

Land Fallowing & Cover Cropping Program

Program objective and overview:

The Land Fallowing & Cover Cropping Pilot Program (Program) has been offered to all GSA's in the Tule Subbasin designed to assist Irrigation Districts and GSAs in addressing structural long-term water shortages in the region by incentivizing landowners and/or operators to plant a cover crop that will reduce groundwater use, protect soil on fallowed land, reduce dust emissions, and provide temporary habitat for birds and other wildlife. To help alleviate demand for groundwater pumping within GSAs' service area, participants will be asked to forego the use or transfer of any transitional pumping allocations associated with the acreage enrolled in the program for the year(s) of participation. As a benefit to participants, any ET use by the cover crop will be waived by the GSA and not counted against a participant's water supply.

Program structure:

The program will be implemented as a reverse auction, with applicants submitting bids on a per acre basis for the incentive payment they need to be paid for participating in the program. As part of enrolling in the Program, participants will plant a cover crop from a list of approved cover crop varieties. Participants may submit joint applications with neighboring landowners/operators to increase the total number of contiguous acres in an application. The Program will be administered by the Tule Basin Land & Water Conservation Trust, in coordination with the GSAs. The Nature Conservancy and Audubon California will provide technical assistance on program design, implementation, and monitoring of habitat outcomes on participating properties.

Key Program Details:

- Contracts may range from a minimum of 1 year to a maximum of 5 years. Applicants proposing contract greater than one year will score higher.
- Timeline:
 - RFP Release August 15, 2023
 - Applications Due September 15, 2023
 - Award Announcement October 1, 2023
 - Procurement of Cover Crop Seed November 1, 2023
 - Plant by December 31, 2023
- 20 acres minimum.
- Contracts are ranked on duration, location, total acreage, and price.
- Approved cover crops: see attached list.
- Enrolled acres must have been farmed within the last 3 years.

Ranking and Scoring Process:

All bids will be ranked and scored by the Land Fallowing & Cover Cropping Program Selection Committee, which includes representatives from the Tule Basin Land & Water Conservation Trust, the GSAs, and The Nature Conservancy. The committee will assess bids according to standardized methods.

The following items can result in **higher** scoring bids: a commitment to fallow for longer duration, applications for large, contiguous acreage. The following items can result in **lower** scoring bids: single year applications, lands that have been fallowed outside of a fallowing program in any of the prior 3 years, small acreage.

FAQs

Can I participate if my land is enrolled in a land flex fallowing program?

Participants can only participate in one of the two programs. However, the GSA allows lands to opt out of the GSA-based fallowing program and enroll in the Trust Program.

I am a tenant farmer. Am I still eligible for this program?

Yes, provided you provide a copy of the lease demonstrating lessee control of property during the duration of the Program agreement for the enrolled property and a letter from the landowner agreeing to forgo the transitional pumping credits during the same term.

Will I be responsible to irrigate the cover crop if there is not enough rain and the cover crop fails to germinate?

No. The approved cover crops are designed to be drought tolerant. In this pilot program, participants who plant specified cover crops within the time frame required will not be penalized for lack of germination due to inadequate rainfall.

When will I be paid?

- Payment #1 -33% of the contract value will be reimbursed upon verification of planting.
- Payment #2 - 33% of the contract value will be released upon crop termination (no harvest).
- Payment #3 - Final 34% will be paid at the end of the program term. water year September 30th.
- Those enrolling in multiple years will be paid under the same schedule annually.

What are my responsibilities as a grower?

- Coordinating with program staff and partners to allow access to monitor the fields
- Plant and maintain the cover crop as per program agreement for the full term of the agreement.
- Communicate in writing with program staff on any requests for deviation.
- Participants wishing to exercise their right to sink water for ground water recharge, per program requirements ,should indicate so at time of bid and prepare fields accordingly prior to planting. No ground disturbance will be allowed after planting.

Will these payments be considered taxable income?

Yes. These payments are considered taxable income and the Tule Trust will provide a 1099 annually.

Who will enforce the terms of the agreement?

The Tule Basin Land and Water Conservation Trust is responsible to ensure the terms of the agreements are met.

What are the consequences of violating the agreement?

Failure to meet the obligations of the agreement will result in the withholding of any payment not already issued. Harvesting any amount of crop between December and July will require repayment of payment 1 plus 50% of the total crop value harvested regardless of sale. If the crop is not sold, value will be determined on the average price of current market. Weight sheets will be used to determine total harvest. Should weight sheet not be provided tonnage will be based on estimated tons per acre based on current harvest rates.