



CIRCULAR 440-19-3

Conservation Programs Manual, Title 440 – Programs

Part 507 – Conservation Stewardship Program (CSP)

SUBJECT: PGM – CSP Grassland Conservation Initiative (GCI)

Purpose. To provide policy related to accepting, evaluating, and contracting GCI contracts.

Effective Date. June 10, 2019.

Background. The Agriculture Improvement Act of 2018 (2018 Farm Bill) authorizes NRCS to enroll producers with eligible base acres in GCI contracts during fiscal year (FY) 2019 through FY 2023. The GCI assists producers in protecting grazing uses; conserving and improving soil, water, and wildlife resources; and achieving related conservation values.

Policy or Procedure. This circular provides new policy specific to the administration of GCI applications and contracts until such policy can be incorporated into the program manual.

Eligible Land

- Farm Service Agency (FSA) will determine which farms and/or tracts contain base acres for GCI purposes.

Note: Land potentially eligible for the GCI consists of cropland for which base acres have been maintained by the Secretary where the base acres have been documented as grass, idle, or fallow for at least the period beginning January 1, 2009, and ending December 31, 2017.

- Only base acres FSA determines eligible for GCI may be enrolled in a GCI contract; no additional acres may be included in the GCI contract.

Note: States should consult with FSA when eligible base acres are identified on land that is in a non-agricultural use status (buildings, parking lot, roads, etc.).

- Eligible base acres may only be enrolled once during the life of the current Farm Bill.
- Eligible land must address resource concerns associated with grassland regardless of whether the producer plants a crop on enrolled land.
- Ineligible land, as described in section 507.52C(1)(i)-(iii), may not be enrolled in GCI, even if base acres are identified on these lands. Lands currently enrolled in CSP are not eligible to enroll in GCI.

Note: The provisions in section 507.52C(1)(iv) and (v) related to public lands and crop history are not applicable to GCI if FSA has determined that the land contains eligible base acreage.

- NRCS should not approve a cancellation or termination of an existing CSP contract in whole, or in part, for a producer to enroll land in GCI.

Applicant Eligibility

- Applicants must be the operator, owner, or other tenant, as assigned by FSA in the FSA Farm Records Management system, for all land offered for enrollment in GCI and have an interest in the agricultural operation where the base acres are located.

- An “operator of record” waiver is not required if the applicant is listed as the operator, owner, or other tenant as explained above, and meets the criteria outlined in section 507.51A(1)(iii), which requires that the applicant—
 - Will operate and have effective control of the land for the term of the contract.
 - Will share in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm (or would have shared had the crop been produced).
 - Participates in the daily management, administration, and performance of the operation and shares in the risk for the term of the proposed contract.
- In addition to the above, applicants must meet criteria identified in sections 507.51A(2) through (7).

Application Processing

- FSA will send targeted mailings to producers with potentially eligible land. NRCS will not hold a signup.
- NRCS may offer producers who receive a letter from FSA or are associated with land included in a letter from FSA an opportunity to enroll eligible base acres in the GCI.
- Producers may enroll FSA-identified eligible land in GCI only once during fiscal years 2019 through 2023. Producers may choose to enroll in any year within this period.
- The producer will submit Form NRCS-CPA-1200, “Conservation Program Application,” and identify the base acres they wish to enroll.
- A producer may apply for an additional contract on newly acquired or newly eligible land in a subsequent ranking period.
 - Example 1. Eligible base acres exist in an existing CSP contract. When the existing CSP contract expires, the acres can be enrolled in a new GCI contract.
 - Example 2. FSA identifies eligible base acres after the initial sign-up period ends. The newly identified acres can be enrolled in a new GCI contract in a subsequent sign-up period.
- NRCS will confirm with FSA that the land the applicant has identified for enrollment meets GCI land eligibility.
- NRCS will not evaluate or rank GCI applications in the Conservation Activity Evaluation Tool (CAET), Application Evaluation and Ranking Tool (AERT), or in the Conservation Assessment Ranking Tool (CART).
- NRCS must document the land use/cover of the eligible acres prior to contract obligation based on a field visit or working knowledge of the farm.

Conservation Stewardship Plan

- Planners must record the applicant-selected priority resource concern (PRC) that the applicant agrees to meet or exceed prior to contract expiration in the “Client Objective” section of the conservation stewardship plan.
 - Note:** Once contracted, a participant may not change the PRC selected at the time of application.
- NRCS will develop the conservation stewardship plan for the eligible acres and schedule the specific “Grassland Conservation Initiative Activity” (code E300GCI) for each year of the 5-year contract.
- No additional conservation activities are authorized to receive financial assistance through a GCI contract.
- Participants must maintain the land enrolled in the GCI to meet the minimum level of resource protection which would be provided by permanent vegetative cover.
- Participants must ensure that a minimum of one priority resource concern meets or exceeds planning criteria for the resource concern. Visual inspection of the resource concern being met is adequate for this program.
 - Note:** Permanent vegetative cover for the purposes of GCI may also include other vegetative and woody species. See GCI activity sheet.



Contract Documents

- Contract documents include the following:
 - NRCS-CPA-1202 and contract appendix
 - NRCS-CPA-1155, "Conservation Plan Schedule of Operations," with only the GCI Activity scheduled each year
 - A conservation stewardship plan which must include the GCI activity (planned as "CSP-GCI") and, if cropped, include any additional conservation activities required to meet grassland resource concerns
- Note:** Any additional activities must be planned as "CTA" and the participant must adopt and maintain them to receive a GCI payment.
- Conservation plan map identifying the land enrolled in the GCI

Payments

- The GCI contract payment rate is \$18 per acre, not to exceed the enrolled eligible base acres.
- Payments for additional activities required to meet the minimum level of resource protection provided by permanent vegetative cover cannot be contracted through another program. These activities are included within the \$18 per acre GCI payment rate.
- GCI does not have payment limitations or contract limits, and GCI payments will not count against CSP-Classic payment limitations.
- Supplemental payments and minimum payments are not authorized for GCI contracts.
- The timing for GCI payments will follow existing policy in section 507.94.

Contract Administration

- NRCS will conduct annual contract reviews for all GCI contracts to ensure that the participant continues to maintain the enrolled land in permanent vegetative cover or is managing enrolled land planted to crops in accordance with their conservation stewardship plan. If the participant fails to maintain the land as planned, this may be a contract violation and should be handled according to policy in Title 440, Conservation Programs Manual, Part 512, Subpart H (440-CPM-512-H), and 440-CPM- 507-K-507.104.
- Contract transfers should follow existing policy in section 507.

Contract Cancellation

- Participants may request to cancel their GCI contract, either in whole or in part, at any time and are eligible to retain payments previously received through the contract.
- If a participant cancels a GCI contract, either in whole or in part, the cancelled base acreage is ineligible for enrollment in a future GCI contract.

Ineligibility

- Producers deemed ineligible for GCI shall be notified in writing by certified mail using the attached CSP-GCI ineligibility letter. Ineligible participants must be provided with the proper appeal rights.

Filing Instructions. This circular is to be printed in hardcopy and retained in local files until the applicable manual is updated to include this information.

Attachment: CSP-GCI Ineligibility Letter