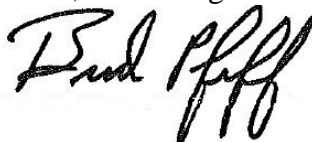


**For:** State and County Offices

**Eligibility, Signing Incentive Payments (SIP's),  
Practice Incentive Payments (PIP's), and Cost-Share Policies for Re-Enrolled Acres**

**Approved by:** Acting Deputy Administrator, Farm Programs



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**1 Overview**

**A Background**

CRP contracts on about 1.6 million acres are currently scheduled to expire on September 30, 2015. Some of those acres may be eligible to be re-enrolled in CRP.

The National Office has received questions about eligibility of enrolled acres that are not in compliance with the approved conservation plan or practice requirements, and whether SIP, cost-share payments, and PIP are authorized for acreage under an expiring CRP-1 that is offered for re-enrollment in CRP.

**B Purpose**

This notice reminds State and County Offices that current procedures and examples for re-enrollment of acreage under an expiring CRP-1 for SIP, cost share, and PIP remain unchanged in 2-CRP.

**2 Re-Enrolled Acres**

**A Eligibility**

Acreage enrolled in CRP maintains its status as eligible cropland. Therefore, acreage currently enrolled in CRP meets the basic eligible cropland criteria, unless the acreage:

- has a CRP useful life easement that extends beyond the length of the current CRP-1
- that is currently enrolled in CRP did not meet the cropland eligibility criteria when initially enrolled, but was allowed to continue in CRP under erroneous eligibility provisions.

Disposal Date	Distribution
January 1, 2016	State Offices; State Offices relay to County Offices, and NRCS Offices



## 2 Re-Enrolled Acres (Continued)

### B Examples

Acreage currently enrolled in CRP may be re-enrolled through continuous signup provided:

- all requirements in 2-CRP, subparagraph 213 C, are met
- the acreage is in compliance with the existing conservation plan
- the acreage will meet the practice standards of the practice being offered for re-enrollment.

Acreage currently enrolled in CRP that is not in compliance with CRP-1 and the conservation plan is not eligible to be re-enrolled as the same practice or in any other practice. Cost-share is not authorized to bring the acreage into compliance to make the acreage eligible for enrollment.

**Example 1:** Acreage is currently enrolled in CRP under a continuous CRP-1 that expires September 30, 2015. The acreage is offered for re-enrollment as the same practice. The acreage is determined to not be in compliance with the existing approved conservation plan and CRP-1 requirements because the cover on the acreage does not meet the cover requirements for the practice and required in the existing approved conservation plan. The acreage is ineligible to be re-enrolled.

**Example 2:** Acreage is currently enrolled in CRP as practice CP2 that expires September 30, 2015. The acreage is offered for enrollment in State Acres for Wildlife Enhancements (SAFE) as practice CP38E. The acreage is determined to not be in compliance with the existing approved conservation plan and CRP-1 requirements because the cover on the acreage does not meet the cover requirements for practice CP2. The acreage is ineligible to be enrolled in CRP, including SAFE.

**Example 3:** Acreage is currently enrolled in CRP under a SAFE that requires a grass only cover and the CRP-1 expires September 30, 2015. The acreage is offered for re-enrollment in a different SAFE that requires a grass and tree cover (the two SAFE areas overlap and the acreage is located within both SAFE areas). The acreage is determined to not be in compliance with the existing approved conservation plan and SAFE requirements because the cover does not meet the SAFE cover requirements. The acreage is ineligible to be enrolled in the different SAFE or otherwise be re-enrolled in CRP.

**Note:** If acreage currently enrolled in CRP is not in compliance, State and County Offices shall follow 2-CRP, paragraphs 603 and 604.



### 3 SIP, Cost-Share, and PIP for Re-Enrolled Acreage

#### A SIP for Re-Enrolled Acreage

Expiring CRP acreage that is being re-offered as Farmable Wetlands Pilot (FWP) is **not** eligible for SIP. Cropland previously enrolled in CRP that is re-enrolled for FWP, is **not** eligible for SIP. See 2-CRP, subparagraph 249 C.

Land being enrolled in a SAFE project that is currently under contract or has expired, and the cover has been maintained, is **not** eligible for SIP. See 2-CRP, subparagraph 832 D.

SIP is **not** authorized for any re-enrolled acreage, FWP practices, or infeasible to farm acres. Land currently under contract or has expired, and the cover has been maintained, is **not** eligible for SIP. See 2-CRP, subparagraph 197 A and 181 F.

SIP is authorized for any new acreage offered in addition to re-enrolled acreage, provided the acreage and producer is otherwise eligible for SIP. See examples in subparagraph B.

#### B Cost-Share for Re-Enrolled Acreage

Cost-share is **not** authorized for re-enrolled practices.

**Exception:** Cost-share is authorized **only** if additional work and/or activity is required for the re-enrolled practice to meet any new practice standards that are different than the practice standards in effect when the acreage was initially enrolled under the existing CRP-1. Cost-share is **not** authorized for work and/or activity to bring the acreage and/or practice into compliance with the existing approved conservation plan or practice standards required by the existing CRP-1. See 2-CRP, subparagraph 491 D and 181 F.

**Example 1:** CP21 acreage is expiring and is offered for re-enrollment. The acreage is in compliance with all the existing approved conservation plan and practice requirements, and terms of the CRP-1. The average width of the existing CP21 is 80 feet, which meets the practice standards in effect at the time the acreage was enrolled in CRP. The technical service provider (TSP) determines the practice should be an average width of 100 feet to meet the CP21 practice standards in effect at the time the acreage is offered for re-enrollment. The participant may re-enroll the acreage as CP21 provided the average width enrolled is 100 feet and all other eligibility requirements are met. Cost-share, SIP, and PIP may be authorized for the new acreage enrolled to achieve the 100 foot average width required to meet the CP21 practice standard; however, SIP, cost-share, and PIP are **not** authorized for the expiring acreage that is being re-enrolled. If the TSP recommendation was for a width less than the 80 foot average width currently enrolled, **only** the acreage comprising the lesser width would be eligible to be re-enrolled, and no SIP, cost-share, or PIP would be authorized.



### 3 SIP, Cost-Share, and PIP for Re-Enrolled Acreage (Continued)

#### B Cost-Share for Re-Enrolled Acreage (Continued)

**Example 2:** An expiring CRP-1 includes practice CP21 that is an average of 80 feet in width. The acreage is in compliance with all the existing approved conservation plan and practice requirements, and terms of the CRP-1. The producer submits and offers to re-enroll the acreage plus additional acreage that results in a CP21 with an average width of 120 feet. The TSP determines the currently enrolled acreage at the 80-foot average width meets the CP21 practice standards in effect at the time the acreage is offered for re-enrollment. A CRP-1 for a CP21 at the 80-foot average width may be approved, provided all other eligibility requirements are met. SIP, cost-share, and PIP are **not** authorized. An offer that includes any additional acreage to the existing 80-foot width CP21 **cannot** be approved.

**Example 3:** An expiring general signup CRP-1 includes acreage enrolled as CP3. The acreage is in compliance with all existing approved conservation plan and practice requirements, and terms of the CRP-1. The participant offers to re-enroll part of the applicable acreage as CP22 under continuous signup. The TSP determines the acreage offered meets the CP22 standards in effect at the time the acreage is offered. The participant may re-enroll the acreage as CP22, provided all other eligibility requirements are met; however, SIP, cost-share, and PIP are **not** authorized.

**Example 4:** An expiring CRP-1 includes practice CP22 that is an average of 100 feet in width. The TSP determines the 100-foot average width meets the CP22 width requirements in effect at the time the acreage is offered for re-enrollment. However, the TSP determines the acreage is not in compliance with the existing approved conservation plan and practice requirements because of inadequate tree and shrub cover. The acreage is not eligible for re-enrollment. No cost-share is authorized to bring the acreage into compliance. Maintaining the practice and staying in compliance with the approved conservation plan and CRP-1 is the responsibility of the participants. Findings of noncompliance must be handled according to 2-CRP, paragraph 603.

#### C PIP for Re-Enrolled Acreage

PIP is **not** authorized for re-enrolled acreage.

**Exception:** PIP may be authorized only if **new** cost share is approved for the practice. See 2-CRP, subparagraph 197 B.



## **Notice CRP-795**

### **4 Action**

#### **A State Office Action**

State Offices shall ensure that County Offices follow the procedure provided in this notice and 2-CRP.

#### **B County Office Action**

County Offices shall:

- follow the procedures provided in this notice and 2-CRP
- contact their State Office for questions about this notice.