrel &/or Riser-Plastic (BRP)	DIFT	\$0.86	AC	75%
		Barrel &/or Riser-Polymer coated<=12ga (BRC12)	DIFT	\$1.95	AC	75%
		Barrel &/or Riser-Polymer coated>=14ga (BRC14)	DIFT	\$1.75	AC	75%
		Barrel &/or Riser-Steel (BRS)	DIFT	\$1.38	AC	75%
		Blanket Material (BM)	CY	\$22.50	AC	75%
		Clay Liner (CL)	CY	\$3.00	AC	75%
		Concrete--Concrete/Steel in structural items(CON1)	CY	\$175.00	AC	75%
		Concrete--Formless Concrete Chute (CONFC)	CY	\$379.00	AC	75%
		Drainage Pipe & Filter (PDF)	DIFT	\$1.20	AC	75%
		Excavation &/or Embankment (EM)	CY	\$1.10	AC	75%
		Fly Ash (FA)	TON	\$24.00	AC	75%
		Gypsum for dispersive soils (GYP2)	LB	\$0.03	AC	75%
		Hydrated Lime (HL)	TON	\$15.00	AC	75%
		Principal Splway Drainage Diaphragm Filter (PSDDF)	CY	\$36.00	AC	75%
		Riprap and Filter (RRF)	CY	\$30.00	AC	75%
		Toe Wall Structure Galvanized Steel (TWSS)	SF	\$17.30	AC	75%
		Trash Guard (TG)	EACH	\$220.00	AC	75%
<b>432</b>	<b>DRY HYDRANT</b>					
		Water Hydrant Installed (WHI)	NO.	\$890.00	AC	50%
<b>484</b>	<b>MULCHING</b>					
		Temporary Mulches (TM)	SF	\$0.05	AC	75%
<b>512</b>	<b>PASTURE AND HAY PLANTING</b>					
		Alkali Sacaton (AS1)	#PLS	\$9.00	AC	50%
		Bahiagrass (GBH)	#PLS	\$1.35	AC	50%
		Bermudagrass Sprigging (GBG)	AC	\$45.00	AC	50%
		Big Bluestem (Sand Bluestem) (GSBL)	#PLS	\$11.50	AC	50%
		Common Bermudagrass (CBG)	#PLS	\$3.50	AC	50%
		Eastern Gamagrass (GEG)	#PLS	\$9.00	AC	50%
		Guymon or Wrangler Bermudagrass (GGBG)	#PLS	\$13.00	AC	50%
		Indiangrass (GIG)	#PLS	\$9.00	AC	50%
		Ladino Clover (GLCL)	#PLS	\$4.20	AC	50%
		Old World Bluestem (GOWB)	#PLS	\$9.00	AC	50%
		Orchardgrass (GOG)	#PLS	\$2.00	AC	50%
		Pubescent Wheatgrass (GPW)	#PLS	\$2.45	AC	50%
		Seedbed prep after MBR2/MBR3,heavy equipment(SPHE)	AC	\$42.00	AC	50%
		Seedbed prep after MBR2/MBR3,normal farm eqmt(SPNE)	AC	\$20.00	AC	50%
		Sideoats Grama (GSOG)	#PLS	\$8.25	AC	50%
		Smooth Bromegrass (GSB)	#PLS	\$1.50	AC	50%
		Switchgrass (GSG)	#PLS	\$3.50	AC	50%
		Tall Fescue (GTF)	#PLS	\$2.00	AC	50%
		Tall Wheatgrass (GTW)	#PLS	\$1.50	AC	50%
		Tractor/Drill Cost (GD1)	AC	\$10.00	AC	50%
		Weeping Lovegrass (GLG)	#PLS	\$3.25	AC	50%
		Western Wheatgrass (GWWG)	#PLS	\$5.00	AC	50%

## Grassland Reserve Program (GRP) Cost List

Practice Code	Practice Name	Component (Component Code)	Units	Cost Per Unit	Cost Share Type	Cost Share Rate
<b>516</b>	<b>PIPELINE</b>					
		Pipe--Polyethylene Livestock Pipe (POLYP)	DIFT	\$0.47	AC	50%
		Pipe--PVC Livestock Pipe (PVC)	DIFT	\$0.96	AC	50%
		Tap and Installation of Water Meter (WTM)	EACH	\$250.00	AC	50%
<b>521C</b>	<b>POND SEALING OR LINING, BENTONITE SEALANT</b>					
		Bentonite Liner (BL)	CY	\$5.70	AC	50%
<b>550</b>	<b>RANGE PLANTING</b>					
		Four Wing Salt Bush (FWSB)	#PLS	\$8.26	AC	75%
		Native Grass Mixture (GNM)	#PLS	\$9.00	AC	75%
		Native Grass Mixture with Forbs or Legumes (GNMFL)	#PLS	\$10.00	AC	75%
		Seedbed prep after MBR2/MBR3,heavy equipment(SPHE)	AC	\$42.00	AC	75%
		Seedbed prep after MBR2/MBR3,normal farm eqmt(SPNE)	AC	\$20.00	AC	75%
		Tractor/Drill Cost (GD1)	AC	\$10.00	AC	75%
<b>561</b>	<b>HEAVY USE AREA PROTECTION</b>					
		Blanket Material (BM)	CY	\$22.50	AC	75%
		Concrete--Concrete/Steel in structural items(CON1)	CY	\$175.00	AC	75%
		Excavation &/or Embankment (EM)	CY	\$1.10	AC	75%
		Excavation/Embankment in wet areas (WEM)	CY	\$1.40	AC	75%
		Geocell (GEOC)	SF	\$2.00	AC	75%
		Geotextile (GEOT)	SF	\$1.00	AC	75%
		Rock and/or gravel (ROCK)	CY	\$25.00	AC	75%
<b>571</b>	<b>SOIL SALINITY MANAGEMENT - NONIRRIGATED</b>					
		Alkali Sacaton CA (GASA)	AC	\$46.00	AC	75%
		Bermudagrass Sprigging - CA (GBGS)	AC	\$90.00	AC	75%
		Gypsum for Soil Reclamation (GSR)	TON	\$25.00	AC	75%
		Tall Fescue CA (GTFA)	AC	\$90.00	AC	75%
		Tall Wheatgrass CA (GTWA)	AC	\$40.00	AC	75%
		Weeping Lovegrass CA (GLGA)	AC	\$29.50	AC	75%
<b>574</b>	<b>SPRING DEVELOPMENT</b>					
		Pipeline Tubing (PTUB)	DIFT	\$2.72	AC	50%
		Pipe--Perforated PVC (PPVC)	DIFT	\$2.72	AC	50%
		Spring Box (WSB)	EACH	\$280.00	AC	50%
<b>575</b>	<b>ANIMAL TRAILS AND WALKWAYS</b>					
		Blanket Material (BM)	CY	\$22.50	AC	75%
		Excavation &/or Embankment (EM)	CY	\$1.10	AC	75%
		Excavation/Embankment in wet areas (WEM)	CY	\$1.40	AC	75%
		Geocell (GEOC)	SF	\$2.00	AC	75%
		Geotextile (GEOT)	SF	\$1.00	AC	75%
		Rock and/or gravel (ROCK)	CY	\$25.00	AC	75%
<b>580</b>	<b>STREAMBANK AND SHORELINE PROTECTION</b>					
		Erosion Control Blanket (ECB)	SY	\$1.25	AC	75%
		Riprap and Filter (RRF)	CY	\$30.00	AC	75%
		Willow Posts (WP)	EACH	\$6.00	AC	75%
<b>590</b>	<b>NUTRIENT MANAGEMENT</b>					
		Fertilizer CA (FTCA)	AC	\$40.00	AC	75%
		Fertilizer for establishment year only (FT)	AC	\$20.00	AC	50%
		Liming, for establishment year only (per ton ECCE) (LIME)	TON	\$20.00	AC	50%

## Grassland Reserve Program (GRP) Cost List

Practice Code	Practice Name	Component (Component Code)	Units	Cost Per Unit	Cost Share Type	Cost Share Rate
<b>614 WATERING FACILITY</b>						
		Concrete - Reinforced and Formed (CONT)	CY	\$325.00	AC	50%
		Energy-Free Fountain <=25 gallon tank (EFF2)	GAL	\$23.00	AC	50%
		Energy-Free Fountain >25 gallon tank (EFF4)	GAL	\$15.50	AC	50%
		Rubber Tire Tank (RTT)	DF	\$158.00	AC	50%
		Water Storage/Supply Tank	GAL			50%
		Water Tank - Fiberglass (FGT)	DF	\$120.00	AC	50%
		Water Tank - Freeze Proof (FPT)	EACH	\$1,000.00	AC	50%
		Water Tank/Trough w/Steel Sidewall (SS)	DF	\$95.00	AC	50%
<b>642 WATER WELL</b>						
		Well Drilling and Casing (WWDC)	LF	\$12.00	AC	50%
<b>728 STREAM CROSSING</b>						
		Blanket Material (BM)	CY	\$22.50	AC	75%
		Excavation &/or Embankment (EM)	CY	\$1.10	AC	75%
		Excavation/Embankment in wet areas (WEM)	CY	\$1.40	AC	75%
		Geocell (GEOC)	SF	\$2.00	AC	75%
		Geotextile (GEOT)	SF	\$1.00	AC	75%
		Rock and/or gravel (ROCK)	CY	\$25.00	AC	75%