

**From:** dkl@texas-wildlife.org  
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Email: dkl@texas-wildlife.org

FirstName: David K.

LastName: Langford

Address1: P.O. Box 1059

Address2:

City: Comfort

State: Texas

zipcode: 78013

Question1:

Question2:

Question3:

Question4: Just like Jerry from South Dakota and Steve from Missouri pointed out during tonight's listening session with Secretary Johanns, the contracts associated with USDA's conservation programs mainly encourage participants who only care about the money. So far, USDA's general counsel's office refuses to fix GRP's permanent easement contract so that it will be attractive to people who don't have guns to their heads. At the end of these opening remarks, I am embedding my 4/1/05 memo to the head of GRP at NRCS. Mr. Wood has been most helpful, as has Chief Knight, as has Dr. Larry Butler, our state conservationist here in Texas, and his staffers ... but apparently the USDA's lawyers refuse to be reasonable. My contact info is way down at the bottom. A few more disturbing things have happened with our journey through the GRP maze since this memo was sent. I am happy to discuss all this with anyone, anytime. Thank you very much.

April 1, 2005

#### MEMORANDUM

To: Floyd Wood, National Grasslands Reserve Program Manager

From: David K. Langford, Trustee, The Laurels Ranch Trust

Delivered via e-mail

The GRP is still moving in the right direction. Thank you for taking our concerns so seriously and working diligently to clarify the troublesome language in the easement document. Each exchange of information and ideas is making the program better for those of us who have the privilege of managing our nation's grasslands.

After our phone call and a meeting with Dr. Larry Butler, Texas State Conservationist, I signed the option on behalf of The Laurels Ranch

Trust. But, even with all the concerted efforts to date, there are still a few concerns that need to be addressed to ensure that the GRP is an effective, practical tool that landowners can confidently use to conserve the nation's grasslands.

The remaining items are:

1. Definition of "other conservation values": After my discussion with both you and Dr. Butler, I understand that the phrase, "other conservation values," will be generally defined in the Final Rule and specifically defined in Exhibit B of our contract. That is good news for us landowners. As the Final Rule and Exhibit B are being developed, I would appreciate the opportunity to be involved in the process and offer insight from the perspective of a private landowner. It appears that these documents are going to be as vitally important as the easement document and I believe that the process would benefit from landowner input on the front end, so that the final version is as effective as possible and the GRP can continue to move forward quickly.
2. Grantee's unilateral authority: As the easement is currently written, it still allows the Grantee to make unilateral decisions about the appropriateness of certain actions without any input from the Grantor. This remains a serious concern. At the very least, the Grantee should not be able to unreasonably withhold approval. And, furthermore, in those instances where the Grantee must grant approval in writing, the letter must be written and transmitted in a timely fashion.
3. Paragraph III. W. " needs further clarification: As written, it still appears as if the Grantee can enter private land and do whatever they want without the consent of the Grantor. Moreover, since the Property may be owned by many heirs in the future, certainly NRCS should not be permitted access over all of those "Grantors'" properties, whether adjoining or not. NRCS should be permitted only one right of access, which can be defined in the easement, regardless of ownership.
4. Definitions: As written, the easement document still contains some undefined terms. As the Final Rule and Exhibit B are completed, it is important that all terms including, "restoring," "enhancing," "common/customary grazing practices," and "undeveloped, passive recreational uses," be accurately defined.
5. Exhibit B preliminary form: Because Exhibit B will play such a crucial role in the GRP, I would appreciate the opportunity to be involved in its development. For our family " and I assume for many others " Exhibit B and the Final Rule will determine whether or not we are able to participate in the GRP. I would be honored to help shape these documents so that they meet the needs of both the landowner and the Grantee.

Because of your willingness to listen and incorporate new ideas, the GRP is getting better every day. With your continued stewardship, I believe ? with these suggested changes ? the GRP will live up to its promise as one of the most effective conservation programs of all time.

Of course, we landowners will have to hold our judgment until the Final Rule and Exhibit B's are completed. I stand ready to help in any way that I can including traveling to Washington D.C., if necessary. My contact information is below.

Again, thank you for your tireless efforts on behalf of private land stewards across America.

David Keith Langford, Trustee

The Laurels Ranch Trust

P.O. Box 1059

Comfort, Texas 78013

(830) 995-2147-home

(210) 827-0306-mobile

[dkl@texas-wildlife.org](mailto:dkl@texas-wildlife.org)

Question5:

Question6: