

Grassland Reserve Program — water security for the future

For many years, water systems have been told of an existing program which pays landowners to place their land within the immediate vicinity of municipal water supply wells in a more natural ecological condition. Cultivated farm ground, which has the potential to negatively affect the quality of the groundwater below the field and beyond, can be planted to natural grasses and payments would be made by the United States Department of Agriculture (USDA) to replace the lost income. The Continuous

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Conservation Reserve Program

has been used in Kansas to protect sources of water from potentially harmful and costly contaminants at no cost to the water system.

Unfortunately for water systems that chose (directly or indirectly) to locate water wells

in less-vulnerable areas where the production of crops such as wheat, corn, milo and alfalfa, was not an imminent threat, Continuous CRP is not available. The program only allowed cultivated land to be enrolled, excluding uncultivated pastures and rangelands. There was no program in place to help prevent the plow from breaking the rangeland or pastureland soil near water supply wells, either; not until the Farm Security and Rural Investment Act of 2002 was passed. The Grassland Reserve Program has been created in response to the

conversion of grasslands and shrublands to other land uses such as cropland, parcels for homesites, urban development and the invasion of woody and non-native plants. It is estimated that 24 million acres of grasslands were converted to other uses from 1992 to 1997. Although the Grassland Reserve Program (GRP) appears to be limited in scope at the present time due to its infancy, it is quite possible that it will become another effective tool to actively protect all source waters, both surface and groundwater.

In June of 2003, approximately \$50 million

According to the USDA, nearly 355 million acres of rangeland and pastureland are in need of conservation treatment nationwide. Kansas ranks ninth on the list of Acres by State Needing Restoration. The percentage of land needing treatment in Kansas is only 0.57% of the Kansas total, however.

This restoration fact is important in the Grassland Reserve Program. The USDA estimates that approximately 526 million acres of grassland existed nationally in 1997, but the GRP has a national enrollment cap of 2 million acres

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dollars was made available for this program for fiscal year 2003, which ended September 30, 2003. Kansas received 4.5% of this total, with only Texas, Oklahoma and North Dakota receiving more. Funding for Fiscal Year 2004 was \$69.4 million dollars, with Kansas garnering approximately 4.69% of this total. Only Texas and Missouri received more money in FY 2004. A total of \$254 million dollars has been authorized for Fiscal Years 2003 through 2007. With the apparent focus on large grassland tracts, only 12 projects were accepted in Kansas using FY 2003 dollars. These 12 projects accounted for 6,390 acres.

of restored or improved grassland. Kansas has over 10 million acres classified in this manner. Because of this restriction, those grasslands that need or have had restoration will not be accepted into the program once the two million acre threshold is reached, unless no additional restoration work is needed and funds are available.

The goal of the Grassland Reserve Program is to assist landowners in a voluntary manner in the restoration and conservation of the following:

1. Grassland, land that contains forbs, or shrubland (including improved rangeland and pastureland); or
2. Land that: a) is located in an



area that has been historically dominated by grassland, forbs, or shrubland; and b) has potential to serve as habitat for animal or plant populations of significant ecological value if the land is: – Retained in the current use of the land, or – Restored to a natural condition indigenous to the locality; or

3. Land that is incidental to these lands if necessary for the efficient administration of an agreement or easement.

To accomplish these goals, the USDA may use:

Easements

Permanent, 30-year, Maximum length allowed by state law or

Rental Agreements

30-year, 20-year, 15-year, or 10-year

The easements and rental agreements must allow common grazing practices; haying, mowing and harvesting for seed production (with restrictions to protect nesting birds which have been determined to be in significant decline, etc.) and fire rehabilitation and fire break construction. The easement and rental agreements must prohibit the production of crops (other than hay), fruit trees, vineyards, and any other agricultural commodity that requires breaking of the soil; and any conduct that would disturb the surface of the land, except those activities required by a restoration agreement. The Farm Security and Rural Investment Act of 2002 also requires that 60% of the funds appropriated be used for easements and 30-Year rental agreements, and that 40% of the funds be used for the remaining shorter-term rental agreements.

The USDA is required to establish criteria to evaluate and

rank applications for enrollment into this program. The criteria are to emphasize support for grazing operations, plant and animal diversity, and the previously described eligible

unique to their state.

The State Conservationist of the Kansas office of the Natural Resource Conservation Service and the State Director of the Kansas office of the Farm



land under the greatest threat of conversion to cultivation or some form of development. Additionally, the Natural Resource Conservation Service and the Farm Service Agency for every state is given the same responsibility to establish a ranking process for those factors

Grasslands, like these covering the hills of northwest Greenwood County near Texaco Hill, can be protected under the Grassland Reserve Program.

Service Agency, with advice from the State Technical Committee, further refined the criteria for Kansas. A ranking

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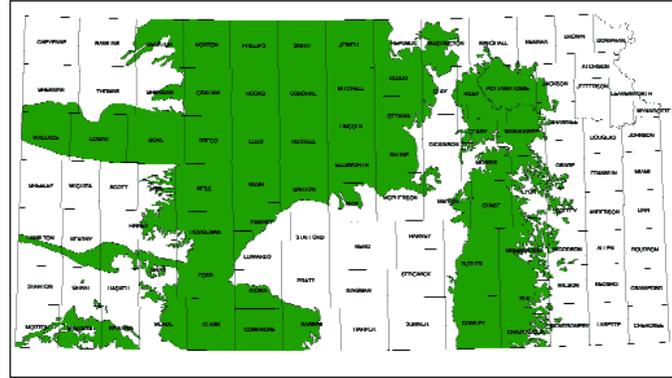
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worksheet was developed which scored the land offered for enrollment. Easements are scored higher than rental agreements and longer term easements and agreements are scored higher than short term ones. Land offerings located in the Region of Grassland Concern that possess native sod, and have a request for restoration assistance score higher than land without these items. If the land is a direct forage source for a Kansas

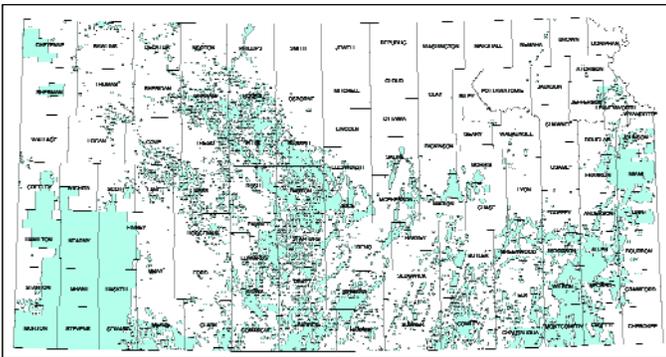
grazing operation, additional points are awarded. Contiguous borders with other grassland earn increasing points as the size of those other grasslands increase. If those other grasslands are protected by ownership, easement or agreement, more points are awarded.

If the land offering provides habitat for at-risk plant or animal species associated with grasslands, points are awarded. If invasion of woody plants was at a minimum, points are awarded. If invasive plants are present on bordering properties, points are also awarded.

Points are also awarded if the land offering includes soils suitable for cultivation, if the land is in an oil & gas exploration or development area;



Kansas FY2003 Grassland Reserve Program, grassland region of concern.



Kansas FY2003 Grassland Reserve potential subsurface mineral exploration and development areas.

in an industrial scale wind harvesting area; within five miles of population centers greater than 10,000 persons; within 30 miles of population centers greater than 19,000 persons and 15 miles from the populations centers of metropolitan areas; if it has the potential for aggregate extraction; and if it is in an area that is not closed to new water rights.

Applications not funded in 2003 and 2004 can stay on file and be considered in Fiscal Year 2005. Applicants should contact their local USDA office to confirm their continuing interest.

Where are the direct benefits of wellhead protection and source water protection in the Grassland Reserve Program recognized? They aren't specifically recognized, as the legislation creating this program was primarily written to preserve tracts of land from more-intensive land use practices. In the Background Section of the Interim Final Rule published in the May 21, 2004, Federal Register, credit is given to grasslands as providers of aesthetics, wildlife habitat, carbon sequestration, flood protection and water for urban and rural uses, as well as being a significant part of our Nation's history. Formal recognition of the wellhead and source water protection benefits may be in

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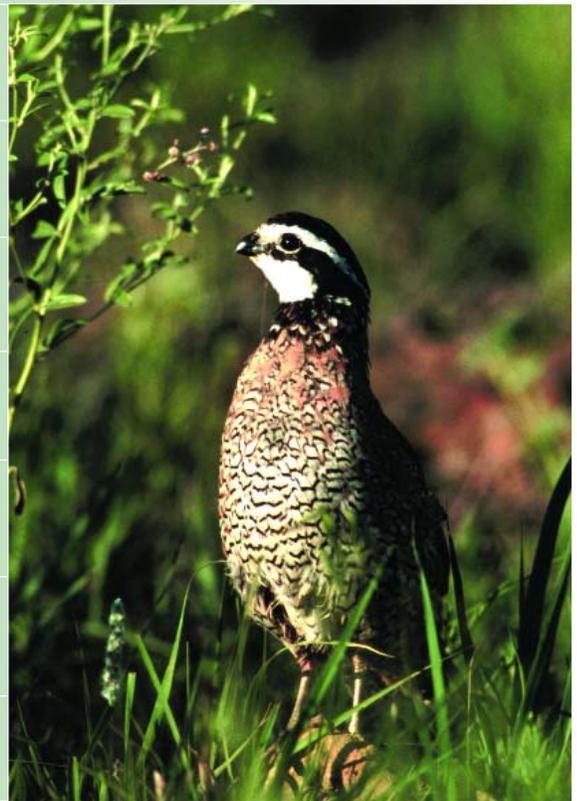
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conflict with prohibition of the surface disturbances, and therefore benefits resulting from this activity aren't used in the evaluation and ranking of applications.

Although the diversion of groundwater by a well would be expected to have a very minimal impact to a grassland, it appears to be considered as an activity not allowed by statute. The Federal Register states, "In promulgating this rule, USDA considered whether the exploration and development of subsurface resources was compatible with the purpose of GRP. The GRP statute provides that the conduct of any activity that would disturb the surface of the land covered by the GRP easement or rental agreement is prohibited, except for restoration, fire rehabilitation, and construction of fire breaks. Therefore, the extraction of subsurface resources is prohibited on all lands participating in GRP." In this program, public water supply wells fall in the same category as sand and gravel pits, strip mines and oil well drilling and production.

Although the land immediately surrounding public water supply wells may not be eligible for the GRP, that land a little further away which may contribute recharge to the aquifer might be. In some cases, this more distantly located land may be more important to protect than the land on which the well-house is located. Get to know the employees of your local USDA Service Center. Let them know you want to work with them to take advantage of this and the other programs that will protect the quality of the water. And don't forget to include KRWA in your well-head and source water protection planning activities. We'll be glad to help.

Conservation Reserve Program Northern Bobwhite Quail Initiative



Barber County Bobwhite photo courtesy of Kansas Wildlife and Parks Department.

Are your wells located in or next to a cultivated field, but the owner-farmer is not interested in enrolling the whole field in the Continuous Conservation Reserve Program (CCRP)? Would a field buffer provide protection to your wells and allow farming to continue?

Because the Northern Bobwhite Quail has declined in numbers from an estimated 59 million in 1980 to about 20 million in 1999, the USDA has created the Conservation Reserve Program Northern Bobwhite Quail Initiative. It is estimated that the number of quail can be increased by 750,000 birds annually with full participation.

The number of acres that can be enrolled in this program is limited to 250,000 acres, in the 35 states in which have the greatest potential to restore bobwhite quail. Kansas is one of the 6 states to receive an allocation of 20,000 acres, or 8% of the total. Other states receiving 20,000 acres are Illinois, Indiana, Iowa, Missouri and Texas. Sign-up begins October 1, 2004, and will run on a continuous basis until 250,000 acres are enrolled or December 31, 2007, whichever comes first.

In addition to the improvement of habitat for nesting and brood-rearing quail, buffers provide habitat for other species of wildlife, reduce soil erosion and protect water quality by trapping field sediments and nutrients. Contact your local USDA office and get more information on this and the other programs that improve and protect water quality.