

**FSA**  
**HANDBOOK**

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Agricultural Resource Conservation Program

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For State and County Offices

SHORT REFERENCE

**2-CRP**  
**(Revision 6)**

UNITED STATES DEPARTMENT OF AGRICULTURE  
Farm Service Agency  
Washington, DC 20250



UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency  
Washington, DC 20250

<b>Agricultural Resource Conservation Program 2-CRP (Revision 6)</b>	<b>Amendment 5</b>
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**Approved by:** Acting Deputy Administrator, Farm Programs



**Amendment Transmittal**

**A Reasons for Amendment**

Paragraph 428 has been amended to provide additional management activity clarification.

Part 19 has been added to provide CRP haying and grazing procedure.

Exhibit 24 has been amended to include changes to ranking factor 1b.

Exhibits 47, 48, 49, 51, 52 and 54 have been added to implement new haying and grazing provisions in the 2018 Farm Bill.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
9, 10 11 (add)	13-9, 13-10 13-10.5, 13-10.6 (add) 19-1 19-2 (add) 19-3 through 19-76 (add)	1, pages 3, 4 24, pages 1-4 47, page 1 (add) 48, page 1 (add) 49, page 1 (add) 51, pages 1-4 (add) 52, page 1 (add) 54, page 1 (add)



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## Part 1 Basic Provisions

### 1 Overview

#### A Handbook Purpose

This handbook provides CRP policies and instructions for FY's 2019 through 2023 to FSA State and County Offices and NRCS Regional, State, Area, and Field Offices for:

- adhering to general provisions and carrying out FSA responsibilities
- maintaining useful life easements
- approving CRP-1's
- making annual rental payments
- performing other CRP activities
- C/S policies.

### 2 Implementing CRP

#### A Introduction

This part provides the following:

- CRP:
  - sources of authority
  - objective
  - emphasis
- a list of related handbooks
- information on:
  - voluntary participation
  - CRP forms
  - who shall have access to a participating farm and farm records
  - relief actions
  - restrictions on lobbying activities.

#### B Voluntary Participation

A producer who purchases land enrolled in CRP is **not** be required to participate in CRP.

### 3 Authority, Program Objective, and Emphasis

#### A Sources of Authority

Sources of authority for CRP are:

- the Food Security Act of 1985, as amended
- 7 CFR Part 1410
- annual appropriations acts.

#### B CRP Objective

CRP's objective is to cost-effectively assist owners and operators in conserving and improving the nation's natural resource base.

#### C CRP Emphasis

CRP is a natural resource program that:

- protects the nation's soil, water, and wildlife resources
- improves and preserves water quality
- enhances fish and wildlife habitat
- addresses issues raised by local, State, regional, and national conservation initiatives.

## 4 Related Handbooks, Manuals, and Forms

### A Related Handbooks and Manuals

The following provides handbooks and manuals related to CRP.

<b>Handbook or Manual</b>	<b>Purpose</b>
1-APP	Appeals
1-ARCPLC	Agriculture Risk Coverage and Price Loss Coverage Program
1-AS	Supplementing CRP provision.
3-AS	Clearing forms
32-AS	Records management
1-CM	Common management and operating provisions
9-CM	Common Payment System
10-CM	Farm records and reconstitutions for 2013 and subsequent years
1-COR	Quality control
2-CP	Acreage compliance determinations
6-CP	Highly erodible land conservation and wetland conservation provisions
7-CP	Finality rule and misaction/misinformation
4-CRP	TERRA and COLS
5-CRP	Conservation Contract Maintenance System and Conservation Payment Application
1-EQ	Environmental Quality Programs
50-FI	Prompt payment interest rates
58-FI	Handling claims
61-FI	Prompt payment provisions
62-FI	Nonresident alien income tax
63-FI	Assignments and joint payments
64-FI	National Receipts and Receivables System collections and receivables
1-GIS	Geospatial Information Systems

## 4 Related Handbooks, Manuals, and Forms (Continued)

## A Related Handbooks and Manuals (Continued)

<b>Handbook or Manual</b>	<b>Purpose</b>
2-INFO	Providing information to the public
3-INFO	Privacy Act
1-PL	Common payment limitation provision for CRP-1's approved after July 31, 1988, and <b>before</b> October 1, 2008
3-PL (Rev.2)	Web-based subsidiary files for 2009 and subsequent years
4-PL	Common payment limitation provision for CRP-1's approved <b>after</b> September 30, 2008
5-PL	Payment eligibility, payment limitation, and average adjusted gross income - Agricultural Act of 2014
National Planning Procedures Handbook	Conservation planning requirements
National Food Security Act Manual	Highly erodible land and wetland determinations and delineations
General Manual 180, Part 409	Conservation Planning Policy
General Manual 190, Part 410	Compliance with NEPA
Field Office Technical Guides	Technical criteria

## 4 Related Handbooks, Manuals, and Forms (Continued)

### B Adding or Withdrawing Provisions

State supplements to the handbook must **not** be less or more restrictive than the provisions of this handbook; however, State-specific amendments may be made that are consistent with CRP provisions. For permanent directives, the following guidelines **must** be followed:

- issue a permanent State Office directive **only** as a supplement to this handbook

**Note:** Do **not** create a separate State handbook.

- do **not** rewrite or elaborate on unclear or incomplete national instructions
- do **not** modify national wording when adding supplemental information.

State Offices may supplement these handbook instructions according to 1-AS.

**Note:** Periodically, the National CRP Program Manager may select State amendments for review.

### C Using Forms

Use national forms when applicable.

Other forms used for CRP may be:

- modified, according to the applicable exhibits
- developed as needed
- submitted for clearance and approval according to 3-AS.

**Important:** Use of manual CRP-1, CRP-2, CRP-2C, or CRP-2G is not authorized.

## 5 Access to Farm and Farm Records, Relief Actions, and Appeals

### A Access to Farm and Farm Records

Authorized representatives of the Secretary must have access to a participating farm and farm records to:

- make eligibility determinations
- determine compliance with this handbook's provisions.

### B Procedure Waiver by DAFP

Unless prohibited by statute, DAFP may waive any provision in this handbook.

**Exception:** The waiver provision is **not** a substitute for:

- appeal provisions in 1-APP
- misaction or misinformation provisions in 7-CP.

### C Request for Programmatic Relief

STC may authorize programmatic relief to an applicant based on a producer's request, documented justification, and COC recommendation **only** within the authorities delegated to it by the CRP regulations or this handbook.

COC may submit to STC fully documented requests for relief from complying with the CRP-1 terms and conditions.

Case files must include the following:

- CRP-1
- CRP-2, CRP-2C, or CRP-2G, as applicable
- Conservation plan and supporting documentation
- COC minutes related to the case being submitted with all other actions redacted
- map of the CRP acreage
- correspondence from participant(s) relative to the case
- participant written request
- basis and justification that COC is requesting relief
- a chronological narrative of the case.

**5 Access to Farm and Farm Records, Relief Actions, and Appeals (Continued)**

**D Administrative Appeals**

Handle all appeals, including appeals for technical determination made by NRCS or TSP, according to 1-APP.

CRP participants may request and receive a copy of the administrative appeal procedures in 1-APP.

**Note:** Items, such as formulas and SRR's, that are applied generally to all producers are not appealable.

See CRP-35 (Exhibit 5) for notification of offer reconsideration because of redetermination.

## 6 Restrictions on Lobbying Activities

### A Applicability

The disclosure requirements apply to all FSA-848 applications for C/S payments filed and disbursed since December 23, 1989.

### B Complying With Lobbying Disclosure Requirements

To comply with lobbying disclosure requirements, applicants for and recipients of a CRP C/S payment exceeding \$100,000 **must** file, with the County Office, either of the following for **each** C/S payment that exceeds \$100,000:

- CCC-674 (Exhibit 6), if they have not used or will not use monies received for lobbying purposes
- SF-LLL (Exhibit 6), if they have used or will use monies received for lobbying purposes.

**Note:** Complete SF-LLL-A (Exhibit 6) if needed.

### C Providing Forms

Each time a single CRP C/S payment exceeds \$100,000, County Offices must send a copy of CCC-674, SF-LLL, and SF-LLL-A to the recipient with instructions to complete and return the applicable form or forms to the County Office within 10 workdays. See subparagraph E for disbursing payments.



**6 Restrictions on Lobbying Activities (Continued)**

**D Forwarding and Filing Forms**

County Offices must:

- forward a copy of the completed forms to Office of Advocacy and Outreach, through State Offices and DAFO
- file the original of the completed forms in the County Office in folder entitled “CRPF-2-d Contract Folders”.

**E Disbursing Payments**

County Offices must not:

- disburse CRP C/S payments exceeding \$100,000 until the applicant has returned the completed applicable form to the County Office
- issue multiple payments to avoid the requirements in subparagraph B.

**F Unusual Situations**

County Offices must contact FMD, through State Offices and DAFO, for assistance if situations arise that are not covered in this paragraph.

**7 CCC-770 Checklists Policy**

**A Policy on Use of CCC-770 Checklists**

CCC-770 checklists:

- are required for the first 5 applications received by each employee, each fiscal year for each type of sign up (general, continuous, CREP, and CRP grasslands)
- shall be considered as management tools to help address deficiencies identified by a review or spot check of whether program policies or procedures are being followed before issuing CRP payments.

This policy does not negate STC, SED, State Office, DD, COC, and County Office responsibility for administering all provisions applicable before disbursing a program payment.

**B Action**

SED, STC or designee, DD, or CED must determine:

- when County Offices are to complete additional CCC-770 checklists if apparent internal control deficiencies are found during CED, STC representative, or DD reviews
- whether the applicable CCC-770 checklist is necessary to avoid findings indicated by internal reviews
- when additional internal controls are necessary to reduce improper payments.

**8-17 (Reserved)**

## Part 2 Responsibilities

### Section 1 Agency Responsibilities

#### 18 Responsibilities

##### A FSA Responsibilities

FSA will administer CRP. Supervision will be provided by:

- STC to COC
- COC to County Offices for the day-to-day CRP operations.

##### B NRCS Responsibilities

NRCS will, as appropriate, participate in State-level technical determinations and policy reviews, such as evaluating soil payment rates, C/S policies, and other requirements.

##### C NRCS and TSP Responsibilities

NRCS and TSP will:

- develop an approved conservation plan
- assist participants to ensure that practice specifications are met, including using Suitability and Feasibility Determination Worksheets for continuous CRP signup only for land not currently enrolled in CRP
- provide FSA with the following:
  - \*--certification of practice completion on FSA-848B, according to paragraphs 507 and 508
  - copy of all completed status reviews--\*
- through State Foresters:
  - develop the tree planting plan for inclusion in the approved conservation plan

\* \* \*

**18 Responsibilities (Continued)**

**C NRCS and TSP Responsibilities (Continued)**

- provide technical assistance for the tree planting practices
- monitor and certify practice completions
- develop landowner stewardship plans for converted CRP-1's.

**D NIFA Responsibilities**

NIFA will coordinate and conduct educational activities on CRP through the State Extension System.

**E Conservation Districts Responsibilities**

Conservation Districts will have the opportunity to approve conservation plans.

**19 MOU and Memorandums of Agreement**

**A Approving Officials**

All MOU and Memorandums of Agreement, other than those in Exhibit 9 to administer CRP, require prior DAFP or Executive Vice President, CCC, approval.

**B NRCS Memorandum of Agreement**

See Exhibit 9 for a copy of the approved Memorandum of Agreement between NRCS, FSA, and CCC.

**C FS Memorandum of Agreement**

See Exhibit 9 for a copy of the approved Memorandum of Agreement between FS, FSA, and CCC.

**20-30 (Reserved)**



## Section 2 FSA Administrative Responsibilities

## 31 STC Administrative Responsibilities

## A STC Responsibility

Within the authorities and limitations in this handbook, STC must:

- direct the administration of CRP
- document actions taken in minutes or other written records
- handle appeals according to 1-APP
- determine whether meritorious relief is applicable on a case-by-case basis

**Notes:** All cases submitted to DAFP for relief must contain the following:

- copy of participant's written request for relief
- copy of COC and STC minutes thoroughly documenting request and justification
- copy of all applicable forms and documents in the case file, including but not limited to CRP-1's, CRP-2's, copy of digital imagery/map, conservation plans, FSA-848's, C/S receipts, land deeds, etc.
- all documentation used by COC and STC during review
- narrative of the case in chronological order.

Incomplete case files may delay response.

See paragraph 490 and Exhibit 11.

- upon recommendation from the County Office, designate areas of the State where the use of tree shelters, netting, plastic tubes, or other animal damage control devices are warranted and cost-effective on CP3A, CP5A, CP16A, CP22, CP22B, CP22S, CP23, CP23A, CP25, CP27, CP31, CP39, CP40, or CP41
- \*--establish PNS.

**Note:** Establishment of PNS must not be delegated to COC's or County Offices.--\*

**31 STC Administrative Responsibilities (Continued)**

**A STC Responsibility (Continued)**

If STC does not establish dates as recommended by the State Technical Committee, STC **must:**

- submit dates to CD for approval
- include justification to support the dates not recommended by the State Technical Committee.

**B STC Delegating Responsibility**

STC may delegate an official representative to sign documents. This delegation must be documented in the STC minutes.

**C Retaining Easement Forms**

Although useful life easements are not required after the tenth CRP signup, State Offices must retain all versions of easement forms on file.



## 32 SED Responsibilities for CRP

### A SED Responsibilities

SED's must:

- ensure that all County Offices follow provisions in this handbook
- require reviews to ensure that County Offices comply with requirements established by the National and State Office handle appeals according to 1-APP
- ensure that County Offices publicize CRP provisions
- review monthly CRP C/S obligation monitoring reports and communicate corrective action according to paragraph 522
- review 7-CP for equitable relief provisions.

## 33 DD Responsibilities for CRP

### A DD Responsibilities

DD's must:

- ensure that COC's and CED's follow provisions in this handbook
- review County Office procedures to ensure that County Offices comply with requirements established by the National and State Office
- provide SED with a written report of all reviews
- review and approve CRP-1's according to paragraphs 401 and 519
- review monthly CRP C/S monitoring reports provided by County Offices
- contact the County Offices that do not provide a report by the 15<sup>th</sup> of each month
- provide a summation of actions taken to the State Office at the end of each month according to paragraph 522.

**Note:** These reports are available from the CSS Reports Menu.

## 34 COC Policies and Responsibilities

### A Establishing and Maintaining Policy

COC must establish local policies that conform to National and State CRP policies.

National practices **must** be offered in the State unless STC determines that the practice is not applicable to the State. See Exhibit 11.

Practice specifications will be maintained for all practices.

### B COC Responsibilities

COC must:

- fully comply with National and State CRP policies
- document actions taken in COC minutes
- handle appeals according to 1-APP
- document recommendations for relief to STC according to this handbook
- ensure that successors-in-interest to CRP-1's meet requirements in 1-PL, 4-PL, or 5-PL, as applicable
- ensure that County Office employees adhere to provisions and instructions in this handbook
- ensure that participants are taking necessary actions to establish scheduled conservation practices timely
- ensure that producers receive complete, accurate, and timely program information about CRP by providing information through:
  - program factsheets, newsletters, and print media
  - meetings
  - radio, television, and video

**34 COC Policies and Responsibilities (Continued)****B COC Responsibilities (Continued)**

- document actions taken in COC minutes and include the following:
  - all factors considered
  - justification of all determinations
  - reference to applicable handbook procedures
- review CED approvals of CRP-1's and CRP-1R at each COC meeting and record CRP-1 numbers in COC minutes

**Note:** See paragraph 603 for noncompliance

**35 CED Responsibilities for CRP****A CED Responsibilities**

CED's must:

- approve FSA-848A for the following:
  - conservation practices
  - changes in extent and C/S, including increases if supported by NRCS or TSP
- extend the time to complete practice or report performance
- approve FSA-848B for partial payment and final payment
- determine the following:
  - sufficiency of signatures
  - authority of persons signing in a representative capacity
  - contributions of individual or individuals sharing in establishing the practice
  - estimate for report of accomplishment
  - eligible cropland acres
  - eligible marginal pastureland acres
  - reviewing and verifying documentation submitted to determine cropping history
- approve conservation plans

**35 CED Responsibilities for CRP (Continued)****A CED Responsibilities (Continued)**

- approve CRP-1 and CRP-1R, except for CRP-1's involving lands owned by SED, STC, COC, CED, State Office employees including DD's or other County Office employees
- review CRP-1 and CRP-1R's (including revisions) with COC and document review (including CRP-1 numbers) in the COC minutes in the same manner as delegated authorities according to 16-AO
- approve CRP-1G Addendum
- ensure that County Offices follow provisions issued by COC, DD, STC, State Offices, and this handbook
- ensure that all automated processes are completed in a timely manner
- ensure that monthly County Office CRP C/S monitoring reports and actions are carried out by County Office staff according to paragraph 522
- report incorrect software calculations, discrepancies, and problems to SED, through DD
- report to SED and the State Office Program Specialist, through DD, incomplete or incorrect procedures in this handbook
- ensure that all pertinent information and program deadlines are publicized
- ensure that signature deadlines are carefully monitored for reconstituted farms, designating payment shares, and necessary supporting documentation, such as AD-1026, CCC-502, CCC-526C, CCC-901, CCC-902, CCC-931C, or CCC-941, as applicable.

**36 PT Responsibilities for CRP**

**A PT Responsibilities**

PT's must:

- follow the provisions in this handbook
- report the following to CED:
  - incorrect software calculations and discrepancies
  - incomplete or incorrect procedures in this handbook
- prepare reports as requested by SED, DD, CED, COC, and State Offices
- complete monthly CRP C/S monitoring responsibilities \* \* \* according to paragraph 522.

**37 Written Documentation**

**A COC Actions**

COC must document determinations by recording in the COC minutes and completing any of the following as applicable:

- having a member sign the form
- making a note on the document
- attaching COC member's signed statement to the document
- ensuring that a statement is in COC minutes.

**B County Office Employee Action**

County Office employees must ensure that facts obtained, or actions taken, are made a matter of written record by:

- recording the facts or actions on either of the following:
  - the document
  - a statement attached to the document
- signing or initialing and dating the document.

## 38 Redelegations of Authority

### A Prohibited Redelegations

COC will **not** redelegate the following:

- actions and determinations involving lands owned by SED, STC, COC, CED, State Office employees including DD's or other County Office employee
- determining violations of CRP-1's
- determining violations of landlord and tenant provisions
- hearing appeals
- appeal decisions.

## 39 CED Responsibilities

### A Nondelegated Responsibilities

Without formal delegation, and as part of the daily office operations, CED or program \*--technician designee will:--\*

- issue FSA-848A to participants
- send referrals for conservation planning to TSP or NRCS
- prepare forms for C/S payments
- compute C/S and rental payments
- maintain and update changes in land ownership in MIDAS BP and MIDAS Farm Records file
- renumber fields redefined for CRP according to 10-CM
- maintain cropland classification for acres devoted to trees for the life of CRP-1
- determine value of refunds, interest, and liquidated damages, when applicable, and according to the provisions of this handbook
- inform landowners that CRP-1 expiration does not terminate the easement on the land under CRP-1. The landowner is responsible for removing the easement from the deed after the easement expires and written approval has been obtained from COC. COC must **not** incur any expenses for removing the easement.

## 40-51 (Reserved)

**Section 3 NRCS Agency Responsibilities**

**52 NRCS Responsibilities**

**A NRCS National Headquarters**

The following provides the responsibilities of the NRCS National Office.

<b>Position</b>	<b>Responsibilities</b>
Deputy Chief for Programs	Provides overall national leadership for NRCS coordination of program development and implementation with FSA and other agencies.
Director, Conservation Planning and Technical Assistance Division (CPTAD)	<ul style="list-style-type: none"> <li>• Provides national program leadership, representing the NRCS Chief in maintaining liaison and working relationship with program leaders in FSA.</li> <li>• Provides policy and procedural guidance on CRP operations to NRCS State Offices.</li> <li>• Coordinates training for State and Regional CRP activities.</li> </ul>

**B NRCS Regional Offices**

The Regional Conservationist is responsible for providing oversight and evaluation of CRP to ensure:

- consistency in the use of RUSLE and WEQ
- consistency with the water and wind erosion index
- technical adequacy of conservation planning
- technical adequacy of conservation practice implementation.

**52 NRCS Responsibilities (Continued)****C NRCS State Offices**

State Conservationists provide leadership for NRCS activities associated with CRP activities in the State. State Conservationists:

- will represent NRCS, and chair the State Technical Committee
- will develop agreements with other Federal and State agencies, as applicable
- will designate staff to carryout NRCS responsibilities at the State and field levels
- may transfer funds to Conservation Districts or other units of State or local government through cooperative agreements.

**Note:** The application for funds **must** be made on SF-424-1 and forwarded to the State Conservationist by the unit of government.

**D NRCS Area Offices**

In States with Area Offices, or the equivalent, the Area Conservationist will carry out NRCS responsibilities for CRP as delegated by the State Conservationist.



52 NRCS Responsibilities (Continued)

E NRCS Field Offices

The following provides the responsibilities of the District Conservationist.

Activity	Responsibility
Coordination and Representation	Coordinates responsibilities and represents NRCS with: <ul style="list-style-type: none"> <li>• FSA</li> <li>• FSA COC</li> <li>• State Forestry Agency</li> <li>• State Wildlife Agency</li> <li>• Conservation Districts</li> <li>• other agencies, as appropriate.</li> </ul>
Reporting and Records Management	Reports the following to FSA COC promptly: <ul style="list-style-type: none"> <li>• findings that may affect an applicant’s eligibility, including changes in cropping history or management</li> <li>• cases of apparent noncompliance with program requirements.</li> </ul>
Planning and Application	Assists producers with the following: <ul style="list-style-type: none"> <li>• Evaluating eligibility of the practice by completing Suitability and Feasibility Worksheet</li> <li>• developing a conservation plan that NRCS has technical responsibility for that contains all appropriate practices, including operation and maintenance</li> <li>• servicing all FSA-848B’s that NRCS has technical responsibility for the assigned practices (CP1, CP2, etc.) identified in the conservation plan</li> <li>• ensuring that all conservation practices meet FOTG standards</li> <li>• obtaining Conservation District approval of conservation plans</li> </ul> <p style="margin-left: 20px;">*--Note: See subparagraphs 366 D and 368 C.--*</p> <ul style="list-style-type: none"> <li>• coordinating planning of tree planting with the producer and State Forestry Agency representative for development of the tree planting plan to be referenced in the conservation plan (other approved electronic form)</li> <li>• complete conservation plan modifications as needed and provide copy to FSA.</li> </ul>

52 NRCS Responsibilities (Continued)

E NRCS Field Offices (Continued)

Activity	Responsibility
Certification	<p>Certifies on approved forms that the conservation plan meets minimum requirements before obtaining the Conservation District review and approval.</p> <p>*--<b>Note:</b> See subparagraphs 366 D and 368 C regarding Conservation District signature.--*</p> <p>Certifies on FSA-848B that all CRP practices (CP1, CP2, etc.) on CRP-1 and included in the conservation plan are installed according to NRCS standards and specifications. See paragraphs 507 and 508.</p>
Completes Status Reviews	<p>Completes status reviews for all field visits and provides FSA a copy, with pictures if there are possible compliance issues.</p> <p>* * *</p>

F NRCS Employee Prohibitions

NRCS employees are prohibited from servicing CRP-1's on land that they, or their immediate family, own or lease. The Area or State Conservationist must designate another NRCS employee to service such CRP-1's.

53-65 (Reserved)

## Part 3 CRP Practices

## 66 National Practices

## A National Practices and Titles

The following provides the national practices.

<b>Practice</b>	<b>Title</b>
CP1	Establishment of Permanent Introduced Grasses and Legumes
CP2	Establishment of Permanent Native Grasses
CP3	Tree Planting
CP3A	Hardwood Tree Planting
CP4B	Permanent Wildlife Habitat (Corridors)
CP4D	Permanent Wildlife Habitat
CP5A	Field Windbreak Establishment
CP8A	Grass Waterways
CP9	Shallow Water Areas for Wildlife
CP12	Wildlife Food Plot
CP15A	Establishment of Permanent Vegetative Cover (Contour Grass Strips
CP15B	Establishment of Permanent Vegetative Cover (Contour Grass Strips), on Terraces
CP16A	Shelterbelt Establishment
CP17A	Living Snow Fences
CP18B	Establishment of Permanent Vegetation to Reduce Salinity
CP18C	Establishment of Permanent Salt Tolerant Vegetative Cover
CP21	Filter Strips
CP21B	Denitrifying Bioreactor on Filter Strips
CP21S	Saturated Filter Strips
CP22	Riparian Buffer
CP22B	Denitrifying Bioreactor on Riparian Buffers
CP22S	Saturated Riparian Buffers
CP23	Wetland Restoration
CP23A	Wetland Restoration, Non-Floodplain
CP24	Cross Wind Trap Strips
CP25	Rare and Declining Habitat

## 66 National Practices (Continued)

## A National Practices and Titles (Continued)

<b>Practice</b>	<b>Title</b>
CP27	Farmable Wetlands
CP28	Farmable Wetland Buffer
CP29	Marginal Pastureland Wildlife Habitat Buffer
CP30	Marginal Pastureland Wetland Buffer
CP31	Bottomland Timber Establishment on Wetlands
CP33	Habitat Buffers for Upland Birds
CP36	Longleaf Pine – Establishment
CP37	Duck Nesting Habitat
CP38A	SAFE - Buffers
CP38B	SAFE - Wetlands
CP38C	SAFE - Trees
CP38D	SAFE - Longleaf Pine
CP38E	SAFE - Grass
CP39	FWP Constructed Wetland
CP40	FWP Aquaculture Wetland Restoration
CP41	FWP Flooded Prairie Wetland
CP42	Pollinator Habitat
CP43	Prairie Strips
CP88	Permanent Native Grasses and Legumes

**Note:** See Exhibit 11.

66 National Practices (Continued)

**B Practices for General CRP Signup**

The following provides eligible practices and CRP-1 period for general CRP signup.

Practice	CRP-1 Period
CP1	10
CP2	10
CP3	10
CP3A	10 to 15 <u>1/</u>
*--CP4B <u>3/</u> --*	10 to 15 <u>1/</u>
CP4D	10
CP12 <u>2/</u>	10 to 15
CP25	10 to 15 <u>1/</u>
CP38C-3	10 * * *
CP38C-3A	10 to 15 <u>1/</u>
CP38C-25 (primarily trees)	10 to 15 <u>1/</u>
CP38E-1	10 * * *
CP38E-2	10 * * *
CP38E-4D	10 * * *
CP38E-12 <u>2/</u>	10 to 15 <u>1/</u>
CP38E-25 (primarily grass)	10 to 15 <u>1/</u>
CP38E-42	10 * * *
CP42	10

1/ Producer must elect a CRP-1 period between 10 and 15 years.

2/ CP12 is only available in conjunction with certain other practices. The CRP-1 period is determined by the practice used in conjunction with CP12. See Exhibit 11.

\*--3/ Practice is not available as of January 4, 2021.--\*

66 National Practices (Continued)

C Practices for Continuous CRP Signup

The following provides eligible practices and CRP-1 period for the continuous CRP signup.

Practice	CRP-1 Period
CP1 <u>2</u> /	10
CP2 <u>2</u> /	10
CP3 <u>2</u> /	10
CP3A <u>2</u> /	10 to 15 <u>1</u> /
*--CP4B <u>2</u> / <u>4</u> /--*	10 to 15 <u>1</u> /
CP4D <u>2</u> /	10
CP5A	10 to 15 <u>1</u> /
CP8A	10
CP9	10
CP12 <u>3</u> /	10 to 15 <u>1</u> /
CP15A	10
CP15B	10
CP16A	10 to 15 <u>1</u> /
CP17A	10 to 15 <u>1</u> /
CP18B	10
CP18C	10
CP21	10 to 15 <u>1</u> /
CP21B	10 to 15 <u>1</u> /
CP21S	10 to 15 <u>1</u> /
CP22	10 to 15 <u>1</u> /
CP22B	10 to 15 <u>1</u> /
CP22S	10 to 15 <u>1</u> /
CP23	10 to 15 <u>1</u> /
CP23A	10 to 15 <u>1</u> /
CP24	10
CP27	10 to 15 <u>1</u> /
CP28	10 to 15 <u>1</u> /
CP29	10 to 15 <u>1</u> /

## 66 National Practices (Continued)

## C Practices for Continuous CRP Signup (Continued)

Practice	CRP-1 Period
CP30	10 to 15 <u>1/</u>
CP31	10 to 15 <u>1/</u>
CP33	10
CP36	10 to 15 <u>1/</u>
CP37	10 to 15 <u>1/</u>
CP38A	10 to 15 Determined based on project.
*--CP38A-8A <u>5/</u>	10 to 15 Determined based on project.
CP38A-15A <u>5/</u>	10 to 15 Determined based on project.
CP38A-15B <u>5/</u>	10 to 15 Determined based on project.
CP38A-33 <u>5/</u> --*	10 to 15 Determined based on project.
CP38B	10 to 15 Determined based on project.
CP38C-31	10 to 15 Determined based on project.
CP38C-37	10 to 15 Determined based on project.
CP38D-36	10 to 15 Determined based on project.
* * *	* * *
CP38E-12	10 to 15 Determined based on project.
* * *	* * *
CP38E-18B	10 to 15 Determined based on project.
CP38E-18C	10 to 15 Determined based on project.
CP38E-24	10 to 15 Determined based on project.
* * *	* * *
CP39	10 to 15 <u>1/</u>
CP40	10 to 15 <u>1/</u>
CP41	10 to 15 <u>1/</u>
CP42	10 or 15 <u>1/</u>
CP43	10 to 15 <u>1/</u>
CP88	10 or 15 <u>1/</u>

1/ Producer elect a CRP-1 period between 10 and 15 years.

2/ Practices eligible within approved wellhead protection areas only. See paragraph 181.

3/ CP12 is only available in conjunction with certain other practices. The CRP-1 period is determined by the practice used in conjunction with CP12. See Exhibit 11.

\*--4/ Practice is not available as of January 4, 2021.

5/ SAFE practices were moved from CP38E to CP38A starting with SU55 – January 4, 2021.--\*

66 National Practices (Continued)

**D CRP Practices, Signup Types, Contract Periods, and Incentives**

The following provides CRP practices, signup types, contract periods, and incentives.

**Important:** The terms of the CREP Agreement will provide the CRP practices, contract period, and incentives, if any, for each CREP.

Practice Number And Name	Continuous	General	Contract Period	32.5 Percent SIP	*--20 Percent PIP <u>3/</u>	10 Percent Rental Rate Incentive <u>4/--*</u>	Maximum Maintenance Incentive Rate
CP1, Establishment of Permanent Introduced Grasses and Legumes	Wellhead	X	10	N <u>1/</u>	N <u>1/</u>	N	
CP2, Establishment of Permanent Native Grass	Wellhead	X	10	N <u>1/</u>	N <u>1/</u>	N	
CP3, Tree Planting	Wellhead	X	10	N <u>1/</u>	N <u>1/</u>	N	
CP3A, Hardwood Tree Planting	Wellhead	X	10-15	N <u>1/</u>	N <u>1/</u>	N	
CP4B, Permanent Wildlife Habitat Corridors <i>*--5/--*</i>	Wellhead	X	10-15	N <u>1/</u>	N <u>1/</u>	N	
CP4D, Permanent Wildlife Habitat	Wellhead	X	10	N <u>1/</u>	N <u>1/</u>	N	
CP5A, Field Windbreak Establishment	X		10-15	Y	Y	N	
CP8A, Grass Waterway	X		10	Y	Y	<i>*--Y--*</i>	

1/ SIP and PIP are authorized for practices enrolled under wellhead protection criteria.

*\*--3/* Effective December 3, 2020.

4/ Effective December 3, 2020.

5/ Practice is not available as of January 4, 2021.--\*



66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Periods, and Incentives (Continued)

Practice Number And Name	Continuous	General	Contract Period	32.5 Percent SIP	*--20 Percent PIP <u>3/</u>	10 Percent Rental Rate Incentive <u>4/--*</u>	Maximum Maintenance Incentive Rate
CP9, Shallow Water Areas for Wildlife	X		10	Y	Y	N	
CP12, Wildlife Food Plot	X	X	10-15	N <u>2/</u>	N	N	
CP15A, Establishment of Permanent Vegetative Cover - Contour Grass Strip	X		10	Y	Y	*--Y	
CP15B, Establishment of Permanent Vegetative Cover - Contour Grass Strip on Terraces	X		10	Y	Y	Y--*	
CP16A, Shelterbelt Establishment	X		10-15	Y	Y	N	

2/ SIP is authorized only when enrolled under continuous CRP.

\*--3/ Effective December 3, 2020.

4/ Effective December 3, 2020.--\*

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Periods, and Incentives (Continued)

Practice Number And Name	Continuous	General	Contract Period	32.5 Percent SIP	*--20 Percent PIP 3/	10 Percent Rental Rate Incentive 4/--*	Maximum Maintenance Incentive Rate
CP17A, Living Snow Fences	X		10-15	Y	Y	N	
CP18B, Establishment of Permanent Vegetation to Reduce Salinity	X		10	Y	Y	N	
CP18C, Establishment of Permanent Salt Tolerant Vegetative Cover	X		10	Y	Y	N	
CP21, Filter Strip	X		10-15	Y	Y	*--Y	\$0, \$5, \$10
CP21B, Denitrifying Bioreactor on Filter Strip	X		10-15	Y	Y	Y	\$0, \$5, \$10
CP21S, Saturated Filter Strip	X		10-15	Y	Y	Y	\$0, \$5, \$10
CP22, Riparian Buffer	X		10-15	Y	Y	Y	\$2, \$5, \$10
CP22B, Denitrifying Bioreactor on Riparian Buffer	X		10-15	Y	Y	Y	\$2, \$5, \$10
CP22S, Saturated Riparian Buffer	X		10-15	Y	Y	Y	\$2, \$5, \$10
CP23, Wetland Restoration	X		10-15	Y	Y	Y	
CP23A, Wetland Restoration, Non-Floodplain	X		10-15	Y	Y	Y--*	

\*--3/ Effective December 3, 2020.

4/ Effective December 3, 2020.--\*

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Periods, and Incentives (Continued)

Practice Number And Name	Continuous	General	Contract Period	32.5 Percent SIP	*--20 Percent PIP 3/	10 Percent Rental Rate Incentive 4/--*	Maximum Maintenance Incentive Rate
CP24, Establishment of Permanent Vegetative Cover as Cross Wind Trap Strips	X		10	Y	Y	N	
CP25, Rare and Declining Habitat		X	10-15	N	N	N	
CP27, Farmable Wetlands Pilot Wetland	X		10-15	Y	Y	*--Y	
CP28, Farmable Wetlands Pilot Buffer	X		10-15	Y	Y	Y	
CP29, Marginal Pastureland Wildlife Buffer	X		10-15	Y	Y	Y	\$0, \$5, \$10
CP30, Marginal Pastureland Wetland Buffer	X		10-15	Y	Y	Y	\$0, \$5, \$10
CP31, Bottomland Timber Establishment on Wetlands	X		10-15	Y	Y	Y--*	
CP33, Habitat Buffers for Upland Birds	X		10	Y	Y	N	
CP36, Longleaf Pine - Establishment	X		10-15	Y	Y	N	
CP37, Duck Nesting Habitat	X		10-15	Y	Y	*--Y--*	

\*--3/ Effective December 3, 2020.

4/ Effective December 3, 2020.--\*

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Periods, and Incentives (Continued)

Practice Number And Name	Continuous	General	Contract Period	32.5 Percent SIP	*--20 Percent PIP <u>3/</u>	10 Percent Rental Rate Incentive <u>4/</u> --*	Maximum Maintenance Incentive Rate
CP38A, SAFE – Buffers *--(CP8A, CP15A, CP15B, CP21, CP22, CP33, CP43)--*	X		10-15	Y	Y	*--Y	
CP38B, SAFE – Wetlands (CP9, CP23, CP23A, CP27, CP28, CP37)	X		10-15	Y	Y	Y <u>6/</u> --*	
CP38C, SAFE – Trees (CP3, CP3A, CP25)		X	10-15	N	N	N	
CP38C, SAFE – Trees (CP16, CP17, CP31,)	X		10-15	Y	Y	N	
CP38D, SAFE - Longleaf Pine (CP36)	X		10-15	Y	Y	N	
CP38E, SAFE – Grass (CP1, CP2, CP4D, CP12, CP25, CP42)		X	10-15	N	N	N	
CP38E, SAFE – Grass (CP12, * * * CP18B, CP18C, CP24 * * *)	X		10-15	Y	Y	N	
CP40, FWP Aquaculture Wetland Restoration	X		10-15	Y	Y	*--Y	
CP41, FWP Flooded Prairie Wetlands	X		10-15	Y	Y	Y--*	

\*--3/ Effective December 3, 2020.

4/ Effective December 3, 2020.

6/ Practice CP38B-9 is not authorized for the 10 Percent Rental Rate Incentive.--\*

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Periods, and Incentives (Continued)

Practice Number And Name	Continuous	General	Contract Period	32.5 Percent SIP	*--20 Percent PIP <u>3/</u>	10 Percent Rental Rate Incentive <u>4/--*</u>	Maximum Maintenance Incentive Rate
CP42, Pollinator Habitat		X	10	N	N	N	
CP42, Pollinator Habitat	X		10	Y	Y	N	
CP43, Prairie Strips	Y		10-15	Y	Y	*--Y--*	
CP88, Permanent Native Grasses and Legumes	X		10 or 15	N	N	N	

\*--3/ Effective December 3, 2020.

4/ Effective December 3, 2020.--\*

67-80 (Reserved)



**Part 4 Total County Cropland****81 County Cropland Limitation****A All CRP/ACEP-WRE**

The Food Security Act of 1985, as amended, requires that USDA not enroll more than 25 percent of the total cropland in a county in CRP, including general CRP signup, all continuous CRP signup, CRP grassland, ACEP-WRE, and CREP.

The following are 2 types of waivers to this limitation.

- DAFP may authorize a waiver to increase the limit above 25 percent if **both** of the following are determined:
  - the action would not adversely affect the local economy of the county
  - producers in the county are having difficulties complying with conservation plans.

**Notes:** Counties with no or minimal cropland with an EI of 15 or greater are **not** eligible for this type of waiver.

See subparagraphs G and H.

- DAFP may authorize a waiver to exclude cropland acreage enrolled under CREP from total CRP enrollment acreage if local county government concurs. See subparagraphs J, K, and L.

**B Total Cropland**

A county's total cropland acreage is based on the cropland **physically** located within the county boundaries. See 10-CM for determining the physical location of a tract and its associated cropland, as well as for assigning a physical location county for tracts that cross county boundaries.

Total cropland is maintained in the web-based software.

For counties that are divided into 2 or more subcounty areas, the physical location of cropland is based on the subcounty acres. The physical location of CRP acres will also be based on the subcounty area.

**81 County Cropland Limitation (Continued)****C Acreage Subject to All CRP/ACEP-WRE Limit**

The 25 percent cropland limit is applied to the **physical** location of CRP/ACEP-WRE acres. For CRP-2's, CRP-2C's, and CRP-2G's completed in the automated COLS, the physical location of CRP acreage is determined by COLS.

Acreage subject to the county cropland limitation, and included in cropland limit reports, includes the following:

- cropland acreage enrolled in CRP or projected to be enrolled in CRP on October 1 of the current year, according to the web-based software
- CRP useful easement acreage under active easement periods but not under CRP-1
- ACEP-WRE cropland acreage as reported by NRCS and recorded by County Office.

**D Acreage Not Subject to the County Cropland Limitation**

Acreage **not subject** to the county cropland limitation and excluded from cropland limit reports includes the following:

- any land enrolled in EWRP administered by NRCS
- pastureland or other noncropland enrolled in ACEP-WRE administered by NRCS
- cropland that is designated as subclass W in the land capability classes IV through VIII because of severe use limitations because of soil saturation or inundation, as determined by NRCS
- CRP marginal pasture land
- CRP grasslands noncropland
- cropland enrolled in CRP devoted to field windbreak (CP5) or shelterbelts (CP16) and under an easement
- cropland acreage enrolled in CRP under CRP-1 scheduled to expire September 30 of the current year
- cropland acreage enrolled under CREP if a waiver for this exclusion has been approved by DAFP.



**81 County Cropland Limitation (Continued)****E County Report of Cropland and CRP Enrollment**

The National Office will maintain a report that provides a county's total cropland, total acres enrolled in CRP, and cropland acres that are available for enrollment in CRP. This report takes into consideration acres subject to the county cropland limitation, acreage not subject to the county cropland limitation, and ACEP-WRE signups, and any DAFP waivers.

The report will be based on cropland data from the web-based software, other source of information, and any DAFP waivers.

The report will be updated as necessary.

**F Counties Exceeding County Cropland Limitation**

When the cropland acreage enrolled exceeds the county cropland limitation, and a waiver has not been approved, County Offices must:

- announce the CRP signup
- notify all producers that only offers for continuous CRP signup for marginal pastureland devoted to CP22, CP22B, CP22S, CP29, or CP30, and CRP grassland practice CP88 that are not on cropland may be approved if otherwise eligible.

**Note:** COC must immediately reject all offers for cropland acreage physically located in the county and inform the producer using CRP-26.

**G Requesting Waivers to Exceed County Cropland Limitation**

For CRP, COC may request a waiver to exceed the county cropland limitation if either of the following are met:

- the 25 percent county cropland limitation has already been exceeded
- the county expects to reach the 25 percent county cropland limitation within 6 months.

## 81 County Cropland Limitation (Continued)

### G Requesting Waivers to Exceed County Cropland Limitation (Continued)

COC must:

- document case thoroughly and record in COC minutes
- complete AD-894 and AD-893 according to paragraphs 82 and 83 respectively, if a waiver will be requested
- submit requests to STC by a STC-established deadline
- include verifiable documentation that indicates producers are having difficulties complying with conservations plans.

**Important:** Waivers can only be approved by DAFP.

#### For ACEP-WRE, NRCS:

- is responsible for:
  - determining whether a waiver will be requested
  - making the request
- will complete AD-894 if a waiver will be requested
- will submit NRCS determinations to STC for concurrence.

**\*--Note:** Upon NRCS request, COC must distribute AD-893's to at least 10 random--\* sampling of agricultural producers and groups listed on AD-894, items 25, 26, and 27.

### H What to Include With Waiver Request

County Offices must submit waiver requests to STC and include the following with the waiver request:

- letters of recommendation from at least 1 county commissioner and Soil Conservation District
- AD-894 with all items completed
- total number of AD-893's sent out to be completed

81 County Cropland Limitation (Continued)

**H What to Include With Waiver Request (Continued)**

- copies of all AD-893’s returned by the deadline on AD-893, item 9
- copy of COC minutes thoroughly documenting justification for waiver.

**Note:** County Offices must:

- \*--distribute AD-893 to at least 10 random sampling of the agricultural producers--\* and groups listed on AD-894, items 25, 26, and 27
- keep returned AD-893’s on file for 10 years
- describe how exceeding the 25 percent cropland limitation will not adversely affect the local economy and how operations in the county are having difficulties complying with conservation plans.

**I STC Waiver Review and Determination**

STC must:

- review AD-894, letters of recommendation, and AD-893’s submitted by the County Office
- determine whether an adequate number of AD-893’s were distributed to sample the opinions of producers, agricultural-related business, and others
- based on AD-894, determine the level of interest in the county for waiving the county cropland limitation and the effect, both positive and adverse, a waiver would have on producers and businesses in the county

**Note:** If a waiver would have significant adverse effects, as determined by STC, deny the request.

- thoroughly document in STC meeting minutes the basis used to determine whether producers are having difficulties complying with conservation plans
- submit verifiable documentation that indicates producers are having difficulties complying with conservation plans

**Note:** If producers are **not** having difficulties complying with conservation plans, STC must deny request.

**Important:** Counties with no or minimal cropland with an EI of 15 or greater are **not** eligible for a waiver.

## 81 County Cropland Limitation (Continued)

## I STC Waiver Review and Determination (Continued)

- obtain written NRCS concurrence on all waiver determinations
- if all requirements are met and STC recommends a waiver be approved, submit all the following to Program Manager, CRP:
  - completed AD-894
  - copy of COC and STC meeting minutes thoroughly documenting justification for waiver and basis used to determine whether producers are having difficulties complying with conservation plans
  - copy of written NRCS concurrence for a waiver
  - copy of all AD-893's
  - copy of all letters of recommendations, both for and opposed to a waiver
- if all requirements are **not** met or STC does not recommend a waiver be approved, deny request and notify Program Manager, CRP by written memorandum that the request was denied and include the reason for denial.

## J Requesting Waivers to Exclude Cropland Acreage Under CREP

COC's may, with concurrence from local county governments, submit a waiver to exclude cropland acreage enrolled under CREP from the total cropland acres enrolled in CRP when determining the county cropland limitation.

**Example:** Clinton County, Michigan has 100,000 acres of cropland, of which 25,000 are enrolled in CRP. Of the 25,000 cropland acres enrolled in CRP, 22,000 acres are enrolled under general signup and 3,000 are enrolled under CREP. Clinton County submitted a waiver request to exclude cropland acreage enrolled under CREP from total cropland acres enrolled in CRP. If the waiver is approved, Clinton County's total cropland acreage enrolled in CRP, for purposes of the 25 percent limit, will be 22,000. Clinton County could enroll 3,000 acres of cropland in a general signup or continuous signup.

**81 County Cropland Limitation (Continued)****J Requesting Waivers to Exclude Cropland Acreage Under CREP (Continued)**

Waivers to exclude cropland acreage enrolled under CREP must be requested by COC with concurrence by STC.

Waiver requests to exclude only a portion of CREP acres, or by practice (for example CP 23) will **not** be considered.

COC must thoroughly document justification and reason for excluding cropland acreage enrolled under CREP in the COC meeting minutes.

**K County Government Concurrence**

COC's must obtain concurrence in writing, from local county government before submitting a waiver request.

Local county government officials must be the highest executive authority in the county, for example, County Commissioner, County Executive.

**L Submitting Waiver to Exclude Cropland Acreage Under CREP**

County Offices must submit waiver requests to STC and include both of the following:

- written letter from local county official concurring with the request for waiver
- copy of COC meeting minutes thoroughly documenting justification and reason for excluding cropland acreage enrolled under CREP.

If STC concurs with COC request for a waiver, STC must:

- thoroughly document the justification and reason for excluding cropland acreage enrolled under CREP in STC meeting minutes
- submit all the following to Program Manager, CRP:
  - memorandum requesting waiver
  - copy of COC and STC meeting minutes thoroughly documenting justification and reason for excluding cropland acreage enrolled under CREP
  - copy of written letter from local county official concurring with the request for waiver.

If STC does not concur with COC request for a waiver, STC must deny request and notify the County Office of denial.

82 **Completing AD-894**

**A How to Complete AD-894**

Complete AD-894 according to the following.

<b>Item</b>	<b>Instructions</b>	
1	Enter the county name.	
2	Enter the State name.	
3	Check the applicable program (ACEP-WRE or CRP) for which a waiver is being requested.	
4	Enter total cropland in the county.	
5	Enter the maximum cropland limitation for ACEP-WRE and CRP (25 percent of the total cropland in the county).	
6	Enter the maximum cropland limitation for easements (15 percent of the total cropland in the county).	
7	Complete items 7 through 10 as follows.	
	<b>Line</b>	<b>Instructions</b>
	A	Enter total acres approved for CRP.
	B	Enter total easement acres, excluding easement acres of CP5 and CP16, approved for CRP.
	C	Leave blank if this request is for CRP waiver.
D	Enter total cropland acreage under ACEP-WRE easement.	
8	A	Enter the total number of acres being offered for CRP during the current signup.
	B	Enter the number of easement acres, excluding easement acres of CP5 and CP16, being offered for CRP.
	C	Leave blank if this request is for CRP waiver.
	D	Leave blank if this request is for CRP waiver.
9	A	Enter CRP total acres approved and offered (item 7 A plus item 8 A).
	D	Enter total cropland acreage from item 7 D.
10	B	Enter the total easement acres, excluding easement acres of CP5 and CP16, approved for CRP.
	D	Leave blank if this request is for CRP waiver.

## 82 Completing AD-894 (Continued)

## A How to Complete AD-894 (Continued)

Item	Instructions
11	Enter the total CRP acres approved and the total cropland acres approved for ACEP-WRE (sum of item 7 A plus item 7 D).
12	Enter the total acres offered for CRP or total cropland acres for ACEP-WRE (item 8 A or 8 D, as applicable).
13	Enter the sum of item 9 A plus item 9 D.
14	Enter the sum of item 10 B plus item 10 D.
15	Enter the percentage of total county cropland accepted in both ACEP-WRE and CRP (item 7 A plus item 7 D divided by item 4).
16	Enter the percentage of cropland being offered in the <b>current</b> signup (item 8 A or 8 D divided by item 4).
17	Enter the percentage of cropland waiver requested (item 13 divided by item 4 minus 25 percent).
18	Enter percentage of easement accepted (item 7 B plus item 7 D divided by item 4).
19	Enter percentage of easement offered (item 12 divided by item 4).
20	Enter percentage of easement waiver requested (item 14 divided by item 4 minus 15 percent).
21 through 23	Enter the acres and percentage of waiver being requested for the following: <ul style="list-style-type: none"> <li>• COC recommendation to STC</li> <li>• Governor or State Director of Agriculture</li> <li>• County Commissioners.</li> </ul>

82 Completing AD-894 (Continued)

A How to Complete AD-894 (Continued)

Item	Instructions	
24	Enter the acres and percentage of waiver being requested from the following agricultural leaders in the community: <ul style="list-style-type: none"> <li>• NIFA</li> <li>• NRCS</li> <li>• Soil Conservation District</li> <li>• FS</li> <li>• other.</li> </ul>	
25	Complete a random sample of agricultural producers in the county as follows.	
	Column	Instructions
	A	Enter the number of agricultural producers who favor an increase in the cropland limitation for easements in the county.
	B	Enter the average percent of increase recommended by agricultural producers in the county.
	C	Enter the number of agricultural producers who are against an increase in the cropland limitation for easements in the county.
26	Complete a random sample of agriculture-related businesses in the county as follows.	
	Column	Instructions
	A	Enter the number of agriculture-related businesses that favor an increase in the county cropland limitation.
	B	Enter the average amount of increase (percent) that is being recommended by each agriculture-related business sampled.
	C	Enter the number of agriculture-related businesses sampled that are opposed to an increase in the county cropland limitation.
27	Column	Instructions
	A	Enter the number of nonagriculture-related businesses sampled that favor an increase in the county cropland limitation.
	B	Enter the average amount of increase (percent) that is being recommended by each nonagriculture-related business sampled.
	C	Enter the number of nonagriculture-related businesses sampled that opposed an increase in the county cropland limitation.



82 Completing AD-894 (Continued)

B Example of AD-894

The following is an example of AD-894.

This form is available electronically.

<b>AD-894</b> (12-02-19)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		1. County Lebanon	2. State PA
<b>REQUEST FOR CROPLAND WAIVER FOR CRP/ACEP-WRE</b>				3. Mark applicable program CRP <input checked="" type="checkbox"/> ACEP-WRE <input type="checkbox"/>	4. Total Cropland in County (CRP/ACEP-WRE Purposes) 143,119.1
CP5 and CP16 acres approved after March 31, 1991 are not to be included in CRP easement acres.					
NOTE: When completed, this AD-894 will contain protected data. To address this, the program owner may add the following advisory statement to the form: "This completed form contains information that is protected from unauthorized use/unauthorized disclosure by Federal law including but not limited to the Privacy Act (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. § 552). USDA disclosure of this completed form is restricted to only the individual(s) to whom the information on the form pertains, and to authorized personnel who have (1) appropriate access clearances/permissions and (2) a demonstrated business need for the information in order to perform their assigned official duties."					
Authorized Limitation Acres		5. County Cropland (25% of Item 4):		35,779.8	6. Easement (15% of Item 4):
		7. Approved		8. Offered	9. Cropland
		10. Easement		14,311.9	
CRP	A. Total	34,220.1	1,880.5	36,100.6	
	B. Easement	359.4			359.4
ACEP/WRE	C. Total				
	D. Cropland	550.4	1,880.5	550.4	359.4
<b>TOTAL</b>		11. (Item 7A plus Item 7D) 34,770.5	12. (Item 8A or Item 8D as applicable) 1,3139	13. (Item 9A plus Item 9D) 36,651.0	14. (Item 10B plus Item 10D)
15. % of Cropland Accepted (Item 11 divided by Item 4)		16. % of Cropland Offered (Item 12 divided by Item 4)		17. % of Cropland Waiver Requested (Item 13 divided by Item 4 minus 25%)	
24,2948 %				0.6087 %	
18. % of Easement Accepted (Item 7B plus Item 7D divided by Item 4)		19. % of Easement Offered (Item 12 divided by Item 4)		20. % of Easement Waiver Requested (Item 14 divided by Item 4 minus 15%)	
21. COC Recommendation to STC for Acceptance. (Do not exceed amount necessary to cover current enrollment period.)				A. ACRES	B. PERCENT
				1,880.5	1.3139 %
22. Governor or State Director of Agriculture				1,880.5	1.3139 %
23. County Commissioners				1,880.5	1.3139 %
24. Agricultural Leaders in the Community:		a. NIFA		1,880.5	1.3139 %
		b. NRCS		1,880.5	1.3139 %
		c. Conservation District		1,880.5	1.3139 %
		d. FS		1,880.5	1.3139 %
		e. Other:		1,880.5	1.3139 %
ITEM		A. NUMBER FOR INCREASE	B. AVERAGE (%)	C. NUMBER AGAINST INCREASE	
25. Random Sample of Agricultural Producers		5	2 %	0	
26. Random Sample of Agriculture-Related Businesses		a. Bankers/Lending Institutions		2	2 %
		b. Feed/Seed/Fertilizer Dealers		1	2 %
		c. Oil/Gas Suppliers			%
		d. Implement Dealers		2	2 %
		e. Other:		1	2 %
27. Random Sample of Nonagriculture-Related Businesses		a. Grocery			%
		b. Auto Sales/Service			%
		c. Other:		1	2 %

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

83 **Completing AD-893**

**A How to Complete AD-893**

Complete AD-893 according to the following.

Item	Instructions								
	Items 1 through 9 are to be completed by the FSA County Office.								
1	Enter the date AD-893 is distributed to the groups in item 11.								
2 and 3	Enter County Office address and phone number.								
4 through 8	Enter the information for the county from Screen EPC1001 or EPC1002.								
9	Self-explanatory.								
	Items 10 through 14 are to be completed by representatives of NRCS, Soil Conservation District, NIFA, and FS, at least 1 county commissioner, and any additional local groups that would have an interest in the effect of program impact on the local economy.								
10	The person completing AD-893 will enter recommendations as follows. <table border="1" data-bbox="464 772 1481 1003"> <thead> <tr> <th data-bbox="464 772 548 810">Item</th> <th data-bbox="548 772 1481 810">Instructions</th> </tr> </thead> <tbody> <tr> <td data-bbox="464 810 548 848">A</td> <td data-bbox="548 810 1481 848">Enter recommendation for county cropland percentage for CRP.</td> </tr> <tr> <td data-bbox="464 848 548 886">B</td> <td data-bbox="548 848 1481 886">Leave blank if this request is for CRP waiver.</td> </tr> <tr> <td data-bbox="464 886 548 1003">C</td> <td data-bbox="548 886 1481 1003">CHECK “Yes” or “No” to indicate whether the county cropland limitation should exceed the 25 percent by a small increase. If yes, enter the increase.</td> </tr> </tbody> </table>	Item	Instructions	A	Enter recommendation for county cropland percentage for CRP.	B	Leave blank if this request is for CRP waiver.	C	CHECK “Yes” or “No” to indicate whether the county cropland limitation should exceed the 25 percent by a small increase. If yes, enter the increase.
Item	Instructions								
A	Enter recommendation for county cropland percentage for CRP.								
B	Leave blank if this request is for CRP waiver.								
C	CHECK “Yes” or “No” to indicate whether the county cropland limitation should exceed the 25 percent by a small increase. If yes, enter the increase.								
11	Check the applicable group or groups in which the representative participates.								
12	Enter any additional comments or recommendations.								
13	Enter the name of the person completing items 10 through 12.								
14	The person completing items 10 through 13 must sign and date AD-893.								

83 Completing AD-893 (Continued)

B Example of AD-893

The following is an example of AD-893.

This form is available electronically. <b>AD-893</b> (12-02-19)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency	
<b>RECOMMENDATION OF PERCENT OF CROPLAND                  TO BE ENROLLED IN CRP/ACEP-WRE</b>		1. DATE (MM-DD-YYYY) 08-15-2015	
		2. COUNTY OFFICE ADDRESS Lebanon County FSA Office 1600 Cumberland Ave. Lebanon, PA 17042	
		3. COUNTY OFFICE TELEPHONE NO. (Area Code) 717-272-3900	
<b>NOTE:</b> The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334), 7 CFR 1410 and 7 CFR 1491. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program and the Agricultural Conservation Easement Program's Wetlands Reserve Easements component. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program and the Agricultural Conservation Easement Program's Wetlands Reserve Easements component.			
<b>Paperwork Reduction Act (PRA) Statement:</b> The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1), Title I, Subtitle F, Administration. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.			
The Conservation Reserve Program (CRP) and the Agricultural Conservation and Easement Program – Wetland Reserve Easements (ACEP-WRE) regulations limits enrollment to 25 percent of the cropland in our county with not more than 15% in easements, unless the Secretary of Agriculture determines that further enrollment will not adversely affect the economy of our county. The recommendations from our residents, farmers, merchants, key agricultural leaders, County Committee, and local and State elected officials will assist the Secretary in determining the percent of cropland which can be enrolled in CRP/ACEP-WRE from our county. Please review information in Part A and then complete Part B, Items 10-16.			
<b>PART A – TO BE COMPLETED BY FSA</b>			
			<b>ACRES</b>
4. Enter the total cropland in the county.			143,119.1
5. Enter twenty-five percent of the cropland (Item 4 times 25%).			35,779.8
6. Enter fifteen percent of the cropland (Item 4 times 15%).			14,311.9
7. Enter the current enrollment in CRP excluding CP5 and CP16 (current accepted acreage-not including this signup).			34,220.1
8. Enter the current enrollment in ACEP-WRE and CRP easements excluding CP5 and CP16 (current accepted Acreage, not including this signup).			909.8
<b>PART B - TO BE COMPLETED BY RESPONDENT</b>			<b>RETURN THIS FORM BY:</b>
9. PLEASE COMPLETE ITEMS 10 THROUGH 16 AND RETURN THIS FORM TO THE COUNTY FSA OFFICE AT THE ADDRESS IN ITEM 2 NO LATER THAN			October 1, 2015
			<b>PERCENT</b>
10A. I recommend that the limit on cropland enrolled in the Conservation Reserve Program for our county be set at			27 %
10B. I recommend that the limit on cropland enrolled in the ACEP-WRE for our county be set at			%
10C. If you recommended 25%, but the county's acreage enrollment under this signup only exceeds the 25% by a small percent, would you be willing to recommend for approval this small increase? <input type="checkbox"/> YES <input type="checkbox"/> NO Up to what overall percent?			%
11. I belong to the following groups (please mark all that apply):			
County Commissioner	<input type="checkbox"/>	Local:	
FSA County Committee Member	<input type="checkbox"/>	NRCS	<input type="checkbox"/>
FSA Community Committee Member	<input type="checkbox"/>	Conservation District	<input type="checkbox"/>
Agricultural Banker/Lender	<input type="checkbox"/>	NIFA	<input type="checkbox"/>
Feed/Seed/Fertilizer Dealer	<input type="checkbox"/>	FS	<input type="checkbox"/>
Agricultural Oil/Gas Supplier	<input type="checkbox"/>	Implement Dealer	<input type="checkbox"/>
		Other Agriculture-Related Business	<input checked="" type="checkbox"/>
		Grocery	<input type="checkbox"/>
		Auto Sales	<input type="checkbox"/>
		Other Business Not Directly Related to Agriculture	<input type="checkbox"/>
		Other:	<input type="checkbox"/>
12. COMMENTS ON RECOMMENDATIONS (if any):			
13. NAME (Please Print) John Smith		14. SIGNATURE	
		15. TITLE/RELATIONSHIP OF THE INDIVIDUAL IF SIGNING IN A REPRESENTATIVE CAPACITY	
		16. DATE (MM-DD-YYYY) 09-01-2015	
<small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small>			
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84-100 (Reserved)



**Part 5 SRR's and Maximum Payment Rates****101 Maximum Payment Rates****A About Maximum Payment Rates**

Before the producer submits an offer on CRP-1 and CRP-2, CRP-2C, or CRP-2G, as applicable, the County Office must calculate and inform the producer of the maximum payment rate for the eligible acreage being offered. The maximum payment rate is the maximum per acre rental rate that CCC is willing to pay for the eligible acreage offered. Offers submitted in excess of the calculated maximum payment rate shall be automatically rejected.

A maximum payment rate will be calculated for each offer based on:

- posted SRR tables and any applicable reductions
- soils MUSYM and acreage data collected and recorded on CRP-2 or CRP-2C, as applicable
- incentive amounts, when applicable for continuous signup and CREP offers
- maintenance rates, as applicable.

**B Maximum Payment Rate**

The weighted average SRR's and maximum payment rate limitation for general signup offers is \$240 per acre.

The maximum payment rate limitation for continuous signup offers is \$300 for all continuous signup types, except CREP.

102 SRR's

**A About SRR's**

SRR's are soil-specific estimates of dryland cropland rental rates used to set maximum annual payment rates for CRP cropland offers and contracts. SRR's are maintained by State Offices using the Conservation SDMS.

The Cash Rents Survey administered by NASS generates county average dryland cash rent estimates, which are generally the foundation for the county average rental rates and will be reviewed annually.

SRR's are based on multiplying County Average Rental Rate (County AVGRT) by soil-specific productivity factors and an SRR percentage for each signup type.

**Note:** The prorated general and continuous SRR's are determined by multiplying the posted SRR by 85 percent and 90 percent, respectively.

State	County	County AVGRT	Map Unit Symbol	Productivity Factor <u>1/</u>	Posted SRR <u>2/</u>	Prorated General SRR	Prorated Continuous SRR
Any State	Any County	\$100	AcA1	.6	\$60	\$51	\$54
Any State	Any County	\$100	Cr	0.75	\$75	\$64	\$68
Any State	Any County	\$100	PVa	1.0	\$100	\$85	\$90
Any State	Any County	\$100	PVb	1.0	\$100	\$85	\$90

1/ Soil productivity factors are based on the publicly available National Commodity Crop Productivity Index developed by NRCS. Productivity factors are currently capped at 1.0.

2/ Posted SRR's include a note regarding the reduction/proration factor.

**B SRR Tables**

SRR tables will show the individual maximum SRR for groups of soils by using the NRCS soil map unit symbols based upon the soil survey ID. These groupings' rates are established based on similar productivity levels, each soil grouping will have only one SRR.

**Note:** The productivity factors may be capped, reducing the number of soil groups, and are subject to any proration/reduction for that signup.

**102 SRR's (Continued)****C Reviewing and Adjusting Soil Map Unit Symbols and SRR's**

FSA posts SRR's for cropland based on soil map units using unique soil map unit symbols. To facilitate using standardized soils data within USDA, the soil map unit symbols used for SRR posting need to be reviewed periodically to ensure that they match symbols patterns currently published in the soils legends of NRCS' FOTG.

The National Office, in conjunction with NRCS, shall ensure that rental rates are established for all cropped soils in each county using NRCS's most current soil survey legend from FOTG, including proper uppercase and lowercase patterns for those symbols using alphabetic letters.

Additionally, some new SRR's and soil map unit symbols may need to be approved for CRP use to reflect recent soil survey changes by NRCS.

For those new soil map units with new symbols, State Offices and NRCS are authorized to update symbols, CRP soil attributes, and SRR's immediately in the FSA Conservation SDMS at <https://intranet-apps.fsa.usda.gov/soilDbMgnt/SoilWelcome.do>.

All SRR and soil map unit symbol maintenance will be completed by State Offices.

For questions or concerns on changing SRR's, new SRR's, and/or soil map unit symbols, contact [david.taylor4@usda.gov](mailto:david.taylor4@usda.gov).

County Offices that require the addition of a soil map unit symbol and SRR must submit a request to the State Office.

**D Weighted Average Soil Rental Rate (WASRR)**

WASRR is calculated for each offer using the acreage and SRR's of the 3 predominant soils on the land offered for enrollment.

**Notes:** If marginal pastureland is part of the offer, all of the marginal pastureland acres must be included in the predominate soils.

If all of the offer is marginal pastureland, the marginal pastureland rate will be used.

**103 Establishing SRR's****A Rental Rate Establishment for Cropland**

Maximum payment rates for cropland offered for CRP are calculated using SRR's. SRR's must be set at levels that reflect the average cash rental rates per acre for **nonirrigated** cropland for annually tilled crops for each soil map unit area within a soil survey area within a county during the past year.

These SRR's shall be set:

- for soil types where share rents are most common which is the cash equivalent of share rents
- for soil types with a predominance of summer fallow or double/triple cropping, reflecting the market rental values of these cropping patterns
- using one SRR per soil map unit only
- at levels reflecting rate consistency within soil surveys and across all county and State lines and soil survey boundaries.

The National Office:

- is responsible for establishing SRR's
- will use the most current NASS survey, NRCS productivity indexes, and other information as necessary.



103 Establishing SRR’s (Continued)

**B Rental Rate Establishment for Marginal Pastureland**

Maximum payment rates for marginal pastureland offers are calculated using marginal pastureland rental rates. These rental rates must be set for all applicable practices on marginal pastureland (subparagraph 181 C) at levels that reflect the average cash rental values of **nonirrigated** riparian area grazing land during the past year.

The grazing productivity of riparian area grazing land in arid regions is typically higher and more variable than that of adjacent whole field grazing land. For this reason, Western U.S. counties’ marginal pastureland rental rates are usually higher than average grazing rental rates, and separate rental rates based on permanent/seasonal riparian areas have been established.

The basis for these rental rates will be set using the following.

County Location	Rate Basis	Soil Map Unit Symbol
Eastern and Alaska, Hawaii, and Puerto Rico Counties	1 rate per county	MPLALL
Western U.S. Counties	1 rate per county for land adjacent to seasonal water bodies	MPLSEA
	1 rate per county for land adjacent to perennial water bodies	MPLPER

**C Rental Rate Establishment for CRP Grasslands**

A CRP grasslands rental rate has been established based on the current year NASS pastureland rental rates.

CRP grasslands rental rates will be set using the Soil Map unit symbol CRPGRR.

**D Rental Rate Posting and Use**

Approved rental rates must be:

- used for all CRP-2’s, CRP-2C’s, and CRP-2G’s regardless of signup type
- effective upon notification by the National Office
- posted year-round on a public display area in the County Office only for the land that exists within the county boundary.

Note: County Offices must **not** post and maintain rates for surrounding counties.

**104 County Average Rental Rates (County AVGRT's)****A Setting County AVGRT's**

County Average Rental Rates (County AVGRT's) are the basis of most CRP payments. When establishing County AVGRT:

- DAFP reviews the most recent NASS cash rent survey estimates annually
- DAFP reviews previous rates and sets any other sideboards for establishing initial County AVGRT draft (or estimated) rates
- FSA State Offices/STC's are given the opportunity to suggest alternative rates
- an interagency team reviews alternative rates, supporting documentation and any sideboards established by FSA DAFP and provides recommendations on the rates that should be approved
- DAFP approves the estimated County AVGRT's.

**B Recommending Alternative County AVGRT's**

State and County Offices, in consultation with STC's and COC's, will have an opportunity to review initial AVGRT's and propose alternatives, with adequate justification, during established timeframes that will be announced each year through a National notice. If a State takes no action to recommend an alternative rate, the county AVGRT will be the estimated AVGRT based on the latest NASS rate subject to any caps and/or reductions.

COC, or designee, must submit any requests for consideration to update their county AVGRT to STC including with adequate justification. STC must review each request to ensure completeness and accuracy.

**C Requirements for Alternative County AVGRT Documentation**

Proposals for alternative AVGRT's **must** include all data on which the alternative county average AVGRTs are based, describe the approach in sufficient detail to replicate the calculation, and explain why the alternative SRR's are more appropriate than the NASS estimate. Expert opinion may be provided with the proposals to support any of these approaches, but **cannot** be the only source of supporting documentation.

104 County Average Rental Rates (County AVGRT's) (Continued)

C Requirements for Alternative County AVGRT Documentation (Continued)

Adequate justification must consist of an analysis using cash rent, share rent, land value and/or agricultural return data from lease agreements, farm business plans, surveys, and other sources. The quality of the analysis and the amount of the data used will determine acceptability of the proposed alternative rate. The alternate rates must be based on the same crop year as the data used to establish the County AVGRT estimates, or an explanation must be provided why data from other years are used.

The alternative county AVGRT **must** be based on 1 or more of the following approaches:

- average of cash rents from a random sample of lease agreements

**Notes:** County Offices **must** maintain copies of all leases used in the analysis. Do **not** send copies of the leases to the National Office. County Offices are encouraged to use as many lease agreements as possible to support their request (not to exceed 50) and **must** include an Excel spreadsheet with the following data for each lease.

Lease Identifier	20XX Cash Rent (\$ per acre)	Total Cropland Acres Leased	Non-Irrigated Acres Leased

The lease identifier is a unique number for each lease beginning with number 1.

- cash rent estimates from a published survey

**Example:** A recent survey of cash rents published by a State land-grant university.

- neighboring county NASS estimate comparisons

**Note:** The comparisons must be to at least 2 adjacent counties and include information about how these counties are similar, such as yield data, primary soil types, and major crops.

- average of cash rents from FSA farm business plans
- models that estimate cash rents, such as models that use returns to crop production or land value data.

**Note:** Models can be used to justify an increased rate, but State and County Offices **must** include the price, yield and cost documentation used to arrive at the recommended county SRR.

104 County Average Rental Rates (County AVGRT's) (Continued)

**C Requirements for Alternative County AVGRT Documentation (Continued)**

Any proposals submitted to the National Office must include **all** documentation, including yield and price data, with the exception of actual copies of any leases used or national-level data, such as NASS or ARS.

If submitting an alternative SRR in a county for which share leases are more common than cash leases, provide an Excel spreadsheet, in the following format, with the cover memorandum for the proposal that describes typical lease arrangements in terms of what the landowner share and the shared expenses are for up to 3 predominant crops.

State FSA FIPS Code	County FSA FIPS Code	Crop	Landowner Share Percent	Along with revenue share, what expenses are typically shared, if any? <u>1/</u>
XX	XXX	Corn	50	Fertilizer, Harvest Costs
XX	XXX	Wheat	33	None

1/ If no expenses are shared by the landowner, then indicate “none”.

**D Records of Alternative AVGRT Documentation**

Copies of leases and national-level data must be kept on file in the State or County Offices, as applicable, until further notice and would be subject to audit. For lease data, a copy of a legal document is preferred, such as the actual lease agreement or a signed FSA form, i.e. CCC-502 and CCC-902. The documents used must include the information necessary to calculate the **dollar per acre** lease amount, which could be used as supporting documentation for the proposed alternate rate. However, FSA will accept a signed statement from an operator certifying to the lease amount (\$ per acre). County Offices must keep all the certified statements on file and would be subject to audit as documentation for the random sample of lease agreements.

105-125 (Reserved)

## Part 6 Eligibility Requirements

### Section 1 Producer Eligibility Requirements

#### 126 Eligible Person

##### A Eligible Participants

Eligible participants can include:

- individual
- general partnership
- joint venture
- corporation
- limited liability company
- limited partnership
- limited liability partnership
- limited liability limited partnership
- estate
- trust - revocable
- State and local government
- churches, charities, and non-profit organizations
- public school
- BIA or Indian represented by BIA
- trust - irrevocable
- individual operating a small business
- Indian tribal venture.

**Note:** See 1-PL, 4-PL, or 5-PL, as applicable, for payment limitation, AGI, and payment eligibility requirements.

##### B Eligibility Criteria for Owners

An owner is eligible to offer land for enrollment in CRP if the owner meets 1 of the following requirements:

- owned the land for 12 months before the close of signup for general signup and CRP grasslands offers
- owned land for 12 months before submitting the offer for continuous signup

**Note:** See paragraph 127 for ownership waivers.

**Exception:** Owners of land under expiring CRP-1 may reoffer such land for enrollment regardless of the length of ownership if all other eligibility requirements are met.

## 126 Eligible Person (Continued)

### B Eligibility Criteria for Owners (Continued)

- acquired the land by will or succession as a result of death
- acquired the land under circumstances other than for placement in CRP, as determined by DAFP.

**Notes:** Ownership eligibility requirements will be considered satisfied if there is any combination of continuously leasing and owning by the same “person” according to 1-PL or person or legal entity according to 4-PL or 5-PL, during the 12-month period before the close of the current signup period.

When new land is acquired and added to a farm that meets the requirements of this subparagraph, the new land may only be offered when it also meets the ownership eligibility requirements of this subparagraph.

### C Eligibility Criteria for Operators

An operator is eligible to offer land for enrollment in CRP when the operator meets all of the following requirements:

- operated the land for 12 months before the close of current of signup for general signup and CRP grasslands
- operated the land for 12 months before submitting the offer for continuous signup signups
- provides satisfactory evidence, as determined by COC, that control of the land will continue uninterrupted for the CRP-1 period.

**Note:** Satisfactory evidence may include any of the following:

- statement signed by the owner
- written lease for the appropriate time period
- owner’s signature on CRP-1.

Operator eligibility requirements will be considered satisfied if there is any combination of leasing and owning by the same “person” according to 1-PL or person or legal entity according to 4-PL or 5-PL, during the 12-month period before the close of the current signup period.

**126 Eligible Person (Continued)****D Eligibility Criteria for Beginning, SDA, or Veteran Farmers or Ranchers**

A beginning, SDA, or Veteran farmer or rancher that has an approved TIP CRP-1R is not required to meet the 12-month owner/operator criteria when enrolling in CRP continuous signup.

**E Payment Share Policy**

An eligible person offering land for CRP **must** be eligible to offer land for CRP in his or her own right.

Participants will determine shares. COC will approve shares provided they are not designed to circumvent other program regulations. Payment shares are not required to be commensurate with previous CRP annual rental payments or interests on other contracts or agreements in the County Office.

**Note:** “0” percent share is not an appropriate share for the person qualifying the land.

**F Date Ownership Commences**

Land ownership must be determined according to 10-CM, paragraph 22. County Offices may determine the date ownership commences using the same document that was used to determine land ownership if a date is provided on the document.

If a deed is used to determine ownership, County Offices must determine the date ownership commences using the later of the following:

- the date the deed was recorded
- the date of possession, if the possession date is after the deed recording date.

**G Date Operatorship Commences**

County Offices must use County Office records to determine the date operatorship commenced. If no records exist, the operator must provide adequate assurance, as determined by COC, that the operator is eligible to participate.

## 127 Waiving Ownership Eligibility Requirements

### A COC Waivers of Ownership Requirements

COC's may accept land in CRP that does not meet the ownership requirements in subparagraph 126 B when:

- the land is any 1 of the following:

- acquired from an immediate family member within the 12-month period

**Note:** The total time owned by the family members was more than 12 months. Immediate family members include parents, children, siblings, grandparents, adopted children, and spouse.

- owned for more than 12 months, then sold on contract for deed

**Note:** Later the original owner repossessed the land and wants to submit an offer for CRP.

- sold and the original owner holds the mortgage

**Note:** The original owner regains title through foreclosure proceedings after the new owner files for bankruptcy. The original owner is eligible if the land was owned for at least 12 months.

- owned by a joint venture or general partnership of which at least 1 member has owned at least 50 percent of the land for the required 12-month period.

**Example:** Tim and Steve have owned 100 acres with an undivided interest for the last 10 years. Tim has a 60 percent share and Steve has a 40 percent share. Six months before the end of the CRP signup period, Tim bought Steve's share of the land and became the sole owner. Tim is eligible to offer land in CRP. If Steve had bought Tim's interest, Steve would not be eligible to enroll the land.



## 127 Waiving Ownership Eligibility Requirements (Continued)

## A COC Waivers of Ownership Requirements (Continued)

- a producer did 1 of the following:

- leased a farm with an option to buy

**Note:** The producer operated the acreage for more than 12 months before the close of the current signup period, then purchased the land shortly before signup.

- owned a farm for more than 12 months

**Note:** The producer then purchases additional acreage and the farms are combined. CRP-1 can be approved on the resulting farm only if the designated acres are all on the original tract.

- owned a farm for more than 12 months.

**Note:** The producer then lost land in foreclosure and exercised the right of redemption under State law, thereby redeeming the land from the mortgage holder before signup.

COC may waive the 12-month ownership requirement if the total offered acreage is less than or equal to 10 percent of the total cropland purchased.

**Example:** James Smith (owner) purchased 180 acres of cropland on January 15, 2019. This purchase is less than 1 year before the end of the signup period. Mr. Smith offered 15 acres of cropland for enrollment in CRP. Because the 15 acres of cropland is less than or equal to 10 percent of the total cropland purchased, COC may waive the 12-month ownership provision.

Waivers for conditions not listed in this paragraph may only be approved by DAFP. All requests for waivers **must** include COC and STC recommendation and all relevant documentation to support the request, including a copy of the COC minutes that clearly indicate why COC determined to recommend the waiver.

**Note:** When STC does not recommend approval of a waiver request, STC must deny the request and provide appeal rights according to 1-APP.

**127 Waiving Ownership Eligibility Requirements (Continued)****B STC Waivers of Ownership Requirements**

STC may waive the 12-month ownership requirement if the total offered acreage is less than or equal to 20 percent of the total cropland purchased.

**Example:** John Jones (owner) purchased 400 acres of farmland on January 20, 2019. The total cropland purchased is 300 acres. This purchase is less than 1 year before the end of the signup period. Mr. Jones offered 50 acres of cropland for enrollment in CRP. Because the 50 acres of cropland is less than or equal to 20 percent of the total cropland purchased, STC may waive the 12-month ownership provisions.

**C Offer Acceptance When Ownership Eligibility Is Not Met (Undetermined)**

This subparagraph applies only when the producer submits a waiver of ownership to COC or STC.

When ownership eligibility is not met at the time the producer offers the land for enrollment in CRP, County Offices must:

- allow the producer to submit the offer through the COLS process
- inform the producer the offer will not be considered until ownership eligibility has been determined.

**Note:** The offer is submitted but will not be ranked under a general signup because eligibility has not been determined.

**128 Structural Change in Ownership of Land****A Structural Change Policy**

CRP ownership eligibility criteria provides an exception for structural changes in joint operations. See 1-PL, 4-PL, or 5-PL as applicable, for the definition of joint operations.

**Note:** Structural changes in entities, such as corporations, trusts, or limited partnerships, do not affect ownership eligibility but may affect payment limitation.

When a structural change has occurred in a joint operation within the 12-month ownership requirement and the persons continuing to conduct the farming operation after the reorganization were primarily responsible for conducting the farming operation before the reorganization, the members are eligible for CRP.

**Example:** Smith Farms consisted of 3 members in a general partnership. The partnership made a structural change adding a family member as a general partner. The partnership increased by 1 person 6 months before the end of signup. The partnership is eligible to submit an offer.

**Note:** The structural change policy applies to owners **and** operators.

**129 Right of Redemption After Foreclosure Provision**

**A Policy**

Producers who, before submitting a CRP offer, exercised their right of redemption under State law and redeemed land from a mortgage holder after foreclosure or after voluntarily conveying the acreage to the lending institution instead of foreclosure are eligible to participate if all the following are met:

- the length of original land ownership, foreclosure, redemption, and resulting ownership is at least 12 months
- the producer agrees in writing that CRP-1 shall not be assumed by a successor-in-interest

**Note:** COC or CED must approve CRP-1 only after agreement is received.

- the acreage is otherwise eligible according to Section 2.

**B Notifying the Producer**

County Offices must use CRP-25 to notify producers who had a brief loss of ownership, because of foreclosure or the threat of foreclosure, that they may participate when all other eligibility requirements are met.

**Note:** See Exhibit 5 for instructions and an example of CRP-25.

**130 CRP Landlord and Tenant Provisions****A Landlord and Tenant Provisions**

Landlords must:

- when the acreage offered is not enrolled in CRP at the time of signup:
  - provide tenants, who have an interest in the acreage being offered at the time of signup, an opportunity to participate in CRP
  - not reduce the number of tenants on the farm as a result of or in anticipation of enrollment in CRP
- when the acreage offered is enrolled in CRP at the time of signup, provide tenants, with an interest in the CRP-1 acreage, an opportunity to participate in CRP if either of the following apply:
  - the tenant is otherwise involved in farming other cropland acreage on the farm at the time of signup
  - the tenant has an interest in the acreage being offered on the effective date of the new CRP-1.

**Note:** Interest in CRP-1 is not considered farming.

Landlords who violate these provisions will be ineligible to earn CRP payments, including annual rental payments, incentive payments, and C/S payments, until COC determines that the landlord is no longer in violation. See subparagraph B.

**B Before Approving CRP-1**

COC must determine whether landlord tenant provisions have been violated before approving CRP-1.

When there is a dispute between a landlord and tenant, and COC determines there is insufficient evidence to make a determination, COC must refuse to approve CRP-1 until the landlord and tenant resolve the dispute.

If the landlord and tenant provisions have been violated, COC must **not** approve CRP-1.

**130 CRP Landlord and Tenant Provisions (Continued)****C Binding CRP-1**

An approved CRP-1 is a binding 10- through 15-year contract between all signatories on CRP-1, with a share greater than zero, and CCC.

- Transferring interest in the land under CRP-1 does **not** relieve COC's responsibility to ensure protection of the rights of the operator or tenants who are signatories on CRP-1 and who continue to have an interest in the acreage.
- CRP policy prohibits a landlord from replacing or removing the operator, tenant, or an estate from CRP-1 **unless** at least 1 of the conditions in subparagraph F are met.

**D When Provisions Do Not Apply**

Landlord and tenant provisions do **not** apply when the tenant:

- was removed for cause as determined by RA according to State law
- left the farm voluntarily without any coercion from the landlord.

**Note:** A signed statement by the tenant or sharecropper voluntarily relinquishing his or her right to the farm or CRP benefits is sufficient evidence to show voluntary removal.

The landlord may offer land for CRP that has a history of a tenant if COC determines that the landlord has the "necessary means" to conduct the farming operation.

For CRP purposes, "necessary means" means the landlord has the knowledge and ability to establish and maintain the CRP cover.

130 CRP Landlord and Tenant Provisions (Continued)

**E Certification Statement**

A certification statement must be signed by all tenants and landlords before approval of CRP-1. Attach the certification statement to CRP-1. State Offices must modify the following certification statement, after consulting with RA, to conform to State law, to include State parameters for removing tenants from CRP-1, and to modify the language for it to be clearly understood by producers.

I (We) understand that tenants participating on Conservation Reserve Program Contract, form CRP-1, may be removed from the contract if tenancy is not maintained, as determined by the Commodity Credit Corporation. In addition, I (We) also understand that the tenant may be determined to be removed when the tenant:

1. was removed for cause, as determined by COC, after State Office consultation with RA
2. requests, in writing, to be removed from CRP-1
3. files for bankruptcy and the trustee or debtor in possession fails to affirm CRP-1
4. dies during the CRP-1 period and the administrator of the estate fails to succeed to CRP-1 within the 60 calendar days of COC notification.

Signature(s) and date(s) \_\_\_\_\_

## 130 CRP Landlord and Tenant Provisions (Continued)

**F After Approving CRP-1**

Tenants participating in CRP must maintain tenancy throughout the CRP-1 period to remain on the contract. If a tenant fails to maintain this tenancy, COC must determine, based on guidance from the State Office, whether the tenant should be removed for cause.

**Note:** Tenancy is defined as maintaining acreage according to the conservation plan or, as otherwise required on the farm, as determined by COC.

State Offices must consult RA for guidance to establish general parameters about acceptable conditions leading to removing tenants for cause. COC's may immediately act on cases within these parameters.

County Offices must assume tenancy is being maintained unless notified otherwise by anyone having an interest in the acreage.

After CRP-1 is approved, the operator or tenant may be replaced on CRP-1 when the operator or tenant:

- was removed for cause, as determined by COC, after State Office consultation with RA

**Note:** All court-ordered directives to remove the operator or tenant from CRP-1 must be reviewed by RA. Operators or tenants will only be removed from CRP-1 after review for legal sufficiency of the court-ordered directive by RA and RA approves the removal of the operator or tenant.

- requests, in writing, to be removed from CRP-1
- files for bankruptcy and the trustee or debtor in possession fails to affirm CRP-1 according to paragraph 580
- dies during the CRP-1 period, and the administrator of the estate fails to succeed to CRP-1 within 60 calendar days of COC notification as required by paragraph 546.



**130 CRP Landlord and Tenant Provisions (Continued)**

**G Removing Participants From CRP-1**

When a landlord legally removes an operator or tenant from the farm, COC must determine whether the operator or tenant may be removed from CRP-1 based on provisions in subparagraph F. If COC determines to remove the operator or tenant, the landlord may, if a revised CRP-1 is signed:

- continue CRP-1 as owner and receive all the payment
- acquire a new operator or tenant who may become a successor-in-interest to CRP-1.

County Offices must provide the:

- landlord or new operator or tenant, if applicable, with a revised CRP-1
- former operator or tenant appeal rights according to 1-APP.

**131 AGI Provisions****A Policy for CRP-1's Approved May 13, 2002, Through September 30, 2008**

Beginning May 13, 2002, an average AGI limitation became effective for certain programs, including CRP.

This provision is effective beginning with the 2003 crop year. The average AGI limitation provides that an individual or entity shall not be eligible to receive certain benefits, during a crop year, if the average AGI of the individual or entity exceeds \$2.5 million, and less than 75 percent of the average AGI of the individual or entity is derived from farming, ranching, or forestry operations. See 1-PL.

**Note:** If a succession occurs to CRP-1 approved May 13, 2002, through September 30, 2008, the successor must meet the AGI provisions in 1-PL.

**B Policy for CRP-1's Approved Beginning October 1, 2008, Through September 30, 2013**

The average AGI limitation provides that a person or legal entity shall be ineligible to receive certain benefits, during a crop year if the average adjusted gross nonfarm income of the person or legal entity exceeds \$1 million, unless at least 66.66 percent of the average AGI of the person or legal entity is average adjusted gross farm income. See 4-PL.

**Note:** If a succession occurs to CRP-1 approved beginning October 1, 2008, the successor must meet the AGI provisions in 4-PL.

**C AGI Certification**

All producers with a share greater than zero, including members of entities and joint operations, **must** provide a certification of average AGI according to 1-PL, 4-PL, or 5-PL, as applicable. For CRP, certifications of average AGI are binding for the life of CRP-1. CCC-526, CCC-926, CCC-931, CCC-933, or CCC-941, as applicable, must be filed and appropriate flags set in the subsidiary file according to 3-PL before CRP-1 is approved. AGI determinations for CRP are for the contract period. See subparagraph H for contract revision AGI requirements.

**D Policy for CRP-1's Approved for CRP Signup 46**

No AGI limitation was in effect for CRP signup 46.

**E Policy for CRP-1's Approved Beginning October 1, 2014**

The average AGI limitation provides that a person or legal entity is ineligible for payments and benefits for 2015 and subsequent FY's if the average AGI exceeds \$900,000.

**Note:** If a succession occurs to CRP-1 approved on or after October 1, 2014, the successor must meet the AGI provisions in 5-PL.

131 AGI Provisions (Continued)

**F Determining Which AGI Rule Applies to Contract**

The following provides guidance on which:

- payment limitation and rules apply to CRP contracts
- AGI certification form should have been filed or must be filed at the time of contract approval.

**Note:** Follow 5-PL to determine which business types are required to file AGI certifications.

Original Contract Approved →	On or After May 13, 2002 and Before Oct. 1, 2008	On or After Oct. 1 2008	Oct. 1, 2013 Through Sept. 30, 2014 (FY 2014) Signup 46	On or After Oct. 1, 2014
AGI Rule and AGI Limitation Amount	1-PL \$2.5 mil	4-PL \$1 mil nonfarm	Not subject to AGI Provisions	5-PL \$900,000
Required Form	CCC-526 or CCC-526C	CCC-931 CCC-933 CCC-931C		CCC-941

**Note:** CCC-926 may have been used and was acceptable before CCC-931 was made available.

**G AGI Requirements for Producers Associated With Original Contracts**

Beginning June 4, 2012, follow this table to determine the requirements for filing an AGI certification form for producers.

**Note:** See subparagraph F to determine which AGI certification form should be filed.

If the producer is an entity or joint operation, all members with an ownership share are required to file the applicable AGI certification if the entity/joint operation is required to file the certification.

IF the producer's share is...	AND the producer is...	THEN the AGI certification is...
0 percent		not required.
greater than 0 percent	<ul style="list-style-type: none"> <li>• an individual</li> <li>• entity without members</li> </ul>	required for the producer.
	<ul style="list-style-type: none"> <li>• joint operation</li> <li>• entity with members</li> </ul>	required for: <ul style="list-style-type: none"> <li>• the producer, except for a joint operation</li> <li>• each member with an ownership share greater than 0 percent.</li> </ul>

131 AGI Provisions (Continued)

H Contract Revisions

This table provides guidance for the requirements for filing an AGI certification form for producers and members of entities and joint operations when a contract is revised for either of the following reasons:

- new producer is added to the CRP contract
- new members are added to an entity or joint operation that has an interest in the CRP contract.

**Note:** See subparagraph F to determine which AGI certification form should be filed.

IF the contract is revised because...	AND the new producer has...	AND the producer is...	THEN an AGI certification is...
a new producer was added to the contract	0 percent share has a share greater than 0 percent	<ul style="list-style-type: none"> <li>• an individual</li> <li>• entity without members</li> </ul>	not required.  required for the year the change became effective for the producer.  <b>Example:</b> Producer A has CRP contract #2117 with an effective date of October 1, 2010. Producer A sells the land to Producer B on September 20, 2011. Producer B informs the County Office on January 10, 2012, that he purchased the land under CRP contract #2117. Producer B must file AGI forms for 2011 (the year the change became effective).
		<ul style="list-style-type: none"> <li>• joint operation</li> <li>• entity with members</li> </ul>	required as follows for the year the producer is added to the contract: <ul style="list-style-type: none"> <li>• the producer, except for a joint operation</li> <li>• each member with an ownership share greater than 0 percent.</li> </ul> See exception in subparagraph I.

131 AGI Provisions (Continued)

H Contract Revisions (Continued)

IF the contract is revised because...	AND the new producer has...	AND the producer is...	THEN an AGI certification is...
an existing producer's share was increased from 0 percent		<ul style="list-style-type: none"> <li>• an individual</li> <li>• entity without members</li> </ul>	required for year the producer was originally added to the contract with a 0 percent share.
		<ul style="list-style-type: none"> <li>• joint operation</li> <li>• entity with members</li> </ul>	required as follows for the year the producer was originally added to the contract with a 0 percent share: <ul style="list-style-type: none"> <li>• the producer, except for a joint operation</li> <li>• each member with an ownership share greater than 0 percent.</li> </ul>
a new member is added to a joint operation or an entity with members			required for year the member was added to the operation with an ownership share greater than 0 percent.  See exception in subparagraph I.

I Exception to Year AGI Certification Must Be Filed

If a producer or member of an entity or joint operation was previously associated with the CRP contract, then the original AGI certification continues to apply for that producer or member if their role changes.

**Example:** John Farmer has 100 percent interest in a CRP contract approved in 2010.

Farmers LLC replace John Farmer as a producer on the CRP contract in 2012. John Farmer is a member of Farmers LLC and has a 100 percent ownership interest in LLC.

Because John Farmer was already associated with the contract, the 2010 AGI certification continues to be applicable for John. However, an AGI certification **must** be filed for 2012 for Farmers LLC.

**131 AGI Provisions (Continued)**

**J Exception for Lands of Special Significance**

The Administrator may allow a waiver to the \$900,000 AGI limitation on a case-by-case basis for land that is determined to be environmentally sensitive land of special significance.

Waivers must be submitted to DAFP according to Exhibit 16.

**132-150 (Reserved)**

## Section 2 Land Eligibility Requirements

## 151 Eligible Land Criteria

## A Cropland Cropping History Eligibility Criteria

Eligible cropland includes cropland that is both of the following:

- planted or considered planted to an agricultural commodity during 4 of the 6 crop years from 2012 through 2017

**Notes:** The applicable crop years 2012 through 2017 are fixed by statute.

Acreage for which the producer received an approved prevented planting claim according to 2-CP shall be considered planted for that year for CRP cropping history purposes.

The following are conserving use and are considered planted for cropping history purposes for CRP:

- during 2012 through 2017, any planted alfalfa, planted other multi-year grasses and legumes, and any summer fallow
- any rotation of alfalfa planted other multi-year grasses and legumes and any summer fallow

**Note:** The rotation **must** not exceed 12 consecutive years.

- any land previously enrolled in CRP that expires during crop years 2012 through 2017 where the grass cover continues to be maintained as though enrolled in CRP at the time the offer is submitted.

**Note:** Cover that is deteriorated or degraded is not considered to be maintained as though enrolled in CRP and is not eligible to be designated as conserving use.

Field margins that are incidental to the planting of crops, such as turnrows, field borders, and center pivot corners, are eligible to be offered. Field margins do not include other areas within a field.

**151 Eligible Land Criteria (Continued)****A Cropland Cropping History Eligibility Criteria (Continued)**

Cropland enrolled in CRP is considered planted during the term of CRP-1. For CRP purposes, after CRP-1 expiration, the acreage previously enrolled in CRP maintains the cropping history earned while under CRP-1.

**Example:** John Smith enrolled in CRP with a contract effective date of October 1, 2007. His CRP-1 expired September 30, 2017. John Smith earned and maintained cropping history credit for CRP purposes from 2007 through 2017.

Acreage planted in an unworkmanlike manner, as determined by COC, will not be considered planted for cropping history for CRP purposes.

- physically and legally capable of being planted in a normal manner to an agricultural commodity, as determined by COC.

**Note:** COC's determination must be based on whether the cropland could be planted to an agricultural commodity in a normal manner during a normal cropping season.

Cropland acreage enrolled in CRP maintains its status as eligible cropland. Therefore, acreage currently enrolled in CRP is eligible to be offered for enrollment if the current CRP-1 expires September 30 of the FY before the effective date of a new contract, unless the acreage has a CRP useful life easement that extends beyond the length of the current CRP-1.

**Exception:** Cropland that is currently enrolled in CRP that did not meet the cropland eligibility criteria when initially enrolled, but was allowed to continue in CRP under erroneous eligibility provisions, is not eligible to be re-enrolled.



151 Eligible Land Criteria (Continued)

A Cropland Cropping History Eligibility Criteria (Continued)

The following is an example of cropping history credit for conserving use and rotations.

No.	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Cropping History
1	Corn	Corn	Hay	Hay	Hay	Hay	Hay	Hay	Hay	Hay	Hay	Hay	No
2	Corn	Planted Hay	Hay	Hay	Hay	Hay	Hay	Hay	Hay	Hay	Hay	Corn	Yes - 12-Year Rotation
3	Hay	Hay	Hay	Corn	Corn	Planted Hay	Hay	Hay	Hay	Hay	Corn	Corn	Yes - 9-Year Rotation
4	CRP	CRP	CRP	CRP	CRP	CRP	CRP	CRP	CRP	Expired CRP Cover	Expired CRP Cover	Expired CRP Cover <sup>1/</sup>	Yes - Considered Planted
5	Hay	Corn	Corn	Hay	Hay	Corn	Planted Hay	Hay	Hay	Hay	Hay	Hay	Yes - Conserving Use
6	Hay	Soybeans	Corn	Corn	Planted Hay	Hay	Corn	Corn	Planted Hay	Hay	Hay	Hay	Yes - Conserving Use
7	Hay	Corn	Corn	Corn	Planted Hay	Hay	Hay	Corn	Planted Hay	Hay	Hay	Corn	Yes - Conserving Use

<sup>1/</sup> The cover continues to be maintained as though enrolled in CRP from 2018 through the date of the offer.

**Notes:** Shaded area reflects acreage that receives planted or considered planted acreage.

**Exception:** The rotation cycle is shaded when rotation is used to provide cropping history.

Hay must be a stand of alfalfa and/or other multi-year grasses and/or legumes.

**Acreage permanently under water, including acreage currently enrolled in CRP, is ineligible to be offered for enrollment in CRP.**

**Exception:** Acreage devoted to either of the following may be eligible to be offered if all other eligibility requirements are met:

- CP9, Shallow Water Areas for Wildlife
- water according to paragraph 429.

151 Eligible Land Criteria (Continued)

**B Land Eligibility Criteria for General or Continuous Signup**

Any land meeting the requirements in subparagraph A may be eligible for enrollment if it falls into 1 or more of the following categories.

Category	Criteria
Erodibility	<p>For general signup, cropland offered if the weighted average EI for the 3 predominant soils of the new land on the acreage offered is 8 or greater.</p> <p>The most current soil survey information shall be used. EI for CRP eligibility shall be calculated using RUSLE or WEQ. Do <b>not</b> use USLE.</p> <p>EI's will be calculated based on the predominance of the type of erosion present. If the offer is subject to both wind and water erosion, the higher EI calculation shall be used. The results of the RUSLE or WEQ shall <b>not</b> be added together.</p>
Expiring CRP	<p>For general signup, land currently enrolled in CRP scheduled to expire on September 30 of the FY the acreage is offered for enrollment.</p> <p><b>Example:</b> CRP-1 is scheduled to expire on September 30, 2020. The acreage may be offered for enrollment during FY 2020.</p> <p>* * *</p>

151 Eligible Land Criteria (Continued)

**B Land Eligibility Criteria for General or Continuous Signup (Continued)**

Category	Criteria
CPA's	<p>For general signup cropland located within 1 of the following:</p> <ul style="list-style-type: none"> <li>• Chesapeake Bay Region</li> <li>• Great Lakes Region</li> <li>• Long Island Sound Region</li> <li>• Longleaf Pine Region</li> </ul> <p><b>Important:</b> All cropland within the Longleaf Pine Region is <b>not</b> automatically eligible to be offered for enrollment. Cropland within the Longleaf Pine Region <b>must</b> be:</p> <ul style="list-style-type: none"> <li>• suitable to be devoted to longleaf pine</li> <li>• planted or devoted to longleaf pine.</li> </ul> <ul style="list-style-type: none"> <li>• Prairie Pothole Region</li> </ul> <p><b>Note:</b> See Exhibit 18 for maps.</p> <ul style="list-style-type: none"> <li>• State-designated CPA's.</li> </ul>
Practices Eligible Under Continuous Signup	<p>Those practices eligible for enrollment under continuous signup provisions.</p> <p>See paragraph 171.</p>

## 151 Eligible Land Criteria (Continued)

**C Land Enrolled in Other Programs**

If all other eligibility criteria are met, the following land may be offered for CRP:

- land currently under Pub. L. 566 or Pub. L. 534 long-term contracts, if approved for modification by NRCS
- cropland that has had a permanent cover, including trees, established under EQIP or CSP that is no longer within practice lifespan requirements.

**Examples:** Cropland on which permanent vegetative cover has been established under EQIP and still under EQIP lifespan requirements is not eligible for enrollment in CRP.

A farm under a CSP contract that has only a part of the otherwise eligible cropland devoted to a permanent cover may have the CSP contract modified, if approved by NRCS, to allow enrollment of acreage not devoted to a permanent cover into CRP.

**Note:** See subparagraph D for land ineligible for enrollment in CRP.

**D Ineligible Acreage**

The following acreage is ineligible to be offered in CRP:

- Federally owned land
- \*--land on which a Federal agency restricts the use in a mortgage or an easement
- land on which the use of the land is either restricted through deed or other restriction--\* before enrollment in CRP prohibiting the production of agricultural commodities, or requires any resource-conserving measures during any part of the proposed contract period

## 151 Eligible Land Criteria (Continued)

**D Ineligible Acreage (Continued)**

- land for which Tribal, State or other local laws, ordinances, or other regulations require any resources conserving or environmental protection measures or practices and the owners or operators of such land have been notified in writing of such requirements, except, such land may be eligible for enrollment in CRP if the land is:
  - at the time of offer, enrolled in CRP under an approved CREP agreement that was in effect on December 20, 2018, and was initially approved before January 1, 2014, including any amended or successor CREP agreement; provided, that the CRP contract under which the land is enrolled is in the final year of the contract period, and the scheduled expiration date of the current CRP contract is before the effective starting date of the new CRP contract; or
  - such other land in the State that the DAFP determines is both otherwise eligible for CRP and appropriate for enrollment in CRP; and
  - enrolled in exchange for a 25 percent reduction to the annual rental payment that would otherwise be paid for such land were no such laws, ordinances, or regulations in effect

**Note:** Publication of Tribal, State, or other local laws, ordinances, or other regulations is considered written notification of requirements. Written notification is not limited to individualized notification to owners or operators.

- land devoted to hardwood trees that has been re-enrolled in CRP one or more times that is under 1 of the practices:
  - \*--CP3A, Hardwood Tree Planting
  - CP11, Vegetative Cover – Trees – Already Established
  - CP25, Rare and Declining Habitat (Hardwood Trees Only)
  - CP36, Longleaf Pine Establishment
  - CP38C, Trees
  - CP38D, Longleaf Pine.--\*

## 151 Eligible Land Criteria (Continued)

**D Ineligible Acreage (Continued)**

- acreage permanently under water, including acreage currently enrolled in CRP

**Exception:** Acreage devoted to either of the following may be eligible to be offered if all other eligibility requirements are met:

- CP9, Shallow Water Area for Wildlife
- water, according to paragraph 429.

- land under ACEP-WRE, CSP, or EQIP that meets either of the following criteria:

- has had a permanent cover, including trees, established and is still within the practice lifespan requirements
- is under agreement and is scheduled to have a permanent cover, including trees, established regardless of whether any practice has been started or C/S paid

**Notes:** Canceling or modifying the contract or agreement or refunding C/S will not make the acreage eligible to be offered for enrollment.

Certain otherwise eligible cropland acreage enrolled in a CSP contract may be eligible for enrollment in CRP if the contract is approved for modification by NRCS. See subparagraph C.

Acreage under contract or agreement, which are management or structural in nature and does not require establishment or enhancement of a permanent cover, may be offered for enrollment if all other eligibility requirements are met. All acreage offered for enrollment in CRP that is under an EQIP contract **must** be terminated from the EQIP contract before CRP-1 is approved. The EQIP contract **must** be modified to remove this acreage according to EQIP Manual.

**Examples:** Following are examples of management or structural practices:

- strip cropping
- no-till systems
- underground pipelines
- terraces that do not require permanent cover.

## 151 Eligible Land Criteria (Continued)

**D Ineligible Acreage (Continued)**

- land currently within practice lifespan requirements according to subparagraph C
- land already enrolled in CRP

**Exception:** Land enrolled in CRP is eligible to be offered for re-enrollment in the program if the current CRP-1 expires September 30 of the FY the acreage is offered for enrollment, unless the acreage has a CRP useful life easement that extends beyond the length of the current CRP-1. See subparagraph A.

- existing grass waterways.

**Exceptions:** Grass waterways that are enrolled in CRP at the time this acreage is offered for enrollment in CRP.

Newly created grass waterways completed within the 12-month period previous to signup if:

- completed according to a conservation plan
- not under practice lifespan requirements according to subparagraph C.

Grass waterways enhanced or expanded within the 12-month period previous to signup if completed according to a conservation plan.

**Note:** Grass waterways that are purposely destroyed to be made eligible for enrollment in CRP will remain ineligible.

**152 Native American Tribal Lands****A Land Eligibility**

Native American tribal land is eligible for CRP. Tribal lands are:

- subject to BIA management
- not U.S. owned.

**153 State, County, or Publicly Owned Land****A Land Eligibility**

State, county, or publicly owned land that is offered for participation in CRP is eligible if the land meets all other eligibility requirements.

**\*--Exception:** Federally owned land is ineligible to be enrolled in CRP. See subparagraph 151 D.

**154 Land Under Lease for Gas, Oil, Earth, or Mineral Rights****A Guidelines for Existing Lease**

Eligible land on which gas, oil, earth, or other mineral rights exploration has been leased or is owned by someone other than the person interested in enrolling acreage in CRP may be **offered** for CRP-1.

If any person has an existing mineral rights' lease or someone other than the CRP participant owns the mineral rights **before** land is offered for CRP and the person exercises the right to extract minerals, etc., from the land that is subject to CRP, COC must:

- terminate CRP-1 on affected acres
- waive refund of annual rental payments and liquidated damages
- require refund of C/S payments
- advise the CRP participant that the land may be reoffered in a subsequent signup if the land meets all other eligibility requirements.



**154 Land Under Lease for Gas, Oil, Earth, or Mineral Rights (Continued)****B Guidelines After Land Is Accepted in CRP**

If a person enters into a mineral rights' lease or sells the mineral rights **after** the land is accepted in CRP, and during the CRP-1 period the lessor or owner of the mineral rights exercises the right to extract minerals, etc., from land that is subject to CRP-1, COC must:

- terminate CRP-1 on the affected acres
- obtain refund of payments and liquidated damages according to paragraphs 571 and 577
- advise the CRP participant that the land may be reoffered in subsequent signups if the land meets all other eligibility requirements.

**C Exploration of Minerals by Sampling**

If exploration of minerals is performed by sampling to determine whether mining is feasible, COC must not terminate CRP-1 or reduce annual payments if:

- the exploration of minerals by sampling is completed within date specified by COC
- any disturbed cover is re-established at the CRP participant's expense
- the land will continue to meet eligibility requirements as determined by COC.

**155-170 (Reserved)**



**Part 7 Continuous CRP Signup****171 Overview****A General Information**

Producers may submit offers to enroll certain acreage in CRP at any time under continuous CRP signup, provided the total county cropland limitation has not been exceeded according to Part 4. Continuous CRP signup provides producers with management flexibility when planning conservation enhancements to their farming operations.

Unlike a general CRP signup, the continuous CRP signup process does not have a competitive evaluation process.

The purpose of continuous CRP signup is to enroll small targeted environmentally sensitive acreage.

**B Signup Numbers and Program Year**

Signup numbers change at the beginning of each FY under the continuous CRP signup provisions.

**Note:** See Exhibit 20.

The program year is FY in which the first payment is earned.

**Example:** Producer submits an offer for CP21 on July 1, 2020. COC approves CRP-1 on September 22, 2020. CRP-1 is effective October 1, 2020. The program year on CRP-1 is 2021.

171 Overview (Continued)

C CRP Continuous CRP Signup Process Flow

The following table provides activities that must be completed for continuous CRP signup offers.

Step	Continuous CRP Signup Activity	Reference
1	Producer: <ul style="list-style-type: none"> <li>• expresses an interest in enrolling in CRP</li> <li>• indicates the acreage they want to enroll on digital imagery/map and identifies the practice they want to enroll.</li> </ul>	Paragraph 211
2	County Office determines whether all the following are met: <ul style="list-style-type: none"> <li>• all producer eligibility requirements</li> <li>• all land eligibility requirements</li> <li>• CRP county cropland limit has not been exceeded.</li> </ul>	Paragraphs 81, 126, 130, 131, 151, and 181
3	If all requirements in step 2 are: <ul style="list-style-type: none"> <li>• met, create a TERRA scenario, upload it into COLS, and print CRP-2C</li> </ul>	TERRA and COLS User Guide
	<ul style="list-style-type: none"> <li>• not met; <b>Stop</b>, do not proceed, and inform producer the eligibility requirements are not met using CRP-26.</li> </ul>	Subparagraph 215 A and 1-APP
4	COC or CED provides the following to NRCS or TSP: <ul style="list-style-type: none"> <li>• unsigned CRP-2C</li> <li>• geospatial data/map identifying acreage offered.</li> </ul>	Subparagraph 211 D
5	If land offered for enrollment is: <ul style="list-style-type: none"> <li>• new land (land not currently enrolled in CRP), go to step 5A</li> <li>• land currently enrolled in CRP being offered for re-enrollment, go to step 5B</li> <li>• a combination of new land (land not currently enrolled in CRP) and land currently enrolled in CRP being offered for re-enrollment, go to step 5A for the new land and step 5B for the land currently enrolled in CRP being offered for re-enrollment.</li> </ul>	Paragraphs 181 and 211

171 Overview (Continued)

C CRP Continuous CRP Signup Process Flow (Continued)

Step	Continuous CRP Signup Activity	Reference
5A	<p>Based on a site visit, NRCS/TSP determines, using the Documentation of Suitability and Feasibility Worksheet, if:</p> <ul style="list-style-type: none"> <li>• implementation of the CRP practice offered is feasible and needed to, and will, solve or address the resource concern(s) listed for the CRP practice</li> <li>• the existing cover is solving or addressing the resource concern(s) in the CRP practice purpose</li> <li>• practice offered meets the purpose of the CRP practice according to Exhibit 11</li> <li>• the acreage offered is suitable for installation of the NRCS conservation practices needed to apply the CRP practice.</li> </ul>	<p>Paragraphs 181 and 211, Exhibit 11, and NRCS Documentation of Suitability and Feasibility Worksheet</p>
5B	<p>Based on a site visit, NRCS/TSP determines, using either conservation assistance notes, status review form, or State NRCS Office developed form, if the:</p> <ul style="list-style-type: none"> <li>• CRP practice is being maintained according to the conservation plan, including the engineering design and size requirements, if applicable</li> <li>• approved cover is being maintained according to the conservation plan</li> <li>• CRP practice is resolving or addressing the resource concern(s) and meets the purpose of the practice</li> <li>• NRCS conservation practices are applied in a way that meets the purpose of the CRP practice</li> <li>• CRP practice meets the current practice standards.</li> </ul> <p>If any of the above are not being met, NRCS/TSP must provide to FSA the condition of the practice/approved cover not being met.</p>	<p>Paragraphs 181 and 211, Exhibit 11, and applicable NRCS document</p>

171 Overview (Continued)

C CRP Continuous CRP Signup Process Flow (Continued)

Step	Continuous CRP Signup Activity	Reference
6	<p>NRCS or TSP:</p> <ul style="list-style-type: none"> <li>• returns unsigned CRP-2C and geospatial data/map to County Office</li> <li>• provides the County Office:                             <ul style="list-style-type: none"> <li>• for new land (land not currently enrolled in CRP) offered, a signed and dated Documentation of Suitability and Feasibility Worksheet and other documentation supporting NRCS determination, if applicable</li> <li>• for land currently enrolled in CRP being offered for re-enrollment, either conservation assistance notes, status review form, or State NRCS Office developed form, as applicable, and other documentation supporting NRCS determination, if applicable.</li> </ul> </li> </ul>	<p>Subparagraph 211 F, NRCS Documentation of Suitability and Feasibility Worksheet, and/or applicable NRCS document</p>
7	<p>COC or CED reviews NRCS or TSP documents and findings. County Office files all documents received from NRCS or TSP in the CRP folder.</p> <p>If NRCS or TSP determined the practice and acreage offered is:</p> <ul style="list-style-type: none"> <li>• for new land (land not currently enrolled in CRP):                             <ul style="list-style-type: none"> <li>• not suitable, needed, and feasible; <b>Stop</b> and notify the producer the practice is <b>not</b> acceptable using CRP-26</li> <li>• suitable, needed, and feasible without any changes; go to step 9</li> <li>• suitable, needed, and feasible, but only if required changes are made; go to step 8</li> </ul> </li> </ul>	<p>Paragraphs 211, 215, and 603</p>

171 Overview (Continued)

C CRP Continuous CRP Signup Process Flow (Continued)

Step	Continuous CRP Signup Activity	Reference
7 (Cntd)	<ul style="list-style-type: none"> <li>• for land currently enrolled in CRP being offered for re-enrollment:                             <ul style="list-style-type: none"> <li>• not maintained according to the conservation plan; <b>Stop</b>, the land is not eligible for enrollment; handle noncompliance according to paragraph 603</li> <li>• not resolving or addressing the resource concern(s) per the purpose of the practice; <b>Stop</b>, the land is not eligible for enrollment; handle noncompliance according to paragraph 603</li> <li>• practice and cover is being maintained according to the conservation plan, including the engineering design and size requirements, if applicable; practice is resolving or addressing the resource concern(s); practice meets the purpose of the practice and the current practice standards; and the NRCS conservation practices are applied in a way that meets the purpose of the CRP practice; go to step 9</li> <li>• practice and cover is being maintained according to the conservation plan, including the engineering design and size requirements, if applicable, but does not meet the current practice standards; go to step 8.</li> </ul> </li> </ul> <p>When producer modifies the practice or acreage offered after NRCS or TSP has made the determinations in this step, <b>Stop</b> and go back to step 3.</p>	Paragraphs 211, 215, and 603
8	<p>COC or CED notifies producer of required changes needed to make the practice acceptable. If producer:</p> <ul style="list-style-type: none"> <li>• agrees to make all required changes, go back to step 3 and create new TERRA scenario, CRP-2C, and geospatial data/map, then proceed to step 9</li> <li>• does <b>not</b> agree to make all required changes, <b>Stop</b> and notify producer offer is not acceptable using CRP-26.</li> </ul>	Paragraph 215

171 Overview (Continued)

C CRP Continuous CRP Signup Process Flow (Continued)

Step	Continuous CRP Signup Activity	Reference
9	County Offices will ensure that the base limitation is not exceeded.	Paragraphs 212 and 401
10	County Office completes and prints CRP-2C and CRP-1 and notifies the producer that CRP-2C and CRP-1 are ready for signature.	Paragraphs 214 and 215
11	County Office completes paid-for measurement service, if requested.	Paragraph 215
12	Producer signs and dates completed CRP-2C and CRP-1, and provides the signed documents to the County Office.	Subparagraph 215 B
13	<p>County Office:</p> <ul style="list-style-type: none"> <li>• notifies producer of acceptability of offer using CRP-23</li> <li>• provides producer a copy of signed CRP-1 and CRP-2C</li> <li>• provides producer a copy of CRP-1 Appendix</li> <li>• updates offer status in COLS to “submit to plan”</li> <li>• provides NRCS a copy of the:                             <ul style="list-style-type: none"> <li>• letter of acceptability sent to producer (CRP-23)</li> <li>• signed CRP-1</li> <li>• signed CRP-2C</li> <li>• new geospatial data/map created in step 8, if applicable.</li> </ul> </li> </ul>	Paragraphs 214, 215, and 334
14	<p>NRCS provides County Office with:</p> <ul style="list-style-type: none"> <li>• NRCS signed conservation plan and all supporting documentation</li> <li>• NRCS-CPA-52 with the NRCS portion completed.</li> </ul>	Paragraphs 366 and 367



171 Overview (Continued)

C CRP Continuous CRP Signup Process Flow (Continued)

Step	Continuous CRP Signup Activity	Reference
15	County Office: <ul style="list-style-type: none"> <li>• completes all necessary consultations, if needed</li> <li>• obtains copy of all permits or other permissions necessary to perform and maintain practices as provided by NRCS on NRCS-CPA-52, Section G</li> <li>• completes FSA’s portion of NRCS-CPA-52</li> <li>• ensures all required signatures on CRP-1 and conservation plan have been obtained</li> <li>• updates offer status in COLS to “submit to COC”.</li> </ul>	Subparagraph 366 B, paragraph 367, and COLS User Guide
16	If determined complete and acceptable, COC or CED signs conservation plan.	Paragraph 366
17	County Office ensures that AGI certification is filed and recorded in subsidiary file for the FY of the COC/CED approval date.	Paragraph 131
18	COC or CED approves CRP-1.	Paragraph 401
19	County Office records contract period on CRP-1.	
20	County Office enters COC approval date and effective start date from CRP-1 into COLS.	Paragraph 213 and COLS User Guide
21	County Office: <ul style="list-style-type: none"> <li>• records CRP-1 number obtained from CCMS on CRP-1 and CRP-2C</li> <li>• record C/S requested in CSS and generate FSA-848A</li> <li>• notifies producer that CRP-1 is approved using CRP-24 and provides producer a copy of approved CRP-1, CRP-2C, and FSA-848A.</li> </ul>	Paragraph 215

172-180 (Reserved)



## Section 1 Continuous CRP Signup Basic Eligibility Criteria

### 181 Eligibility Requirements

#### A Eligibility Requirements for Cropland

All of the following **must** be met before **cropland** acreage may be determined acceptable for enrollment under continuous CRP signup:

**Note:** For cropland within an approved wellhead protection area, see subparagraph B.

**Important:** Land that meets the definition of cropland cannot be enrolled in CRP as marginal pastureland. See subparagraph C for eligibility requirements for marginal pastureland.

- COC or CED determines that the:
  - cropland offered to be devoted to CP21, CP21B, CP21S, CP22, CP22B, or CP22S, is immediately adjacent and parallel to the water body identified and documented by NRCS or TSP according to subparagraph E
  - producer eligibility requirements in Part 6, Section 1, are met
  - acreage offered is cropland

**Important:** See 10-CM for the definition of cropland.

- acreage offered meets eligibility criteria in subparagraph 151 A
- practice offered is an eligible practice for continuous CRP signup

**Note:** See subparagraph 66 C for a list of eligible practices.

- practice and acreage offered meet the program policy and size requirements for the practice provided in Exhibit 11
- county cropland limit eligibility criteria in Part 4 is met

**181 Eligibility Requirements (Continued)****A Eligibility Requirements for Cropland (Continued)**

- NRCS or TSP determines:
  - for new land offered (land not currently enrolled in CRP), based on a site visit and using the Documentation of Suitability and Feasibility Worksheet, all of the following:
    - there is a resource concern the offered acreage and CRP practice will solve
    - existing cover is not solving or addressing the resource concern(s) of the CRP practice offered
    - acreage offered is suitable for the CRP practice offered
    - CRP practice offered is needed and feasible to solve the resource concern
    - practice offered meets the purpose of the CRP practice according to Exhibit 11
  - for land currently enrolled in CRP being offered for re-enrollment, based on a site visit and using either conservation assistance notes, status review form, or State NRCS Office developed form, if the:
    - CRP practice is being maintained according to the conservation plan, including the engineering design and size requirements, if applicable
    - approved cover is being maintained according to the conservation plan
    - CRP practice is resolving or addressing the resource concern(s) and meets the purpose of the practice
    - NRCS conservation practices are applied in a way that meets the purpose of the CRP practice
    - CRP practice meets the current practice standards.

**Important:** If any of the above are not being met, NRCS/TSP must provide to FSA the condition of the practice/approved cover not being met.

## 181 Eligibility Requirements (Continued)

### A Eligibility Requirements for Cropland (Continued)

- producer offers a per acre rental rate that is less than or equal to the calculated maximum payment rate. Offers in excess of the maximum payment rate will be rejected.

**Notes:** To calculate the per acre maximum payment rate when all the acreage offered is cropland, TERRA identifies and uses the 3 predominant soil types for the eligible acreage offered on CRP-2C. For land offered under the infeasible-to-farm criteria, the maximum payment rate will be calculated using the 3 predominant soils that comprise the infeasible-to-farm acreage. See paragraphs 196 and 212 \*--and 4-CRP.--\*

The TERRA tool:

- provides official CRP data and calculations
- will be used for all CRP administration purposes.

### B Eligibility Requirements for Cropland Within Wellhead Protection Areas

An approved public wellhead protection area is the area designated by the appropriate State agency with an EPA-approved Wellhead Protection Program for water being drawn for public use, as defined for public use by the Safe Drinking Water Act, as amended.

Areas, such as aquifer protection areas, surrounding shallow aquifer areas, and water source protection districts are **not** public wellhead protection areas. Acreage within these areas is **not** eligible to be enrolled under the wellhead protection area provisions.

States that do not have an EPA-approved Wellhead Protection Program **cannot** enroll acreage in CRP under the wellhead protection area provisions. Contact the State water quality agency:

- to determine whether there is an EPA-approved Wellhead Protection Program
- for approved public wellhead protection areas.

## 181 Eligibility Requirements (Continued)

**B Eligibility Requirements for Cropland Within Wellhead Protection Areas (Continued)**

A TERRA shapefile for the approved public wellhead protection area must be used for each offer that includes cropland being offered using the public wellhead area criteria. See \*--4-CRP for:--\*

- attributes required and instructions for establishing a TERRA shapefile for approved public wellhead protection areas
- using a TERRA shapefile for public wellhead protection areas to process offers.

Before **cropland** acreage within an approved public wellhead protection area may be determined acceptable for enrollment under continuous CRP signup, **all** of the following **must** be met:

- COC or CED determines that the:
  - producer eligibility requirements in Part 6, Section 1, are met
  - acreage offered is cropland

**Important:** See 10-CM for the definition of cropland.

- acreage offered meets eligibility criteria in subparagraph 151 A
- practice offered is an eligible practice for continuous CRP signup within an approved public wellhead protection area

**Note:** See subparagraph 66 C for a list of eligible practices for cropland within an approved public wellhead protection area.

- practice and acreage offered meet the program policy and size requirements for the practice provided in Exhibit 11
- county cropland limit eligibility criteria in Part 4 is met
- at least 51 percent of the acreage offered is physically located within an approved public wellhead protection area

**Important:** The remaining acreage, up to 49 percent of the total acreage offered, must be contiguous to the acreage offered that is physically located within the approved public wellhead protection area.

## 181 Eligibility Requirements (Continued)

**B Eligibility Requirements for Cropland Within Wellhead Protection Areas (Continued)**

- the acreage offered does not exceed a radius of 2,000 feet from the approved public wellhead

**Examples:** The approved public wellhead protection area designated by the appropriate State agency is a 1,000-foot radius surrounding the approved public wellhead. Therefore, the acreage enrolled in CRP will not exceed the acreage within the 1,000-foot approved area.

The approved public wellhead protection area designated by the appropriate State agency is a 3,000-foot radius surrounding the approved public wellhead. Therefore, the acreage enrolled in CRP will not exceed the acreage within a 2,000 radius from the approved public wellhead.

**Exception:** Enrollment may be allowed beyond a radius of 2,000 feet from the approved public wellhead, provided the State has established hydrologically delineated public wellhead protection areas using a 5-year or 10-year time-of-flow criteria and the State water quality agency has approved the hydrologically delineated public wellhead protection area.

- NRCS or TSP determines:
  - for new land offered (land not currently enrolled in CRP), based on a site visit and using the Documentation of Suitability and Feasibility Worksheet, all of the following:
    - there is a resource concern the offered acreage and CRP practice will solve
    - existing cover is not solving or addressing the resource concern(s) of the CRP practice offered
    - acreage offered is suitable for the CRP practice offered
    - CRP practice offered is needed and feasible to solve the resource concern
    - practice offered meets the purpose of the CRP practice according to Exhibit 11

## 181 Eligibility Requirements (Continued)

**B Eligibility Requirements for Cropland Within Wellhead Protection Areas (Continued)**

- for land currently enrolled in CRP being offered for re-enrollment, based on a site visit and using either conservation assistance notes, status review form, or State NRCS Office developed form, if the:
  - CRP practice is being maintained according to the conservation plan, including the engineering design and size requirements, if applicable
  - approved cover is being maintained according to the conservation plan
  - CRP practice is resolving or addressing the resource concern(s) and meets the purpose of the practice
  - NRCS conservation practices are applied in a way that meets the purpose of the CRP practice
  - CRP practice meets the current practice standards.

**Important:** If any of the above are not being met, NRCS/TSP must provide to FSA the condition of the practice/approved cover not being met.

- producer offers a per acre rental rate that is less than or equal to the calculated maximum payment rate. Offers in excess of the maximum payment rate will be rejected.

**Notes:** To calculate the per acre maximum payment rate when all the acreage offered is cropland, TERRA identifies and uses the 3 predominant soil types for the eligible \*--acreage offered on CRP-2C. See paragraphs 102, 196, and 212 and 4-CRP.--\*

The TERRA tool:

- provides official CRP data and calculations
- will be used for all CRP administration purposes.

**Land that meets the definition of cropland cannot be enrolled in CRP as marginal pastureland.** See subparagraph C for eligibility requirements for marginal pastureland.



## 181 Eligibility Requirements (Continued)

**C Eligibility Requirements for Marginal Pastureland**

The following is **not** eligible to be enrolled in CRP as marginal pastureland:

- cropland
- forestland
- woodland.

**Under no circumstances can land be considered both cropland and marginal pastureland.** See 10-CM, for provisions for removing land from cropland status to be enrolled in CRP under marginal pastureland criteria.

Marginal pastureland can only be enrolled as CP22, CP22B, CP22S, CP29, or CP30.

**All** of the following **must** be met before **marginal pastureland**, including grazing land that may not have been previously seeded, may be determined acceptable for enrollment under continuous CRP signup:

- devoted to a CP22 riparian buffer (planted or natural regeneration), CP29 wildlife habitat buffer, or CP30 wetland buffer as determined by the producer in consultation with NRCS or TSP
- COC or CED determines that the:
  - marginal pastureland offered is immediately adjacent and parallel to the water body identified and documented by NRCS or TSP according to subparagraph E
  - producer eligibility requirements in Part 6, Section 1, are met
  - land offered is marginal pastureland

**Important:** **Land that meets the definition of cropland cannot be enrolled in CRP as marginal pastureland.** See 10-CM for the definition of cropland.

- practice and acreage offered meets program policy and size requirements for the practice provided in Exhibit 11
- county cropland limit eligibility criteria in Part 4 is met

**181 Eligibility Requirements (Continued)****C Eligibility Requirements for Marginal Pastureland (Continued)**

- NRCS or TSP must advise the producer on the selection of the appropriate practice and cover type based on site conditions and producer objectives
- NRCS or TSP determines:
  - for new land offered (land not currently enrolled in CRP), based on a site visit and using the Documentation of Suitability and Feasibility Worksheet, all of the following:
    - there is a resource concern the offered acreage and CRP practice will solve
    - existing cover is not solving or addressing the resource concern(s) of the CRP practice offered
    - acreage is suitable for the CRP practice offered
    - CRP practice offered is needed and feasible to solve the resource concern
    - practice offered meets the purpose of the CRP practice according to Exhibit 11
  - for land currently enrolled in CRP being offered for re-enrollment, based on a site visit and using either conservation assistance notes, status review form, or State NRCS Office developed form, if the:
    - CRP practice is being maintained according to the conservation plan, including the engineering design and size requirements, if applicable
    - approved cover is being maintained according to the conservation plan
    - CRP practice is resolving or addressing the resource concerns and meets the purpose of the practice

## 181 Eligibility Requirements (Continued)

## C Eligibility Requirements for Marginal Pastureland (Continued)

- NRCS conservation practices are applied in a way that meets the purpose of the CRP practice
- CRP practice meets the current practice standards

**Important:** If any of the above are not being met, NRCS or TSP must provide to FSA the condition of the practice/approved cover not being met.

- producer offers a per acre rental rate that is less than or equal to the calculated maximum payment rate using the applicable marginal pastureland rental rate for the county. Offers in excess of the maximum payment rate will be rejected.

**\*--D Marginal Pastureland Existing Vegetation--\***

If existing vegetation is functioning as buffer as determined by NRCS or TSP, the land is **not** eligible to be enrolled in CRP. Sites must be enhanced to provide water quality benefits and wildlife habitat.

**Example 1:** Mary Smith offers to enroll marginal pastureland to be devoted to CP29. Cattle have been excluded from the riparian area. Based on a site visit, NRCS or TSP determines that the existing vegetative cover is functioning as a wildlife habitat buffer. No further action would be required for the existing cover to function as a wildlife habitat buffer. Therefore, the land is **not** eligible to be enrolled in CRP.

**Example 2:** Bob Brown offers to enroll marginal pastureland to be devoted to CP22. Based on a site visit, NRCS or TSP determines that the existing trees are not functioning as a riparian buffer because of the presence of livestock and the lack of a sufficient understory. Cattle exclusion and additional vegetation **must** be planted to establish a functioning riparian buffer. Therefore, provided all other eligibility requirements are met, the land may be enrolled in CRP to be devoted to CP22.

If NRCS or TSP determines that existing vegetation is not functioning as the practice offered, the conservation plan **must** require some action by the producer, such as tree planting, enhancement of cover, or wetland restoration; otherwise, the land is not eligible to be enrolled in CRP.

## 181 Eligibility Requirements (Continued)

**E Determinations, Identification, and Documentation**

For **cropland** to be eligible to be enrolled as practice CP21, CP21B, CP21S, CP22, CP22B, CP22S, COC or CED must determine whether the cropland is immediately adjacent and parallel to 1 of the following:

- stream having perennial flow
- stream having seasonal/intermittent flow (contains water for only part of the year but more than just during and/or after a rainfall or snowmelt)
- sinkhole/karst area
- wetlands with water areas capable of reducing damages by sedimentation and associated pollutants that meet 1 of the following:
  - permanently flooded
  - intermittently exposed
  - semi-permanently flooded
  - seasonally flooded
- **permanent** water bodies, such as lakes and ponds, if **both** of the following are met:
  - contains water cover **throughout the year in all years**
  - provides at least a seasonal flow of surface water from the water body off the farm.

**Important:** NRCS or TSP must identify and document the type of eligible water body on the Documentation of Suitability and Feasibility Worksheet for new land, or on the applicable document for land currently enrolled in CRP that is being reoffered, as applicable. COC or CED must determine whether the cropland offered is immediately adjacent and parallel to the identified eligible water body.

## 181 Eligibility Requirements (Continued)

**E Determinations, Identification, and Documentation (Continued)**

For **marginal pastureland** to be eligible to be enrolled as practice:

- CP22, CP22B, CP22S, or CP29, COC or CED must determine whether the **marginal pastureland** is immediately adjacent and parallel to 1 of the following:
  - stream having perennial flow
  - stream having seasonal/intermittent flow (contains water for only part of the year but more than just during and/or after a rainfall or snowmelt)
  - sinkhole/karst areas
  - **permanent** water bodies, such as lakes and ponds, if **both** of the following are met:
    - contains water cover **throughout the year in all years**
    - provides at least a seasonal flow of surface water from the water body off the farm.

**Important:** NRCS or TSP must identify and document the type of eligible water body on the Documentation of Suitability and Feasibility Worksheet for new land, or on the applicable document for land currently enrolled in CRP that is being reoffered, as applicable. COC or CED must determine whether the marginal pastureland offered is immediately adjacent and parallel to the identified eligible water body.

- CP30, COC or CED must determine whether the **marginal pastureland** is immediately adjacent and parallel to wetlands with water areas capable of reducing damages by sedimentation and associated pollutants that meet 1 of the following:
  - permanently flooded
  - intermittently exposed
  - semi-permanently flooded
  - seasonally flooded.

**Important:** NRCS or TSP must identify and document the type of eligible wetland on the Documentation of Suitability and Feasibility Worksheet for new land, or on the applicable document for land currently enrolled in CRP that is being reoffered, as applicable. COC or CED must determine whether the marginal pastureland offered is immediately adjacent and parallel to the identified eligible wetland.

## 181 Eligibility Requirements (Continued)

**F Expiring Continuous CRP Signup Land Eligibility**

Cropland and marginal pastureland that is currently enrolled may be offered for enrollment in CRP no earlier than 6 months before CRP-1 is scheduled to expire. In addition to meeting the eligibility requirements of paragraph 151 and subparagraph 181 A, B, or C, as applicable, the practice must meet the current practice standards for the practice according to Exhibit 11.

Cropland that was previously enrolled in CRP but CRP-1 has expired or was terminated and the land is not enrolled in CRP at the time it is offered may be eligible to be enrolled under continuous CRP signup if the land meets all eligibility requirements for new land (land not currently enrolled in CRP), including needed and feasible criteria.

**Note:** Land that is currently enrolled or has expired and the cover has been maintained is **not** eligible for SIP.

The following are examples of land enrolled in CRP being offered for enrollment in CRP within 6 months of CRP-1 expiring.

**Example 1:** Land is enrolled as CP21. The average width of the practice is 80 feet. The participant and land are in compliance with CRP-1. NRCS determines the average width must be 100 feet to meet the current practice standards (practice standards at time land is being offered). The participant may enroll the land as CP21 provided the average width enrolled is 100 feet according to an approved conservation plan and all other eligibility requirements are met.

**Example 2:** Land is enrolled as CP21. The average width of the practice is 80 feet. The participant and land are in compliance with CRP-1. The participant submits an offer to enroll the land currently enrolled plus additional land not currently enrolled making the average width 100 feet. NRCS determines the practice meets the current practice standards (practice standards at time land is being offered) and the land enrolled (average width of 80 feet) is solving the resource concern. The offer is not approved because the existing land and practice meets the current practice standards and is solving the resource concern, and the offer includes additional land not needed.

**Example 3:** Land is enrolled as CP1 under an expiring general signup CRP-1. The land enrolled includes a seasonally flooded wetland. The participant and land are in compliance with CRP-1. The participant submits an offer under continuous CRP signup for just the seasonally flooded wetland acreage and an upland buffer to be devoted to CP23. The land may be enrolled as CP23 provided all other eligibility requirements are met.

## 181 Eligibility Requirements (Continued)

## F Expiring Continuous CRP Signup Land Eligibility (Continued)

**Example 4:** Land is enrolled as CP3 under an expiring general signup CRP-1. Part of the land is immediately adjacent and parallel to a stream having perennial flow. The participant and land are in compliance with CRP-1. The participant submits and offer under continuous CRP signup for just the land that is immediately adjacent and parallel to the stream having perennial flow to be devoted to CP22. NRCS determines the land and existing cover (trees and understory) meet the current practice standards for CP22. The land may be enrolled as CP22 provided all other eligibility requirements are met.

## G Acreage Ineligible To Be Enrolled

In addition to the ineligible acreage provided in subparagraph 151 D, acreage that is not necessary to meet current practice standards for the practice according to Exhibit 11 is not eligible to be enrolled.

## 182 Infeasible-to-Farm

## A Definition of Infeasible-to-Farm

Infeasible-to-farm means an area that is too small or isolated to be economically farmed.

## B Infeasible to Farm Policy

COC may allow enrollment of certain **cropland** that is determined infeasible-to-farm.

**Note:** Infeasible-to-farm criteria does not apply to marginal pastureland or CRP grassland.

Producers may enroll up to 25 percent of the enrolled cropland acreage of a filter strip (CP21, CP21B, or CP21S) or riparian buffer (CP22, CP22B, or CP22S) per field as part of the filter strip or riparian buffer if COC determines the following:

- remaining cropland is infeasible-to-farm according to subparagraph A
- more than 50 percent of the **field** is enrolled as a filter strip or riparian buffer on cropland.

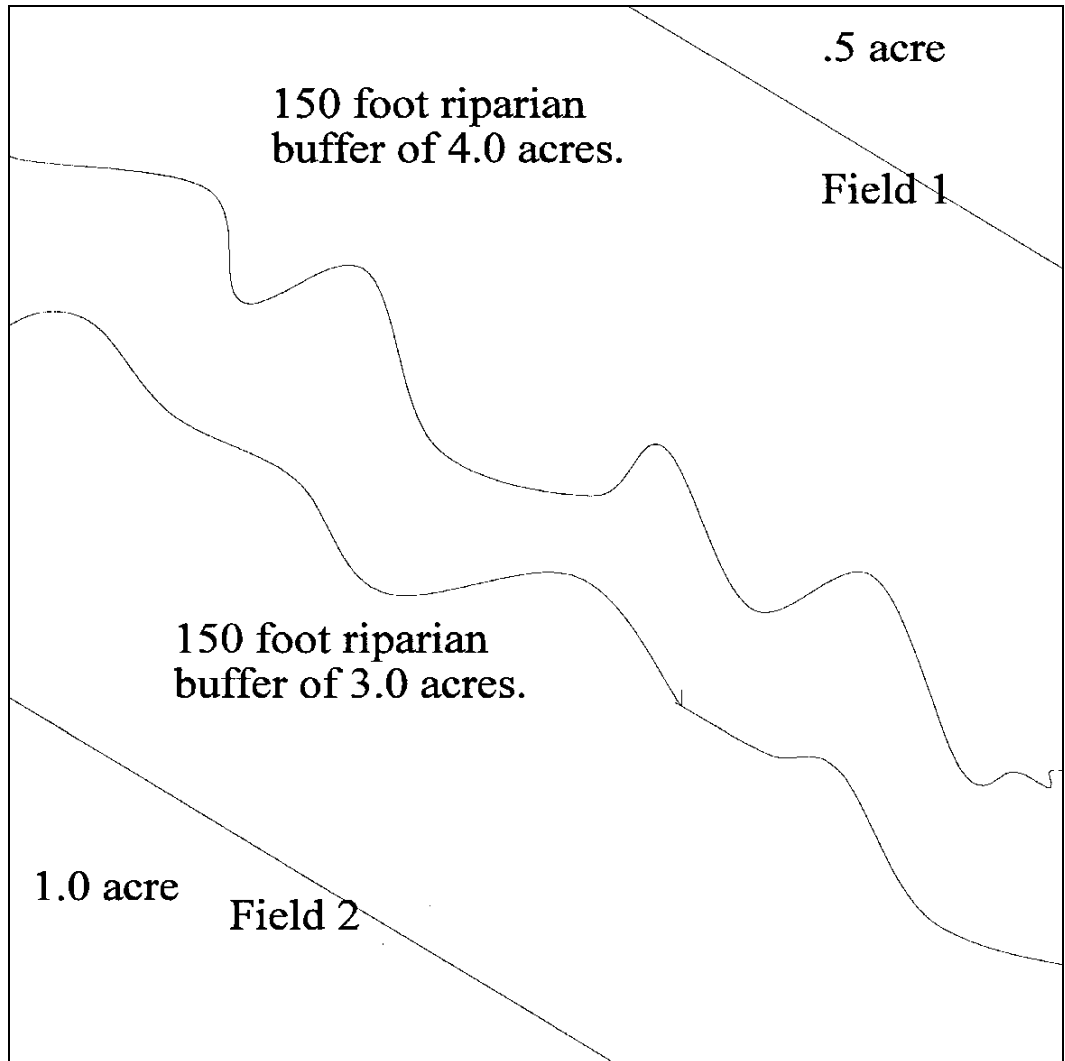
**Note:** COC is authorized to approve only up to 25 percent of the filter strip or riparian buffer per field as infeasible-to-farm acreage. Producers may request a waiver to enroll infeasible-to-farm acreage in excess of 25 percent. All waivers must be submitted to DAFP. Only DAFP may approve such waivers.

182 Infeasible-to-Farm (Continued)

**B Infeasible to Farm Policy (Continued)**

**Example:** Producer offers to enroll a 4.0-acre CP22, Riparian Buffer, in Field No. 1 and a 3.0-acre CP22, Riparian Buffer, in Field No. 2. Field No. 2 has 1.0 acre remaining that is not part of the CP22, and Field No. 1 has 0.5 acres remaining that is not part of the CP22. The producer offered more than 50 percent of the total cropland acres in each field. The infeasible-to-farm amount for Field 1 is 1.0 acre, which is 25 percent of the riparian buffer in Field No. 1 (4.0 acres x .25 = 1.0 acre). Therefore, the 0.5-acre remaining portion of Field No. 1 is eligible to be offered for enrollment in CRP using infeasible-to-farm criteria.

The infeasible-to-farm amount for Field No. 2 is 0.8 acres, which is 25 percent of the riparian buffer in Field No. 2 (3.0 acres x .25 = .8 acre). Therefore, only 0.8 acres of the 1.0-acre portion remaining in Field No. 2 is eligible to be offered for enrollment in CRP using infeasible-to-farm criteria.





182 Infeasible-to-Farm (Continued)

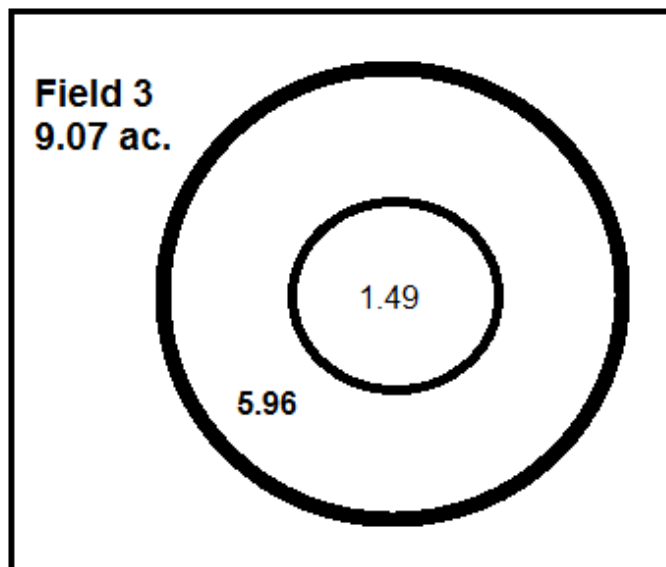
**B Infeasible-to-Farm Policy (Continued)**

Producers may enroll land as infeasible-to-farm if more than 75 percent of the field is enrolled as 1 of the following continuous CRP signup practices:

- CP5A
- CP8A
- CP17A
- CP18B
- CP18C
- CP23
- CP23A
- CP24
- CP27
- CP28
- CP31
- CP36
- CP37
- CP41.

**Example 1:** Producer offers to enroll a 1.20-acre CP8A, Grass Waterways, in Field No. 2. Field No. 2 is comprised of 16.0 acres of cropland. Because 1.20 acres are less than 75 percent of the 16.0-acre field, infeasible-to-farm provisions do not apply.

**Example 2:** Field No. 3 is comprised of 9.07 acres of cropland. The producer offers to enroll a 7.45-acre CP23A, Wetland Restoration. The offered acres (7.45) are 82.14 percent of the total cropland in Field No. 3 (9.07). Therefore, the 1.23 acres remaining portion of Field No. 3 is eligible to be offered for enrollment in CRP using infeasible-to-farm criteria.



**182 Infeasible-to-Farm (Continued)**

**C Per-Acre Incentive Payments for Infeasible-to-Farm Acreage**

\* \* \* Per-acre maintenance incentive payments, that may apply to practices eligible under continuous CRP signup, do apply to land enrolled using the infeasible-to-farm criteria. See paragraph 196.

**183-195 (Reserved)**

## Section 2 Continuous CRP Signup Non-C/S Payments

## 196 Annual Payments

## A Per Acre Maximum Payment Rate

Before CRP-1 is completed, the County Office must inform the producer of the per acre maximum payment rate for the eligible acreage being offered on CRP-2C. Producers may offer a per acre rental rate less than the calculated per acre maximum payment rate. Offers in excess of the maximum payment rate will be rejected.

TERRA and COLS will calculate the maximum payment rate for the acreage and practice(s) offered.

## B Per Acre Maximum Payment Rate Incentives

For continuous CRP signup practices, including when re-enrolled, a:

- incentive payment, as a percentage of the per acre weighted average SRR, **may** be added to the weighted average SRR for cropland only when authorized by DAFP

**Important:** Different incentive amounts may apply to different practices.

- incentive payment, as a percentage of the per acre marginal pastureland rental rate, **may** be added to the marginal pastureland rental rate only when authorized by DAFP

**Important:** Different incentive amounts may apply to different practices.

- per acre maintenance rate **may** be added to the per acre:
  - weighted average SRR for cropland
  - rental rate for marginal pastureland.

**Important:** Maintenance payments are authorized for acreage enrolled under infeasible-to-farm criteria.

See paragraph 66 for applicable per acre:

- incentive payment percentages by practice
- maintenance rates by practice.

196 Annual Payments (Continued)

**C Per Acre Maintenance Rates for Continuous CRP Signup Practices**

The following table provides the practices for which a per acre maintenance rate applies and the applicable per acre maximum maintenance rate.

<b>IF the practice is...</b>	<b>AND it includes...</b>	<b>THEN the maintenance rate *--is...--*</b>
CP21, CP21B, CP21S, CP29, or CP30	no fencing or water facility development	\$0.
	<b>permanent</b> fencing with no water facility development or no permanent fencing with a water facility	\$5.
	<b>permanent</b> fencing and water facility development	\$10.
CP22, CP22B, or CP22S	no fencing or water facility development	\$2.
	<b>permanent</b> fencing with no water facility development or no permanent fencing with a water facility	\$5.
	<b>permanent</b> fencing and water facility development	\$10.

COC will ensure that the conservation plan includes:

- provisions for the maintenance of the approved cover and practices
- the applicable components for the maintenance rate provided.

**Important:** Single strand electric fence is **not** considered a permanent fence for CRP. Components **must** be maintained for the contract period.

**197 One-Time Payments****A SIP**

SIP is a one-time incentive payment made to eligible participants that enroll land devoted to an eligible continuous CRP signup practice.

**Exception:** SIP is **not** authorized for any land:

- enrolled in CRP being re-offered for enrollment, regardless of whether the land was enrolled under general, continuous, or grassland CRP signup, and regardless of whether the practice being offered is different than the practice enrolled
- land that was previously enrolled in CRP, regardless of whether the cover has been maintained.

See subparagraph 66 D for eligible practices for continuous CRP signup.

The SIP one-time incentive payment is an amount equal to 32.5 percent of the first full year (12 months) annual rental payment for the land eligible for a SIP. See paragraph 462 for making SIP's.

**Example 1:** 10 acres of land eligible for a SIP is enrolled in CRP under a CRP-1 with an effective start date of October 1, 2021. The first full year (12 months) annual rental payment is \$400. The one-time SIP is \$130 ( $\$400 \times .325$ ).

**Example 2:** 10 acres of land eligible for a SIP is enrolled in CRP under a CRP-1 with an effective start date of June 1, 2021. The first annual rental payment for the land will be for only a portion of a year (June 1 through September 30). The SIP is determined using the first full year (12 months) annual rental payment. The first full year (12 months) annual rental payment is \$400. The one-time SIP is \$130 ( $\$400 \times .325$ ).

## 197 One-Time Payments (Continued)

## A SIP (Continued)

**Example 3:** 10 acres of land eligible for a SIP and 5 acres of land not eligible for a SIP is enrolled in CRP under a CRP-1 with an effective start date of October 1, 2021. The SIP is determined using only the 10 acres of land eligible for a SIP. The first full year (12 months) annual rental payment for all 15 acres is \$600. The first full year (12 months) annual rental payment for the 10 acres eligible for a SIP is \$400. The one-time SIP is \$130 ( $\$400 \times .325$ ).

**Example 4:** 10 acres of land currently enrolled in CRP is re-enrolled in CRP under continuous CRP signup. No SIP is authorized because the land is not eligible for a SIP.

SIP is a separate payment from all of the following:

- annual rental payment
- C/S payment
- PIP.

## B PIP

PIP is a one-time incentive payment made to an eligible participant to whom CCC has made a C/S payment for completing the installation of a CRP practice that is an eligible continuous CRP signup practice. Only the participants to whom CCC has made a C/S payment is eligible for a PIP, and only after the eligible continuous CRP signup practice or component has been installed in compliance with the conservation plan.

PIP is considered a C/S payment. See paragraph 462 for making PIP's.

PIP is authorized for re-enrolled eligible continuous CRP signup practices **only** if new C/S is approved for the re-enrolled eligible practice.

See subparagraph 66 D for eligible practices for continuous CRP signup, and the PIP amount for each practice.

**Note:** PIP is authorized for CP21 and CP22 when a denitrifying bioreactor or saturated buffer is installed on an existing or re-enrolled CRP-1.

## 197 One-Time Payments (Continued)

**B PIP (Continued)**

\*--PIP is considered a C/S payment. PIP, CCC C/S payments, and any C/S payments from other sources combined cannot exceed 100 percent of the cost of the practice.

The following examples are for calculating PIP's.

**PIP Example 1:** Bob Smith enrolls 10 acres.  
 Bob's CRP-1 share is 100 percent.  
 Total installation cost is \$1,500.  
 Bob calculated C/S is \$750 from CCC.  
 Bob received no C/S from outside sources.

**PIP Calculation:**

- $20\% \text{ PIP} \times \$1,500 = \$300$
- $\$750 \text{ C/S} + \$0 \text{ Outside C/S} + \$300 \text{ PIP} = \$1,050$
- $\$1,050 < \$1,500$
- **PIP paid to Bob is \$300**

**PIP Example 2:** John Jones enrolls 15 acres.  
 John's CRP-1 share is 100 percent.  
 Total installation cost is \$5,500.  
 John calculated C/S is \$2,750 from CCC.  
 John received \$2,750 C/S from the State.

**PIP Calculation:**

- $20\% \text{ PIP} \times \$5,500 = \$1,100$
- **PIP paid to John is \$1,100**
- $\$2,750 \text{ CCC C/S} + \$2,750 \text{ Outside C/S} + \$1,100 \text{ PIP} = \$6,600$
- $\$6,600 > \$5,500$
- CCC C/S will be reduced to \$1,650; PIP remains \$1,100--\*

**197 One-Time Payments (Continued)****B PIP (Continued)**

**\*--PIP Example 3:** Sally Smith enrolls 30 acres.  
 Sally's CRP-1 share is 100 percent.  
 Total installation cost is \$10,000.  
 Sally's calculated C/S is \$5,000 from CCC.  
 Sally received \$4,750 C/S from the State.

**PIP Calculation:**

- 20% PIP x \$10,000 = \$2,000
- **PIP paid to Sally is \$2,000**
  - \$5,000 CCC C/S + \$4,750 Outside C/S + \$2,000 PIP = \$11,750
  - \$11,750 > \$10,000
  - CCC C/S will be reduced to \$3,250; PIP remains \$2,000--\*

**198 First Year Prorated Annual Rental Payment for Continuous CRP Signup****A Prorated Annual Rental Payment**

All CRP annual rental payments are made after October 1 of each year of the contract period. All CRP-1's under continuous CRP signup **must** be for a minimum contract period of 10 years and will not exceed 15 years. See subparagraph 66 C for continuous CRP signup practices and associated contract period.

Because CRP-1's for certain land enrolled through continuous CRP signup may have an effective date other than October 1, the first year's annual rental payment may be for less than a 12-month period.



**198 First Year Prorated Annual Rental Payment for Continuous CRP Signup (Continued)****B Example of Prorated Annual Rental Payment**

Producer offers land not currently enrolled in CRP for enrollment through continuous CRP signup. The 10-year CRP-1 was approved on February 21, 2020, with an effective start date of March 1, 2020. Because the CRP-1 effective date is March 1, 2020, the producer will receive CRP payments for 10 years and 7 months if all eligibility requirements were met.

The producer will receive a total of 11 annual payments. The first annual rental payment will be made after October 1, 2020, for the 7 months (March 1, 2020, through September 30, 2020) CRP-1 was effective in FY 2020. The remaining 10 annual rental payments will be made after October 1 of each applicable year.

**Important:** All CRP annual rental payments, including first year prorated annual rental payments, will be made after October 1 of the applicable year. See paragraph 462.

**199-210 (Reserved)**



**Section 3 Processing Continuous CRP Signup Offers****211 Continuous CRP Signup Process Information****A Receiving Continuous CRP Signup Offers**

Producers may offer to enroll acreage in CRP at any time by submitting an offer on CRP-1 and CRP-2C. There is no deadline to submit an offer under continuous CRP signup.

**Note:** A new signup number will be used for each FY. See paragraph 171.

Offers **must** be submitted by tract. See 10-CM for a definition of a tract.

Producers must:

- indicate the acreage and practice offered
- identify the acreage offered on digital imagery/map
- indicate the per acre rental rate offered.

**B Separate Offers**

Separate CRP-1's **must** be completed for:

- each CRP-2C completed
- practices with different contract periods.

**Example:** Producer offers 5 acres to be devoted to a filter strip with a 10-year contract period and 3 acres to be devoted to a riparian buffer with a 13-year contract period on the same tract. Only one CRP-2C is completed for the offer. However, separate CRP-1's **must** be completed for each practice.

**211 Continuous CRP Signup Process Information (Continued)****C Informing Producers**

County Offices must inform producers:

- CRP-1 is a binding contract

**Note:** See Exhibit 21 for an example of CRP-1.

- changes are not allowed on the preprinted portion of CRP-1, CRP-1 Appendix, or CRP-2C
- any changes to the data entered on CRP-1, CRP-1 Continuation, CRP-2C, or other CRP form **must** be initialed and dated by both the employee making the change and the producer
- CRP-1 **must** be signed and dated by all required signatories before COC or CED may approve CRP-1

**Note:** See paragraph 335 for signature requirements.

- the base acre limitation cannot be exceeded

**Important:** See 10-CM for base acre limitations for tracts and farms.

- of provisions regarding CRP-1 effective date.

**Note:** See paragraph 213 for CRP-1 effective dates for continuous CRP signup.

**211 Continuous CRP Signup Process Information (Continued)****D COC or CED Responsibilities**

Before submitting unsigned CRP-2C to NRCS or TSP, COC or CED will determine whether all eligibility requirements in paragraph 181 are met.

**Exceptions:** COC or CED will not make a determination about:

- suitability of the acreage for the practice offered
- need and feasibility of the practice offered to solve the resource concern
- the eligibility of the per acre rental rate offered amount until maximum payment rate amount is calculated.

If all applicable eligibility requirements that COC or CED are responsible for in paragraph 181 are:

- **not** met, COC or CED must:
  - **not** submit unsigned CRP-2C to NRCS or TSP
  - use CRP-26 to inform producer the offer is not acceptable
- met, COC or CED must submit unsigned CRP-2C and geospatial data/map to NRCS or TSP.

**E Withdrawing Offers and Acreage Modifications**

For continuous CRP signup, before CRP-1 is approved by COC or CED, producers may modify the offer in any way except changes to the following:

- practice offered to another practice that is not eligible for continuous CRP signup
- rental rate per acre offered to exceed the calculated maximum payment rate.

**Note:** See paragraphs 101, 171, and 181.

## 211 Continuous CRP Signup Process Information (Continued)

### E Withdrawing Offers and Acreage Modifications (Continued)

Producers who withdraw or modify acreage offered under continuous CRP signup **before** CRP-1 is approved will not be assessed liquidated damages.

**Important:** Liquidated damages are applicable after CRP-1 is approved.

When the producer modifies the acreage or practice offered after NRCS or TSP has returned unsigned CRP-2C, geospatial data/map, and Documentation of Suitability and Feasibility Worksheet and other NRCS documents, as applicable, County Office must:

- update the TERRA scenario, COLS, and geospatial data/map to reflect modifications
- print updated CRP-2C
- provided updated unsigned CRP-2C and geospatial data/map to NRCS or TSP for suitability, needs and feasibility based on the producer's modifications.

A measurement service, if applicable, must be completed for all acreage determined acceptable **before** CRP-1 is approved. See paragraph 401.

**Exception:** Any acreage currently enrolled that is being reoffered if the acreage was previously measured and official fields.

### F TSP Responsibilities

NRCS or TSP will determine, for every unsigned CRP-2C received:

- for new land offered (land not currently enrolled in CRP), based on a site visit and using the Documentation of Suitability and Feasibility Worksheet, all of the following:
  - there is a resource concern the offered acreage and CRP practice will solve
  - existing cover is not solving or addressing the resource concerns of the CRP practice offered
  - acreage offered is suitable for the CRP practice offered
  - CRP practice offered is needed and feasible to solve the resource concern
  - practice offered meets the purpose of the CRP practice according to Exhibit 11

## 211 Continuous CRP Signup Process Information (Continued)

## F TSP Responsibilities (Continued)

- for land currently enrolled in CRP being offered for re-enrollment, based on a site visit and using either conservation assistance notes, status review form, or State NRCS Office developed form, if the:
  - CRP practice is being maintained according to the conservation plan, including the engineering design and size requirements, if applicable
  - approved cover is being maintained according to the conservation plan
  - CRP practice is resolving or addressing the resource concern(s) and meets the purpose of the practice
  - NRCS conservation practices are applied in a way that meets the purpose of the CRP practice
  - CRP practice meets the current practice standards

**Important:** If any of the above are not being met, NRCS/TSP must provide to FSA the condition of the practice/approved cover not being met.

- return to County Office:
  - unsigned CRP-2C
  - geospatial data/map
  - completed, signed, and dated Documentation of Suitability and Feasibility Worksheet
  - conservation assistance notes, status review form, or State NRCS Office developed form
  - other documentation supporting determinations.

## 212 Completing CRP-2C for Continuous CRP Signup

### A About CRP-2C

CRP-2C will be completed for all acreage on which producers want to submit an offer for enrollment. CRP-2C is used by FSA and NRCS or TSP to:

- make eligibility determinations
- calculate maximum payment rates
- obtain data and statistics on acreage offered for enrollment.

**Important:** Offers containing both marginal pastureland and cropland with the same contract period must be completed using one CRP-2C and CRP-1.

Before completing CRP-2C, the County Office must ensure that the base limitation is not exceeded. See paragraph 401, 10-CM, and 1-ARCPLC.

To be eligible to be enrolled in CRP, marginal pastureland **must** be devoted to CP22, CP22B, CP22S, CP29, or CP30. See paragraph 181.

**Important:** Land that meets the definition of cropland **cannot** be enrolled in CRP as marginal pastureland. See 10-CM for the definition of cropland.

**All changes to data entered on CRP-2C, including completion of item numbers 2 and 3B, after producer signs CRP-2C must be initialed and dated by both the employee making the change and the producer.**

CRP-2C is:

- a COLS computer-generated form used for continuous CRP signup offers
- provided for display purposes only.

**Manual CRP-2C's are not authorized.**



212 Completing CRP-2C for Continuous CRP Signup (Continued)

B Example of CRP-2C

The following is an example of CRP-2C.

Page 1 of 5

(See Page 2 for Privacy Act and Paperwork Reduction Act Statements.)

<b>CRP-2C</b> (12-02-19)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		1. Tract Number 106	2. Program Year 2020	
<b>CONSERVATION RESERVE PROGRAM                  WORKSHEET</b> (For Continuous Signup)				3A. Sign Up Number 53	3B. Effective Date (MM-DD-YYYY) 05/01/2020	
4A. County FSA Office Address (Zip Code) ABC County FSA Office 123 Farmtown Road Anytown, KS XXXXX			4C. Producer Name and Address (Zip Code) Albert Farmer 789 Farmtown Road Anytown, KS xxxxx			
4B. County FSA Office Phone Number (Include Area Code) xxx-xxx-xxxx			4D. Producer Phone No. (Include Area Code) xxx-xxx-xxxx			
5A. State & County Code Admin. Location XX-XXX	5B. State & County Code Physical Location XX-XXX		6. Contract Number	7. Acres for Enrollment 9.30		
8. Is Cost-Share Requested? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		9. Rental Rate Per Acre Offered \$		10. Signup Type		
11. Practices (See Page 3 for additional space)					12. HUC Number: XXXXXXXXXXXXX	
A. Field No.	B. Practice No.	C. Acres	D. Estimated C/S	E. Length	13. Land Eligibility Category by Acres: (Enter the amount eligible for each criteria.)	
0001	CP21	5.00	\$800	15	Marginal Pastureland	
0005	CP21	4.30	\$750	15	Wellhead Protection Acres	
					Expiring CRP	
					Infeasible to Farm	
					Other Cropland	
					9.30	
14. Soil Map Data and Maximum Payment Rate Calculations:						
	A. Physical Location	B. Soil Survey ID No.	C. Map Unit Symbol	D. Acres	E. Soil Rental Rate	F. Total Rent
(1) Primary	xx-xxx	KS087	4350	4.03 x	\$ 74	= \$ 298.22
(2) Secondary	xx-xxx	KS087	4752	3.20 x	\$ 37	= \$ 118.40
(3) Tertiary	xx-xxx	KS087	7303	1.00 x	\$ 55	= \$ 55.00
<b>TOTALS</b>				8.23		\$ 471.62
15. Weighted Average Soil Rental Rate (Col. 14F total divided by Col. 14D total) \$ 57.31				16. Total Incentive (if applicable) (Item 15 times 14D times applicable incentive percentage) \$ 0		
17. Soil Map Data and Maximum Payment Rate Calculations. For Infeasible to farm Acreage:						
	A. Physical Location	B. Soil Survey ID No.	C. Map Unit Symbol	D. Acres	E. Soil Rental Rate	F. Total Rent
(1) Primary				x	\$	= \$
(2) Secondary				x	\$	= \$
(3) Tertiary				x	\$	= \$
<b>TOTALS</b>				0		\$ 0
18. Weighted Average Soil Rental Rate Plus Total Incentive (14F + 16 + 17F) divided by (14D + 17D) \$ 57.31				<b>CONTRACT TOTALS</b>		
				19. Weighted Average Maintenance Rate Per Acre \$ 0		20. Maximum Payment Rate Per Acre (Item 18 + Item 19) \$ 57.31

Date Printed: 02/10/2020

212 Completing CRP-2C for Continuous CRP Signup (Continued)

B Example of CRP-2C (Continued)

CRP-2C (12-02-19) Page 2 of 5

Items 21 through 24 (See Page 4 for additional space)											
21. Tract No.	22. Current Field No.	23. Current Crop or Land Use	24. Crop Land Use Summary								
			A. Offered Acres	B. Eligible Acres	C. <u>2012</u>	D. <u>2013</u>	E. <u>2014</u>	F. <u>2015</u>	G. <u>2016</u>	H. <u>2017</u>	I. _____
106	0001	Corn	5.00	5.00	Corn	Soybeans	Corn	Soybeans	Corn	Soybeans	
106	0005	Corn	4.30	4.30	Corn	Soybeans	Corn	Soybeans	Corn	Soybeans	
25. TOTAL ▶			9.30								
<b>26. PRODUCER'S CERTIFICATION:</b>											
<p><i>By signing below I certify to all of the following: (1) I have been informed of the estimated cost of establishing the cover offered; (2) I have been informed that if I decline cost share assistance I will be ineligible for cost share assistance; (3) I have been informed that I may be required to pay for a measurement service on the acreage offered before such acreage may be enrolled in the CRP; (4) To the best of my knowledge and belief the acreage of crops and land listed herein, if applicable, are true and correct; and (5) The signing of this form gives USDA representatives authorization to enter and inspect crops and land uses and for other purposes on the above identified land.</i></p> <p><i>I understand that an inaccurate certification could result in a payment reduction or loss of program benefits.</i></p>											
26A. Signature (By)				26B. Title/Relationship of the Individual if Signing in a Representative Capacity				26C. DATE (MM-DD-YYYY)			

Date Printed: 02/10/2020

212 Completing CRP-2C for Continuous CRP Signup (Continued)

B Example of CRP-2C (Continued)

CRP-2C (12-02-19)		Page 3 of 5		
11. Practices (Continued from Page 1):				
A. Field No.	B. Practice No.	C. Acres	D. Estimated C/S	E. Length

Date Printed: 02/10/2020

212 Completing CRP-2C for Continuous CRP Signup (Continued)

B Example of CRP-2C (Continued)

CRP-2C (12-02-19) Page 4 of 5

			<b>Items 21 through 24 (Continued from Page 2)</b>								
21. Tract No.	22. Current Field No.	23. Current Crop or Land Use	24. Crop Land Use Summary								
			A. Offered Acres	B. Eligible Acres	C.	D.	E.	F.	G.	H.	I.
<b>25. TOTAL ▶</b>											

Date Printed: 02/10/2020

## 212 Completing CRP-2C for Continuous CRP Signup (Continued)

## B Example of CRP-2C (Continued)

CRP-2C (12-02-19)

Page 5 of 5

**NOTE:** *The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.*

**Paperwork Reduction Act (PRA) Statement:** *This information collection is exempted from the PRA as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.***

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Date Printed: 02/10/2020

**213 CRP-1 Period for Continuous CRP Signup****A Overview**

The contract period of CRP-1 may vary for each CRP-1. The contract period will be not less than 10 years and not greater than 15 years. See subparagraph 66 C for continuous CRP signup practices and associated contract period.

**Important:** CRP payments will not exceed 15 years.

**B Effective Date of CRP-1 for Land Not Currently Enrolled in CRP**

For land that is **not** enrolled in CRP at the time the producer submits CRP-1 and CRP-2C, the effective start date of the contract period for CRP-1's under continuous CRP signup provisions will be the first day of the month following the month COC or CED approves CRP-1.

**Exception:** The producer may defer the effective start date up to 6 months. However, the effective start date will always be the first day of the applicable month. See subparagraphs E, F, and G for examples.

**CRP-1's not approved within 6 months of the date the producer signs CRP-2C must be rejected.**

Because the producer may defer effective start date up to 6 months, all crops **must** be removed from the accepted acreage before the effective start date of the contract period.

**Note:** Unless the effective start date is October 1 of any year, the first year's annual rental payment will be prorated. See paragraph 198.

**213 CRP-1 Period for Continuous CRP Signup (Continued)****C Effective Date of CRP-1 for Land Currently Enrolled in CRP**

Land currently enrolled in CRP may be offered for re-enrollment through continuous CRP signup if all of the following are met:

- the land enrolled in CRP is in the last year of CRP-1

**Note:** The land may be offered for re-enrollment no earlier than 6 months before CRP-1 is scheduled to expire.

**Important:** If the land enrolled in CRP is **not** in the last year of CRP-1, the land is **not** eligible to be offered for re-enrollment.

- the acreage offered meets **all** of the applicable eligibility requirements according to paragraph 181
- CRP-1 effective start date is October 1 of the year the existing CRP-1 expires.

**Important:** Land enrolled in CRP in the last year of CRP-1 is **not** eligible to be re-enrolled with an effective start date other than October 1 of the year the existing CRP-1 expires.

**D Expiration Date of CRP-1**

Expiration date of CRP-1's under continuous CRP signup provisions will be September 30 of the applicable year, as determined by the contract period, regardless of the effective start date of CRP-1.

**E Example 1 of 10-Year CRP-1**

Producer offers land not currently enrolled in CRP for enrollment through continuous CRP signup.

CRP-1 was approved by COC on July 22, 2020. The effective start date will be August 1, 2020, and the expiration date will be September 30, 2030, unless the producer chooses to defer the effective start date. The producer may elect to defer the effective date up to 6 months.

**213 CRP-1 Period for Continuous CRP Signup (Continued)****E Example 1 of 10-Year CRP-1 (Continued)**

If the producer would have deferred the effective start date to January 1, 2021, the expiration date for CRP-1 would be September 30, 2031.

Assuming an effective start date of August 1, 2020, the participant would receive CRP payments for 10 years and 2 months if all eligibility requirements were met. Assuming an effective date of January 1, 2021, the producer would receive CRP payments for 10 years and 9 months.

**Note:** Each payment, including the first-year prorated payment, will be paid after October 1 of each applicable year.

**F Example 2 of 10-Year CRP-1**

On July 2, 2020, producer offers land currently enrolled in CRP for enrollment through continuous CRP signup. The existing CRP-1 expires September 30, 2020, and all other eligibility requirements are met. CRP-1 for acreage offered was approved by COC or CED on July 12, 2020. The effective start date will be October 1, 2020.

The effective start date **cannot** be deferred, and the expiration date must be September 30, 2030.

**G Example 3 of 15-Year CRP-1**

Producer offers land not currently enrolled in CRP for enrollment through continuous CRP signup. CRP-1 was approved by COC on February 24, 2020. The effective start date will be March 1, 2020, unless the producer chooses to defer the effective start date. The producer may elect to defer the effective date up to 6 months.

The producer cannot not receive CRP payments for more than 15 years; therefore, the expiration date for CRP-1 will be September 30, 2034. Assuming an effective start date of March 1, 2020, the producer would receive CRP payments for 14 years and 7 months.



## 214 Completing CRP-1 for Continuous CRP Signup

### A Completing CRP-1

All item numbers, except item number 3, **must** be completed before producer signs CRP-1. See Exhibit 21 for example CRP-1.

**All changes to data entered on CRP-1 after producer signs CRP-1 must be initialed and dated by both the employee making the change and the producer.**

**Important:** The only pen and ink changes allowed on CRP-1 is a change to the farm number because of a reconstitution. See paragraph 546.

## 215 Notifying Producers With Continuous CRP Signup Offers

### A Unacceptable Offers

Before submitting unsigned CRP-2C to NRCS or TSP, COC or CED must determine whether all eligibility requirements that COC or CED are responsible for in paragraph 181 are met.

If all applicable eligibility requirements are **not** met, COC or CED will:

- **not** submit CRP-2C to NRCS or TSP
- use CRP-26 to inform producer the offer was not acceptable.

If NRCS or TSP requires changes to the practice or acreage offered on the unsigned CRP-2C for the practice or acreage to meet the suitability, needs, and feasibility to be eligible, and the producer:

- does not agree to make all required changes, the County Office must notify the producer that the offer is not acceptable using CRP-26
- agrees to make all required changes, the County Office must:
  - update the TERRA scenario and COLS
  - create a new geospatial data/map of the acres offered
  - create a new CRP-2C
  - submit the new signed CRP-2C and geospatial data/map to NRCS or TSP when sending signed CRP-1 and CRP-23 for NRCS to complete conservation plan.

**Important:** An updated TERRA scenario and new CRP-2C must be created. Pen and ink changes to the initial CRP-2C are **not** authorized.

## 215 Notifying Producers With Continuous CRP Signup Offers (Continued)

### B Acceptable Offers

If CRP-2C is returned from NRCS or TSP and all eligibility requirements are met, COC or CED must notify producer that CRP-1 and CRP-2C **must** be completed and signed.

**Important:** CRP-1 and CRP-2C not signed within 30 calendar days of the date the producer is notified CRP-2C is ready for signature will be rejected.

If producer completes CRP-2C with an acceptable per acre rental rate offered amount and signs CRP-1 and CRP-2C within 30 calendar days of the date the producer is notified CRP-2C is ready for signature, County Office will provide producer CRP-1 Appendix, and inform producer:

- the offer is acceptable using CRP-23
- starting the practice before CRP-1 approval is at the producer's own risk
- of all the requirements needed for CRP-1 approval, such as:
  - working with NRCS or TSP to obtain a conservation plan
  - completing a paid for measurement service, if requested
  - signed landlord/tenant certification statement.

County Office must provide NRCS or TSP all of the following:

- a copy of CRP-23 sent to producer
- a copy of the signed CRP-1 and CRP-2C
- new geospatial data/map, if applicable.

**All changes to data entered on CRP-1 and CRP-2C after producer signs CRP-1 and CRP-2C must be initialed and dated by both the employee making the change and the producer.**

**Important:** The only pen and ink changes allowed on CRP-1 is a change to the tract number because of a reconstitution. See paragraph 546.

CRP-1's not approved within 6 months of the date the producer signs CRP-2C must be rejected. See paragraph 213.

When CRP-1 is approved, COC will use CRP-24 to notify producer of approval and contract period. See Exhibit 5.

**216-236 (Reserved)**

**Part 8 FWP Provisions****237 General FWP Information****A Background**

The Agricultural Improvement Act of 2018 authorized FWP for the enrollment of the following:

- certain cropped wetlands and associated buffers
- land devoted to constructed wetlands and associated buffers
- land devoted to certain commercial pond-raised aquaculture
- land subject to the natural overflow of a prairie wetland (flooded prairie wetland) and associated buffers.

**B Authorized Practices**

Practices authorized for continuous CRP signup enrollment in CRP under FWP are:

- CP27, FWP Cropped Wetland
- CP28, FWP Buffer
- CP39, FWP Constructed Wetland
- CP40, FWP Aquaculture Wetland Restoration
- CP41, FWP Flooded Prairie Wetland.

See Exhibit 11 for practice writeups for CP27, CP28, CP39, CP40, and CP41.

237 General FWP Information (Continued)

C Practice Eligibility Criteria Side by Side

The following provides a side-by-side of the eligibility criteria for each of the practices under FWP.

Practice	Name	Cropland	Cropping History	Wetland Size <u>1/</u>	Buffer
CP27	FWP Cropped Wetlands	Yes	Yes  3 of 10 most recent crop years.	Not to exceed 40 acres per tract.	4:1 ratio
CP28	FWP Buffer	Yes	Yes  3 of 10 most recent crop years.		
CP39	FWP Constructed Wetland	No	No	Not to exceed 40 contiguous acres per tract.	4:1 ratio Enrolled as part of the CP39.
CP40	FWP Aquaculture Wetland Restoration	No	Yes  1 year 2002 through 2007.	No limit.	No buffer required.
CP41	FWP Flooded Prairie Wetland	Yes	Yes  3 years out of 10 years from January 1, 1990, through December 31, 2002.	Not to exceed 40 acres per tract.  No wetland greater than 20 acres.	4:1 ratio

1/ Buffer acreage plus wetland acreage may exceed 40 acres per tract; however, wetland component may **not** exceed limits of “Wetland Size” column.

## 238 Acreage Limitations

### A Acreage Limitations

The statute limits participation in CRP under FWP to:

- 750,000 acres in all States
- not more than 100,000 acres in any 1 State.

States may request on a case by case basis to increase to 200,000 acres.

Offers will be accepted on a continuous CRP signup basis until the earlier of the following:

- FWP national acreage limitation of 750,000 is reached
- CRP statutory authority is reached.

### B 25 Percent Cropland Limitation

The 25 percent cropland limitation applies to FWP. When all acreage enrolled in CRP exceeds the 25 percent limitation and a waiver has **not** been approved, County Offices must:

- announce the FWP signup
- notify all producers that only offers for continuous CRP signup marginal pastureland practices, CP22, CP22B, CP22S, CP29, and CP30, and land physically located in a county that has not reached or exceeded the 25 percent limitation will be processed
- ensure that offers for acreage physically located in the county are not processed, except continuous CRP signup practices.

**Note:** COC must immediately reject all offers for acreage physically located in the county, except continuous CRP signup marginal pastureland practices CP22, CP22B, CP22S, CP29, and CP30, and inform the producer using CRP-26.

**239 Producer Eligibility****A Ownership Eligibility**

An owner is eligible to offer land for enrollment in FWP if the owner meets 1 of the following requirements:

- owned the land for 12 months before CRP-2C is submitted
- acquired the land by will or succession as a result of death
- acquired the land under circumstances other than for placement in CRP under FWP, as determined by the FSA National Office.

**Note:** Ownership eligibility requirements are satisfied if there is any combination of continuously leasing and owning the same person or entity during the 12-month period before CRP-2C is filed.

**B Operator Eligibility**

An operator is eligible to offer land for enrollment in FWP when the operator meets both of the following requirements:

- operated the land for 12 months before CRP-2C is filed
- provides satisfactory evidence, as determined by COC, that control of the land will continue uninterrupted for the CRP-1 period.

**Note:** Satisfactory evidence may include any of the following:

- statement signed by the owner
- written lease for the appropriate time period
- owner's signature on CRP-1.

Operator eligibility requirements must be satisfied if there is any combination of leasing and owning by the same person or entity during the 12-month period before CRP-2C is filed.

240 FWP Eligible Land Criteria for CP27 and CP28

**A Cropland Eligibility Criteria**

Eligible cropland for wetlands (CP27) and associated buffer (CP28) includes cropland that is \* \* \* planted or considered planted to an agricultural commodity during any 3 of the previous 10 crop years.

**Note:** Acreage for which the producer received an approved prevented planting claim according to 2-CP shall be considered planted for that year for CRP cropping history purposes.

\* \* \*

**Acreage permanently under water is ineligible to be offered for enrollment in FWP unless land is eligible for enrollment under CP27, CP40, or CP41.**

**241 Acreage Limitations and Practice Eligibility for CP27 and CP28****A Eligibility Criteria for CP27**

Cropland designated as cropped wetlands, or prior converted wetlands, as determined by NRCS or TSP, not to exceed 40 acres per tract, may be enrolled in CRP under FWP as CP27.

**Note:** Cropped wetlands are farmed wetlands and wetlands farmed under natural conditions.

**B CP27 Acreage Limitations**

The maximum size of any 1 wetland (CP27) is 40 acres per tract. Wetlands greater than 40 acres in size are **not** eligible for enrollment in CRP under FWP, CP27.

**Examples:** A producer has a 42-acre wetland. The producer wants to offer 40 acres of the wetland for enrollment in FWP. Because the total wetland is greater than 40 acres in size, it is **not** eligible for enrollment in FWP as a CP27.

A producer offers a 15-acre wetland, a 12-acre wetland, and a 13-acre wetland for enrollment in FWP. Because the total acres do not exceed 40 acres, all wetlands (40 acres) may be enrolled if all other eligibility requirements are met. Associated buffers (CP28) **must** be enrolled for the wetland acreage. The total of the wetland and buffer acreage may exceed 40 acres per tract.

**C CP28 Acreage Limitations**

The minimum size of any associated buffer (CP28) enrolled in CRP under FWP is 30 feet surrounding the wetland.

The maximum size of any associated buffer (CP28) enrolled in CRP under FWP is 4 times the size of the wetland. STC's may determine a buffer ratio less than 4:1, consistent with program purposes and with State Technical Committee concurrence.

**Note:** The total acreage of each associated buffer must **not** exceed the size limitation.



**241 Acreage Limitations and Practice Eligibility for CP27 and CP28 (Continued)****C CP28 Acreage Limitations (Continued)**

CP28 must be enrolled in conjunction with each of the following practices:

- CP27
- CP41.

**Note:** A CP28 is **not** required for practice CP39 or CP40.

**Examples:** A producer offers a 2-acre FWP cropped wetland (CP27) for enrollment in FWP. NRCS or TSP determines that the associated buffer (CP28) necessary to protect the wetland is 8 acres. CP28 does not exceed 4 times the size of the wetland (8 acres); therefore, both CP27 and CP28 are eligible for enrollment in FWP, provided all other eligibility requirements are met.

A producer offers a 2-acre wetland (CP27) for enrollment in CRP under FWP. NRCS or TSP determines that the associated buffer (CP28) necessary to protect the wetland is 12 acres. Because the buffer exceeds 4 times the size of the wetland acreage, CP27 and CP28 are ineligible for CRP under FWP.

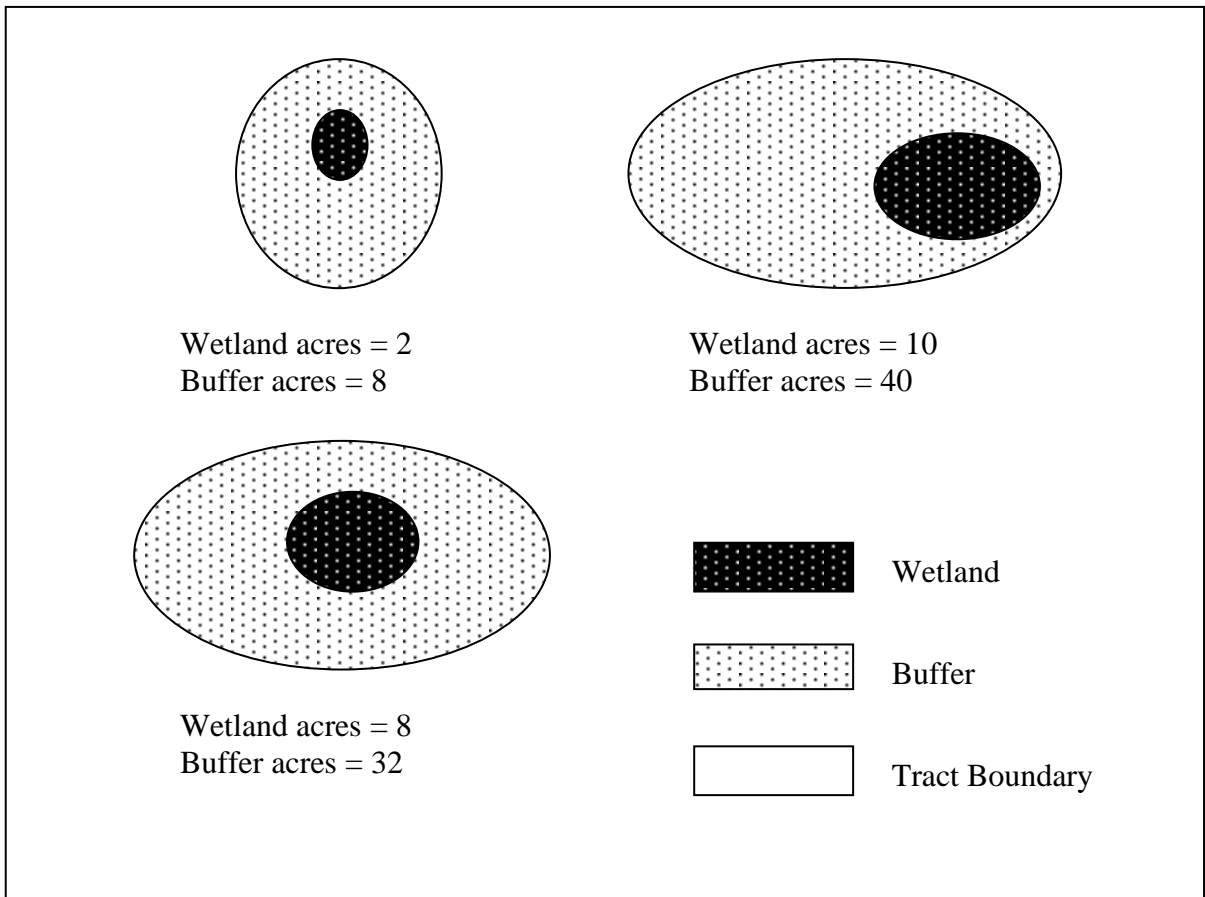
A producer offers a 10-acre wetland, a 12-acre wetland, a 15-acre wetland and an 8-acre wetland. All are offered as CP40. Because there is no limit on the wetland size of CP40, all wetlands are eligible to be offered for enrollment in FWP. A buffer may be installed around the wetlands, but is not required.

241 Acreage Limitations and Practice Eligibility for CP27 and CP28 (Continued)

**D Tract Limitation**

Enrollment in CRP under CP27 is limited to no more than 40 acres of wetland per tract. The combined total acreage of wetland (CP27), not to exceed 40 acres, and associated buffer (CP28) may exceed 40 acres per tract.

**Example: Tract #2101 = 160 acres**  
**Total CP27 = 20 acres**  
**Total CP28 = 80 acres**  
**Total of Enrolled Practices = 100 acres**



**242 FWP Eligible Land Criteria for CP39**

**A Land Eligibility Criteria**

Land eligible to be enrolled as constructed wetland (CP39) is land that receives surface and subsurface flow from row crop agriculture production designed to provide nitrogen removal and other wetland functions.

**Note:** There is no cropping history requirement for cropland or marginal pastureland enrolled as a constructed wetland.

**243 Acreage Limitation and Practice Eligibility for CP39**

**A Eligibility Criteria for CP39**

Land that meets eligibility criteria of paragraph 242, not to exceed 40 acres per tract, may be enrolled in FWP as CP39.

**B CP39 Acreage Limitations**

The maximum size of any 1 constructed wetland CP39 is 40 acres. Constructed wetlands greater than 40 acres in size are **not** eligible for enrollment in CRP under FWP as CP39.

The total of all constructed wetlands per tract may not exceed 40 acres.

An associated buffer is required in conjunction with practice CP39. The associated buffer should be included as part of the CP39 enrolled acres. The maximum size of the associated buffer is 4 times the size of the wetland acreage. STC's may determine a buffer ratio less than 4:1, consistent with program purposes and with State Technical Committee concurrence.

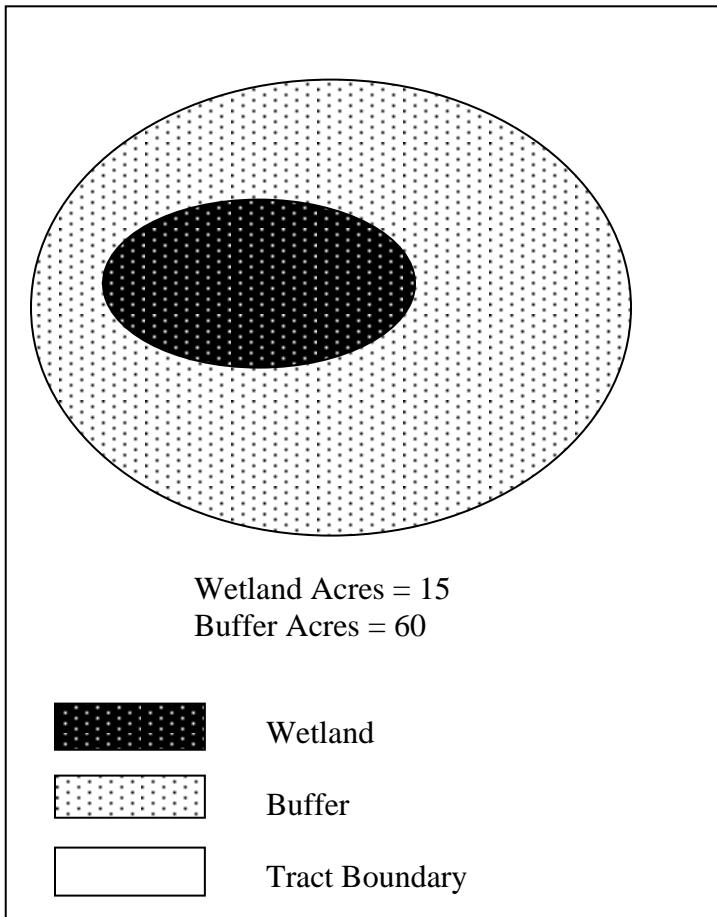
243 Acreage Limitation and Practice Eligibility for CP39 (Continued)

**C Tract Limitations**

Enrollment in CRP under CP39 is limited to no more than 40 acres of wetland per tract. The combined total acreage of wetland and associated buffer, may not exceed 40 acres per tract unless a waiver is approved according to subparagraph D.

**Example: Tract #2101 = 160 acres**  
**Total CP39 = 15 acres**  
**Associated buffer = 60**  
**Total of Enrolled Practices = 75 acres**

**Note:** This land would not be eligible for enrollment as CP39 unless a waiver is approved by DAFP.



**D Waiver**

If wetland acreage offered for enrollment is less than 40 acres and the combined wetland and buffer exceed 40 acres, STC may submit a request to DAFP to waive the 40-acre tract limitation.

**244 FWP Eligible Land Criteria for CP40****A Land Eligibility Criteria**

Eligible land to be enrolled in FWP as CP40 is land that was devoted to commercial pond-raised aquaculture in any 1 year during 2002 through 2007.

**B Commercial Pond-Raised Aquaculture**

Commercial pond-raised aquaculture means any earthen facility from which \$1000 or more of freshwater food fish were sold or normally would have been sold during a calendar year.

Foodfish are considered fish grown under controlled conditions (aquaculture) for human consumption. Fingerling ponds and brood ponds are considered foodfish and are eligible for enrollment under practice CP40 because these ponds are used in the overall commercial operation.

**Note:** Other aquaculture products that are not cultivated for human consumption (nonfoodfish), which includes ornamental fish, bait fish, sport fish, and plants are **not** eligible for enrollment under practice CP40.

Producers must provide verification of commercial pond raised aquaculture using any of the following:

- feed purchase records
- stocker purchase records
- harvest/sales records
- imagery
- slides.

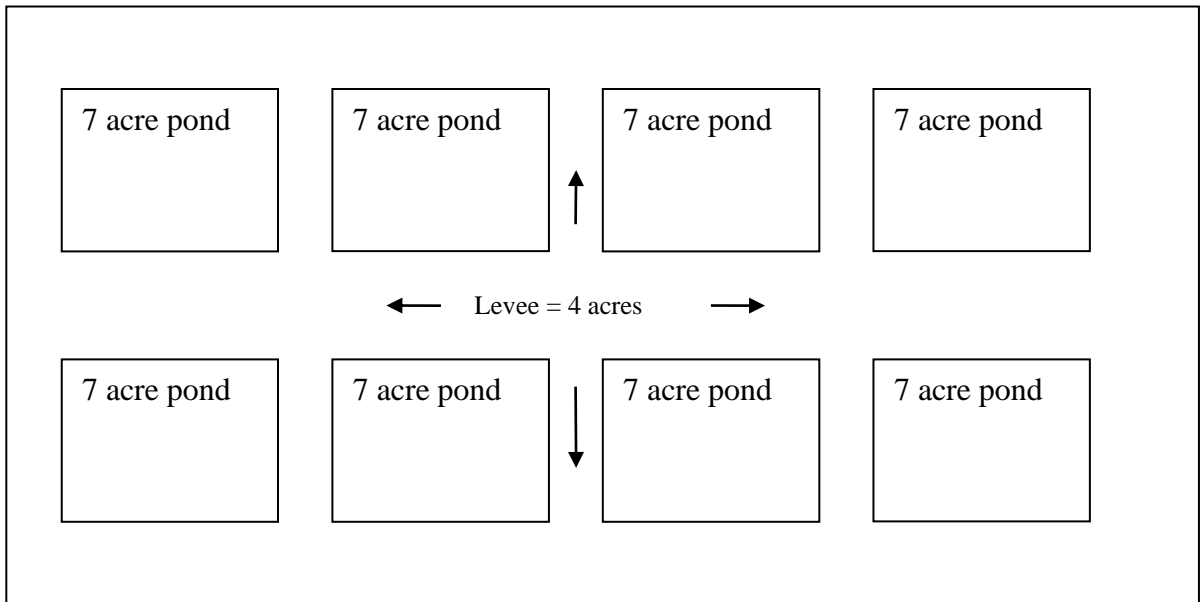
245 Acreage Limitation for CP40

A CP40 Acreage Limitations

Land devoted to commercial pond-raised aquaculture to be enrolled in FWP as practice CP40 is **not** limited by size of the wetland or by tract.

**Example: Tract = 60 acres**

**CP40 = 60 acres (pond area and levee)**



**Note:** The levee area is included as part of the CP40 and will be planted to appropriate vegetation for the site. A buffer (CP28) is not required.

246 FWP Eligible Land Criteria for CP41

**A Crop Land Eligibility Criteria**

Eligible cropland for enrollment as practice CP41 is cropland located in the Prairie Pothole CPA, according to Exhibit 18, that was:

- subject to the natural overflow of a prairie wetland
- COC approved prevented planted
- planted or considered planted to an agricultural commodity during at least 3 of the 10 crop years after January 1, 1990, and before December 31, 2002.

**Notes:** Acreage for which a producer received a crop insurance indemnity payment for prevented planting must be considered planted for that year for CRP cropping history purposes.

Field margins that are incidental to the planting of crops, such as turnrows, field borders, and center pivot corners, are eligible to be offered. Field margins do not include other areas within a field.

Acreage that received planted and considered planted credit for crop acreage base protection is considered planted for purposes of CRP cropland eligibility.

**Examples:** A producer planted corn in 1991, soybeans in 1997, and corn in 2002. All other years the land was intermittently flooded. The land does **not** meet the cropping requirements because the planting was not within a 10-year period (1991 through 2002).

A producer planted soybeans in 1993, corn in 1997, and wheat in 2002. This land meets cropping history because the planting is within the 10-year period (1993 through 2002).

**B 10-Year Cropping History Time Periods for CP41**

The following are the 10-year cropping history time periods for CP41.

1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002

**247 Acreage Limitation and Practice Eligibility for CP41****A Eligibility Criteria for CP41**

Cropland that meets the eligibility criteria of subparagraph 246 A, not to exceed 20 contiguous acres per flooded prairie wetland, may be enrolled in CRP under FWP as CP41.

**B CP41 Acreage Limitation**

The maximum size of any 1 flooded prairie wetland (CP41) is 20 contiguous acres. Flooded prairie wetlands greater than 20 acres in size are **not** eligible for enrollment in CRP under FWP as CP41.

The total of all flooded prairie wetlands on an offer may exceed 20 acres. The total of all flooded prairie wetlands per tract may not exceed 40 acres.

**Examples:** A producer has a 22.5 acre flooded prairie wetland. The producer wants to offer 20 acres of the flooded prairie for enrollment in FWP. Because the total wetland is greater than 20 acres in size, it is **not** eligible for enrollment in FWP.

A producer offers a 12.5 acre flooded prairie wetland, a 8 acre flooded prairie wetland, and a 18.5 acre flooded prairie wetland for enrollment in FWP. Because no wetland is greater than 20 acres, all flooded prairie wetlands (39 acres) may be enrolled if all other eligibility requirements are met. Associated buffers must be enrolled for the flooded prairie wetland acreage.

Neither CP41 nor CP28 may be enrolled as a separate practice. See subparagraph 241 C for CP28 acreage limitation.

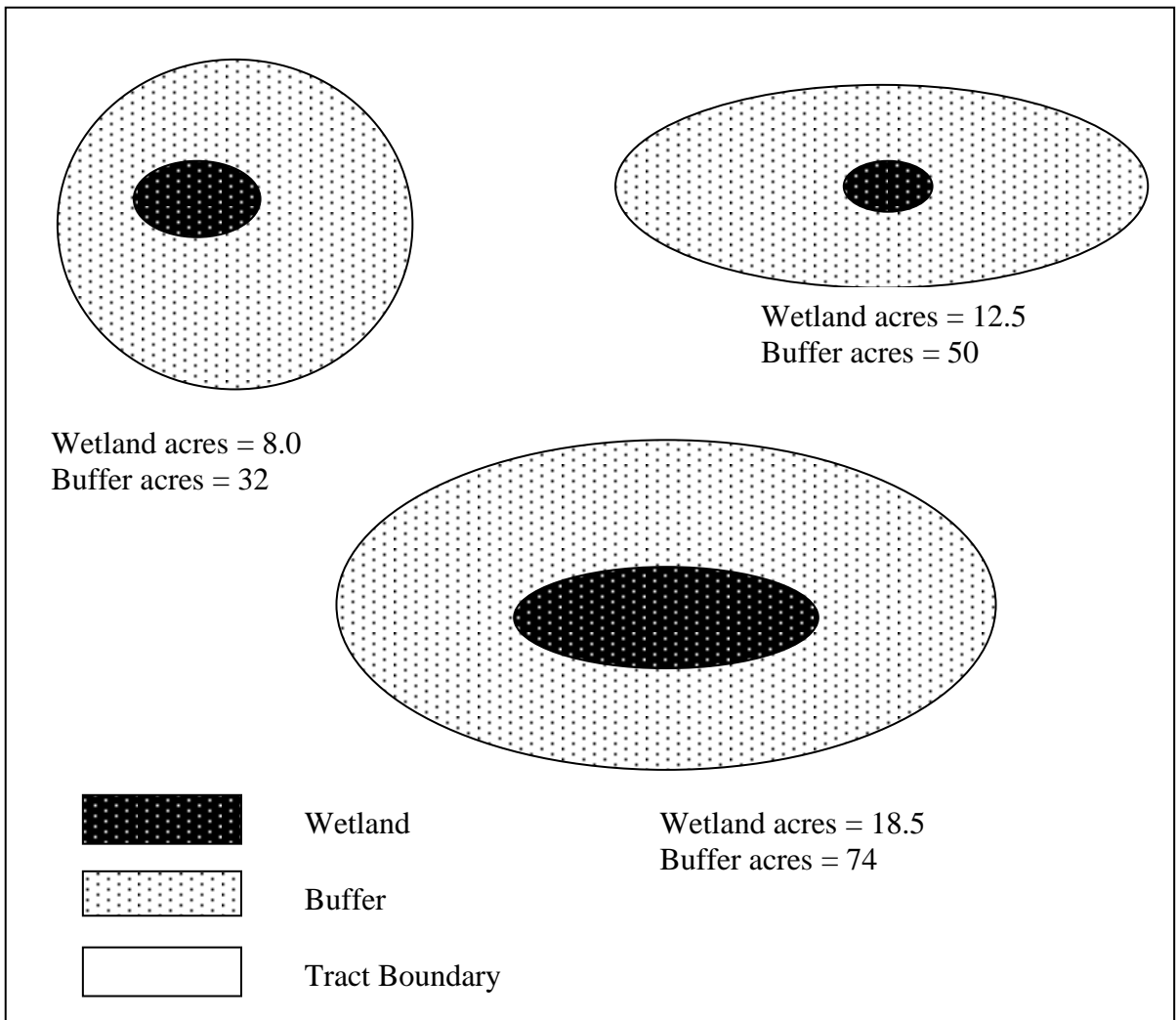


247 Acreage Limitation and Practice Eligibility for CP41 (Continued)

C Tract Limitation for CP41

Enrollment in CRP under CP41 is limited to no more than 40 acres per tract. The maximum size of any one CP41 is 20 acres. The combined total acreage of CP41's is limited to 40 acres per tract. The total of CP41 and associated buffer (CP28) may exceed 40 acres per tract.

**Example: Tract 2101 = 240 Acres**  
**Total CP41 = 39 Acres**  
**Total CP28 = 156 Acres**  
**Total of Enrolled Practices = 195 Acres**



**248 Processing Offers**

**A CRP-1's and CRP-2C's**

County Offices must follow Part 7, for processing CRP-1's and CRP-2C's for enrollment in CRP under FWP.

**B Contract Duration and Effective Date**

The CRP-1 period for CRP-1's under FWP is 10 to 15 years.

The effective date of CRP-1 is the first of the month following the month COC or CED approves CRP-1.

**C Program Year**

The program year is FY in which the first payment is earned.

**D Continuous CRP Signup Number**

For acreage enrolled in CRP under FWP, County Offices must use the current continuous signup number.

**Note:** Continuous CRP signup numbers change the beginning of every FY.

**249 Payments****A Annual Rental Payment**

Producers receive annual rental payments on the land that is enrolled under FWP. The annual rental payment is the sum of the following:

- weighted average SRR
- incentives according to subparagraph 196 B.

**\*--B C/S Payments--\***

CCC will pay up to 50 percent of the eligible cost of establishing a permanent cover. See Part 15.

**C Incentive Payments**

The following incentives are authorized for CP27, CP28, CP39, CP40, and CP41:

- PIP
- SIP.

**Note:** Expiring CRP that is being re-offered as FWP is **not** eligible for SIP. Cropland previously enrolled in CRP that is re-enrolled for FWP, is **not** eligible for SIP if the cover has been maintained.

**250-260 (Reserved)**



**Part 9 CRP Grassland Provisions****261 General CRP Grassland Information****A Background**

CRP grasslands provide both ecological and economic benefits. Participants voluntarily limit future development and cropping uses of the land while retaining the right to conduct common grazing practices and operations related to the production of forage and seeding, subject to \*--certain restrictions during PNS.--\*

CRP grasslands were authorized to enroll grasslands into CRP during signup for offer evaluation.

After signup, offers will be evaluated on the basis of:

- current and future use
- environmental factors
- maximizing grassland preservation
- other factors, including cost
- vegetative cover
- small scale livestock initiative.

Offers will be ranked at the National Office using a national ranking process. Offers accepted will be those that provide the greatest benefits as related to these 7 factors.

The National Office will provide State and County Offices with the following:

- program information sheets for producers
- program provisions and procedures
- other information as requested.

**\*--261 General CRP Grassland Information (Continued)**

**B Goals**

The purpose of CRP grasslands is to provide assistance to landowners and operators to protect grazing uses and related conservation values on eligible private pasture and rangelands. CRP grasslands emphasize support of grazing operations, maintaining and improving plant and animal biodiversity, and protecting grasslands and shrublands from the threat of conversion to uses other than grazing.

**C Consistency With CRP Procedure**

Unless otherwise noted, all other provisions of CRP apply to CRP grasslands.

**D Duplication of Benefits**

Cropland enrolled in CRP grasslands cannot receive a payment under the ARC or PLC program. CRP grasslands are potentially eligible for grazing losses because of natural disasters under LFP or ELAP if all eligibility requirements in 1-LFP or 1-ELAP are met.--\*

**\*--262 Acreage Limitations and Practice Eligibility****A 25 Percent County Cropland Limitation**

Cropland enrolled in CRP grasslands will count against the 25 percent county cropland limitation.

**B CRP Acreage Enrollment Limitation**

All land enrolled in CRP grasslands counts against the:

- National CRP acreage limitation
- limit of up to 2 million acres of grassland as defined by statute.

**C Authorized Practices**

**Starting with signup 202 only CP88 is authorized for CRP Grassland. Existing contracts will continue to use** practices CP42, CP87, CP87A, CP88, and CP88A if enrolled during signup 200 and practices CP87, CP87A, CP88, and CP88A if enrolled during signup 201. Practices must be determined suitable for the site conditions by the technical agency to be authorized or enrolled.

**Notes:** See Exhibit 11 for practice writeup for CP88.

**CP42 is no longer authorized for CRP Grassland.**

**263 Land and Producer Eligibility****A States and Counties Authorized for CRP Grasslands**

CRP grasslands are eligible for enrollment in all States and territories.

**B Eligibility for Owners and Operators**

Persons determined eligible for CRP according to Part 6 may request to enroll certain acreages in CRP grasslands according to this part.--\*

**\*--263 Land and Producer Eligibility (Continued)****C Eligibility Requirement**

Eligible land is land on a tract or a portion of a tract that:

- contains forbs or shrubland (including improved rangeland and improved pastureland) for which grazing is the predominant use

**Exception:** Grasslands with less than 5 percent tree canopy interspersed throughout the offered acreage is eligible.

- is located in an area historically dominated by grasslands
- provides habitat for animal and plant populations of significant ecological value if the land is retained in its current use or restored to a natural condition
- is expiring CRP without tree practices.

The following is **not** eligible to be enrolled in CRP grasslands:

- forestland
- woodland.

**D Small Scale Livestock Grazing Operation**

For a small-scale livestock grazing operation, producers will use CRP-2G-1 to self-certify the number of grazing animal units. See subparagraph 267 E for an example of CRP-2G-1 and livestock unit values. If a State needs a value for a type of livestock not listed, contact CD.

**Note:** CRP procedure limits a producer to 1 offer per tract.

For the small-scale livestock grazing operation, maximum offer acreage will be limited to 200 acres per farm.--\*



**\*--264 Contract Duration and Program Year**

**A Contract Duration and Effective Date**

The CRP-1 period for CRP grasslands must be 10 to 15 years in duration.

The effective date of CRP-1 will start on October 1.

**B Program Year**

The program year is the FY in which the first annual rental payment is earned.

**C Signup Number**

CRP grasslands will use signup number:

- 200 through June 1, 2018
- 201 beginning June 4, 2018
- 202 beginning March 16, 2020, through May 15, 2020.--\*

**\*--265 Processing Offers for CRP Grasslands**

**A County Office Responsibilities**

The following table provides the steps a County Office may follow for CRP grasslands signup. County Offices may adjust the order of events in the following table to provide for a workable signup period.

Step	Action
1	Provide general information about program provisions, such as a fact sheet.
2	Explain program details, such as: <ul style="list-style-type: none"> <li>• available practice and applicable C/S rates</li> <li>• COC determinations</li> <li>• land eligibility</li> <li>• national ranking and selection process</li> <li>• payment rate</li> <li>• ranking process.</li> </ul>
3	Verify producer eligibility for the offered acres according to Part 6.  <b>Note:</b> Determine whether certain producer eligibility requirements are met <b>before</b> submitting data.
4	Delineate acres to be offered on a map and within TERRA.
5	Provide measurement service, if necessary to determine acres to be offered. Paid-for measurement service must be completed for acreage offered <b>before</b> CRP-1 is approved. See paragraph 401.  <b>Note:</b> See 2-CP, paragraph 927 for additional guidance.
6	After completing a TERRA scenario, process offers through COLS.
7	Advise producers of the limitation on withdrawing and modifying offers according to paragraph 337.
8	Provide producers CRP-1 Appendix (Exhibit 29) before submitting offers.
9	Have the producer sign completed CRP-1 and CRP-2G.  <b>Note:</b> Only 1 signature is required to submit an eligible offer. All signatures are required before COC or CED approves CRP-1.
10	File all applicable documents, including CRP-2G, in the producer’s folder.

**B Materials for Producers**

Provide copies of FSA informational material issued by DAFP to each producer submitting an offer. Provide copies of procedures in this handbook, including the formula process, to producers, if requested.--\*

**\*--266 Completing Forms****A Entering Form Data**

All CRP-1 and CRP-2G data must be entered into COLS. CRP grasslands has an acreage limitation, and COLS ensures acreage limitation control, accountability, and program performance data. Data must be loaded in a timely manner.

**267 Completing CRP-2G****A Guidance for Completing CRP-2G's**

CRP-2G must be completed for all acreage on which producers want to submit an offer to:

- make eligibility determinations
- obtain ranking data and statistics on acreage offered for CRP grasslands according to Exhibit 24.

Items 1 through 10 I must be completed before the producer's signature, title, and date in items 12A, 12B, and 12C.

All changes to data entered on CRP-2G after the producer signs CRP-2G must be initialed and dated by both the employee making the change and the producer.

CRP-2G is:

- a computer-generated form
- provided for display purposes only.--\*

\*--267 Completing CRP-2G (Continued)

**B Example of CRP-2G**

The following example of CRP-2G is provided for display purposes **only**. CRP-2G is available at <http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>.

Page of					
<i>(See Page 2 for Privacy Act and Paperwork Reduction Act Statements.)</i>					
<b>CRP-2G</b> (12-02-19)		<b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency		1. Tract Number	2. Program Year
<b>CONSERVATION RESERVE PROGRAM WORKSHEET</b> (For CRP Grassland Signup)				3A. Sign Up Number	3B. Effective Date (MM-DD-YYYY)
4A. County FSA Office Address (Include Zip Code)			4C. Producer Name and Address (Include Zip Code)		
4B. County FSA Office Phone Number (Include Area Code)			4D. Producer Phone Number (Include Area Code)		
5A. State & County Code Admin. Location		5B. State & County Code Physical Location		6. Contract Number	
7A. Acres for Enrollment	7B. Cropland Acres	8A. Rental Rate Per Acre Offered	8B. Maximum Payment Rate		
		\$	\$		
9. Cover/Practices:					
A. Field Number	B. Practice No.	C. Cover	D. Acres	E. Estimated Total C/S	F. Length
10. Ranking Questions:					<b>Points</b>
A. What is the current cover of land being offered?					
B. Is all or part of the land offered currently under an expiring CRP contract? <input type="checkbox"/> YES <input type="checkbox"/> NO					
If "YES", please enter the CRP contract no.: _____					
Is over 50 percent of the offered acres existing CP2 or CP10? <input type="checkbox"/> YES <input type="checkbox"/> NO					
C. Producer Classification: <input type="checkbox"/> Beginning Farmer/Rancher <input type="checkbox"/> Veteran <input type="checkbox"/> Socially Disadvantaged <input type="checkbox"/> N/A					
D. Has the producer certified they are eligible for the Small-Scale Livestock option on the CRP-2G-1? <input type="checkbox"/> YES <input type="checkbox"/> NO					
E. Is the land offered in a county under threat of conversion? <input type="checkbox"/> YES <input type="checkbox"/> NO					
F. Is over 50 percent of the land offered in the National Threat of conversion layer? <input type="checkbox"/> YES <input type="checkbox"/> NO					
G. Is offer for 10 or 15 years? <input type="checkbox"/> 10 Years <input type="checkbox"/> 15 Years					
H. Is the land offered currently in a State Wildlife zone? <input type="checkbox"/> YES <input type="checkbox"/> NO					
Is the land offered currently in a State CRP grassland zone? <input type="checkbox"/> YES <input type="checkbox"/> NO					
I. Cost:					
J. Other:					
K. TOTAL:					
11. Remarks					

--\*

\*--267 Completing CRP-2G (Continued)

**B Example of CRP-2G (Continued)**

<b>CRP-2G</b> (12-02-19)		Page of
<b>12. CERTIFICATION:</b>		
<p><i>By signing below I certify to all of the following: (1) I have been informed of the estimated cost of establishing the cover offered; (2) All of the Grassland Ranking Factors and subfactors F1 through F6 have been explained to me; (3) I have been informed that I may be required to pay for a measurement service on the acreage offered before such acreage may be enrolled in the CRP; (4) To the best of my knowledge and belief, the acreage of crops and land listed herein are true and correct; (5) The signing of this form gives USDA representatives authorization to enter and inspect crops and land uses, and enter for other purposes, on the above-identified land; and (6) If I checked a box in Item 10C other than "N/A," I affirm that I am either: a beginning farmer, rancher, or a veteran; or, a socially disadvantaged farmer or rancher, as defined in the regulations at 7 CFR Part 718.2 I understand that an inaccurate certification could result in a payment reduction or loss of program benefits.</i></p>		
12A. Signature (By)	12B. Title/Relationship of the Individual if Signing in a Representative Capacity	12C. DATE (MM-DD-YYYY)
<p><b>NOTE:</b> The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq), and the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.</p> <p><b>Paperwork Reduction Act (PRA) Statement:</b> The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1).</p> <p>The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b></p> <p><i>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</i></p> <p><i>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</i></p> <p><i>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider, employer, and lender.</i></p>		

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**\*--267 Completing CRP-2G (Continued)**

**B Example of CRP-2G (Continued)**

<p><b>CRP-2G</b> (12-02-19)</p>				<p>Page    of</p>	
<p><b>CONTINUATION OF ITEM 9 - Existing Cover/Practices</b></p>					
<p>A. Field Number</p>	<p>B. Practice No.</p>	<p>C. Cover</p>	<p>D. Acres</p>	<p>E. Estimated Total C/S</p>	<p>F. Length</p>

--\*

**\*--267 Completing CRP-2G (Continued)**

**C Completing CRP-2G-1**

Producer must complete CRP-2G-1 when submitting an offer as a small-scale livestock grazing operation.

Items 1 through 9 must be completed before the producer’s signature, title, and date in items 10A, 10B, and 10C.

CRP-2G-1 can be downloaded from  
<https://fsaintranet.sc.gov.usda.gov/dam/ffasforms/currentforms.asp>.

CRP-2G-1 must be completed for all offers submitted by producers as a small-scale livestock grazing operation. The submitted CRP-2G-1 will become part of the CRP-2G offer file when submitted by the producer.

**D Livestock Animal Unit Values**

Following are the livestock animal unit values.

<b>Animal Kind/Class</b>	<b>Animal Unit Equivalent</b>
Beef/Buffalo/Dry Dairy Cow	1.00
Dairy Cow	1.40
Beef/Dairy/Buffalo Bulls	1.50
Calf (> 400 lbs)	0.30
Heifer	0.86
Yearling cattle	0.65
Sheep, ewe	0.16
Lamb, weaned to yearling	0.14
Ram (> 200 lbs)	0.17
Goat, mature	0.15
Kid, yearling	0.10
Llama	0.23

--\*

\*--267 Completing CRP-2G (Continued)

E Example of CRP-2G-1

The following is an example of CRP-2G-1.

This form is available electronically.

<b>CRP-2G-1</b> (12-02-19)		<b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency		1. STATE
<b>CRP GRASSLAND SMALL LIVESTOCK OPERATION CERTIFICATION</b>				2. COUNTY
				3. TRACT NUMBER
4. Producer Name and Address (Including Zip Code)			5. Producer Telephone Number (Including Area Code)	
<b>TYPES OF LIVESTOCK:</b>				
6. Animal Kind/Class	7. Animal Unit Equivalent		8. Number of Animals	9. Total Animal Unit Equivalents
A. Beef/Bufalo/Dry Dairy Cow	1.00	x	=	
B. Dairy Cow	1.40	x	=	
C. Beef/Bufalo Bulls	1.50	x	=	
D. Calf	0.30	x	=	
E. Heifer	0.86	x	=	
F. Yearling Cattle	0.65	x	=	
G. Sheep, Ewe	0.16	x	=	
H. Lamb, Weaned to Yearling	0.14	x	=	
I. Ram (200 lbs.)	0.17	x	=	
J. Goat, Mature	0.15	x	=	
K. Kid, Yearling	0.10	x	=	
L. Llama	0.23	x	=	
M. Other: _____		x	=	
N. Other: _____		x	=	
<b>O. TOTAL</b>				
<b>10. PRODUCER'S CERTIFICATION</b>				
I certify: <ul style="list-style-type: none"> <li>my livestock operation has 140 grazing animal units or less</li> <li>that I will not offer more than 200 acres for CRP Grassland on my farm.</li> </ul> By signing this form, the Applicant acknowledges and understands that any false representation or claims are subject to civil and criminal penalties including, but not limited to those under 18 U.S.C. 1001.				
A. PRODUCER SIGNATURE (BY)		B. TITLE RELATIONSHIP OF THE INDIVIDUAL SIGNING IN A REPRESENTATIVE CAPACITY		C. DATE (MM-DD-YYYY)
<b>NOTE:</b> The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), and the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1410. The information will be used to determine producer ability to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination that the producer is unable to participate in and receive benefits under the Conservation Reserve Program.				
<b>Paperwork Reduction Act (PRA) Statement:</b> The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1).				
The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b>				
<small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small>				
<small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small>				
<small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: <a href="mailto:program.adjudication@usda.gov">program.adjudication@usda.gov</a>. USDA is an equal opportunity provider, employer, and lender.</small>				

--\*



**\*--268 Processing Offers****A Reviewing Offers**

COC or CED **must** ensure that:

- producers have submitted offers for CRP-1 by tract and year
- CRP-2G and CRP-1 were signed by at least 1 eligible producer
- after the conclusion of the ranking period, offers that have been determined **not** acceptable will **not** be kept for consideration under the next ranking period.

**B Submitting Offers for National Office Ranking**

County Offices **must** ensure that all offers are submitted no later than COB of the last day of the signup period.

**269 Notifying Producers****A Eligibility Review**

COC or CED must:

- review the list of acceptable offers to ensure that all eligibility criteria have been met for all offers listed as acceptable by the National or State Office
- not approve CRP-1 if the producer or offered acreage does not meet eligibility criteria even though the offer is listed as acceptable by the National or State Office.

**Note:** Provide NRCS or TSP a list of acceptable offers.

**B Offer Not Acceptable**

If the offer is not acceptable, notify the producer of the unacceptable offer according to subparagraph C.--\*

## 269 Notifying Producers (Continued)

### C Procedure for Notifying Producers

COC or CED will notify producers, using CRP-27 and CRP-28 (Exhibit 5), of the status of their offer as soon as the list of acceptable offers is received, and an eligibility review was conducted.

### D Offer Acceptable and Clearly Eligible

If the offer is determined acceptable by national ranking, advise the producer:

- to notify the County Office if the producer wants the offer approved

**Note:** The producer's notification to the County Office is not required to be in writing. The County Office must notate the producer's notification and include the notation in the producer's CRP folder.

- that a conservation plan must be developed by NRCS or TSP \* \* \* before CRP-1 can be approved by COC or CED

**Note:** County Offices must provide to NRCS or TSP all documents necessary to complete the conservation plan, including, but not limited to, the following:

- CRP-1
  - CRP-2G
  - maps.
- of provisions for starting practices. See Part 11.

### E Rescoring Offers Where the Grass Cover Does Not Support the Ranking Score

For acceptable CRP grassland offers where NRCS is unable to verify the number of grasses claimed by the producer, allow the offer to be re-ranked based on the information NRCS provides and if the score is:

- still acceptable continue to conservation plan development and CRP-1 approval
- **not** acceptable based on the national batching period acceptable score allow the producer to voluntarily withdraw the offer without liquidated damages.

**270 Payments**

**A CRP Grassland Payments**

CRP grassland practices are not eligible for SIP and PIP. CRP grassland participants will receive annual rental payments.

**B C/S Payments**

CCC will pay up to 50 percent of the eligible cost of establishing CRP grassland practices.

**271 Contract Activities**

**A CRP Grassland Permitted Activities**

For CRP grasslands, the following activities are permitted if specified in the conservation plan:

- common grazing practices, including maintenance and necessary cultural practices, on and in a manner that is consistent with maintaining the viability of grassland, forb, and shrub species appropriate to that locality
- haying, mowing, or harvesting for seed production, subject to appropriate restrictions  
\*--during PNS--\*
- fire pre-suppression, fire-related rehabilitation, and construction of fire breaks
- grazing-related activities, such as fencing and livestock watering facilities.

**272-285 (Reserved)**



**Part 10 General CRP Signup and Offer Process**

**286 Overview**

**A General Information About Signup and Offer Process**

Signup periods will be announced by DAFP. The National Office must provide State and County Offices:

- program information sheets for producers
- updated program provisions and procedures
- other information as requested.

During signup, producers will submit offers for the amounts they are willing to accept to enroll acreage in the program. County Offices will calculate the maximum acceptable rental rate for the acreage being submitted. This amount is referred to as the maximum payment rate and is described in detail in paragraph 101.

Offers will be ranked at the National Office using a national ranking process. Offers selected will be those that provide the greatest environmental benefits considering the cost of enrolling the acreage in the program.

**B CRP General CRP Signup Process Flow**

The following table provides General CRP Signup Activities that must be completed for general signup offers. Some activities are completed before the beginning of general signup enrollment period and are performed by the State Office.

<b>Step</b>	<b>Pre-Signup Activities</b>	<b>Reference</b>
1	National Office announces general CRP signup period.	Press Release/ National Notice
2	As directed by National Office CRP notice, State or County Offices update the following: <ul style="list-style-type: none"> <li>• CPA's</li> <li>• lookup tables</li> <li>• wildlife, water quality, and air quality zones</li> <li>• *--C/S rates--*</li> <li>• SRR's</li> <li>• county cropland limitation</li> </ul>	National Notice and Parts 4, 5, and 15

286 Overview (Continued)

**B CRP General CRP Signup Process Flow (Continued)**

Step	Activities During Signup	Reference
3	<p>Producer:</p> <ul style="list-style-type: none"> <li>• expresses an interest in enrolling in CRP</li> <li>• indicates the acreage they want to enroll on a digital imagery/map and identifies the practice they want to enroll.</li> </ul> <p>The County Office must explain program details, such as:</p> <ul style="list-style-type: none"> <li>• the EBI process</li> <li>• required cropping history</li> <li>• maximum payment rate calculations</li> <li>• national ranking and selection process</li> <li>• COC determinations</li> <li>• available practices and C/S rates.</li> </ul> <p>County Offices must provide the producer with EBI information and General CRP Signup Fact Sheets * * *.</p>	Paragraph 332
4	<p>Producer requests to submit an offer for enrollment in General CRP Signup.</p>	
5	<p>County Office determines whether all the following are met:</p> <ul style="list-style-type: none"> <li>• all producer eligibility requirements</li> <li>• all land eligibility requirements (cropping history)</li> <li>• CRP county cropland limit has not been exceeded.</li> </ul> <p>If all are:</p> <ul style="list-style-type: none"> <li>• met, proceed to step 6</li> <li>• not met, STOP. Do not proceed. Inform the producer the eligibility requirements are not met using CRP-26.</li> </ul>	Paragraph 151

## 286 Overview (Continued)

## B CRP General CRP Signup Process Flow (Continued)

Step	Activities During Signup	Reference
6	<p>If all requirements in step 5 are met, create a TERRA offer scenario to determine whether the acreage offered meets 1 of the following land eligibility categories</p> <ul style="list-style-type: none"> <li>• EI greater than 8</li> <li>• CPA</li> <li>• expiring CRP.</li> </ul> <p>If acreage offered:</p> <ul style="list-style-type: none"> <li>• meets 1 of the land eligibility categories, upload into COLS</li> <li>• does not meet; STOP. Do not proceed. Inform the producer the eligibility requirements are not met using CRP-26.</li> </ul>	Paragraph 151 and TERRA User Guide
7	County Office enters the offer data (practice, cover type, acres, CRP-1 period) in COLS, as provided by the producer.	COLS User Guide
8	County Office completes and prints CRP-2 and CRP-1 and notifies the producer that CRP-2 and CRP-1 are ready for signature.	COLS User Guide
9	<p>Producer signs and dates the completed CRP-1 <b>and</b> CRP-2 and provides the signed documents to the County Office.</p> <p><b>Note:</b> Only 1 signature is required to submit an eligible offer. All signatures are required before COC/CED approves CRP-1.</p>	COLS User Guide
10	County Office must ensure that offer is in “Submitted” status in COLS.	COLS User Guide
11	<p>State and County Offices review the offer ranking data to identify incomplete or erroneous ranking data. If ranking data is incomplete or erroneous, County Office must edit the offer to correct the incomplete or erroneous data.</p> <p>County Office must go back and repeat steps 8 through 10.</p>	
12	National Office locks COLS for ranking. County Offices can no longer access general CRP signup offer records.	National Office

286 Overview (Continued)

**B CRP General CRP Signup Process Flow (Continued)**

Step	Activities Post Signup	Reference
13	National Office ranks all general CRP signup offers in a "Submitted" status.	National Office
14	A National EBI Cutoff Score is determined and final results of acceptable and rejected offers are announced.	<b>Press Release and CRP Notice</b>
15	Acceptable/Rejected Offers are posted.	National Office
16	County Offices must conduct a post ranking eligibility review.	CRP Notice
17	<p>County Office notifies producer of acceptability of offer using CRP-23 or rejected offer using CRP-26. For accepted offers, the County Office:</p> <ul style="list-style-type: none"> <li>• provides producer a copy of signed CRP-1 and CRP-2</li> <li>• provides producer a copy of CRP-1 Appendix</li> <li>• updates offer status in COLS to "submit to plan"</li> <li>• provides NRCS a copy of the:                             <ul style="list-style-type: none"> <li>• letter of acceptability sent to producer (CRP-23)</li> <li>• signed CRP-1</li> <li>• signed CRP-2</li> <li>• geospatial data/map created in step 6, if applicable.</li> </ul> </li> </ul>	CRP Notice
18	County Office will complete a paid for measurement service for acceptable offers, if requested by the producer.	Paragraph 401
19	NRCS completes site visit as determined necessary as part of the conservation plan development.	Paragraph 366
20	<p>NRCS provides County Office with:</p> <ul style="list-style-type: none"> <li>• NRCS signed conservation plan and all supporting documentation * * *</li> <li>• NRCS-CPA-52 with the NRCS portion completed.</li> </ul>	Paragraphs 366 and 367



286 Overview (Continued)

**B CRP General CRP Signup Process Flow (Continued)**

Step	Activities Post Signup	Reference
21	County Office: <ul style="list-style-type: none"> <li>• completes all necessary consultations, if needed</li> <li>• obtains copy of all permits or other permissions necessary to perform and maintain practices as provided by NRCS on NRCS-CPA-52, Section G</li> <li>• completes FSA’s portion of NRCS-CPA-52</li> <li>• ensures all required signatures on CRP-1 and conservation plan have been obtained</li> <li>• updates offer status in COLS to “submit to COC”.</li> </ul>	Subparagraph 366 B and paragraph 367          COLS User Guide
22	If determined complete and acceptable, COC or CED signs conservation plan.	Paragraph 366
23	County Office ensures that AGI certification is filed and recorded in subsidiary file for the FY of the COC/CED approval date.	Paragraph 131
24	COC or CED approves CRP-1.	Paragraph 401
25	County Office records Contract Period on CRP-1.	Paragraph 401
26	County Office enters COC approval date and effective start date from CRP-1 into COLS.	Paragraph 401
27	County Office: <ul style="list-style-type: none"> <li>• records CRP-1 number obtained from CCMS on CRP-1</li> <li>• notifies producer that CRP-1 is approved using CRP-24, and provides producer a copy of approved CRP-1.</li> </ul>	Paragraph 401

287-292 (Reserved)



## Section 1 Ranking and Selection Process

### 293 National Ranking and Selection Process

#### A About the National Ranking Plan

The national ranking process was developed by FSA, in consultation with NRCS, ERS, EPA, FS, FWS, and other agencies. The process is designed to prioritize CRP offers based on environmental criteria and cost. The process uses an EBI that includes 6 national ranking factors: 5 factors that quantify the relative environmental benefits of each offer, and 1 cost factor that quantifies cost on a per acre basis.

The National Office must determine the rank of each offer by adding the sum of the scores received for all environmental factors plus a cost factor. Offers will be ranked from highest to lowest total score.

**Note:** The EBI scores assigned to each factor are applied generally to all eligible offers; therefore, the EBI point system is not appealable. The information used to determine the individual EBI score for a specific offer may be appealed.

The 5 national environmental ranking factors and 1 cost factor will be collected for all offers.

#### B National Ranking Factors

The following are the 6 national ranking factors.

<b>Factor</b>	<b>Description</b>	<b>Point Ranges</b>
N1	Wildlife Habitat Cover Benefits	10 through 100
N2	Water Quality Benefits From Reduced Erosion, Runoff, and Leaching	0 through 100
N3	On-Farm Benefits of Reduced Erosion	0 through 100
N4	Enduring Benefits	0 through 50
N5	Air Quality Benefits	3 through 45
N6	Cost/Acre	to be determined

**293 National Ranking and Selection Process (Continued)****B National Ranking Factors (Continued)**

Scoring criteria for each national ranking factor are listed in Exhibit 26.

FSA will determine environmental scores for factors N1 through N5 for each offer during and shortly after signup.

**Note:** Offers under continuous CRP signup are not evaluated. See paragraph 181.

The National Office will determine the cost factor using the CRP per acre offer.

For general CRP signup, when the applicable cropland limit for the county is reached, the residency of the owner or operator that submitted the offer will be used to determine the acceptability of the offer when more than 1 offer has an equivalent EBI score.

**Example:** The EBI (environmental benefits plus cost) cutoff level in Bucks County, Pennsylvania is 250 points. Bucks County is 20 acres from the 25 percent cropland limit.

Offer A (250 EBI points and 20 acres in size) is from an out of State landowner with an operator from Montgomery County, Pennsylvania.

Offer B (250 EBI point and 20 acres in size) is from a local Bucks County farmer.

Offer B will be selected for enrollment in the program.

**C Processing Offers**

Only general CRP signup offers will be accepted. Continuous CRP offers will be accepted under the continuous CRP signup process. Offers under continuous CRP signup are not evaluated. See Part 7.

General CRP signup offers must compete based on the scores for each national factor, including cost.

**D Selecting Offers**

After all offers have been ranked, the National Office will provide by notice the ranking list to each applicable State and County Office indicating the offers that have been accepted or rejected. County Offices must notify each producer according to paragraph 341 after conducting the final eligibility review.

**294-310 (Reserved)**

**Section 2 Presignup Activities**

**311 State Office Activities**

**A State Office Action**

State Offices will perform the following activities before signup:

- provide information to STC regarding national selection criteria
- ensure that all County Offices have:
  - necessary forms and information needed to conduct a signup
  - evaluated the total cropland figures for the county and have followed procedure in Part 4 accordingly
- ensure that:
  - County Office personnel are trained on program policy and procedure, when determined needed by STC
  - County Offices monitor their total county cropland status and follow Part 4.

**312 County Office Activities**

**A County Office Action**

County Offices will:

- ensure that:
  - all necessary forms for conducting a signup are in the County Office
  - soil/payment rate tables are made available to the public
- conduct public information meetings if determined needed
- review total cropland provision in Part 4 to determine whether a signup will be held.

**Note:** See Part 4.

**313-330 (Reserved)**

**Section 3 Conducting a CRP Signup in the County Office**

**331 Announcing County CRP**

**A County Offices Announcing CRP**

County Offices will use news media to inform all owners and operators, on a county-wide basis, of the following:

- CRP eligibility requirements
- locations and dates of informational meetings
- dates for submitting offers
- CRP provisions, including general terms and conditions
- information needed to submit offers, such as eligible cropping history, fields to be identified, and number of acres to be offered.

Issue CRP announcement to all owners and operators in the county.

**Note:** County Offices must include CRP continuous CRP signup information in the county newsletter. Special mailings are optional but not required.

**B Statement of Participation**

All eligible owners and operators, regardless of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status, must have an opportunity to submit requests to place land in CRP.

332 Submitting Offers

A Processing Offers

Offers **must** be submitted to the County Office where the land is administratively located. The following provides instructions on whether to process an offer.

<b>IF land is...</b>	<b>THEN process the offer...</b>
physically located in a county that has reached or exceeded the 25 percent cropland limitation or other applicable limit as provided in Part 4, or lower percent limitation set by COC for continuous CRP signup and ACEP-WRE signups and the county does not have an approved waiver before the signup period begins	only if it is for practices eligible under continuous CRP signup marginal pastureland criteria (CP22, CP22B, CP22S, CP29, CP30, or CRP noncropland grassland practices CP87 or CP88).
physically located in a county that has <b>not</b> reached the 25 percent cropland limitation or other applicable limit as provided in Part 4	in the administering county for any eligible practice.

B Cropland Eligibility Determinations

County Offices will assist producers with cropland eligibility determinations on CRP-2. To determine cropland eligibility for CRP-1, use CRP-2.

**Note:** County Offices must use FSA-578 on file for applicable years to verify cropping history entered on CRP-2, items 24 through 27. **Digital imagery will not be used to determine cropping history when FSA-578 is on file.**

If there is no FSA-578 on file for any year of the applicable 6 years:

- require the producer to provide 2 or more of the following:
  - a signed statement from the person who harvested or planted the crop
  - a neighboring producer’s certification of crops and acreage, on the back of a digital image for each year
  - a signed statement from a reliable person with knowledge of which crops were planted on the farm

**Note:** COC or CED may require the producer to provide other documentation to determine cropping history, such as:

- seed, fertilizer, and chemical receipts
- load summary documents or elevator receipts.



**332 Submitting Offers (Continued)****B Cropland Eligibility Determinations (Continued)**

- COC or CED must review and verify all of the documentation submitted to determine whether the cropping history is acceptable by:
  - digital imagery, if applicable
  - farm visit
  - personal knowledge.

A late-filed FSA-578 may be accepted according to 2-CP, paragraph 27 when there is no FSA-578 on file for the applicable year being used to determine cropping history for eligibility. The late-filed fee must be calculated according to 2-CP.

**C Maximum Payment Rate Determination**

County Offices will assist producers by calculating the maximum payment rates, including multiple scenarios if requested, according to Part 5.

For general CRP signup offers, the maximum payment rate is the weighted average SRR of the 3 predominant soils for the acreage offered. CAPS may apply to the maximum payment rate. See subparagraph 101 B for maximum payment rate CAPS for general CRP signup.

**D Separate Offers**

Each producer, depending upon the eligibility determination and the practices selected, must submit only 1 offer per tract per program year per general CRP signup.

**Note:** The definition of a tract in 10-CM must be used for offers being submitted by tract for CRP purposes.

**332 Submitting Offers (Continued)****D Separate Offers (Continued)**

If a producer submits multiple offers, some of which are not determined acceptable, the producer may withdraw any or all acceptable offers.

**Note:** Acceptable offers on different tract numbers must **not** be combined under 1 tract number.

**Important:** Separate CRP-1's **must** be completed for:

- each CRP-2 completed
- practices with different CRP-1 periods.

**Example:** Producer offers 5 acres of CP1 with a 10-year CRP-1 period and 20 acres of CP3A with a 15-year CRP-1 period on the same tract. Only one CRP-2 is completed for the offer. Separate CRP-1's **must** be completed for each practice.

**E Final Date for Submitting Offers**

The deadline for receiving offers in the County Office is COB on the DAFP-established final date for submitting offers.

**F Material for Producers**

Provide copies of FSA informational material issued by DAFP to each producer submitting an offer. Provide copies of procedures in this handbook, including the formula process, to producers, if requested.

**333 Completing CRP-2****A About CRP-2**

CRP-2 **must** be completed for all acreage on which producers want to submit offers. The document is used to:

- make eligibility determinations
- calculate maximum payment rates for producers before offers are submitted
- obtain ranking data and statistics on acreage offered for the program.

**Note:** Before completing CRP-2, the County Office must ensure that the base limitation is not exceeded. See subparagraph 401 B and 1-ARCPLC, paragraph 21.

**All item numbers, except item number 6, must be completed before producer signs CRP-2. All changes to data entered on CRP-2 after the producer signs CRP-2 must be initialed and dated by both the employee making the change and the producer.**

**Notes:** See paragraph 212 for completing CRP-2C for continuous CRP signup.

Separate CRP-1's **must** be completed for:

- each CRP-2
- practices with different CRP-1 periods. See paragraph 332.

CRP-2 is:

- a computer-generated form
- provided for display purposes only.

333 Completing CRP-2 (Continued)

B Example of CRP-2

The following is an example of CRP-2.

Page of

*(See Last Page for Privacy Act and Public Burden Statements)*

<b>CRP-2</b> (12-02-19)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency			1. Tract Number 52		2. Program Year 2021	
<b>CONSERVATION RESERVE PROGRAM WORKSHEET</b> (For General Signup)					3A. Sign Up Number 54		3B. Effective Date (MM-DD-YYYY) 10-01-2020	
4A. County FSA Office Address (Zip Code) ABC County FSA Office 6791 Farmtown Road Anytown, PA XXXXX				4C. Producer Name and Address (Zip Code) Allen Farmer 123 Nowhere Road Anytown, PA XXXXX				
4B. County FSA Office Phone Number (Include Area Code) XXX-XXX-XXXX				4D. Producer Phone No. (Include Area Code) XXX-XXX-XXXX				
5A. State & County Code Admin. Location XX-XXX		5B. State & County Code Physical Location XX-XXX		6. Contract Number			7. Acres for Enrollment 52.3	
				8. Signup Type <b>GENERAL</b>			9. Rental Rate Per Acre Offered \$ 40.94	
10. PRACTICES (See Page 3 for additional space):							11. LAND ELIGIBILITY CATEGORY BY ACRES: (Enter the amount eligible for each criteria)	
A. Field No.	B. Practice No.	C. Practice Status	D. Acres	E. Estimated C/S (\$)	F. Length	G. N1a Point Value	EI 8 or Greater	53.8
1A	CP2	New	50.0	3,263	10	10	National CPA	0.0
1B	CP2	Expiring	2.3	154	10	10	State CPA	0.0
							Expiring CRP	2.3
12. National Ranking Factors:						13. N1 Subfactors:		
N1	N2	N3	N4	N5	N1a	N1b	N1c	
46	62	100	32	25	16	0	30	
14. N2 Subfactors:				15. N5 Subfactors:				
N2a	N2b	N2c	N5a	N5b	N5c	N5d		
30	10	22	14	0	0	0		
16. N6 Subfactor:				17. HUC Number:				
N6b								
10								
18. Soil Map Data and Maximum Payment Rate Calculations:								
	A. Physical Location	B. Soil Survey ID No.	C. Map Unit Symbol	D. Acres	E. Soil Rental Rate	F. Total Rent		
(1) Primary	17157	1L157	122B	10.4 x	\$ 48.00	=	\$ 499.00	
(2) Secondary	17157	1L157	216B	24.8 x	\$ 40.00	=	\$ 992.00	
(3) Tertiary	17157	1L157	122C3	17.1 x	\$ 38.00	=	\$ 650.00	
<b>TOTALS</b>				52.3			\$ 2,141.00	
19. Weighted Average Soil Rental Rate (Col. 18F total divided by Col. 18D total)					20. Maximum Payment Rate Per Acre (Result of Item 19)			
\$ 40.94					\$ 40.94			

Date Printed:

333 Completing CRP-2 (Continued)

B Example of CRP-2 (Continued)

CRP-2 (12-02-19)											Page	of
For Items 21 through 24 (See Page 4 for additional space)												
21. Tract No.	22. Current Field No.	23. Current Crop or Land Use	24. Crop Land Use Summary									
			A. Offered Acres	B. Crop History Eligible Acres	C. 2012	D. 2013	E. 2014	F. 2015	G. 2016	H. 2017		
52	1A	Corn	50.0	50.0	Soybn	Corn	Corn	Corn	Corn	Corn	Corn	
52	1B	CRP	2.3	2.3	CRP	CRP	CRP	CRP	CRP	CRP	CRP	
<b>25. TOTALS ►</b>			52.3	52.3								
<b>26. PRODUCER'S CERTIFICATION:</b>												
<p><i>By signing below, I certify to all of the following: (1) All of the Environmental Benefits Index (EBI) factors and subfactors N1 through N5 have been explained to me; (2) I have been informed that planting an approved mixture of covers that benefit wildlife, enhancing the existing cover to provide a mixture that benefits wildlife, if applicable, and/or creating and maintaining open areas of approved herbaceous cover, may improve the acceptability of the offer; (3) I have been informed of the estimated cost of establishing the cover offered; (4) I have been informed that offering a per acre rental payment that is less than the calculated annual maximum payment rate may enhance the acceptability of the offer; (5) I have been informed that I may be required to pay for a measurement service on the acreage offered before such acreage may be enrolled in the CRP; (6) I have been informed that certain land enrolled in the EQIP pursuant to regulations at 7 CFR Part 1466 is ineligible for enrollment in the CRP; (7) To the best of my knowledge and belief the acreage of crops and land listed herein, if applicable, are true and correct; and (8) The signing of this form gives USDA representatives authorization to enter and inspect crops and land uses, and enter for other purposes as deemed appropriate by USDA, on the above-identified land.</i></p> <p><i>I understand that an inaccurate certification could result in a payment reduction or loss of program benefits.</i></p>												
26A. Signature (By)					26B. Title/Relationship of the Individual if Signing in a Representative Capacity				26C. DATE (MM-DD-YYYY)			

Date Printed:

333 Completing CRP-2 (Continued)

**B Example of CRP-2 (Continued)**

CRP-2 (12-02-19)							Page <input style="width: 20px; border: none;" type="text"/> of <input style="width: 20px; border: none;" type="text"/>
10. PRACTICES ( <i>Continued from Page 1</i> ):							
A. Field No.	B. Practice No.	C. Practice Status	D. Acres	E. Estimated Total C/S (\$)	F. Length	G. N/A Point Value	
						Date Printed: <input style="width: 100px; border: none;" type="text"/>	

333 Completing CRP-2 (Continued)

B Example of CRP-2 (Continued)

CRP-2 (12-02-19)											Page	of
<i>Items 21 through 24 (Continued from Page 2)</i>												
21. Tract No.	22. Current Field No.	23. Current Crop or Land Use	24. Crop Land Use Summary									
			A. Offered Acres	B. Crop History Eligible Acres	C. 2012	D. 2013	E. 2014	F. 2015	G. 2016	H. 2017		
<b>25. TOTALS ►</b>												

Date Printed:

333 Completing CRP-2 (Continued)

B Example of CRP-2 (Continued)

CRP-2 (12-02-19)

Page of

**NOTE:** *The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.*

**Paperwork Reduction Act (PRA) Statement:** *The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.*

*In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.*

*Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.*

*To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.*

Date Printed:



**334 Providing CRP-1 and CRP-1 Appendix**

**A Instructions to Producers**

Producers must be advised that:

- CRP-1 (Exhibit 21) is a binding contract; offers are irrevocable after the end of signup  
\* \* \*
- changes are not allowed on the preprinted portion of CRP-1 and CRP-1 Appendix
- any changes to the data entered on CRP-1 **must** be initialed and dated by both the employee making the change and the producer
- CRP-1 **must** be signed and dated by all required signatories. See paragraphs 335 and 340.

**B What to Give Producers Submitting Offers**

When the producer is ready to submit an offer, County Offices must provide the following to the producer:

- copy of CRP-2
- CRP-1 (Exhibit 21)
- copy of CRP-1 Appendix.

**335 Signature Requirements**

**A Required Signatures**

All owners, operators, and tenants who have an interest in the acreage being offered **must** sign CRP-1, including owners with zero share in CRP annual rental payments.

**\*--Exception:** Deceased participants must be removed from CRP-1 within 10 workdays of becoming aware of the death of the participant, regardless of whether the deceased participant is still listed as an owner on the deed, purchase contract, or other acceptable document that affirms ownership. See subparagraph 554 D for County Office actions required within 10 workdays of becoming aware of the death of a participant.--\*

Each person who signs CRP-1 for a share greater than zero:

- has entered into a 10- through 15-year binding agreement with CCC

**Exception:** See landlord and tenant provisions in paragraph 130.

- is jointly and severally liable for complying with terms and conditions of CRP-1.

**Note:** Zero-share participants are not jointly and severally responsible for CRP-1 performance.

The following shows forms and signature requirements.

Form	Signature Required
CRP-1 (Exhibit 21) Certification Statement (subparagraph 130 E) Conservation Plan	All operators, owners, and tenants who have an interest in the acreage being offered

**Notes:** See subparagraph C for exceptions on obtaining owners' signatures.

See 1-CM for accepting FAXed signatures.

**B Owners' Signatures**

An owner is required to sign CRP-1 unless a farm is under multiple ownership and the owner's name is not on the deed to the portion of land being offered on CRP-1.

**\*--Important:** Deceased owners must be removed from CRP-1 within 10 workdays of becoming aware of the death of the owner, regardless of whether the deceased owner is still listed as an owner on the deed, purchase contract, or other acceptable document that affirms ownership. See subparagraph 554 D for County Office actions required within 10 workdays of becoming aware of the death of a participant.--\*

**335 Signature Requirements (Continued)****C Requirement Exceptions**

The requirements for signatures apply unless:

- a trustee of BIA representing the native Americans owning the land signs on their behalf

**Note:** All CRP-1's signed by BIA representative on behalf of Native Americans owning the land must be reviewed by RA. COC or CED must not approve CRP-1 until RA determines that the required signatures have been obtained.

- a native American has a restrictive 5-year BIA farm lease that has been extended according to BIA provisions.

**Exception:** If the land has non-Native American owners who are unknown, CRP-1 may be approved without the non-Native American owners' signatures if the total non-Native American owner share is 25 percent or less.

See 10-CM for recording unknown owners or operators in MIDAS Farm Records.

**\*--D Policy on Evidence of Signature Authority**

For CRP-1, CRP-1R, CRP-2, CRP-2C, CRP-2G, CRP-2C30, CRP-817U, FSA-848A, and FSA-848B, acceptable evidence of authority for an individual to sign in a representative capacity must be on file at the time the person is signing the applicable document in a representative capacity. The County Office will not accept a signature of an individual acting in a representative capacity unless there is acceptable evidence of this authority on file in the County Office at the time the individual signs the applicable document. See 1-CM for acceptable evidence of signature authority.--\*

### 336 Submitting Offers After Signup Deadline

#### A Register of Offers

Registers are authorized for CRP signups according to 1-CM, paragraph 2. Producers placed on the register by COB on the final date for submitting offers must be:

- assisted as soon as possible after the final date for submitting offers
- considered to have submitted their offers on time.

#### B Late-Filed Offers

Only offers filed before the deadline for submitting offers are eligible.

Using CRP-36 (Exhibit 5), advise producers who submit offers after the deadline that late-filed offers are not eligible.

**Note:** Producers listed on the register are not considered late-filed offers.

All offers submitted by producers on a register must be completed and submitted in COLS within 1 week after the last day of the announced general CRP signup period to be ranked.

**337 Withdrawing and Modifying Offers****A Adjustments to Acreage Offered**

A measurement service must be completed for all acreage determined acceptable before CRP-1 is approved. See 2-CP for redeterminations.

**Exception:** See paragraph 401.

CRP-1 must be adjusted to reflect the measured acres. See paragraph 401.

A measurement service fee is required on offered acreage using digital imagery. See 2-CP, paragraph 927.

**Note:** See paragraph 401 for measurement service requirements for approving CRP-1's.

**B Withdrawing Offers**

Producers can withdraw offers any time before the close of signup. Withdrawals of a part of the acreage offered are not authorized after the end of the signup period. Withdrawn offers will not be assessed liquidated damages.

A request to withdraw a CRP offer must be:

- in writing
- filed in producer's folder
- accepted.

**C Identifying Withdrawn Offers**

Identify each offer withdrawn by entering the following on CRP-2:

- the word "Withdrawn" in bold, red letters
- the signature of the person authorizing withdrawal
- the date withdrawal is made.

When an offer is withdrawn before the close of signup, if requested, provide a new CRP-1 to producers for resubmitting an offer by the final signup date. See subparagraphs 332 E and 337 B.

**338 Succession to Offers****A General Policy**

Succession-in-interest rights do not apply to CRP offers to participate, except for:

- immediate family members of the producer that submitted the offer, according to subparagraph B
- a person, or entity, taking title to the land offered when the producer that submitted the offer dies.

**Note:** See subparagraph C.

All other applicable eligibility requirements will apply to the successor.

**Note:** See paragraph 554 for succession-in-interest to approved CRP-1.

**B Succession by an Immediate Family Member**

An immediate family member of the producer who submitted the offer may succeed to an acceptable offer, if all the following are met:

- producer that submitted the offer met all eligibility requirements
- successor signs CRP-2, item 26, acknowledging acceptance of offer as originally submitted

**Note:** No modifications to the original offer are authorized. Successor cannot modify or revise the original offer.

- immediate family member succeeding to the offer meets all other eligibility requirements before CRP-1 is approved.

\* \* \*

Immediate family members include parents, children, siblings, grandparents, adopted children, and spouse.

The succeeding family member does not need to meet the 12-month ownership or operatorship criteria.

**338 Succession to Offers (Continued)****C Succession When Producer Who Submitted Offer Dies**

Succession-in-interest rights apply to any acceptable CRP offer when the:

- producer who submitted the offer dies before CRP-1 approval
- person or entity taking title to the land elects to succeed to the offer.

The person or entity taking title to the land may succeed to an acceptable offer, if all of the following are met:

- producer that submitted the offer met all eligibility requirements
- successor signs CRP-2, item 26, acknowledging acceptance of offer as originally submitted

**Note:** No modifications to the original offer are authorized. Successor cannot modify or revise the original offer.

- successor meets all other eligibility requirements before CRP-1 is approved.

\* \* \*

The succeeding producer does not need to meet the 12-month ownership or operatorship criteria.

**D Notify Eligible Successors**

COC must notify eligible successors to offers that:

- they have 60 calendar days from the date of notification to succeed to the acceptable offer
- the offer will be null and void if it is not succeeded to by an eligible successor within 60 calendar days of notification
- no revisions or modifications, other than succession to the original offer, are authorized.

## 339 Errors and Omissions Policy

### A Identifying Erroneous Records

Erroneous offer records include:

- errors detected in ranking data elements
- changes to CRP-2 data elements:
  - including changes to offered acreage because of measurement service
  - resulting from appeal or technical redeterminations.

Any timely-filed offers found by County Offices to contain incorrect ranking data are considered erroneous. Changes in the CRP-2 data may result in any of the following:

- offer being ineligible
- EBI score increasing
- EBI score decreasing.

A change made to acres of a soil type may change the maximum payment rate or the EBI score and may require the offered rental rate to be adjusted by the producer.

### B Identifying Omitted Records

Omitted records include:

- any timely filed eligible general CRP signup offer not successfully loaded and/or submitted by COB on the last day of the announced general CRP signup period or COB 1 week after the last day of the announced general CRP signup where County Offices used a register
- timely-filed offers which were originally determined ineligible and not ranked that are determined eligible through the appeals process or any technical redeterminations.

**Important:** Late-filed offers are **not** omitted offers. Both CRP-1 and CRP-2 must be completed and signed by an eligible producer and received in the County Office by the end of signup to constitute an offer. CRP-1 or CRP-2 alone does **not** constitute an offer.

**Note:** See 1-APP for handling appeals.



## 339 Errors and Omissions Policy (Continued)

### C Policy About Errors and Omissions

All **eligible** offers that were omitted and all submitted offers that are later determined erroneous must be reprocessed by the County Office using the COLS software to determine whether the offer is acceptable. This includes all offers for which CRP-1 has **not** been approved, including those where the producers have been issued letters indicating the offer was acceptable. For errors detected after approving CRP-1, see paragraph 638.

**Important:** Only COLS software will be used by County Offices to process omitted and erroneous offers. See subparagraph D. County Offices must submit a copy of the “Offer Scenario” printed from the COLS Submit Offer Screen to the State Office to verify that the omitted or corrected offer was entered into the COLS software. Erroneous and omitted offers must be entered into the COLS software.

COC must reject any offer that is determined to be unacceptable, including offer records for which producers have been issued letters of acceptability. When offers are determined to be ineligible after CRP-1 has been approved, County Offices must follow paragraph 638.

\* \* \*

### D Handling Erroneous Offers With Decreases in Maximum Payment Rate

Certain erroneous offer data may cause a change and subsequent recalculation of the maximum payment rate. If the maximum payment rate (“Maximum Payment Rate” block in COLS) is decreased because of the recalculation, the producer must agree to accept the lesser of the following:

- recalculated maximum payment rate
- original rental rate offer.

**Note:** The producers may withdraw the offer without assessment of liquidated damages.

### E Handling Erroneous Offers With Increases in Maximum Payment Rate

If the maximum payment rate (“Maximum Payment Rate” block in COLS) is increased because of the recalculation, the producer must agree to the offered rental rate from the original CRP-2. If the producer does **not** agree to accept the offered rental rate from the original CRP-2, the producer may withdraw the offer without liquidated damages.

**340 Processing Offers****A Reviewing Offers**

COC or CED must ensure that:

- producers have submitted offers for CRP-1 by tract and year
- CRP-2 was signed by at least 1 eligible producer
- CRP-1 was signed by at least 1 eligible producer
- CRP-1 signers have an interest in designated acres

**Note:** Notify producers they have 30 calendar days from the date of notification informing them their offer was acceptable to obtain **all** signatures, or CRP-1 will not be approved.

- offers that are not acceptable are kept on file for 1 year after the acceptable offer list is received.

**B Submitting Offers for the National Office Ranking**

County Office must ensure all offers are submitted COB on the end of signup for review and evaluation by the National Office.

\*--See 4-CRP for submitting offers to the National Office for ranking.--\*

**C Request for Information**

After data is reported to the State Office, inform anyone who requests data that the request **must** be submitted in writing according to 2-INFO.

**Note:** Release requested information only according to 2-INFO.

## 341 Notifying Producers

### A Eligibility Review

COC or CED must:

- review the list of acceptable offers to ensure that all eligibility criteria have been met for all offers listed as **acceptable** by the National Office
- **not** approve CRP-1 if producer or the offered acreage does not meet eligibility criteria even though the offer is listed as acceptable by the National Office.

### B Offer Not Acceptable

If the offer is not acceptable, advise the producer that:

- offer was not acceptable
- eligible land may be reoffered in a later signup.

### C Procedure for Notifying Producers

COC or CED must notify producers, using CRP-23, CRP-24, and CRP-26 (Exhibit 5), of the status of their offer as soon as the list of acceptable offers is received and an eligibility review was conducted.

**Note:** Decisions issued through use of CRP-26 must include appeal rights to COC according to 1-APP.

Provide NRCS or TSP a list of acceptable offers.

**341 Notifying Producers (Continued)****D Offer Acceptable and Clearly Eligible**

If the offer is determined acceptable, advise the producer:

- to notify the County Office if the producer wants the offer approved

**Note:** The producer's notification to the County Office is not required to be in writing. The County Office must notate the producer's notification and include the notation in the producer's CRP folder.

- that a conservation plan **must** be developed by NRCS or TSP \* \* \* before CRP-1 can be approved by COC or CED

**Note:** County Offices must provide to NRCS or TSP all documents necessary to complete the conservation plan, including, but not limited to the following:

- CRP-1
  - CRP-2
  - TERRA scenario
  - geospatial data
  - maps.
- of provisions for starting practices. See Part 11.

**342-365 (Reserved)**

**Part 11 Conservation Plans and Contract Support Documents****366 Developing Approved Conservation Plan****A Conservation Plan**

A conservation plan is a record of the producer's decisions and supporting information for the treatment of a unit of land or water as a result of the planning process that meets NRCS FOTG planning criteria for each natural resource and addresses economic and social considerations. The plan describes the schedule of operations and activities required to solve identified natural resource concerns.

**B Original Plan Development**

An approved conservation plan is required before CRP-1 can be approved. NRCS or TSP **must** complete a field visit, before approving a conservation plan.

County Offices must provide to NRCS or TSP all documents necessary to complete the conservation plan, including, but not limited to the following:

- CRP-1
- CRP-2
- TERRA scenario
- geospatial data/maps
- location and any other relevant geospatial data/maps.

The approved conservation plan must be developed by:

- the participant
- NRCS or TSP.

NRCS or TSP is responsible for the following conservation planning, practice implementation, and certification activities:

- environmental evaluation during the conservation planning process
- technical leadership for planning and implementation
- technical concurrence on the conservation plans and revisions
- adherence to subparagraph 367 F about compliance with NEPA, NHPA, ESA, and related laws, regulations, and executive orders.

366 Developing Approved Conservation Plan (Continued)

**B Original Plan Development (Continued)**

\*--The Conservation District may sign the conservation plan per NRCS and Conservation District policy as specified under mutual, cooperative working, operational, and contribution agreements and according to the confidentiality provisions of Section 1619 of the Food, Conservation, and Energy Act of 2008.--\*

NRCS or TSP must ensure that the approved conservation plan:

- contains all the practices necessary for the successful establishment and maintenance of the vegetative cover on all of the acres offered for CRP
- is technically adequate for achieving CRP objectives
- incorporates all requirements for Federal, State, or local permits or other permissions necessary to perform and maintain practices as provided by NRCS on NRCS-CPA-52, Section G
- \*--ensures that the CRP cover will not be disturbed during PNS--\*

**Note:** See paragraph 427.

\* \* \*

## 366 Developing Approved Conservation Plan (Continued)

**B Original Plan Development (Continued)**

- for CP22 when the producer elects natural regeneration, provides **all** of the following:
  - **no** C/S will be paid for the practice

**Exceptions:** See Exhibit 11.

- the producer will plant the approved cover at no cost to FSA or CCC according to a revised conservation plan if the riparian buffer is not established through natural regeneration within 2 years of CRP-1 effective date
- conservation practice code 647, Early Successional Habitat Development/ Management, is used to identify natural regeneration
- NRCS or TSP must conduct a status review of the site at the end of the second year to determine whether the riparian buffer is established **and** meets the standards and specifications for NRCS conservation practice code 391A, Riparian Forest Buffer.

**Note:** NRCS or TSP **must** immediately notify COC or CED:

- of the result of the status review
- that the participant **must** plant the approved cover with no C/S according to a revised conservation plan, if applicable.

**Note:** COC or CED **must** notify participant of the results of the status review.

**366 Developing Approved Conservation Plan (Continued)****C Application of Practices**

The approved conservation plan must include measures necessary for the successful establishment and maintenance of the approved practices and required management activities. This applies regardless of eligibility for C/S funds.

National practice CP12 may be included in the approved conservation plan only to enhance certain other practices included in the approved conservation plan if the:

- producer wants to establish a wildlife habitat
- area is suited for the successful establishment of the practice.

**Note:** See Exhibit 11 for practices eligible to be used in conjunction with CP12.

**D Practice Performance Requiring Permits**

Participants who want to perform practices on land they do not own or to install practices that require State or Federal permits are responsible for obtaining permits or other permissions necessary to perform and maintain practices, as provided by NRCS on NRCS-CPA-52, Section G before the cover establishment.

The person receiving C/S assistance is responsible to CCC for any losses sustained by the Federal Government if the person:

- infringes on the rights of others
- does not comply with applicable laws and regulations.



**367 Conservation Planning****A Conservation Plan Development**

Upon notification that the offer is acceptable, the designated NRCS conservationist will work with the producer to develop a conservation plan. The designated conservationist will also coordinate with the appropriate agencies relating to the planning and installation of wildlife habitat and forestry practices.

**B Plan Requirements**

An approved conservation plan:

- includes all of the eligible acres offered for CRP
- may provide for haying and grazing if permitted
- has suitable planned cover for the soil types enrolled
- includes practices required for the establishment of permanent cover
- for natural regeneration of CP22, CP22B, or CP22S; see subparagraph 366 B
- contains the practices necessary for the successful establishment and maintenance of the approved cover on all acres enrolled
- contains practices necessary to control weeds, insects, and pests
- contains the best method for maintenance of the approved cover, such as prescribed burning or other options
- contains required management activities
- is technically adequate for achieving CRP objectives
- meets the specific environmental objectives of CPA, if applicable

## 367 Conservation Planning (Continued)

### B Plan Requirements (Continued)

- \*--ensures that the CRP cover will not be disturbed during the PNS--\*

**Note:** See paragraph 427.

- ensures NEPA and other requirements have been met; see subparagraph F
- includes engineering plans.

**CED or COC before approving CRP-1 will review and approve the plan if all requirements are met including signature requirements found in paragraph 368. The \*--plan must be rejected if these requirements are not met.--\***

### C Conservation Plan Map

The conservation plan map must include the field number, field boundaries, easements, and acres, as identified by FSA. The land use must be identified as “Cropland-CRP-Conservation Practice Number.”

### D Additional Material to Include in the Conservation Plan

In addition to the material outlined in the National Planning Procedures Handbook, the \*--conservation plan must include information or job sheets/implementation requirements on--\* the following:

- vegetative or cover establishment
- herbicides, insecticide, or mechanical weed control.
- required management activities
- engineering plans.

### E Planning Policy

Technical references and conservation planning policy include:

- National Planning Procedures Handbook
- National Food Security Act Manual
- General Manual 180, Part 409 – Conservation Planning Policy
- General Manual 190, Part 410 – Compliance with NEPA
- Field Office Technical Guides – Technical criteria.

367 Conservation Planning (Continued)

**F National Environmental Policy Act and Other Requirements**

NEPA, NHPA, ESA, and other related laws, regulations, and executive orders require Federal agencies to consider the potential impacts of their proposed actions upon the human environment. Therefore, **before** approving CRP-1's, land applications of animal waste, or construction of wind-powered generation devices, FSA **must** ensure that **all** potential impacts to the human environment have been considered according to 1-EQ, 7 CFR Part 799, and GM 190 Part 410, and adhere to the following.

Item for Approval	Criteria
CRP-1	<p>FSA:</p> <ul style="list-style-type: none"> <li>• must complete NRCS-CPA-52, as prepared by NRCS or TSP during the conservation planning process, to determine potential impacts of the proposed CRP-1 and associated CP's on the human environment</li> <li>• approval official will ensure that <b>all</b> appropriate environmental requirements have been met, which should include the following:               <ul style="list-style-type: none"> <li>• after the field visit portion, NRCS completes, Sections A-P of the NRCS-CPA-52</li> <li>• FSA receives from NRCS and/or producer, any related documentation, including permits, or other permissions necessary to perform and maintain practices, as provided by NRCS on NRCS-CPA-52, Section G to support conclusions made about potential impacts on environmental resources and special issues identified in the completed NRCS-CPA-52</li> <li>• FSA completes NRCS-CPA-52, Sections Q, R, and S <b>only after</b> completing all necessary consultations with SHPO, THPO, American Indian Tribes, other consulting parties concerned with cultural resources, FWS, and NOAA Fisheries.</li> </ul> </li> </ul> <p><b>Note:</b> For proposed actions that occur within wetlands or floodplains, see 1-EQ for guidance.</p>

367 Conservation Planning (Continued)

F National Environmental Policy Act and Other Requirements (Continued)

Item for Approval	Criteria
Land Application of Animal Waste, Sludge, or Agricultural By-Product	<p>Before COC or CED approves the application of animal waste, sludge, or agricultural by-product, FSA must:</p> <ul style="list-style-type: none"> <li>• *--request NRCS update the conservation plan and NRCS-CPA-52.--* FSA then completes the NRCS-CPA-52 process and proceeds with processing producer’s request</li> <li>• include with appropriate supporting documentation and consultation records as part of the producer’s CRP file.</li> </ul> <p><b>Note:</b> See paragraph 635.</p>
Construction of Wind Turbines	<p>*--Request NRCS update the conservation plan and NRCS-CPA-52.--* FSA then completes the NRCS-CPA-52 process and proceeds with processing producer’s request.</p> <p>FSA must ensure that turbines are sited using USFWS land-based wind energy guidelines. See paragraph 639.</p>

G Other Technical Assistance Sources

Participants may use conservation planning, practice implementation, and certification services of certified persons other than NRCS, such as:

- private businesses or consultants
- other organizations
- TSP’s
- Federal, State, and local government agencies, such as:
  - State wildlife agencies
  - State forestry agencies
  - State water quality agencies.

**Note:** See 440 Programs Manual, Part 504 Technical Provider Assistance for information regarding third party vendors.

The NRCS designated conservationist may accept conservation plans previously developed by conservation partners or consultants provided the plan meets CRP requirements and NRCS technical requirements.

## 367 Conservation Planning (Continued)

### H Technical Error

If a technical error is discovered resulting in an incorrect conservation plan, NRCS or TSP will:

- immediately contact the appropriate participant
- revise the plan to meet practice standards.

## 368 NRCS Conservation C/S Agreement

### A Conservation Plan and C/S Agreement

For CRP, the conservation plan must be developed to meet identified resource conservation needs. The conservation plan may or may not extend across program boundaries.

The C/S agreement is developed to meet specific program needs. For CRP, the C/S agreement is the conservation plan.

### B Use of Existing Plans

Existing conservation plans, if applicable, may be used in preparing the conservation plan for CRP. NRCS, FSA, and the producer must each receive a copy of the conservation plan. All entries will be legible and use NRCS-approved electronic forms. Plans must also include:

- conservation planning map and legend
- \*--applicable job sheets/implementation requirements referred to on an NRCS-approved--\* electronic form.

### C Required Signatures for Conservation Plan

For CRP, NRCS-approved electronic forms **must** be signed by all of the following:

- CRP producers listed on CRP-1
- designated conservationist.

\* \* \*

See paragraph 366 for:

- requirements before COC or CED approves the conservation plan
- \*--signature by the Conservation District representative.--\*

FSA COC or CED must have concurrence with the Contract Support Document for CRP acreage. \* \* \*

## 369 Assembling and Filing CRP Documents

### A Overview

County FSA Offices must:

- maintain the original CRP-1, CRP-1 Appendix, and CRP-2, CRP-2C, and CRP-2G
- provide NRCS with a copy of any documents needed for NRCS CRP case files.

Historically, CRP documents have been contained in a 6-part folder. The following subparagraphs provide suggestions for assembling and filing CRP documents.

### B Standard File Folder

If a standard file folder is used, the arrangement of the contents of the first cover should be:

- FSA producer map
- NRCS-approved forms (CPA-1155 or CPA-1156)
- conservation plan map and legend
- job sheets referenced in the conservation plan
- cost estimates
- tree planting plan, if applicable
- engineering plans, if applicable
- soil map.

The contents of the second cover should be:

- CRP-1
- FSA-848A and/or FSA-848B
- CRP-2
- 505/517
- other support documentation and letters.

**Note:** Each document should be filed with the latest version in front.

**369 Assembling and Filing CRP Documents (Continued)****C First Cover of 6-Part Folder**

If a 6-part folder is used, the following arrangement is specified for continuity and uniformity. The arrangement of the documents for each cover from front to back should be:

- current conservation plan map
- NRCS-approved forms (CPA-1155 or CPA-1156)
- job sheets referenced in the conservation plan
- tree planting plan, if applicable
- engineering plan, if applicable
- NRCS-CPA-52
- Suitability and Feasibility Worksheet, if applicable.

**D Second Cover of 6-Part Folder**

The following is the order for the second cover:

- CRP-1
- CRP-2
- TERRA scenario/enrollment information
- location map
- landlord/tenant statement, if applicable
- 505/517, if applicable
- other supporting documentation and letters
- CRP-1 Appendix.

**E Third Cover of 6-Part Folder**

The following is the order for the third cover:

- FSA-848A
- FSA-848B
- all C/S receipts
- documentation
- payment information.

**369 Assembling and Filing CRP Documents (Continued)****F Fourth Cover of 6-Part Folder**

The following is the order for the fourth cover.

- status review
- con 6 notes
- FSA spot checks.

**G Fifth Cover of 6-Part Folder**

The following is the order for the fifth cover:

- payment
- \* \* \*
- SIP payment records, if applicable
- PIP payment records, if applicable.

**H Sixth Cover of 6-Part Folder**

The following is the order of the sixth cover:

- correspondence with producer/running record
- 770 checklists
- other checklist used in the State.

**I Assistance Notes**

Appropriate documentation will be included in the conservation assistance notes in the FOCS database. Do not duplicate this information on CPA-6.

**J Disposition of Completed or Terminated CRP-1's**

Record the termination or expiration date on each CRP-1. NRCS must follow the Records Management Guide (120 GM, Part 408) for records maintenance and disposal.

**370-400 (Reserved)**



## Part 12 Approving CRP-1's

## 401 Approving and Numbering CRP-1's

## A Requirements Before Approval

Before approving CRP-1's, County Offices must:

- ensure that a separate CRP-1 is completed for:
    - each CRP-2 or CRP-2C
    - practices with different CRP-1 periods
- Note:** See paragraphs 211 and 332.
- determine acres to be enrolled by completing a paid-for measurement service

**Exceptions:** Measurement service is not required for:

- official fields
- any acreage currently enrolled that has been reoffered and accepted, if the specific area accepted was measured before enrollment.

**Notes:** In early signup periods, offers were accepted by farm. Offers are now required to be by tract. If acreage currently enrolled were required to be reoffered separately because the acreage is located on more than 1 tract, the acreage is required to be measured.

The use of TERRA is considered a measurement service. No measurement service fee is charged for the use of TERRA. If staking and referencing or in office measurement, other than TERRA, is performed, see 2-CP, paragraph 927 for fees.

- adjust the acreage on CRP-1 as appropriate according to the completed measurement service
- ensure that base acres and CRP acres do not exceed effective DCP cropland on the farm, according to subparagraph B
- complete approved farm reconstitutions

## 401 Approving and Numbering CRP-1's (Continued)

## A Requirements Before Approval (Continued)

- review NRCS-CPA-52, Section G, to determine whether the producer is required to obtain any permits or other permissions necessary to perform and maintain practices, and if FSA needs to complete consultations
- complete a second party review of all eligibility requirements and maximum payment rate calculations
- ensure that CCC-526, CCC-931, CCC-933, or CCC-941 as applicable, has been filed for all producers with a share greater than zero, including members of entities and joint operations, and updated in the web-based Subsidiary Eligibility System before CRP-1 approval

**Notes:** CCC-941 **must** be filed to ensure that CRP participants are aware of payment eligibility for new CRP-1's or revised CRP-1's where there is a succession. This does **not** require that a prospective CRP participant be eligible for payments, **only** that CCC-941 be filed.

If a zero share producer revises their share, the appropriate AGI form is required. See paragraph 131.

- review the multiple county producer list with other County Offices
- ensure county cropland limit eligibility according to Part 4

**Note:** The first five CREP offers per county **must** be reviewed by STC before COC or CED approval.

- determine the total annual rental rate for the acreage being offered and all previously approved CRP-1's
- ensure that NRCS has terminated all applicable WBP agreements.

**Note:** File a copy of the terminated WBP agreement in the producer's CRP folder.

**401 Approving and Numbering CRP-1's (Continued)****A Requirements Before Approval (Continued)**

For general CRP signups, a producer may change CRP practices only if all of the following conditions are met:

- original offer was accepted
- CRP-1 has not been approved
- the EBI score of the new practice is equal to or greater than the EBI score of the existing practice.

**Important:** When determining whether the EBI score of the new practice or practices is equal to or greater than the EBI score of the original practice or practices, COC or CED **must** use the same EBI criteria that was used for the original offer. See CRP-2 for EBI score.

For continuous CRP signup, a producer may change practices if CRP-1 has not been approved.

**B Approving CRP-1's**

Approve CRP-1's if:

- offer is included on the list of acceptable offers

**Note:** This is not applicable to continuous CRP signup CRP-1's.

- for continuous CRP signup CRP-1's, all applicable requirements according to paragraph 181 have been met
- all required signatures have been obtained on all related CRP forms and plans
- a conservation plan is approved for the acreage
- required permits or other permissions necessary to perform and maintain practices provided by NRCS on the NRCS-CPA-52, Section G, have been obtained by the producer and a copy provided to the County Office

## 401 Approving and Numbering CRP-1's (Continued)

**B Approving CRP-1's (Continued)**

- the current CCC-931, CCC-933, or CCC-941 as applicable, has been filed for all producers with a share greater than zero and updated in the web-based Subsidiary Eligibility System
- the conservation plan is consistent with policies in paragraph 366
- base acres and CRP acres do not exceed the DCP cropland on the farm.

If the total base acres, plus CRP acres (excluding any marginal pastureland, such as CRP grasslands noncropland acres) based on the effective date of CRP-1's, exceeds DCP cropland for the farm, the producer must designate which of the following to reduce:

- CRP acres being offered
- base acres.

**Important:** Reductions must be completed according to 10-CM. Land transitioned under TIP CRP-1R is not subject to DCP base reduction.

**Notes:** Reduction of CRP acres offered must be completed before the end of the applicable signup period.

The reduction of applicable acres must be to the extent the total CRP and DCP cropland acreage does not exceed the cropland for the farm.

Acreage enrolled in an approved CRP-1 cannot be reduced.

County Offices must calculate the number of acres on a farm that may be enrolled in CRP without requiring a reduction to DCP base acres at the time the producer submits CRP-2, CRP-2C and CRP-2G, if applicable \* \* \*. See 10-CM.

## 401 Approving and Numbering CRP-1's (Continued)

**B Approving CRP-1's (Continued)**

When the producer determines to reduce base acres on a farm because of enrollment into CRP, the producer **must** complete CCC-505 according to 1-ARCPLC at the time the acres are being offered for CRP.

**Note:** Some producers may elect to modify the number of acres to be offered for CRP instead of reducing base acres on the farm.

Reduce base acres and complete CCC-505 according to 1-ARCPLC.

- acreage determinations have been made and verified by a measurement service

**Exceptions:** Measurement service is not required for:

- official fields
- any acreage currently enrolled that has been reoffered and accepted, if the area accepted was measured before enrollment.

**Notes:** In early signup periods, offers were accepted by farm. Offers are now required to be by tract. If acreage currently enrolled were required to be reoffered separately because the acreage is located on more than 1 tract, the acreage is required to be measured.

The use of TERRA is considered a measurement service. No measurement service fee is charged for the use of TERRA. If staking and referencing or in office measurement, other than TERRA, is performed, see 2-CP, paragraph 927 for fees.

- all acreage eligibility determinations have been made.

401 Approving and Numbering CRP-1's (Continued)

**C COC Responsibilities**

COC or CED must:

- sign and date each eligible CRP-1 if:
  - listed as an acceptable offer
- requirements in this paragraph have been met
- not approve CRP-1's for persons listed in subparagraph D
- follow conflict of interest provisions in 22-PM, Part 9.

**Note:** This is not applicable to continuous CRP signup CRP-1's.

**D Approval Responsibilities**

An STC or DAFP representative must review certain CRP-1's before approval. The following shows required reviews, persons responsible for review, and persons responsible for approval or disapproval.

<b>CRP-1's for...</b>	<b>MUST be reviewed by...</b>	<b>BEFORE approval or disapproval by...</b>
<ul style="list-style-type: none"> <li>• COC members</li> <li>• County ES employees</li> <li>• FSA County Office employees</li> <li>• other County USDA employees</li> <li>• Conservation District board members</li> </ul>	DD	DD.
State Office employees	STC	STC.
STC members	DAFP	SED.
SED's	DAFP	STC.
Other FSA employees	DAFP	STC.

**Note:** Reviews **must** be completed for any entity for which the employees, who are subject to a required review, have a substantial beneficial interest, according to 1-PL, 4-PL, or 5-PL, as applicable.

**401 Approving and Numbering CRP-1's (Continued)**

**D Approval Responsibilities (Continued)**

Persons making the required reviews must ensure that all:

- eligibility requirements are met
- required entries on CRP-1, CRP-2, and CRP-2C are completed.

SED or STC, as applicable, must not approve CRP-1's unless authorized by DAFP in writing.

**E County Office Action**

After requirements in subparagraphs A through C have been met, notify producer of approval using CRP-24 (Exhibit 5).

**402 CRP-1 Period****A Length of Time**

The CRP-1 period must be 10 through 15 FY's. See Exhibit 32 for CRP-1 effective dates and corresponding expiration dates.

**B Example of 10-Year CRP-1**

CRP-1 period for FY 2019 CRP-1's will end on September 30, 2028.

See Exhibit 20 for signup periods and program years.

**C Effective Date**

For general CRP signup 54, the effective date of CRP-1 must be October 1, 2020, for any of the following:

- new land
- land that is currently enrolled in CRP at the time of signup that expires on September 30, 2020, and is re-enrolled during signup 54
- all or a portion of land that expired from a CRP contract on September 30, 2017, September 30, 2018, or September 30, 2019, that meets the land eligibility criteria for expiring CRP according to subparagraph 151 B, and is re-enrolled during general CRP signup 54.

**Notes:** Harvest of the prior year's agricultural commodity crop is permitted after October 1 without a payment reduction.

For acreage not enrolled in CRP at the time of signup, grazing is prohibited beginning, the later of, for acreage with a CRP-1 effective date of October 1:

- 10 calendar days after COC or CED approves CRP-1
- October 1 of the first year of CRP-1.

COC must notify producers of this policy.

See paragraph 213 for effective dates and grazing restrictions of CRP-1's approved under continuous CRP signup provisions.

**403-425 (Reserved)**



## Part 13 Establishing and Maintaining Practices

### 426 Establishing Approved Cover

#### A Establishing Required Cover on CRP-1

CRP participants must agree to establish and maintain approved practices according to the conservation plan of operations.

**Use of hand-collected seed is not authorized for CRP. COC or CED must not approve CRP-1 when hand-collected seed was or will be used to establish the cover.**

**Exception:** If verification of PLS factor, germination, and seed quality is provided, hand-collected seed may be used to establish the CRP cover.

**Note:** See subparagraph 490 D.

Practices included in the CRP conservation plan **must** cost-effectively achieve a reduction in soil erosion to maintain:

- the productive capacity of the soil
- water quality improvements
- wetland or wildlife protection
- reduced airborne wind particulate matter
- public wellhead protection
- environmental benefit achievements.

NRCS or TSP will encourage the participant to:

- where appropriate, plant perennial seeding and planting mixes that achieve the highest environmental benefits for each CRP practice
- where practical, as determined by NRCS or TSP, use State-certified seed for CRP

**Note:** However, common seeds, especially for natives, may be used when certified seed is **not** available.

- where appropriate, avoid the use of single, introduced species
- use native legumes, forbs, shrubs, and plant mixes
- ensure that the approved seeding mix does not include weed species, including noxious weed species.

## 426 Establishing Approved Cover (Continued)

## A Establishing Required Cover on CRP-1 (Continued)

**COC or CED, must only** agree to conservation plans or approve CRP-1's that do **not** include C/S for:

- hand-collected seed, except when verification of PLS factor, germination, and seed quality is provided
- practices tailored to specifically enhance or change the commercial production

**Exception:** Haying or grazing of grasses or harvesting forest products from CP3 and CP3A when CRP-1 expires.

- purchasing and establishing species of grasses, legumes, trees, and other vegetative cover that are not adaptable to the area without excessive cost to establish the cover
- providing any plastic mulch or supplemental irrigation water, except where CP5, CP5A, CP16, CP16A, CP17, CP17A, CP22, CP22B, CP22S, and CP25 will be established in areas where the average annual precipitation is 25 inches or less.

NRCS or TSP, within 2 years of certifying completion of the practice, will conduct a status review to determine whether the approved permanent cover is fully established, as

\*--determined by NRCS or TSP. COC or CED in consultation with NRCS or TSP, may--\* allow participants to spray and mow the acreage under CRP-1 at any time, if this activity is required in the conservation plan to establish the approved cover.

**Note:** This includes mowing and clipping of a nurse crop that was used to establish the approved cover.

## 426 Establishing Approved Cover (Continued)

### B When to Start CRP Practice

Producers will be advised that:

- approved CRP practices may be started:
    - after submitting the offer to the County Office
- Note:** Starting a practice before final approval of CRP-1 is at the producer's own risk.
- when notified that CRP-1 has been approved
  - where practicable, as determined by NRCS or TSP, State-certified seed must be used for CRP

**Note:** However, common seeds, especially for natives, may be used when certified seed is not available.

- C/S payments are ineligible if:
  - offer is not accepted
  - designated acres are ineligible
  - practice does not meet specifications
  - practice is not included in the approved conservation plan.

**Note:** See paragraph 429 for C/S when modifying approved conservation plan.

### C Permanent Covers

The approved conservation plan **must** include the establishment of a permanent vegetative cover:

- according to the planting timespan requirement in Exhibit 11
- before the presence of an erosion problem.

The participant is eligible to receive C/S assistance after CRP-1 is approved and the approved cover is seeded, or for approved water cover the required establishment activities, such as earth moving and blocking drains, have been completed.

## 426 Establishing Approved Cover (Continued)

## C Permanent Covers (Continued)

Approved permanent cover is required to be seeded within 12 months after the CRP-1 effective date, according to Exhibit 11. However, NRCS or TSP, in consultation with COC or CED, may, in developing the conservation plan, permit up to an additional 12 months, not to exceed 24 continuous months, to seed or install the approved permanent cover if any of the following apply:

- the specific site conditions require additional time to seed the approved cover to not adversely impact the natural resources of the site or surrounding areas
- the approved grass seed, grass mixture, trees, or shrubs are not available
- seed costs will create an economic hardship on the participant.

**Example:** Jane Smith's signup 52 CRP-1 for 100 acres was approved with an effective date of October 1, 2019. The approved permanent cover is required to be seeded by October 1, 2020, according to Exhibit 11. The next normal planting date for the approved permanent cover begins in May 2020 and ends in June 2020. Because of the specific site conditions, planting the entire 100 acres to the approved permanent cover at 1 time would cause severe erosion on the acreage enrolled and cause similar adverse impacts on the surrounding fields. NRCS, in consultation with COC or CED, may, in developing the conservation plan, provide Ms. Smith an additional 12 months (to October 1, 2021) to seed the approved permanent cover on a portion of the field to reduce the adverse environmental impacts to the site. An approved temporary cover, if needed, **must** be seeded on the acreage not planted to the approved permanent cover according to the conservation plan.

**Notes:** Determinations to permit an additional 12 months to seed the approved permanent cover must be:

- made on a case-by-case basis
- recorded in the conservation plan.

Up to 3 years may be permitted for certain hardwood tree plantings. See Exhibit 11.

## 426 Establishing Approved Cover (Continued)

**D Additional Months to Establish Permanent Covers Authorized**

After the conservation plan is approved, COC or CED may approve a revised plan, signed pen and ink changes by the participant, to allow up to 2 additional 12-month extensions of time to seed or install the approved permanent cover if COC or CED determines that any of the following applies:

- the approved grass seed, grass mixture, trees, or shrubs are not available
- seed costs will create an adverse economic hardship on the participant
- the producer has been prevented from timely seeding the approved permanent cover because of adverse weather conditions.

**\*--Important:** Indicating the reason for an additional 12 months is because of “adverse weather” with no documentation is not sufficient. The adverse weather must be thoroughly documented in the COC minutes, including but not limited to, all of the following:

- detailed description of adverse weather
- date and duration of adverse weather
- how it prevented the approved permanent cover from being seeded and why an additional 12 months is needed to seed the approved permanent cover.--\*

**Note:** See paragraph 429 for modifying approved conservation plans.

\* \* \*

\* \* \* In **no** case will COC, CED, or STC approve a revised conservation plan for more than a total of 36 months, original 12-month plan, plus up to 2 additional 12-month extensions, to seed the approved permanent cover. CRP-1’s that do not have the approved permanent cover seeded in 36 months of the effective date must be terminated. Terminate according to paragraph 573.

Meritorious requests for authority to continue CRP-1, on which the approved permanent cover has not been seeded within 36 months of the effective date of CRP-1, may only be approved by DAFP. COC and STC may submit requests to DAFP, only if both COC or CED and STC determine the request is justified based on documented and verifiable facts of the individual case. All cases submitted to DAFP must include the following:

- complete explanation of how such a CRP-1 will be able to achieve the environmental benefits for which it was scored on EBI and accepted for enrollment in CRP
- submit a complete case file according to subparagraph 5 C.

## 426 Establishing Approved Cover (Continued)

**D Additional Months to Establish Permanent Covers Authorized (Continued)**

\*--COC must document extensions of time to seed or install the approved permanent cover in the COC minutes and, at a minimum, include the following:

- participant name
- farm number
- agreement number from FSA-848
- practice
- detailed description of reason for extension.

The County Office will record all COC- or CED-approved extensions in CSS within 5 workdays of approval of the extension of time to seed or install the approved permanent cover.

COC or CED will notify the participant in writing within 5 workdays of COC or CED determination. If an extension is authorized, COC or CED will also notify the participant of the extended deadline.--\*

**E Temporary Covers**

If the approved cover cannot be seeded within 12 months of the effective date of CRP-1, a suitable temporary cover must be seeded according to the conservation plan. C/S for temporary cover, if needed, is authorized when COC or CED determines, based on recommendation of NRCS or TSP that the seeding of the approved permanent cover should be delayed.

**Note:** Temporary cover must be established at the participant's own expense if C/S was declined by the participant when the offer was submitted.

Viable native or introduced grass species that are currently adequately controlling erosion may be adequate temporary cover.

**Note:** Weeds, crop residue (unless adequate for erosion control), etc. are not acceptable as a temporary cover under any circumstance.

## 427 Maintaining Approved Cover

### A Practice Maintenance

Cover maintenance is the participant's responsibility after NRCS or TSP completes a status review to determine that the approved permanent cover is fully established. Participants must maintain practices, according to the conservation plan and this paragraph, without additional C/S assistance. The maximum payment rate calculation considers the cost of certain maintenance, if applicable, for the participant throughout the CRP-1 period.

NRCS or TSP must work with participants to plan appropriate maintenance practices, such as mowing, spraying, or prescribed burning in a logical and practical manner. All practices necessary for the successful establishment and maintenance of the approved permanent cover must be included in the conservation plan and agreed to by the participant. Maintenance practices must meet CRP and participant objectives. NRCS or TSP, in consultation with COC or CED, must determine when maintenance practices can be rescheduled. For CRP-1's where maintenance was not scheduled, the conservation plan will be modified to include appropriate maintenance.

Except as provided in paragraph 491, participants **must** ensure:

- that adequate approved vegetative cover is maintained to control erosion for the CRP-1 period
- compliance with State noxious weed laws, if applicable, as determined by the State or local noxious weed commission

**Note:** Neither STC nor COC or CED has the authority to determine whether a CRP participant has failed to comply with State noxious weed laws. Upon a finding of failure to comply with State noxious weed laws, by the appropriate authority, STC and COC must assess appropriate payment reductions or terminate CRP-1, as applicable, according to paragraph 571.

- control of other weeds that are not considered noxious, as determined by COC or CED, for CRP-1's entered into after November 28, 1990
- that undesirable vegetation, weeds (including noxious weeds), insects, rodents, etc., that pose a threat to existing cover or adversely impact other landowners in the area are controlled

## 427 Maintaining Approved Cover (Continued)

## A Practice Maintenance (Continued)

- after NRCS or TSP conduct a status review to determine that the approved permanent cover is fully established, all CRP maintenance activity, such as mowing, burning, and spraying, is conducted outside PNS for wildlife and according to the conservation plan, except that spot treatment of the acreage may be allowed during PNS if **all** of the following are met:
  - if untreated, the weeds, insects, or undesirable species would adversely impact the approved cover
  - COC or CED, in consultation with NRCS or TSP, determines such activity is needed to maintain the approved cover

**Note:** CRP participants must receive COC or CED approval before beginning spot treatment of acreage.

- the spot treatment is limited to the affected areas of the field.

**Note:** For purposes of maintenance activity, determination by NRCS or TSP that the approved permanent cover is fully established will be considered the end of the maintenance period. See subparagraph 601 B.

When spot treatment is determined necessary, COC or CED must approve a method that results in the least damage to the nesting wildlife and habitat.

**Note:** Spot treatment includes spot spraying and spot mowing, and is limited to the immediate area of infestation.

Periodic mowing and mowing for cosmetic purposes is prohibited at all times, even if this activity is included in the conservation plan.

Annual mowing of CRP for generic weed control is prohibited.

**\*--Note:** Outside of PNS, occasional mowing for control of weeds, insects, or pests is--\* permissible if included in the conservation plan.



**427 Maintaining Approved Cover (Continued)****A Practice Maintenance (Continued)**

Participants are responsible for fire management on CRP acreage. Where appropriate, firebreaks must be:

- included in the conservation plan support document
- installed according to NRCS Firebreak Standard 394.

Barren firebreaks will only be allowed in high risk areas, such as transportation corridors, rural communities, and adjacent farmsteads. The designated conservationist must document in the contract support document that there will not be an erosion hazard from the barren firebreak. If erosion becomes a problem, remedial action must be taken.

**B Conservation Practices**

Except for Christmas trees and ornamentals, CRP participants may establish other non-CRP conservation practices, including alternative perennials, without C/S. The establishment of these practices will be:

- within existing policy to comply with conservation compliance provisions
- at the participant's own expense
- included in the approved conservation plan
- approved by the Conservation District
- subject to COC or CED approval.

## 428 Managing Approved Cover

### A Required Management

All CRP participants with CRP-1's effective beginning June 3, 2019, are required to perform at least 1 required management activity, if determined necessary in the approved conservation plan. This management activity must be designed to ensure plant diversity and wildlife benefits while ensuring protection of the soil and water resources. Management activities are site specific and are used to enhance the wildlife benefits for the site. Management activities **must** be completed before the end of year 6 for CRP-1's with a 10-year CRP-1 period, or before the end of year 9 for CRP-1's with a 15-year CRP-1 period.

**Exceptions:** A management activity is not required in the case where a natural disaster or adverse weather event occurs that has the same effect of the planned management activity.

**Management activities are not required for CP88.**

In no case should the 1 required management activity occur during the last 3 years of the CRP-1 period. However, additional management activities may occur up to year:

- 8 for 10-year CRP-1's
- 13 for 15-year CRP-1's.

Thinning may be used as a management activity in any year provided no C/S is paid.

\*--Grazing may be used as a management activity on all CRP conservation practices outside the primary nesting season as long as the grazing will not cause any long-term damage to the conservation cover. Grazing, if selected by the CRP participant, must be included in the conservation plan and designed to ensure plant diversity and wildlife benefits without damaging the cover. Cost-share is not authorized for grazing as a management activity. Modified conservation plans are required to add grazing as a management activity.

Grazing as a management activity:

- must follow the NRCS/TSP conservation plan and occur for up to 90 consecutive days or a total of 90 days before and after the end of PNS
- can only be used once during a 10-year contract and twice during a 15-year contract
- is not subject to the nonemergency grazing frequency restrictions, however, it does restart the waiting period for nonemergency grazing

**Example:** CRP participant Dana used nonemergency grazing in 2020. Dana could schedule grazing as a management activity in 2021 but would have to wait until 2023 to use nonemergency grazing again. Grazing as a management activity resets the clock for nonemergency haying and grazing.--\*

## 428 Managing Approved Cover (Continued)

### A Required Management (Continued)

- \*--is not subject to a payment reduction
- is only available outside the PNS
- is available for all CRP contracts in all States and counties, excluding those contracts for land enrolled through CRP Grasslands, Soil Health and Income Protection Program, or SAFE, unless SAFE agreements specifically authorize grazing

**Note:** See applicable CREP agreement for allowed haying and grazing.

If a CRP participant has a management activity scheduled and the county becomes eligible for emergency grazing, the participant can use emergency grazing outside of the primary nesting season to fulfill the management activity requirement provided the participant obtains a modified conservation plan.--\*

Failure to perform planned management activities can result in CRP-1 violation. See paragraph 603 for noncompliance.

NRCS or TSP will work with participants to plan appropriate management activities, such as, light disking, inter-seeding, tree thinning, haying/grazing, or other components applicable to the practice that will create plant diversity for the benefit of wildlife and enhancement of the permanent cover.

For CRP-1's approved before June 3, 2019, the participant may receive up to 50 percent C/S for the management practices not to exceed:

- \$100 per acre for the life of CRP-1 for a 10-year CRP-1
- \$125 per acre for the life of CRP-1 for CRP-1 in excess of 10 years.

Beginning with signup 52, C/S will not be authorized for management practices.



## 428 Managing Approved Cover (Continued)

### B Voluntary Management

For all CRP-1's approved before June 3, 2019, modified to include tree thinning and associated forest management activities, management activities can be voluntarily performed, without C/S and/or incentives, if participants voluntarily request to revise the conservation plan to include management activities with the same terms and conditions as established for the required management activities.

\* \* \*

### C Determining Required Management Activities

SED will provide a list of existing practices with enrollment within their State to the State Conservationist by March 1 each year. The State Conservationist must review the list to determine whether a management activity is needed. The State Conservationist may ask for recommendations from the State Technical Committee. The State Conservationist must provide these recommendations to SED by May 31 each year.

**Note:** If an offer is received with a new practice within the State, SED will request a recommendation from the state conservationist and forward the recommendation with SED's concurrence/nonconcurrence to DAFP.

### D SED Approval

SED will concur or not concur with the State Conservationist's recommendations for **all** CRP practices identified as needing a management activity. SED's must send their concurrence or non-concurrence to DAFP by June 30 for **all** conservation practices within the State.

DAFP will notify State Offices which conservation practices are determined as required management activities within their State.

### E Development of Management Activities for New Practices

If DAFP determines the practice requires a management activity, FSA must establish a management activity development team to develop State-specific management requirements for needed management activities, to ensure plant diversity and wildlife benefits, while ensuring protection of the soil and water resources. The development team must include, but may not be limited to, the following:

- NRCS
- FWS
- State fish and game agencies
- State foresters
- other appropriate agencies.

**428 Managing Approved Cover (Continued)****E Development of Management Activities (Continued)**

The team **must** develop a list of management activities for **any** practices which have been determined to need an approved management activity as shown in Exhibit 11. Needed management activities will be selected by the CRP participant, in consultation with NRCS or TSP, for the management and enhancement of plant diversity and wildlife benefits. The specifications **must** include the following for each management activity:

- frequency of management implementation
- time period for management action
- specifications for the management actions
- eligible practices.

**Note:** Management activities, with the exception of customary forest management activities, **\*--must not be performed during PNS.--\***

Recommendations must be presented to the State Technical Committee for review. The State Technical Committee recommendations **must** be provided to STC for recommendation to DAFP. STC must forward final activities to DAFP for approval.

**429 Modifying Approved Conservation Plan****A Allowed Modifications**

A modification to an approved conservation plan **must** be in the best interest of CRP. Acceptable modifications are:

- adding or modifying a CRP practice
- changing CRP practices

**Notes:** CRP practices with contract period of 15 years may not be changed to a practice with a contract period of less than 15 years.

General CRP practices may be changed only when the EBI score for the new practice is equal to or greater than the EBI score of the existing practice. See paragraph 401.

**Important:** When determining whether the EBI score of the new practice or practices is equal to or greater than the EBI score of the original practice or practices, COC or CED **must** use the same EBI criteria that was used for the original offer.

CP3 and CP3A cannot be changed to CP1 or CP2.

Changing continuous CRP signup practices must meet needed and feasible and address the resource concern.

**429 Modifying Approved Conservation Plan (Continued)****A Allowed Modifications (Continued)**

- deleting land from CRP-1, according to paragraph 571
- scheduling reapplication of practice
- reflecting change in ownership
- for authorizing haying and grazing
- implementing other non-C/S conservation measures, if producer agrees to install according to the approved conservation plan on CRP land already seeded to an acceptable cover.

**Note:** Participants may establish, at their own expense, additional practices that enhance:

- erosion control
- water quality
- wildlife
- other types of cover.

**Exception:** Participants may be eligible for C/S to establish a permanent water source for wildlife on CP1, CP2, and CP4D.

**B Approving Conservation Plan Modifications**

**The designated conservationist must consult with the participant and COC or CED before preparing any modification to the conservation plan. COC or CED has final approval of all conservation plan modifications.**

COC or CED must review and approve conservation plan modifications to ensure that the revised plan meets the requirements outlined in subparagraph 367 B.

**COC or CED must reject the revised plan if these requirements have not been satisfied.**



**429 Modifying Approved Conservation Plan (Continued)****B Approving Conservation Plan Modifications (Continued)**

NRCS or TSP must revise conservation plans using any of the NRCS-approved planning forms, or when appropriate, by making pen and ink changes to:

- add, modify, or delete items
- substitute 1 practice for another to solve conservation problems
- delete land
- schedule seeding or installing of a practice
- extend CRP-1 period
- change ownership of the land
- change in the extent of performance.

Revisions to the contract support document are not needed when:

- changes take place in estimated costs
- practice installation is accomplished ahead of schedule or is delayed.

**Note:** Dates should be included in the conservation plan and approved NRCS forms.

NRCS or TSP will notify FSA of these changes. If practice is delayed, COC or CED approval for an extension of time is required.

**C C/S for Changing Practices**

COC or CED must **not** approve C/S to change or add practices unless **all** of the following are met:

- C/S was not previously paid for the establishment of a permanent cover
- the participants have **not** started the revised practice **before** approval of the change
- the new practice is otherwise eligible for C/S according to Exhibit 11
- the change is an acceptable modification according to subparagraph A
- the conservation plan is modified to indicate the new practice or practices.

## 429 Modifying Approved Conservation Plan (Continued)

## C C/S for Changing Practices (Continued)

**Exception:** COC or CED may approve C/S up to 50 percent of the eligible cost to change CP1, CP2, or CP10 to CP25 only if **all** of the following requirements are met:

- the change of practices is requested, in writing, within 3 years of CRP-1 effective date
- the participants have **not** started the practice **before** approval of the change
- the practice and approved cover type, such as grasses, legumes, forbs, trees, other vegetative cover, and water:
  - are adaptable and suitable for the site and purpose of the practice
  - will **not** result in an excessive cost to establish, such as using nursery stock or exotic species
- the conservation plan is modified to indicate the new practice.

**Important:** The change in practices must not change the CRP-1 period.

**429 Modifying Approved Conservation Plan (Continued)**

**D C/S Not Allowed**

COC or CED will **not** approve C/S for:

- plastic mulch or supplemental irrigation water, except where CP5, CP5A, CP16, CP16A, CP17, CP17A, CP22, CP22B, CP22S, and CP25 (only if devoted to trees) will be established in areas where the average annual precipitation is 25 inches or less
- practices tailored to specifically enhance or change the commercial production of the land
- purchasing or establishing species of grasses, legumes, forbs, trees, or other vegetative cover that are not adaptable to the area.

**430 Liability to Federal Government**

**A Personal Liability**

As determined by CCC, the person with whom costs are shared is responsible to the Federal Government for any losses the Federal Government sustains because of either of the following:

- the person infringes on the rights of others
- the person does not comply with applicable laws or regulations.

**431 Basic Requirements for Maintaining Easements****A Basic Requirements**

CRP useful life easements **must** be maintained until easement expiration, which may be after CRP-1 expiration. If the participant fails to comply with easement provisions, including providing access to the easement area and establishing and maintaining the easement practice, COC or CED may:

- enter the property to perform necessary work
- seek specific performance
- seek any other legal action as provided by law.

**Note:** COC or CED must seek prior approval of STC. STC must seek RA concurrence before approving COC request.

**B Limited Grazing**

Limited grazing of the easement area may be allowed between CRP-1 expiration and easement expiration if grazing occurs after the producer harvests crops of the surrounding field, if this grazing is incidental.

**432 Removing Easement****A Easement Expiration**

County Offices must compute date of easement expiration by adding the applicable number of additional easement years to the date the easement documents are filed.

**Example:** CRP-1 number 10 is a program year 1992 13-year CRP-1 for practice CP13B, which requires a 30-year easement. The easement documents were filed at the land records office on August 30, 1991. Although CRP-1 expires September 30, 2004, the easement will expire at 12 noon on August 30, 2021.

The landowner is responsible for removing the easement from the deed after the easement expires and written approval has been obtained from COC or CED. COC or CED must **not** incur any expenses for removing the easement.

**Note:** Cropland will be reclassified after CRP-1 expiration, which may be before easement expiration, according to 10-CM.

Landowners must be notified that CRP-1 expiration does not terminate the easement on the land under CRP-1.

**B Effect of CRP-1 Termination**

Landowners must be notified that CRP-1 termination does not terminate the easement on the land under CRP-1.

Reductions in payment, on CRP-1's containing easements must be handled in the same manner as CRP-1's without easements, according to paragraph 571.

**C Sale of Land Under Easement**

The easement deed is not required to be refiled if the land under easement is sold, regardless of whether the new owner succeeds to CRP-1.

**433-460 (Reserved)**



## Part 14 CRP Funds

**461 Maximum Annual Payment Limitations****A Payment Limitation Attributed to Year Earned**

The maximum annual payment limitation that an eligible person or entity can receive under CRP is \$50,000 per FY based on the FY the payment is **earned**.

4-PL/5-PL rules defining a person or legal entity apply to CRP-1's approved on or after October 1, 2008. 1-PL rules defining a "person" apply to CRP-1's approved before October 1, 2008.

This limitation does not apply to annual rental payments made to a rural water district or association for land enrolled in CRP for the purpose of protecting a wellhead.

The Finality Rule does not apply to CRP annual rental or incentive payments. See paragraph 465.

**B Calculating Maximum Annual Payment Limitations**

The maximum annual payment a person or entity may receive is equal to the lesser of:

- \*--(annual rental payments) + (all incentive payments, except PIP and FMI payments)
- \$50,000.

When the sum of the (annual rental payments) + (all incentive payments, except PIP and FMI payments) exceeds \$50,000, the:

- payment must be reduced to \$50,000
- amount exceeding \$50,000 must never be paid.--\*

\* \* \*

461 Maximum Annual Payment Limitation (Continued)

**C Attribution of Payments to Year Earned**

Payments are attributed based on the year the payment is **earned**.

For payment limitation purposes, a payment is attributed for:

- the annual rental payment in the FY program performance occurs
- SIP in the FY COC or CED approves CRP-1.

**Example 1:** A producer’s CRP-1 No. 1001, entered into under a continuous CRP signup, for 8.00 acres at \$60 per acre is approved by COC on October 2, 2020. CRP-1 No. 1001 becomes effective on November 1, 2020. The first annual rental payment for CRP-1 No. 1001 of \$440 is due October 2021. The SIP payment for CRP-1 No. 1001 of \$156 is paid in October 2020. The producer also has CRP-1 No. 960, entered into under a general CRP signup number 16 (2016), with an annual rental payment of \$49,500.

For payment limitation purposes, a payment for CRP-1 No. 1001 is attributed for:

- the annual rental paid in FY 2022 (performance occurs in FY 2021)
- SIP paid in FY 2021 (the FY CRP-1 is approved).

For payment limitation purposes, SIP is attributed to FY 2021, and the first annual rental payment is attributed to FY 2021.

Event	Date	Fiscal Year		Pay Limit Year	
		Issued	Earned	2021	2022
CRP-1 No. 1001 Approved	October 2, 2020				
SIP Payment Issued for CRP-1 No. 1001	October 22, 2020	2021	2021	\$156	
Annual Rental Payment for CRP-1 No. 1001 Paid	October 4, 2021	2022	2021	\$440	
Annual Rental Payment for CRP-1 No. 1001 Paid	October 3, 2022	2023	2022		\$480
Annual Rental Payment for CRP-1 No. 960	October 4, 2021	2022	2021	\$49,500	
Annual Rental Payment for CRP-1 No. 960	October 3, 2022	2023	2022		\$49,500
Total Paid				\$50,000	\$49,980
Total Reductions due to Payment Limitation				\$96 on Annual Rental Payment	\$0



461 Maximum Annual Payment Limitation (Continued)

**D Successor-in-Interest CRP-1's**

Following are ways payment limitation provisions apply when CRP-1 is revised because of successor-in-interest.

- The revised CRP-1 amount cannot exceed the initial CRP-1 amount.
- The annual payment on CRP-1 must be reduced for the successor on the revised CRP-1 if the maximum payment limitation will be exceeded.

**Note:** CRP payments may continue to heirs of owners according to 1-PL, 4-PL, or 5-PL as applicable. See paragraph 554 for succession-in-interest provisions.

## 462 Making CRP Payments

### A CRP Payments

All CRP payments will be paid to the exact dollar amount calculated, and will not be rounded to whole dollars.

### B Annual Rental Payments

Provided the participant is in compliance with the terms and conditions of CRP-1, disburse annual rental payments as designated on CRP-1.

CRP annual rental payments must be made, when authorized:

- after:
  - acreage reporting requirements are met
  - certification of compliance with adjusted gross income limitation has been received according to 1-PL, 4-PL, or 5-PL, as applicable
  - AD-1026 has been completed and signed
  - all eligibility determinations have been made according to 1-PL, 4-PL, or 5-PL, as applicable
  - October 1, for each effective year
  - receiving notice from DAFP authorizing payments to be made
- according to 1-FI.

**Note:** See paragraph 465 for finality rule.

**462 Making CRP Payments (Continued)****C SIP**

SIP is a 1-time incentive payment made to eligible participants that enroll land devoted to an eligible continuous CRP signup practice. See subparagraph 197 A.

Provided the participant is in compliance with the terms and conditions of CRP-1, disburse SIP's according to the shares on approved CRP-1.

SIP's will be:

- made after:
  - CRP-1 is approved
  - certification of compliance with adjusted gross income limitation has been received according to 1-PL, 4-PL, or 5-PL, as applicable
  - AD-1026 has been completed and signed
  - all eligibility determinations have been made according to 1-PL, 4-PL, or 5-PL, as applicable
- subject to the prompt payment provisions, see subparagraph E
- divided among participants according to the shares on CRP-1, see paragraph 463
- subject to the CRP \$50,000 FY payment limitation, see paragraph 461
- issued according to 1-FI
- refunded if CRP-1 is terminated, see paragraph 571
- offset, if applicable, see paragraph 465
- assigned, if applicable, see paragraph 465.

**Note:** See paragraph 465 for finality rule.

**462 Making CRP Payments (Continued)****D PIP**

PIP is a 1-time incentive payment made to an eligible participant to whom CCC has made a C/S payment for completing the installation of a CRP practice that is an eligible continuous CRP signup practice. **Only the participant(s) to whom CCC has made a C/S payment is eligible for a PIP**, and only after the eligible continuous CRP signup practice or major component has been installed in compliance with the conservation plan. See subparagraph 197 B.

PIP is considered a C/S payment. PIP, CCC C/S payments, and any C/S payments from other sources cannot exceed 100 percent of the cost of the practice.

See paragraph 66 for the PIP amount for each applicable practice.

PIP's will be:

- made after:
  - CRP-1 is approved
  - AD-1026 has been completed and signed
  - participant signs FSA-848B and reports completion of practice or major component
  - all necessary documents to calculate total C/S amount are obtained
  - certification of compliance with adjusted gross income limitation has been received according to 1-PL, 4-PL, or 5-PL, as applicable
  - all eligibility determinations have been made according to 1-PL, 4-PL, or 5-PL, as applicable

**462 Making CRP Payments (Continued)**

**D PIP (Continued)**

- subject to the prompt payment provisions, see subparagraph E
- refunded if CRP-1 is terminated, see paragraph 571
- offset, if applicable, see paragraph 465
- assigned, if applicable, see paragraph 465
- issued according to 1-FI.

**Note:** See paragraph 465 for finality rule.

**E Prompt Payment**

CRP participants who are issued CRP payments more than 30 calendar days after payments are authorized will receive interest under the Prompt Payment Act according to 61-FI. See 50-FI for prompt payment interest rates.

**463 Dividing Payments Among Participants for Successor-in-Interest CRP-1's****A CRP Rental Payments**

Earned CRP annual rental payments **must** be paid according to the division of shares agreed to by the participants on CRP-1.

**B Dividing CRP Payments Among Predecessor and Successor Participants**

Annual rental payments must be divided between predecessors and eligible successors as agreed to among the participants if both of the following are met:

- COC determines there is no scheme and device to defeat or circumvent the purpose of any program provision, including payment limitation and permitted entity provisions
- eligible successors-in-interest sign a revised CRP-1 within 60 calendar days of notification by COC or CED.

If there is no agreement among predecessors and eligible successors, annual rental payments will be divided based on the earlier of the date the:

- deed is recorded on the land records
- successor acquired right of occupancy, through foreclosure proceedings, of the land under CRP-1.

**Note:** This provision only applies to land acquired through foreclosure proceedings. See paragraph 554 for succession-in-interest provisions.

CRP participants will be responsible for refunding any payments that may become due if CRP-1 is not assumed.

County Office must provide successor-in-interest the version of CRP-1 Appendix in effect when the initial CRP-1 was approved.

If acreage under CRP-1 is sold to a successor and the successor sells the acreage before the County Office becomes aware of the initial sale, the newest owner may be allowed to succeed to CRP-1.

**Note:** If the original owner received payments earned after the sale of the land, refunds of that amount, plus interest, must be collected from the original owner. Issue applicable payments to new owner(s) if CRP-1 is assumed.

**463 Dividing Payments Among Participants for Successor-in-Interest CRP-1's (Continued)**

**B Dividing CRP Payments Among Predecessor and Successor Participants (Continued)**

If a successor terminates CRP-1 and the predecessor has earned part of the annual rental payment, the successor is responsible for refunds, including the amount earned by the predecessor.

**Note:** Ensure that the payment is issued to the predecessor even though CRP-1 is terminated. No interest will be paid.

When dividing CRP annual rental payments between previous owners and new owners, see 5-CRP for CRP-1 effective date and division of payment agreement.

**464 Effects of CRP Payments on Earned Income**

**A Not Advising About Earned Income**

County Offices must not advise CRP participants on whether CRP payments should be considered as “earned income” for IRS and Social Security purposes.

**B Referring Participants to Tax Consultant or SSA**

County Offices will refer CRP participants to their tax consultant or SSA for determinations about CRP payments as earned income.

**465 Refunds, Offsets, and Assignments****A Preparing Payments**

Use the following handbooks and procedures to process refunds, offsets, assignments, and joint payments:

- for refunds, see 64-FI
- for offsets, see 1-FI and 63-FI
- for receivables, see 64-FI
- for claims, see 58-FI and 64-FI
- for assignments:
  - prepare CCC-36 according to 63-FI
  - assign only cash payments
- for joint payments, prepare CCC-37 according to 63-FI.

**B Finality Rule**

The Finality Rule does **not** apply to any CRP payment.

**C Assigning CRP Cash Payments**

CRP cash payments may be assigned to secure or pay pre-existing debts.

Prepare CCC-36 and determine priority for honoring assignments according to 63-FI.

**466 Nonresident Alien Income Tax****A Withholding Nonresident Alien Income Tax**

If nonresident alien income tax is to be withheld:

- see 62-FI
- prepare and distribute IRS-1042 and IRS-1042S.



**467 Debts and Collections****A CCC Receivables**

Debts arising under CRP become CCC receivables and receipts.

**B Late Payment Interest**

CRP debts are subject to late payment interest charges. See 58-FI.

**468 Paying Amounts Due Persons Who Are Deceased, Missing, or Incompetent****A Preparing FSA-325**

If a participant has earned a CRP payment, including a C/S payment, but is deceased, missing, or incompetent, County Office must prepare FSA-325, according to 1-FI and 1-CM when it is requested that the payment earned by the deceased, missing, or incompetent participant be issued in a name other than that of the deceased, disappeared, or incompetent participant.

Payments will be issued to the respective qualified claimant using the deceased, missing, or incompetent participant's tax identification number. See 1-CM.

When CRP-1 is terminated, the deceased, missing, or incompetent participant will earn payment through the date of death, loss, or declaration of incompetency.

**B Who Succeeds to CRP-1**

For CRP purposes, the administrator of an estate or heirs of the deceased have the following choices:

- agree to become successor-in-interest to CRP-1
- refuse to become successor-in-interest.

**Important:** COC must terminate CRP-1 according to paragraph 571 if the administrator of an estate or heirs of the deceased refuse to succeed to CRP-1.

**Note:** Operator may only be replaced if the operator or tenant voluntarily relinquishes his or her rights, in writing, or is no longer considered an eligible participant. See paragraph 546.

**469 Charging Interest**

**A Interest on Refunds**

Use the rate of interest CCC is required to pay for borrowing from the Department of the Treasury on the date payment was issued. See 50-FI.

**B Date Interest Accrues**

Interest accrues from the date of disbursement to the earlier of the following:

- date of repayment
- date of first demand letter.

**Note:** See 58-FI for an example of a demand letter.

**C Establishing Receivables**

Establish a receivable according to 58-FI and 64-FI.

**470-489 (Reserved)**

## Part 15 C/S Policies

## 490 General C/S Policy

## A Participants Eligible for C/S Payments

CRP C/S must be paid only to participants who:

- are a signatory to CRP-1
- established the conservation practice.

See paragraph 519.

**Note:** Authorized payments may be assigned by the participants.

## B C/S Level

Participants who elect to receive other Federal C/S assistance are obligated to refund CRP C/S payments, plus interest.

C/S assistance must not exceed 50 percent of the eligible costs of establishing the approved practice. Participants may receive C/S assistance from non-Federal sources; however, under no circumstances may the total C/S amount received exceed 100 percent of the cost of the practice.

C/S assistance to establish permanent vegetative cover on CRP land for the sum of the acres for CP1, CP2, CP3, CP3A, CP4B, CP4D, CP18B, and CP18C divided by the acres in CRP-1, **must not exceed** 50 percent of the price per acre at which the land placed in CRP could be sold for use as farmland at the time at which CRP-1 is signed by the producer.

Use the most recent NASS survey.

## 490 General C/S Policy (Continued)

**C C/S Funds Authorized on CRP Acres**

Acreage on which CRP C/S has been paid is not eligible for other Federal C/S during the term of the CRP contract unless approved by DAFP. This does not apply to Federal funding that is not Federal C/S funding. Requests must be submitted to DAFP on a case-by-case basis for only the most highly meritorious cases as determined by STC.

**Example:** A participant with an approved contract receives assistance other than cash from FWS Partners for Wildlife program. These services are not considered C/S assistance. FWS provides the participant documentation indicating the value of their service is \$2,500. The participant also receives C/S equaling \$1,500 from a private conservation organization. The participant has other expenses related to the practice that are eligible for C/S, according to Exhibit 11, and equal to \$6,000. Since the participant did not receive C/S from FWS, the participant may receive CRP C/S assistance.

The total practice establishment cost, considering all contributions, is \$10,000. The participant may receive \$5,000 in C/S assistance from FSA because this amount is less than the participant's out-of-pocket costs.

**Note:** Participants who receive ECP payments during the term of the CRP contract on the same land for which they received CRP C/S payments are ineligible to retain CRP C/S unless approved by DAFP on a case-by-case basis. Approval of ECP funds by DAFP does not automatically waive this requirement. Restoration of re-enrolled CRP acreage or components where no C/S was paid under the existing contract should be C/S'd under CRP.

CRP participants may receive C/S funding from non-Federal sources to install conservation practices on CRP acreage. See paragraph 517.

**Note:** Practices must only be approved if they are according to an approved conservation plan on CRP acreage.

**D C/S Not Authorized**

C/S is not authorized for:

- hand-collected seed, except when producer provides verification of PLS factor, germination, quality of seed, amount planted, and types and varieties of seed and seed mixtures
- acreage not under CRP-1

## 490 General C/S Policy (Continued)

**D C/S Not Authorized (Continued)**

- streambank stabilization
- CP12
- splitting practices on the same land for C/S purposes between different Federal programs
- establishing required practice on CRP if any other Federal C/S has been, or is being, made to establish that practice
- drilling wells

**Exception:** C/S may be authorized for establishing drilled wells on filter strips, riparian buffers, MPL wildlife habitat buffer, MPL wetland buffer, and CRP Grasslands, if needed.

- developing water facilities

**Exceptions:** C/S may be authorized for establishing:

- livestock water facilities outside CRP Grasslands, filter strips, riparian buffers, MPL wildlife habitat buffer, and MPL wetland buffer, if needed

**Note:** See paragraph 511.

- a permanent water source for wildlife, when developed on certain acreage enrolled in CRP and according to a conservation plan. See Exhibit 11.

- installing irrigation systems
- improving or reorganizing existing irrigation systems
- purchasing and planting vegetative cover for certain practices exceeding 50 percent of the agricultural market value of the land

**Note:** See subparagraph B.

## 490 General C/S Policy (Continued)

**D C/S Not Authorized (Continued)**

- fencing CRP land

**Exception:** C/S may be authorized for internal fencing on CRP Grasslands, and fencing around filter strips, riparian buffers, wildlife habitat buffers, and wetland buffers on marginal pastureland.

- re-establishing practice because of damage from emergency haying or grazing
- establishing practices for unacceptable offers
- practice not meeting specifications
- practices not included in the approved conservation plan
- plastic mulch or supplemental irrigation water, except where CP5, CP5A, CP16, CP16A, CP17, CP17A, CP22, CP22B, CP22S, and CP25 (only if devoted to trees) will be established in areas where the average annual precipitation is 25 inches or less
- tree shelters, netting, plastic tubes, or other animal damage control devices, except in areas designated by STC for use only on CP3A, CP5A, CP16A, CP22, CP22B, CP22S, CP23, CP23A, CP25, CP27, CP31, CP39, CP40, or CP41

**Notes:** C/S is not approved for such devices for other practices.

See paragraph 31 and Exhibit 11.

- re-enrolled practices.

**Exception:** C/S is authorized **only** if additional work/activity is required for the practice to meet current practice standards according to \* \* \* Exhibit 11. C/S is **not** otherwise authorized for re-enrollments.

**\*--Important:** Change in the seeding mix or interseeding is not considered a change to the practice standard for purposes of paying C/S. No C/S or PIP is authorized for a change in seeding mix or interseeding when a practice is re-enrolled.--\*

## 490 General C/S Policy (Continued)

## D C/S Not Authorized (Continued)

**Example:** Expiring CRP-1 with practice CP8A is re-offered as practice CP8A. A site visit reveals CRP-1 is in compliance according to contractual requirements. NRCS or TSP noted that normal degradation has occurred that requires grading and shaping and subsequent re-seeding to meet current CP8A standards with a total estimated cost of \$2,000. COC or CED may approve CRP-1 and 50 percent eligible C/S of approximately \$1,000 according to procedure.

**Example:** Producer re-offers expiring acreage as a continuous signup practice. The practice is in compliance and is determined as meeting current practice standards. The producer requests to revise the conservation plan and add a 5 species seeding mix as an interseeding or re-seeding to provide enhanced wildlife habitat benefits. COC or CED may approve CRP-1 and conservation plan; however, since the existing practice and vegetative cover meets procedural standards, COC or CED must **not** approve CRP-1 that includes C/S.

## 491 C/S for Post-Emergence Weed and Insect Control

## A Authorizing C/S

C/S may be authorized for 1 weed and/or insect control application if:

- NRCS or TSP determines it is necessary for successful establishment of the cover and it is included as part of the approved conservation plan

**Note:** It is applied within the first 12 months after planting or seeding the approved permanent cover or additional time is necessary for determining successful establishment.

**Exception:** See subparagraph B.

- \*--it will not disturb the cover during PNS.--\*

**Note:** This is in addition to any application that may have been applied when the cover was initially installed.

## 491 C/S for Post-Emergence Weed and Insect Control (Continued)

**B Exceptions to Establishment Period for CRP-1's**

Participants who plant CP3, CP3A, CP4B, CP4D, CP5A, CP16A, CP17A, CP22, CP22B, CP22S, CP23, CP25, CP27, CP28, CP31, CP36 devoted to tree plantings, on acres offered may receive C/S:

- for 1 weed and/or insect control application
- within 24 months after the planting
- if:
  - NRCS or TSP determines it is necessary for successful establishment of the cover
  - it was included as part of the approved conservation plan
  - \*--it will not disturb the cover during PNS.--\*

**Example 1:** Producer planted 10 acres of CP3, Tree Planting. The conservation plan required a chemical site preparation, pre-application herbicide, and a post-emergence weed control to be applied within 12 months of planting. C/S for the post-emergence weed control is eligible.

**Example 2:** Producer planted 10 acres of CP3, Tree Planting. The conservation plan required a chemical site preparation, pre-application herbicide, and a post-emergence weed control to be applied within 12 months of planting. C/S for the post-emergence weed control is eligible. Eighteen months after planting, NRCS or TSP recommended an additional post-emergence weed control be performed. The additional weed control measures are not eligible for C/S since the producer has received C/S for a post-emergence weed control. The additional weed control measure is considered maintenance.



**492 C/S for Establishing the Practice****A When to Start CRP Practice**

Producers must be advised that:

- approved CRP practices may be started:
  - after submitting the offer to the County Office
  - when notified that CRP-1 has been approved
- starting a practice before final approval of CRP-1 is at the producer's own risk
- where practical State-certified seed must be used for CRP

**Note:** However, common seeds, especially for natives, may be used when certified seed is **not** available.

- C/S payments are ineligible if:
  - offer is not accepted
  - designated acres are ineligible
  - practice does not meet specifications
  - practice is not included in the approved conservation plan.

**Note:** See paragraph 429 for C/S when modifying approved conservation plan.

**B C/S for Practice Re-Establishment**

The practice failed because of a natural disaster or through no fault of the participant. C/S assistance for restoring CRP practices include component restoration and re-establishing the CRP cover. If the practice failed because of a natural disaster or through no fault of the participants, COC must evaluate the site to determine both of the following if:

- the purpose of the practice is being met
- remaining cover provides the same environmental benefits as the original cover, which includes:
  - water quality benefits
  - wildlife habitat benefits
  - erosion control.

## 492 C/S for Establishing the Practice (Continued)

### B C/S for Practice Re-Establishment (Continued)

If both criteria are met, COC must not authorize C/S for re-establishment.

If both the criteria are not being met, COC must determine whether the cost of restoring the approved cover outweighs the benefits that would be received from the restoration. COC's must, at a minimum, consider all of the following:

- cost of restoring cover
- length of time needed to restore the cover
- benefits received from restored cover
- years remaining before CRP-1 expires
- type of cover to be restored.

If the cost of restoring the approved cover outweighs the benefits that would be received from the restoration, COC must terminate CRP-1. See paragraph 571.

If the benefits that would be received from the restoration outweighs the cost of restoring the approved cover, COC must authorize eligible C/S for:

- re-establishing the approved cover
- temporary cover, if needed
- dead litter crop, if needed.

### C C/S for Restoration of CRP Practice Components on the Conservation Plan

C/S is authorized for restoring CRP practice components on the original conservation plan when damaged by a natural disaster and at no fault of the participant. State Offices will use the following **sub-categories** to create C/S component codes for restoring CRP components subject to the provisions in subparagraph 511 A:

- **Fence Restoration due to Natural Disaster**, for fencing needed to exclude livestock from a filter strip, buffer or internal fencing for CRP Grasslands
- **Livestock Crossing Restoration due to Natural Disaster**, for water gaps, bridges or other livestock crossings facilities needed to prevent sedimentation and pollution in the stream.

**492 C/S for Establishing the Practice (Continued)****C C/S for Restoration of CRP Practice Components on the Conservation Plan (Continued)**

- **Water Development Restoration due to Natural Disaster**, for water developments needed to provide a water source away from the filter strip or buffer or water source for CRP Grasslands
- **Watering Facility Restoration due to Natural Disaster**, for watering facilities needed to provide a water source away from the filter strip or buffer or water source for CRP Grasslands
- **Livestock Water Pipeline Restoration due to Natural Disaster**, for Pipeline needed to provide a water source away from the filter strip or buffer or water source for CRP Grasslands

**D C/S for Dry Litter Crops**

CRP participants may receive C/S for dry litter crops needed to establish vegetative cover if the crops are:

- **not** grazed or harvested
- included in practice specifications developed by NRCS or TSP
- included in the approved conservation plan.

**E Modifying Conservation Plans**

Participants must request a modified conservation plan for restoring the CRP practice components or re-establishing the CRP cover.

**493 Establishing C/S Rates****A Eligible Items**

Items eligible to establish C/S rates include the cost of any direct and significant factors necessary to perform the practice, such as:

- equipment
- new or used materials
- services
- labor
- sales tax.

**B Estimated Costs**

Estimated costs of eligible items may be based on:

- STC, COC, or CED, as applicable, knowledge and judgment of anticipated costs
- current cost data from:
  - application for payment
  - vendor and dealer cost quotations or advertised prices
  - estimates from COC, NRCS, FS, and other agencies

**Note:** Keep copy of estimates.

- other available sources.

**493 Establishing C/S Rates (Continued)****C Ineligible Items**

The cost of the following items are ineligible for establishing C/S rates:

- engineering charges, consultant fees, permit fees, or archeological surveys
- Note:** Archeological surveys will be paid for by CCC according to 1-EQ.
- providing land
  - other C/S payments
  - right to use water
  - incentives
  - power sources, including but not limited to electrical and obtaining utility service generator

**Exception:** Solar fence charger included as part of or attached to the fence.

- portable equipment
- donated material
- meeting supplemental requirements, such as abstaining from harvesting
- loss of or reduction in revenue from the land
- cost of pumps and pumping accessories, except for permanently installed pumps that are needed as an integral part of the practice.

**Note:** One or more of these items may be required to make the practice serve its purpose, but these items may not be used to establish C/S rates.

**D Arbitrary Hold-downs**

STC, COC, and CED must ensure that arbitrary hold-downs are not used when establishing C/S rates and limitations.

494 National Component Codes

**A Denitrifying Bioreactors**

The National Office established the component code DENBIO for C/S for denitrifying bioreactors on existing or re-enrolled CP21's and CP22's. This code is not authorized on practices other than CP21 and CP22.

**B Saturated Buffers**

Use component code SATBUF for C/S for saturated buffers on existing or re-enrolled CP21's and CP22's.

**C No C/S Management Activities**

National component codes for management activities with no C/S have been created in Program Provisioning (PP). The National component codes may be broader than the exact description approved by DAFP. County Offices will compare the management activity on the conservation plan and select the National component code that best fits the planned activity. PP will not allow changes at the State or county level.

County Offices are required to copy the following uniform component codes to their county database in PP.

<b>Category 21 – No Cost Share – Required Management</b>			
<b>Sub-Category</b>		<b>Description</b>	<b>Component Code</b>
Mechanical	disking	MCM No Cost Share – Disking	<b>MCMNOCSDSK</b>
	mowing	MCM No Cost Share – Mowing	<b>MCMNOCSMOW</b>
	tree thinning/pruning	MCM No Cost Share – Thinning or pruning	<b>MCMNOCSTREE</b>
Chemical	chemical treatment	MCM No Cost Share – Chemical	<b>MCMNOCSCHM</b>
Burning	prescribed burning	MCM No Cost Share – Burning	<b>MCMNOCsBRN</b>
Inter-seeding	inter-seeding	MCM No Cost Share – Seeding	<b>MCMNOCsSEED</b>
Haying and Grazing	haying	MCM No Cost Share – Haying	<b>MCMNOCsHAYNG</b>
	grazing	MCM No Cost Share – Grazing	<b>MCMNOCsGRZNG</b>
Any Other Method or Combination of Methods	any other method	MCM No Cost Share – Other	<b>MCMNOCsOTH</b>

## 495 State C/S Policy

### A Overview

STC's are authorized to develop a State program and C/S policy based on guidelines established in this handbook, in consultation with the State Technical Committee.

### B Establishing Rates for State CRP

STC's that establish C/S rates for the State must establish rates within the National C/S levels, expressed as a percent of cost, not to exceed \$\_\_\_ per unit of measure.

**Note:** Do not use arbitrary holddowns.

C/S paid for seed will not exceed 50 percent of the actual seed costs and will not be combined with other components of the cover establishment.

### C Reviewing and Approving County C/S Rates

STC's that do not establish C/S rates for the State may authorize COC's to establish C/S rates for the county.

STC must establish State guidelines for COC's to follow when establishing county C/S rates.

STC, or representative, must review and approve all C/S rates established by COC to ensure that:

- C/S rates are consistent across county boundaries
- C/S rates are consistent across district and State boundaries

**Important:** State Office must **not** delegate this responsibility.

- C/S rates established are within the National and State C/S levels, if applicable
- C/S rates are set at the minimum incentive needed to encourage producer participation and implement the approved practice.

If discrepancies exist across county boundaries or between county practice specifications and State and National guidelines, STC's must not approve COC's C/S rates until the problem is resolved.

STC, or representative, must notify COC in writing when C/S rates are approved. COC must document approval in COC minutes.

**496 Establishing State-Developed Standardized Components****A State-Developed Components**

State Offices must establish and maintain a list of standardized components applicable for practices under CRP to be used within the State components must represent different items that are required as part of a practice.

**Examples:** Materials, seed types, seed mixtures, tree types, labor, etc.

Seed will be a separate component to ensure that C/S paid for seed does not exceed 50 percent of the actual seed cost

**Note:** Components must be established in the automated system according to the Program Provisioning User Guide.

**497 County C/S Policy****A Establishing Rates**

COC's are authorized to establish county C/S rates:

- if authorized by STC
- according to State and National guidelines
- with NRCS concurrence.

COC's that establish C/S rates for the county must establish rates within the State and National C/S levels, expressed as percent of cost, not to exceed \$\_\_\_ per unit of measure.

C/S paid for seed will not exceed 50 percent of the seed costs and will not be combined with other components of the cover establishment.

**B STC Approval**

STC, or designee, must ensure that the requirements, specifications, and C/S rates established by COC are consistent across county boundaries before approval.

STC must ensure that **all** C/S rates established by COC are consistent across district and State boundaries.

**Important:** STC must **not** delegate this responsibility.



**497 County C/S Policy (Continued)****C Percentage-of-Cost Not to Exceed C/S Rates**

COC will use percentage-of-cost not to exceed \$\_\_\_\_ per unit of measure C/S rates.

Express percentage-of-cost C/S rates as “\_\_\_\_ percent of cost, not to exceed \$\_\_\_\_ per unit of measure”. Base the limitation on the average cost of performing the unit of measure.

File the cost data used to establish percent-of-cost not to exceed \$\_\_\_\_ per unit of measure rates with the County eligibility status list.

COC or CED must inform the producer that supporting evidence and proof of payment for completed practices paid on a percent of cost not to exceed method **must** be:

- maintained for 1 year after the end of FY in which the practice is completed
- presented within 30 calendar days to the County Office if selected for spot check.

**D Acceptable Evidence**

COC or CED will obtain evidence to determine proper payment to eligible participants. This may include, but is not limited to:

- invoices
- canceled checks
- receipts
- analysis tags
- other acceptable evidence to determine payment.

See paragraph:

- 519 for making C/S payments
- 513 for supporting evidence.

**498 Amending County CRP Practices****A Effective Date of C/S Rates**

A CRP amendment that changes C/S rates or specifications must specify the effective date, which must not be retroactive.

**Exception:** When the average cost of performance changes substantially for reasons beyond the producer's control, COC or CED may compute C/S based on the average cost of carrying out the practice using the rates in effect when the practice is performed. These exceptions must be documented in COC minutes.

Rates and specifications in effect before an amendment's effective date must remain in effect for C/S approvals issued before that date.

Use the revised rates and specifications for all approvals issued on or after the amendment's effective date.

**499 Issuing and Processing FSA-848's****A Approval**

When CRP-1 is approved, the practices scheduled on the approved conservation plan are automatically approved. By approving CRP-1, COC or CED is committing funds for completing the practices.

FSA-848 is not required for CRP. Information from CRP-1 and the conservation plan must be used to complete the C/S application according to the CSS User Guide. Enter the CRP-1 "signature approval date" and "submitted date" before submitting the C/S applications in CSS.

**500 FSA-848A and FSA-848B**

**A FSA-848A, Cost Share Agreement**

Process initial FSA-848A for all practices, C/S, non-C/S, and management activities within 5 workdays after approving CRP-1 according to guidance in CSS User Guide and this paragraph.

Separate FSA-848A's and FSA-848B's are required for each management activity associated with CRP-1.

**Note:** FSA-848A's and/or FSA-848B's are not required for CP12's.

FSA-848A and FSA-848B must serve as a:

- reminder of approval
- report of performance
- claim for payment.

County Offices may request the producer's signature on FSA-848A; however, the producer's signature is not required.

COC or CED must still sign and approve FSA-848A.

500 FSA-848A and FSA-848B (Continued)

B Example of FSA-848A

FSA-848A's are generated through CSS according to the CSS User Guide. The following example displays entries that are generated as a result of a cost-share agreement processed in CSS.

This form is available electronically. Form Approved - OMB No. 0560-0082

<b>FSA-848A</b> (12-02-19)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency	
<b>COST-SHARE AGREEMENT</b> (See Page 2 for Privacy Act and Burden Statements)		1. ST. & CO. Code: 29 101 2. County Office Name, Address and Telephone Number Johnson County Farm Service Agency 727 FCA RD STE A Warrensburg, MD 64093-7913 (660) 747-8400	
THIS AGREEMENT is entered into between the Farm Service Agency (referred to as "FSA") and the undersigned owners, operators, tenants, and/or producers (who individually will herein be referred to as "the Participant"). By signing this form, the Participant agrees to the following: 1) the Participant requested cost-share assistance to perform a practice(s) designed to meet the objectives of the program referenced on FSA-848B; 2) the Participant agrees that this practice(s) would not be performed without Federal cost-sharing; and, 3) for the practice(s) approved, the Participant agrees to refund all or part of the funds paid to him/her, as determined by the Approving Official, if before expiration of the lifespan of the specified practice(s), the Participant (a) destroys the approved practice(s), or (b) voluntarily relinquishes control of or title to, the land on which the approved practice(s) has been established, and the new owner and/or operator of the land does not agree in writing to properly maintain the practice(s) for the remainder of its life span. The Participant further agrees that if he or she began the practice(s) before receiving written approval, he or she may be denied cost-share funding. Further, the Participant hereby authorizes a representative of USDA to have access to the practice site area(s). Further, the participant understands that form FSA-848A-1 is by reference incorporated herein. BY SIGNING THIS AGREEMENT, THE PARTICIPANT ACKNOWLEDGES RECEIPT OF THE FOLLOWING FORMS: FSA-848A AND ANY ADDENDUM THERE TO.			
3. Application Number		4. Agreement Number	
29 101 2013 000E		29 101 2012 000E	
5. Program Year		6. Disaster ID Number	
		Non-Project Area	
7. Program Code		8. Contract ID (if applicable)	
CRP		123	

9. PRACTICES APPROVED											
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Program Accounting Code	F. Fund Code	G. Practice Units	H. Practice Extent Approved	I. Practice Expiration Date	J. Practice Life Span	K. Approved Cost-Share Rate and Type	L. Approved Cost-Share
000156	000001		29-101-2013-0000-01-CP2	3305		Acre	36.60	09-15-2013			\$804.00
M. TOTALS:											\$804.00

10. COMPONENTS APPROVED										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Component No.	F. Component Title	G. Component Units	H. Component Extent Approved	I. Approved Cost-Share Rate and Type	J. Approved Cost-Share	
001657	000116		29-101-13-00-01-CP2	Disk	MOM - Strip Disking	Acre	36.6	508 Flat Rate \$11.00 per unit	402	
001657	000116		29-101-13-00-01-CP2	Seed	MOM - Interseeding	Acre	36.6	508 Flat Rate \$11.00 per unit	402	

11. USDA USE ONLY - Application Approval				A. Signature of FSA Representative	B. Date (MM-DD-YYYY) 03-10-2016	C. Cost-Share Willing to Approve	D. Cost-Share Approved 804
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12. PARTICIPANT APPROVAL ACKNOWLEDGEMENT			
Your request for program cost-sharing to perform the practice(s) shown above is approved for the farm(s) identified above. By signing below, you agree to complete the specified practice(s) and components on or before the practice expiration date(s). To receive payment or credit for any cost-shares earned on these practice(s), report performance on the FSA-848B and file with the issuing office by the practice expiration date(s) listed above. If you decide not to perform this practice, or if you cannot complete it by the practice expiration date, please notify the Approving Official's office in writing at once.			
A. Participant's Name, Address and Telephone Number Any Farmer 123 Main Street Anytown, USA 12345 (123) 456-7890	B. Signature (By)	C. Title/Relationship of the Individual If Signing in a Representative Capacity	D. Date (MM-DD-YYYY)

500 FSA-848A and FSA-848B (Continued)

B Example of FSA-848A (Continued)

Page 2

FSA-848A (12-02-19)					EMERGENCY PROGRAMS ONLY	
13. AGREEMENT INFORMATION						
A. Program Code	B. Program Year	C. ST. & CO. Code	D. Agreement Number	E. Contract ID	F. Disaster ID	
CRP		29-101	29-101-2013-000E	12	Non-Project Area	
14. REMARKS						
<p><b>NOTE:</b> <i>The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 701, 7 CFR Part 1410, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and 16 U.S.C. § 2201-2206. The information will be used to determine eligibility to participate in and receive benefits under a cost-share assistance program through documentation of the participant's agreement to comply with the terms and conditions contained in the cost-share agreement. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under a cost-share assistance program.</i></p> <p><i>According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0082. The time required to complete this information collection is estimated to average 3 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</i></p> <p><i>By signing this form, the Participant acknowledges and understands that any false representation or claims are subject to civil and criminal penalties including, but not limited to those under 18 U.S.C. 1001.</i></p> <p><small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/household status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing procedures vary by program or activity.</small></p> <p><small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small></p> <p><small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.aces.usda.gov/complaint_hing_cust.htm">http://www.aces.usda.gov/complaint_hing_cust.htm</a> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (800) 692-9392. Submit your completed form or letter to USDA by: (1) mail, U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-4410; (2) fax, (202) 690-7442; or (3) email, <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider, employer, and lender.</small></p>						

## 500 FSA-848A and FSA-848B (Continued)

## C Completing FSA-848A for CRP

**Note:** The items highlighted are not filled by CSS, manual entries must be made, when applicable.

Item	Instructions
1	Enter the State and county codes.
2	Enter the name, address, and telephone number of the County Office.
3	Enter the C/S application number.
4	Enter the agreement number (same as #3).
5	Enter the program year of the CRP-1 contract.
6	Enter "non-Project Area" for CRP.
7	Enter the program code (CRP).
8	Enter the contract id (CRP-1 contract number).
9A	Enter FSN.
9B	Enter tract number.
9C	Leave blank for CRP.
9D	Enter the practice control number (auto generated).
9E	Enter program accounting code.  <b>Note:</b> For CRP, this is nationally allotted.
9F	Leave blank for CRP.
9G	Enter the practice unit (acres, feet, etc.).
9H	Enter the practice extent approved that corresponds to items 9A through 9G.
9I	Enter the practice expiration date.
9J	Enter the practice life span (contract length).
9K	Enter the approved C/S rate and type that correspond to items 9A through 9J, if the practice control number has a <b>practice</b> rate. Leave blank if component rates are used.
9L	Enter the approved C/S that corresponds to items 9A through 9K and items 10A through 10I, as applicable. If there are additional approved practices, complete FSA-848A-1, item 2.
9M	Enter the sum of all C/S requested that corresponds to the sum of item 9L.
10A	Enter FSN.
10B	Enter the tract number.
10C	Leave blank for CRP.
10D	Enter practice control number.
10E	Enter component number.
10F	Enter component title.
10G	Enter component unit.
10H	Enter component extent approved that corresponds to items 10A through 10G.
10I	Enter the approved C/S rate and type that corresponds to items 10A through 10G.
10J	Enter the approved C/S rate and type that correspond to items 10A through 10I. If there are additional approved components, complete FSA-848A-1, item 3.

## 500 FSA-848A and FSA-848B (Continued)

## C Completing FSA-848A for CRP (Continued)

Item	Instructions
11A	The FSA representative must sign.
11B	Enter today's date.
11C	Enter C/S willing to approve.
11D	Enter the C/S approved amount.
12A	Enter the participant's name, address, and telephone number.
12B	The participant or signing authority must sign. <b>Optional for CRP.</b>
12C	Enter the title/relationship that corresponds to the signing authority in item 12B. <b>Optional for CRP.</b>
12D	Enter the date. <b>Optional for CRP.</b>
13A	Enter the program code.
13B	Enter the program year of CRP-1.
13C	Enter the State and county codes that correspond to item 1.
13D	Enter the agreement number that corresponds to item 4.
13E	Enter the contract ID that corresponds to item 8.
13F	Enter "non-Project Area".
14	Enter any applicable remarks.

## D FSA-848B, Cost-Share Performance Certification and Payment

FSA-848B must serve as both a report of performance and claim for payment for completed practices and components.

It is used for both partial and final performance.

For partial performance, item 9G is completed with "no" and item 9K is completed indicating components that will be completed. By completing item 10, the participant agrees to complete the remaining practices.

500 FSA-848A and FSA-848B (Continued)

E Example of FSA-848B

FSA-848B's are generated through CSS according to the CSS User Guide. The following example displays entries that are generated as a result of a practice completion and payment request processed in CSS.

This form is available electronically.

Form Approved - OMB No. 0560-0082

<b>FSA-848B</b> (12-02-19)		<b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency		1. ST. & CO. Code : 29 101 2. County Office Name, Address and Telephone Number Brox County Farm Service Agency 12345 State Road 123 Anytown, NY 09876-5432 (000) 123-4567							
<b>COST-SHARE PERFORMANCE CERTIFICATION AND PAYMENT</b>											
(See Page 3 for Privacy Act and Burden Statements.) THIS CERTIFICATION AND REQUEST FOR PAYMENT is submitted by the undersigned owners, operators, tenants, and/or producers (who individually will herein be referred to as "the Participant"). By signing this form, the Participant agrees to the following: 1) the Participant requested cost-share assistance to perform practice(s) designed to meet the objectives of the program referenced on FSA-848; 2) the Participant agrees that this practice(s) would not be performed without Federal cost-sharing; and, 3) for the practice(s) approved, the Participant agrees to refund all or part of the funds paid to him/her, as determined appropriate by the Approving Official, if, before expiration of the lifespan of the specified practice(s), the Participant (a) destroys the approved practice(s), or (b) voluntarily relinquishes control of or title to, the land on which the approved practice(s) has been established, and the new owner and/or operator of the land does not agree in writing to properly maintain the practice(s) for the remainder of its life span. The Participant further agrees that if he or she began the practice(s) before receiving written approval, he or she may be denied cost-share funding. Further, the Participant hereby authorizes a representative of USDA to have access to the practice site area(s). Further, the participant understands that form FSA-848B-1 is by reference incorporated herein. BY SIGNING THIS CERTIFICATION, THE PARTICIPANT ACKNOWLEDGES RECEIPT OF THE FOLLOWING FORMS: FSA-848B AND ANY ADDENDUM THERETO.											
3. Application Number 29-101-2013-000E		4. Agreement Number 29-101-2013-000E									
5. Program Year 2014		6. Disaster ID Number Non Project Area									
7. Program Code CRP		8. Contract ID (if applicable) 123									
<b>NOTE:</b> To receive payment or credit for any cost-shares earned on these practice(s), report performance below, by completing Items 9 and 10, and file with the issuing FSA county office by the practice expiration date(s) listed on the FSA-848A.											
<b>9. PRACTICES PERFORMED</b>											
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Practice Units	F. Practice Extent Approved	G. Is the Practice Complete? (YES or NO)	H. Acres Served	I. Approved Cost-Share	J. Total Installation Cost	K. If practice is not complete and cost-share is still requested for this practice, list codes for completed components.	
01637	00116		29-101-2013-00-01-CP2	Acre	36.6	YES	36.6	804	2108		
L. TOTALS:											
<b>INSTRUCTIONS TO PARTICIPANT</b> To receive payment or credit for any cost-shares earned on this agreement, report performance on page 1, and file with the issuing FSA county office by the practice expiration dates.						<b>10. CERTIFICATION BY PARTICIPANT:</b> I certify that the above information is true and correct. I further certify that the entries in Item 9G show that the practice(s) was performed in accordance with the practice specifications and other requirements. If Item 9G indicates that the practice is not complete, I request cost-share for the completed components shown in Item 9K. I agree to complete the remaining components approved on the FSA-848A, for this practice(s), by the practice expiration date, regardless of whether or not cost-share assistance is approved. I agree to refund any cost-share assistance paid to me under this practice(s), if I fail to complete it. I hereby apply for payment to the extent that the Approving Official has determined that the practice has been performed and further certify that this payment is not a duplicate of any other earned by me. I agree to maintain and use the practice(s) for the minimum maintenance period established for the practice(s). I agree to refund all or part of the cost-share assistance paid to me, as determined by the Approving Official, if before expiration of the practice lifespan specified above, (a) I destroy the practice installed, or (b) voluntarily relinquish control or title to the land on which the installed practice(s) have been established and the new owner and/or operator of the land does not agree in writing to properly maintain the practice(s) for the remainder of these lifespan. I understand that FSA-848 and FSA-848A and any addendum thereto are by reference incorporated herein and with this form constitutes the entire agreement between the parties.					
A(1) Did you and the other participants on this agreement bear all the expense (except for program cost sharing) for performing this practice?  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						B(1) During the current fiscal year Oct. 1 – Sep. 30, have you received or will you or any participant on this agreement receive a cost-share payment under the same program on this or any other farm other than through this FSA-848B?  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
A(2) If "NO", report name(s) and addresses of other person(s) or agency who bore any part of the expenses. Also, show kind, extent and value of their contribution.						B(2) If "YES", report State, County, and amount by farm.					
C. Participant Signature (By)				D. Title/Relationship of the Individual If Signing in a Representative Capacity				E. Date (MM-DD-YYYY)			
<small>                     In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.usda.gov/complaint">http://www.usda.gov/complaint</a>, filing, read, and mail it to any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 696-7442; or (3) email: <a href="mailto:program.state@usda.gov">program.state@usda.gov</a>. USDA is an equal opportunity provider, employer, and lender.                 </small>											



500 FSA-848A and FSA-848B (Continued)

E Example of FSA-848B (Continued)

FSA-848B (12-02-19)										Page 2
11. AGREEMENT INFORMATION										EMERGENCY PROGRAMS ONLY
A. Program Code CRP	B. Program Year 2014	C. ST. & CO. Code 29-101	D. Agreement Number 29-101-2013-000E		E. Contract ID 123		F. Disaster ID Non-project area			
12. PRACTICE EXTENT PERFORMED										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Practice Units	F. Practice Extent Approved	G. Practice Extent Performed	H. Acres Served	I. Approved Cost-Share	J. Total Installation Cost	K. Cost-Share Earned
01697	00116		29-101-2013-00-01-CP2	36.6	36.6	36.6	36.6	804	2108	804
L. TOTALS:										
13. COMPONENT EXTENT PERFORMED										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Component No.	F. Component Title	G. Component Units	H. Component Extent Approved	I. Approved Cost-Share	J. Component Extent Performed	K. Cost-Share Earned
01697	00116		29-101-2013-00-01-CP2	Disk	MOM-Strip Disking	Acre	36.6	402	36.6	402
01697	00116		29-101-2013-00-01-CP2	Seed	MOM-Inter-seeding	Acre	36.6	402	36.6	402
14. TECHNICAL PRACTICE EXTENT APPLIED										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Technical Practice Code	F. Technical Practice Title	G. Technical Practice Units	H. Technical Practice Cost-Shared	I. Technical Practice Extent Planned	J. Technical Practice Extent Applied	
01697	00116		29-101-2013-00-0	Disk	MOM-Strip Disking	Acre	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	36.6	36.6	
01697	00116		29-101-2013-00-0	Seed	MOM-Inter-seeding	Acre	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	36.6	36.6	
							<input type="checkbox"/> YES <input type="checkbox"/> NO			
15. Performance Certification	A. Signature of Technical Service Provider or Participant			B. Date	C. Affiliation	D. Practice Control Number	E. Performance Statement			
				04-02-16		29-101-2013-00-01-CP2	MOM light disking to space			
				04-02-16		29-101-2013-00-01-CP2	MOM interseeding to specs			

500 FSA-848A and FSA-848B (Continued)

E Example of FSA-848B (Continued)

FSA-848B (12-02-19)										Page 3
16. AGREEMENT INFORMATION										EMERGENCY PROGRAMS ONLY
A. Program Code CRP	B. Program Year 2014	C. ST. & CO. Code 29-101	D. Agreement Number 29-101-2013-000E		E. Contract ID 123	F. Disaster ID non project				
17. COST-SHARE DETAILS										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Component No.	F. Participant's Name	G. Program Accounting Code	H. Partial or Final Payment for Practice	I. Partial or Final Payment for Agreement	J. Cost-Share Earned	
<b>18. USDA USE ONLY – Performance Approval</b>		A. Signature of FSA Representative			B. Date (MM-DD-YYYY) 04-02-16	C. Total Approved Cost-Share 804	D. Current Earned Amount 804	E. If Final, Total Cost-Share Earned 804		
<p>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 701, 7 CFR Part 1410, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and 16 U.S.C. § 2201-2206. The information will be used to determine eligibility to participate in and receive benefits under a cost-share assistance program through documentation of the participant's agreement to comply with the terms and conditions contained in the cost-share performance certification and payment request. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under a cost-share assistance program.</p> <p>According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0082. The time required to complete this information collection is estimated to average 3 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE</p> <p>By signing this form, the Participant acknowledges and understands that any false representation or claims are subject to civil and criminal penalties including, but not limited to those under 18 U.S.C. 1001.</p>										

## 500 FSA-848A and FSA-848B (Continued)

**F Completing FSA-848B for CRP**

**Note:** The items highlighted are not filled by CSS, manual entries must be made if needed.

<b>Item</b>	<b>Instructions</b>
1	Enter the State and county codes.
2	Enter the name, address, and telephone number of the County Office.
3	Enter the C/S application number.
4	Enter the agreement number (same as #3).
5	Enter the program year of the CRP-1 contract.
6	Enter "Non-Project Area" for CRP.
7	Enter the program code (CRP).
8	Enter the contract ID (CRP-1 contract number).
9A	Enter FSN.
9B	Enter tract number.
9C	Leave blank for CRP.
9D	Enter the practice control number (auto generated).
9E	Enter the practice unit.
9F	Enter the practice extent approved that corresponds to items 9A through 9E.
9G	If the practice in item 9D is: <ul style="list-style-type: none"> <li>• complete, ENTER "Yes"</li> <li>• not complete, ENTER "No".</li> </ul>
9H	Enter the acres served.
9I	Enter the approved C/S that corresponds to items 9A through 9I.
9J	If the practice is complete, enter the total installation cost that corresponds to items 9A through 9I.
9K	If the practice is not complete and C/S is still requested for this practice, list codes for completed 9I.
9L	Enter the total approved C/S that corresponds to the sum of item 9I and the total installation cost that corresponds to the sum of item 9J. If there are additional practices, complete FSA-848B-1, item 2.
10A	Check "Yes" or "No", as applicable.
10B	Check "Yes" or "No", as applicable.
10C	The producer or signing authority must sign.
10D	Enter the title/relationship that corresponds to the signing authority in item 10C.
10E	Enter current date.

## 500 FSA-848A and FSA-848B (Continued)

## F Completing FSA-848B for CRP (Continued)

Item	Instructions
11A	Enter the program code.
11B	Enter the program year of CRP-1.
11C	Enter the State and county codes.
11D	Enter the C/S agreement number.
11E	Enter the contract ID (CRP contract number).
11F	Enter "Non-Project Area" for CRP.
12A	Enter FSN.
12B	Enter the tract number.
12C	Leave blank for CRP.
12D	Enter the practice control number.
12E	Enter the practice unit.
12F	Enter the practice extent approved that corresponds to items 12A through 12E.
12G	Enter the practice extent performed that corresponds to items 12A through 12F.
12H	Enter the acres served that correspond to items 12A through 12G.
12I	Enter the approved C/S that corresponds to items 12A through 12H.
12J	Enter the total installation cost that corresponds to items 12A through 12I.
12K	Enter the total C/S earned that corresponds to items 12A through 12J.
12L	Enter the sum of all approved C/S from item 12I and continuation pages, the sum of the total installation cost from item 12J and continuation pages, and the total C/S earned from item 12K and continuation pages. If there are additional practices, complete FSA-848B-1, item 4.
13A	Enter FSN.
13B	Enter the tract number.
13C	Leave blank for CRP.
13D	Enter the practice control number.
13E	Enter the component number.
13F	Enter the component title.
13G	Enter the component unit.
13H	Enter the component extent approved that corresponds to items 13A through 13G.
13I	Enter the approved C/S that corresponds to items 13A through 13H.
13J	Enter the component extent performed that corresponds to items 13A through 13I.
13K	Enter the C/S earned that corresponds to items 13A through 13J. If there are additional components, complete FSA-848B-1, item 5.

## 500 FSA-848A and FSA-848B (Continued)

**F Completing FSA-848B for CRP (Continued)**

<b>Item</b>	<b>Instructions</b>
14A	Enter FSN
14B	Enter the tract number.
14C	Leave blank for CRP.
14D	Enter the practice control number.
14E	Enter the technical practice code.
14F	Enter the technical practice title.
14G	Enter the technical practice unit.
14H	Check the box indicating if the technical practice is cost-shared.
14I	Enter the technical practice extent planned that corresponds to items 14A through 14H.
14J	Enter the technical practice extent applied that corresponds to items 14A through 14I. If there are additional technical practices, complete FSA-848B-1, item 6.
15A	The technical service provider must sign at practice certification.
15B	Enter today's date.
15C	Enter the affiliation.
15D	Enter the practice control number.
15E	Enter the performance statement. If there are additional practices with performance certifications, complete FSA-848B-1, item 7.
16A	Enter the program code.
16B	Enter the program year of CRP-1.
16C	Enter the State and county codes.
16D	Enter the C/S agreement number.
16E	Enter the contract ID, if applicable.
16F	Enter the disaster ID.
17A	Enter FSN.
17B	Enter the tract number.
17C	Leave blank for CRP.
17D	Enter the practice control number.
17E	Enter the component number.
17F	Enter the participant's name.
17G	Enter the program accounting code.
17H	Enter the partial or final payment for the practice.
17I	Enter the partial or final payment for the agreement.
17J	Enter the C/S earned.
18A	The FSA representative must sign to approve performance.
18B	Enter today's date.
18C	Enter the total approved C/S for the agreement.
18D	Enter the current amount earned.
18E	If final payment, enter the total C/S earned on the agreement.


**501 Notifying Applicant of C/S Approval****A Notifying Producers**

Notify the producer of the practice extent and approved C/S according to the CSS User Guide.

501 Notifying Applicant of C/S Approval (Continued)

B CRP C/S Approval Letter

The following is a sample of the CRP C/S approval letter, which is generated through CSS.



---

United States  
Department of  
Agriculture

Farm and Foreign  
Agricultural  
Services

Farm Service  
Agency

Any County FSA Office  
XXX Any Ave  
Any City, Any State  
XXXXX-XXXX  
(XXX)XXX-XXXX

PRODUCER A  
Any Address  
Any City, Any State 12345

June XX, 2013

Program: Conservation Reserve Program  
Application No: ST\_CO\_YEAR\_XXXX  
Contract No: XXXXXX

Dear PRODUCER A:

Your request for financial assistance under the above program has been approved for the practice(s) indicated on the attached FSA-848A and summarized below:

Practice Code	Farm Number(s)	TSP	Lifespan (yrs)
CP2	1234		10
CP2	1234		10

If you are not satisfied with the practice(s) or financial assistance approved, you may appeal in writing to the County FSA Committee within 30 days from the date of this letter.

The following items should serve as a guide in completing and reporting the approved practice(s):

1. Make arrangements to install the conservation practices(s) as soon as practical.
2. Make arrangements to obtain the necessary easements and permits to perform the practice(s).
3. Carry out the practice(s) in accordance with the specified requirements to ensure effective practice(s). The specifications must be met to qualify for the financial assistance approved.
4. If you start the practice(s) and cannot complete the practice(s) before the expiration date, please notify us in advance. If the reasons justify an extension of time, the committee may approve an extension.
5. Furnish a report of performance on the attached FSA-848B immediately upon completion of the practice and not later than the expiration date indicated on the Cost Share Agreement. Otherwise, the approval for financial assistance will be cancelled.
6. Furnish sales slip, invoices, or other evidence for the materials used in connection with each practice to be used in determining your financial assistance.

Note: Activities must cease and the FSA office immediately notified if any archaeological site or remains are discovered when installing the practice(s).

Sincerely,

\_\_\_\_\_  
County Executive Director

An Equal Opportunity Provider and Employer

## 502 Extending Time to Complete Practices

### A Extension of Time

COC or CED may extend the time to complete a practice, not to exceed 12 months after the \*--completion date in the approved conservation plan, if the extension is requested by the participant before the practice approval expires. COC or CED must determine whether the additional time, not to exceed 12 months, is sufficient to approve the request.

**Example:** The initial conservation plan requires the practice to be installed within 8 months. Before the end of the 8 months, the participant requests an additional 4 months to install the approved cover because of difficulty in preparing an adequate seed bed. COC or CED may approve the extension of time not to exceed 12 months of the effective start date of CRP-1.

Extension of time that exceeds 12 months from the effective start date of CRP-1 is not authorized, unless the criteria in subparagraph 426 D are met.

### B Expiration Notice

The County Office must prepare a report of FSA-848's expiring within 30 calendar days each month to keep track of approvals that need to be completed within a 30-calendar-day period.

COC will mail all participants on the list the "Practices Expiring in 30 days" letter.

The County Office must monitor all CRP C/S FSA-848A obligations according to--\* paragraph 522.

See CSS Main Menu for reports access.

\* \* \*

### C Documenting Extensions in COC Minutes

Document extensions of time individually in COC minutes and, at a minimum, include the following:

- \*--participant name
- farm number
- agreement number from FSA-848
- practice
- detailed description of reason for extension.--\*

**502 Extending Time to Complete Practices (Continued)****D Record Extension in CSS**

\*--County Office will record all COC- or CED-approved extensions in CSS within 5 workdays.

**E Notification of Extension**

COC or CED will notify the participant in writing within 5 workdays of COC or CED determination. If an extension is authorized, COC or CED will also notify the participant of the extended deadline.--\*

**503 Canceling Approvals****A Canceling Approved FSA-848A**

Cancel an approved FSA-848A when the performance report is not filed by the expiration date. When FSA-848A is canceled, COC or CED must:

- notify NRCS or TSP
- document the action taken on FSA-848A
- notify the participant, in writing, within 5 workdays of the action taken, including possible termination of CRP-1

**Note:** Failure to complete the practice must result in termination of CRP-1.

- document the cancellation in the COC minutes.

**B Suspending Cancellation**

If a performance report on FSA-848B is not filed timely, cancellation may be suspended if the County Office is aware that the practice was performed in a timely manner.

- Certification of performance on FSA-848B and personal knowledge of a committee member or County Office employee are acceptable reasons for suspending cancellations.
- County Office must take immediate action to obtain the performance report and document in the COC minutes.

**Note:** If the performance report from the producer is not obtained within 30 calendar days, cancel the approval.



## 504 Reinstating Canceled Approvals

### A Conditions to Reinstatement Canceled Approvals

COC or CED may reinstate a canceled FSA-848A practice approval when **all** of these conditions apply:

- the participant requests reinstatement
- the practice was started before cancellation
- the practice was or will be completed within a time prescribed by COC or CED.

**\*--Important:** FSA-848A or FSA-848B may be reinstated through CSS C/S software--\* according to the CSS User Guide.

## 505 Filing Performance Reports

### A Who May File

Any eligible “person” according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable, who paid a part of the cost of a completed practice and is signatory on CRP-1, may sign and date the performance report. See 1-CM for provisions applying to minors and dead, missing, or incompetent persons.

### B Performance Reports

To be eligible for C/S payments, “persons” according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable, who perform approved practices **must** report performance on FSA-848B, and provide any required supporting data by the practice expiration date.

If the practice or component is not completed, the producer must not sign FSA-848B. County Offices must date stamp reports when received.

**Note:** See paragraph 490 for persons eligible for C/S.

**506 Reporting Dates for Performance**

**A Final Date to Report Performance**

Performance **must** be reported on or before the expiration date or by the authorized extension date granted by COC or CED. See paragraph 502.

**B Filing in Timely Manner**

FSA-848B is filed in a timely manner when it is delivered to the County Office or is postmarked on or before the expiration date.

**C Not Filing in Timely Manner**

For reports not filed in a timely manner enter either of the following on FSA-848B:

- date received and initial the entry
- postmarked date and initial the entry.

Cancel FSA-848A and notify the participant with appeal rights.

**Note:** FSA-848A or FSA-848B may be reinstated through CSS according to the CSS User Guide because the performance report was not filed in a timely manner, if provisions in paragraph 503 are satisfied.

**507 Reporting Practice Completion****A Reporting Completion**

On FSA-848B, participants will:

- report completion of practice by entering “Yes” in item 9G
- complete items included under “Instructions to Participant”, item 10.

**Note:** See paragraph 500 for FSA-848B instructions.

County Offices must not process FSA-848B until all information is submitted.

NRCS, FS, or TSP will certify on FSA-848B that all practices (CP1, CP2, etc.) on CRP-1 were installed according to NRCS standards and specifications. FSA-848B, items 12, 13, 14, and 15 must be completed in full. See subparagraph 513 C for required supporting documentation.

**B Multiple Contributors**

If multiple persons shared in the cost of the practice, the participant must include a list of names of all persons who shared in the cost of the practice and the extent of their contributions. The list must include all ineligible persons, State, or Federal agencies.

A “person” who is fully compensated or reimbursed for materials, equipment, services, or labor is not a contributor.

COC or CED may consider all available information to determine the eligibility of other contributors.

If more than 1 person contributed to a practice, determine whether:

- all contributors qualify as separate “persons” according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable, or should be considered 1 “person” according to 1-PL or a person or legal entity according to 4-PL or 5-PL, as applicable
- each eligible contributor is eligible to receive C/S if included on CRP-1 as a participant.

**508 Certification on FSA-848B by Technical Agency****A Technical Agency Certification**

The technical agency's certification of practice completion on all FSA-848B's is required.

**Example:** The participant has CRP-1 for CP21, Filter Strip. The conservation plan includes a seeding, fencing, pipeline, and water facility. The producer certified final practice completion on FSA-848B. NRCS, FS, or TSP conducts a field visit to determine whether the practice or practices were installed according to NRCS standards and specifications. NRCS, FS, or TSP determines that the pipeline was not installed correctly. NRCS, FS, or TSP will document on FSA-848B and certify all installed technical practices (for example: Fence – 382) and extents that meet NRCS standards and specifications in item 14. NRCS, FS, or TSP will also provide NRCS-LTP-13 and additional documentation to explain why the pipeline does not meet NRCS standards and specifications and certify that practice CP21 does not meet NRCS standards and specifications.

**B Items To Be Reported by Technical Agency**

The technical agency must report the following on FSA-848B:

- a certification showing items and extent that meet specifications
- any conservation practices that do not meet specifications and explain the reasons for the failure.

**509 Adjusting Extent or C/S After Practice Performance****A Increase in Extent or C/S Before Payment**

COC may increase the extent or C/S originally approved after performance is completed, but before payment is made on a case-by-case basis, if the extent approved was based on an estimate that proved to be in error and the producer could not reasonably have known in advance the extent needed to complete the practice.

**All adjustments must be in compliance with the approved conservation plan. The conservation plan must be modified to reflect any changes in the extent of performance before COC may approve the change.**

**Notes:** A new FSA-848A is not required when increasing the extent or C/S after performance. However, FSA-848A must be modified and approved before performance is recorded according to CSS User Guide.

Changes in the number of acres on CRP-1 is not authorized.

**509 Adjusting Extent or C/S After Practice Performance (Continued)****B Decrease After Performance and Before Payment**

COC may decrease the extent and C/S originally approved after performance and before payment if the technical agency approves the lesser extent for practice completion.

**All adjustments must be in compliance with the approved conservation plan. The conservation plan must be modified to reflect any changes in the extent of performance before COC may approve the change.**

**Note:** Changes in the number of acres on CRP-1 is not authorized.

**C Participant Notification**

Notify the producer by letter and enclose a copy of the revised FSA-848B and modified conservation plan.

**D Increase Extent or C/S After Payment**

COC may increase the extent or C/S originally approved after payment has been issued if 1 of the following situations occurred:

- County Office made an error on original extent or payment computation
- technical agency made an error on original extent reported
- producer failed to bring in a receipt or invoice
- other similar situation that resulted in a lesser extent or C/S payment.

**E Documenting Increase After Payment**

Documentation of extent or C/S increase must be recorded through CSS on FSA-848A. The person making changes must initial and date the changes.

- Enter the total C/S and extent approved on FSA-848A. See the CSS User Guide.
- Issue payment to the producer for the additional C/S.

**510 Eligible Items for Computing C/S****A Eligible Costs**

Review all applicable costs for labor, material, equipment used, sales tax, and value of used material to determine the total eligible cost of the practice.

Expenses for personal labor and personal equipment should be less than that charged by contractors who are entitled to make a profit for their efforts.

**B Ineligible Costs**

Ineligible costs for computing C/S earned include:

- pumps and pumping accessories

**Exception:** Permanently installed pumps that are required as an integral part of water facilities constructed outside of a riparian buffer, MPL wildlife habitat buffer, MPL wetland buffer, or filter strip.

- dry wells
- engineering charges or permit fees
- consultant's fees
- providing land or the right to use land or water
- meeting supplemental requirements, such as abstaining from harvesting
- loss or reduction in revenue from the land
- rent or other costs of using land
- shipping
- fence chargers

**Exception:** Solar fence charger included as part of or attached to the fence.

- seed and/or materials in excess of the NRCS or TSP recommended, and COC or CED approved amounts
- personal mileage
- items or activity not required to meet the minimum practice standards.

511 C/S Policy for Water Development and Water Facilities

**A C/S Approval Authority**

Exhibit 11 provides that certain components for practices CP21, CP21B, CP21S, CP22, CP22B, CP22S, CP29, CP30, and CP88 are eligible for C/S.

Approvals for the following components must be as follows:

- Water developments
- Water Facilities
- Pipelines
- Livestock Crossings.

<b>IF C/S amount per contract, per component is...</b>	<b>THEN approval authority is...</b>
\$4,000 or less	COC.
\$4,001 to \$7,500	STC.
more than \$7,500	DAFP.

**Example 1:**

NRCS planned 3 water tanks, including applicable gravel apron and fencing. Each tank, including gravel apron, and fencing is estimated to cost \$2,200 each. The total cost of this component for this CRP-1 contract is \$6,600 or \$3,300 C/S. Since the C/S for this component on this contract is less than \$4,000, the C/S request may be approved by COC.

**Example 2:**

NRCS or TSP determines, based on the site conditions, 2 water developments are needed because a steep pasture is bisected by a stream. The steep topography and rocky site condition prohibit the crossing of the stream by a pipeline. Each water development will cost \$5,100.

The total cost of this component for this CRP-1 contract is \$10,200 or \$5,100 C/S. Since the C/S for this component on this contract is over \$4,000 and does not exceed \$7,500, then the C/S request must be reviewed by COC and recommended to STC for approval.

## 511 C/S Policy for Water Development and Water Facilities (Continued)

**B Water Developments**

Water developments are any of the following:

- spring
- dug, bored, or drilled well
- pond.

Producers may receive C/S if all of the following are met:

- technical authority (NRCS, FS, TSP) determines, based on the specific site conditions, that a water development is needed to provide water for livestock
- livestock currently graze or normally graze (crop residue) the marginal pastureland or cropland acreage located adjacent to the acreage enrolled in CRP as a filter strip, riparian \*--buffer, MPL wildlife habitat buffer, or MPL wetland buffer--\*
- water development is installed according to the NRCS FOTG standard and this handbook

**Note:** More than 1 water development per contract may be allowed, if needed, to provide the water for livestock, and no other technically feasible and economically viable alternatives for water are available.

- water development is the lowest cost option that provides a dependable water source.

**Examples:** NRCS or TSP determines, based on the site conditions, that the producer could construct a \$4,000 spring or a \$3,100 drilled well. Both options would provide dependable water and would address the resource concerns. The \$3,100 drilled well **must** be selected.

A steep pasture is bisected by a stream. The steep topography and rocky site condition prohibit the crossing of the stream by a pipeline. Two spring developments may be permitted because it is the lowest cost option to provide a dependable water source.

NRCS determines the most efficient location to install a well would require a pumping station. These 2 technical practices are needed to address resource concerns.



**511 C/S Policy for Water Development and Water Facilities (Continued)****C Water Development Distance From Filter Strip or Riparian Buffer**

Water developments may be approved for C/S for CRP if the water development distance \*--from the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer contract acres are either of the following:

- up to 750 feet from the outer edge of the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer based on COC or CED approval
- up to 1,500 feet from the outer edge of the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer based on STC approval.

**Note:** Water developments in excess of 1,500 feet from the outer edge of the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer **must be--\*** submitted to CD for approval. See subparagraph J.

**D Water Facilities**

Water facilities are any of the following:

- trough
- tank
- fencing, included around the tank or trough
- hydrants and other necessary piping, excluding pipeline to convey water to the watering facility.

## 511 C/S Policy for Water Development and Water Facilities (Continued)

**D Water Facilities (Continued)**

Producers may receive C/S for water facilities if all of the following are met:

- technical authority (NRCS, FS, TSP) determines, based on the specific site conditions, that water facilities are needed to provide water for livestock
- livestock currently graze or normally graze (crop residue) the marginal pastureland or cropland acreage located adjacent to the acreage enrolled in CRP as a filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer
- water facilities are installed according to the NRCS FOTG standard and this handbook.

**Note:** More than 1 water facility per contract may be allowed, if needed, to address the resource concern, and no other technically feasible and economically viable alternatives for water are available.

**Important:** C/S is available to provide the lowest cost option that provides a dependable water facility needed to address the resource concerns.

**Example:** A producer could choose to install 3 water tanks, gravel aprons, and fencing. Each tank, gravel apron, and fencing costs \$1,500 each. The total eligible costs are \$4,500.

**E Water Facility Distance From Filter Strip or Riparian Buffer**

\*--Water facilities may be approved for C/S for CRP if the water facility distance from the--\* filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer contract acres are either of the following:

- less than 750 feet from the outer edge of the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer based on COC or CED approval
- less than 1,500 feet from the outer edge of the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer based on STC approval.

**Note:** Water facilities in excess of 1,500 feet from the outer edge of the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer **must** be submitted to CD for approval. See subparagraph J.

## 511 C/S Policy for Water Development and Water Facilities (Continued)

**F Pipelines**

Installing pipelines to convey water to water facilities is eligible for C/S if all of the following are met:

- livestock currently graze or normally graze (crop residue) the marginal pastureland or cropland where the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer is located
- pipeline is installed according to the NRCS FOTG standard and this handbook
- COC's or CED's may approve contracts with pipelines less than 750 feet from the outer edge of the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer
- STC may approve pipelines less than 1,500 feet from the outer edge of the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer.

**G Fencing**

C/S is available for installing fencing if the following are met:

- fencing is necessary to prohibit livestock access to the CRP acres devoted to filter strips, riparian buffers, MPL wildlife habitat buffer, or MPL wetland buffer
- fencing is installed parallel and adjacent to the CRP acreage

**Note:** For extraordinary cases, if the existing size and width requirements for filter strips, riparian buffers, MPL wildlife habitat buffer, or MPL wetland buffer in Exhibit 11 do not allow for installing the fence parallel and adjacent to the buffer, these cases may be submitted to CD through STC for review.

- C/S does not exceed the STC- or COC-established cost for a 4-strand barbed wire fence.

**Note:** Producers may install fencing other than a 4-strand barbed wire fence. However, C/S is limited to the cost of the 4-strand barbed wire fence.

**Important:** C/S is available only for the lowest cost option that provides adequate fencing needed to address the resource concerns.

**511 C/S Policy for Water Development and Water Facilities (Continued)****H Cost**

COC or CED and STC should review all cost data for water facilities, water developments, water gaps, and livestock crossings. COC's or CED's and STC's should take steps necessary to ensure that components of the practice are essential for the practice and the minimum needed for completing the practice.

**I Livestock Crossing**

Livestock crossing is only permitted if it is determined by COC or CED, based on the technical authority finding, that a livestock crossing is essential for implementing the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer.

**J STC or CD Approval Request**

Requests for STC or CD, according to subparagraphs A, C, E, and G, forwarded to STC or CD should include a minimum of the following:

- digital imagery/map of the site
- \*--location of the filter strip, riparian buffer, MPL wildlife habitat buffer, or MPL wetland buffer--\*
- location of current or proposed water facilities
- location of current or proposed pipelines
- size of pasture impacted and approximate amount of livestock using the pasture
- options considered
- option selected and the rationale for selecting the option
- estimated costs
- technical contact person for the plan
- environmental justification
- letters of concurrence from the State conservationist and STC
- any other pertinent documentation to support the request.

**512 C/S Policy for Management Activities**

**A C/S Authorized Before June 3, 2019**

Paragraph 428 and Exhibit 11 provide that certain management activities are required for all practices on CRP-1's approved before June 3, 2019. These management activities are eligible for C/S. C/S is limited to 50 percent of eligible cost not to exceed:

- \$100 per acre for the life of the contract for a 10-year contract
- \$125 per acre for the life of the contract for a contract in excess of 10 years.

**B C/S Not Authorized Beginning on June 3, 2019**

Paragraph 428 and Exhibit 11 provide that all participants with CRP-1's approved beginning June 3, 2019, are required to perform at least 1 management activity if determined needed by the State Technical Committee according to their approved conservation plan. C/S is not authorized for these management activities.

**513 Supporting Data****A Obtaining Evidence**

COC's or CED's must obtain evidence to determine proper payment. This includes, but is not limited to, the following:

- invoices
- canceled checks
- paid receipts
- analysis tags
- other evidence to determine proper payment.

Evidence **must** be obtained from participants to ensure that C/S received does not exceed 100 percent of the cost of the practice. Participants **must** provide acceptable evidence to determine actual cost to determine the C/S payment.

COC's or CED's must obtain acceptable evidence of practice completion regardless of whether the participant will receive C/S. COC's or CED's **must** ensure that the practice was completed according to the standards and specifications in the conservation plan.

**B Retaining Documentation**

Review, date stamp, copy, and return to participant the supporting evidence required by COC or CED that the producer submits to receive C/S payments.

## 513 Supporting Data (Continued)

**C Invoices and Documentation for Percent of Cost**

Process data for C/S payments based on percent of cost according to the following.

<b>Step</b>	<b>COC Action</b>
1	Applicant <b>must</b> provide satisfactory evidence to determine proper payment according to subparagraph A.
2	Record the cost of performing the components of the practice on FSA-848B according to the CSS User Guide.
3	If a discount was applied, use the sale price minus the discount to compute C/S.
4	Consider costs reported paid by ineligible persons.  <b>Note:</b> See paragraph 516 for an example.
5	If used materials are involved, COC must determine and document the value of these materials based on current commercial rates.
6	If the producer performed the practice with the producer's own labor, equipment, or materials, the producer must submit signed, itemized statements.  Statements must include: <ul style="list-style-type: none"> <li>• dates of work performed</li> <li>• cost per hour charged for labor</li> <li>• type of equipment used</li> <li>• charge for equipment</li> <li>• type and cost of materials used</li> <li>• other applicable information.</li> </ul> Costs for personal labor and personal equipment should be less than that charged by contractors who are entitled to make a profit for their efforts.

**514 Computing C/S****A When to Compute C/S**

Compute C/S earned only after **all** these actions have been taken:

- participant has certified completion of the practice on FSA-848B
- NRCS or TSP has certified installation of the practice on FSA-848B
- all required information has been obtained
- approved adjustments have been made in:
  - C/S
  - extent
  - materials
  - practice components.

**B Computing C/S Earned**

Manually compute C/S earned for practice and components and enter on FSA-848B according to the CSS User Guide and paragraph 500. Payments will not be rounded.

**Note:** Do not include ineligible costs when computing C/S earned.



**515 Cost Data When Ineligible “Persons” According to 1-PL or Person or Legal Entity According to 4-PL, Contributed**

**A Ineligible Contributor**

Any contributor that is not a signatory to the contract is:

- an ineligible contributor
- not eligible to receive C/S.

Examples of contributions from an ineligible contributor include materials, services, or cash provided to an eligible “person” according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable.

**B Reporting Ineligible Contributions**

Report the contribution of an ineligible contributor according to subparagraph 507 B. Include the following information:

- name of the ineligible contributor
- total cost of performing the practice
- dollar value of the ineligible contribution made
- describe the ineligible contribution.

**516 Computing C/S if Ineligible Persons Have Contributed****A CRP C/S**

C/S payments must not exceed 100 percent of cost paid by CRP participant, including contributions of ineligible persons, to carry out a CRP practice.

**B Computing C/S Payments**

If an ineligible person contributed to a practice, C/S is computed by including the ineligible contributor's contribution in the total cost. C/S is limited to the participant's out-of-pocket cost.

**Note:** The participant must never earn C/S exceeding 100 percent of out-of-pocket costs.

**C Example of Percent of Cost, Not to Exceed**

Producer A, an eligible "person" according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable, incurs \$4,000 for a practice. An ineligible contributor contributes \$1,000 for the practice. Total cost of the practice was \$5,000. Percent of actual cost rate is 50 percent, not to exceed \$3,000.

The ineligible contribution of \$1,000 will not be deducted from the total practice cost of \$5,000 to compute C/S amount. Producer A will receive a \$2,500 C/S payment, which is 50 percent of the actual cost, not to exceed \$3,000.

**Note:** C/S of \$2,500 does not exceed 100 percent of the producer's out-of-pocket cost.

**517 Computing C/S if Special Interest Groups Contributed****A Special Interest Groups**

Special interest groups, such as Ducks Unlimited or Pheasants Forever, are eligible to receive C/S payments if they are part of the contract.

When special interest groups contribute to the cost of a practice, their contribution must **not** be subtracted from the total cost when computing C/S.

Non-C/S services are permitted from special interest groups, such as Ducks Unlimited or Pheasants Forever, and are included in the calculation of total establishment costs.

**Notes:** C/S payment must not exceed 100 percent of the eligible “persons” according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable, contribution to the cost of installing the practice.

Special interest groups **may** not be eligible to receive annual rental payments.

**B Example**

An eligible producer contributes \$5,000 to the cost of a practice. A special interest group contributes \$1,500 to the cost of the same practice for a total cost of \$6,500. The practice C/S level is 50 percent.

The eligible producer may receive a \$3,250 C/S payment, which is 50 percent of \$6,500.

**Note:** C/S of \$3,250 does not exceed 100 percent of the producer’s out-of-pocket cost.

**518 Dividing C/S Based on Contributions****A All Costs Paid by 1 Eligible “Person” or Person or Legal Entity**

An eligible person who performs the obligation of establishing the practice may earn the C/S payment.

**Note:** See paragraph 490 for eligible persons.

**B Costs Paid in Equal Proportions by Eligible “Persons” or Person or Legal Entity**

If 2 or more eligible “persons” according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable, equally contribute to the cost of performing the practice, divide C/S equally.

**C Costs Paid in Unequal Proportions by Eligible “Persons” or Person or Legal Entity**

If 2 or more eligible “persons” according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable, contribute to the cost of performing a practice and COC determines that each “persons” according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable, contributions are not in equal proportions, COC or CED must:

- prorate the C/S payments based on the individual’s contributions
- document how each “persons” according to 1-PL or person or legal entity according to 4-PL or 5-PL, as applicable, percent of contribution was determined.

**D All Costs Paid by Ineligible “Person”**

Make no C/S payments to any person for a practice for which all costs are paid by ineligible “persons”.

## 519 Making CRP C/S Payments

### A C/S Payments

CRP C/S payments must:

- be made when authorized according to 1-FI
- be computed based on the rates and specifications in effect when C/S is approved on FSA-848A

**Note:** See paragraph 498 for an exception.

- be paid as soon as possible after all of the following have been completed:
  - COC or CED approves CRP-1
  - producer signs FSA-848B and reports completion of the practice
  - NRCS or TSP certifies performance
  - AD-1026 has been completed and signed
  - CCC-901, as applicable, has been completed and signed
  - compliance with 5-PL, as applicable

**Note:** See 61-FI for prompt payment provisions.

- not exceed:
  - 50 percent of actual costs
  - \*--50 percent of land value for certain practices--\*

**Exceptions:** See paragraph 490.

- 100 percent of participant's out-of-pocket cost
- be exempt from maximum payment limitation provisions and offset for debts to FLP
- \*--only be paid to signatories to approved CRP-1--\*
- not be authorized for splitting practices on the same land for C/S purposes between different Federal programs

**519 Making CRP C/S Payments (Continued)**

**A C/S Payments (Continued)**

- not be issued to Federal entities
- be recorded on FSA-848B
- be spot-checked according to paragraph 513.

**Note:** See 58-FI. Make partial payments according to the CSS User Guide and paragraph 520. Record partial and final performance according to the CSS User Guide.

**B Approval Responsibilities for C/S Payments**

STC or DAFP representative must review certain FSA-848B's before approval. The following shows required reviews, persons responsible for review, and persons responsible for approval or disapproval.

<b>FSA-848B for...</b>	<b>MUST be reviewed by...</b>	<b>BEFORE approval or disapproval by...</b>
<ul style="list-style-type: none"> <li>• COC members</li> <li>• County ES employees</li> <li>• FSA County Office employees</li> <li>• other County USDA employees</li> <li>• Conservation District board members</li> </ul>	DD	DD.
State Office employees	STC	STC.
STC members	DAFP	SED.
SED's	DAFP	STC.
other FSA employees	DAFP	STC.

**Note:** Reviews **must** be completed for any entity for which the employees, who are subject to a required review, have a substantial beneficial interest, according to 1-PL, 4-PL, or 5-PL, as applicable.

Persons making the required reviews must ensure that all:

- eligibility requirements are met
- \*--required entries on FSA-848B are completed.

SED or STC, as applicable, must not approve FSA-848B unless authorized by DAFP in--\* writing.

## 520 Partial Payments

### A Authority for Partial Payment

Partial payment for a practice may be paid if the participant will complete **all** of the practice within the time prescribed by COC or CED.

If the practice is not completed within the time prescribed, the participant **must** refund the payment.

### B Making Partial Payments

Make partial payments only when **all** of the following conditions are satisfied:

- a request for payment is made on FSA-848B
- NRCS or TSP determine that the completed components are a reasonable attainment toward completing the practice
- \*--participant certifies that a major component is complete.

**Example 1:** The participant enrolled 20 acres of CP-1. The participant purchased the seed, applied herbicides, and disked the field; however, the planting was not completed. The participant is requesting a partial payment for the completed activities. Since a major component of the practice (seeding) was not completed, a partial payment must not be issued.

**Example 2:** The participant enrolls 5 acres of CP-21 with fencing to exclude cattle from the seasonal stream. The participant has installed the fence but has not planted the filter strip. The participant is requesting a partial payment for the installed fence. The partial payment may be issued because the participant has completed a major component by installing the fence.--\*

## 521 Adjustments Because of Overpayment or Underpayment

### A Adjustments

County Offices must adjust FSA-848B according to CSS User Guide if:

- overpayment is caused by an error in data or computations, which includes excess refunds
- underpayment is caused by an error in data or computations, which includes deficient refunds.

**Note:** The participant **must** sign the corrected FSA-848B.

522 Monitoring CRP C/S Obligations

A CSS Reports and Purposes

Reports available in CSS.

The following reports are available in CSS for State and County Offices to use as tools for monitoring C/S requests and payments.

Applicability	Report Title	Report Description
FSA-848's	All FSA-848, Pending Approval	Displays all FSA-848's. Also displays revisions to previously approved FSA-848A's where the revisions are in process, but not yet approved.  <b>Note:</b> CRP FSA-848A's in revision status will have an alpha suffix in the control number.
FSA-848A's	FSA-848A, Customizable CRP Practice Expiration Report	Displays all FSA-848A's (CRP only) with practices that expire within a user-defined window beginning with the current date and ending on the date designated by the user.
	FSA-848A, Practices Expiring Within 30 Days	Displays all FSA-848A's (ECP, CRP, etc.) with practices that expire within a 30-calendar-day window from the date of the report request.
	FSA-848A, Practices With Expiration Date Exceeded	Displays all FSA-848A's with an unpaid practice that has passed its expiration date. If FSA-848A contains multiple practices, only the practices that have passed the expiration date will be shown.
FSA-848's and FSA-848A's	Status Management Report – CSS Applications/Agreements	Displays agreements and practices according to criteria selected by the user. Searching for practices with statuses of “Approved”, “Pending Certification”, “Partially Earned”, and “Payment Failed” can display all agreements with practice expiration dates that occur in the near future.

**Note:** The following CSS reports must be used by County Offices, DD's, State Office Specialists, and SED's for monitoring CRP C/S obligations.



**522 Monitoring CRP C/S Obligations (Continued)****B All FSA-848, Pending Approval Report**

The All FSA-848, Pending Approval Report identifies FSA-848's where editing, revision, or termination actions have been conducted but those actions have not yet been approved by COC. County Office will focus on FSA-848's that have an alpha suffix as those FSA-848's are in a revision status and require action.

The report lists all unapproved FSA-848's that contain at least 1 practice. FSA-848's that have been started but do not yet have a practice added do not display on this report.

FSA-848A's that are in the process of being revised but the revised FSA-848A has not yet been approved display with a status of:

- "Revise in Process" before being designated revise complete on the FSA-848A Approval Page
- "Incomplete" when the user answered that a producer is being removed or that shares are changing but no receivable should be created during the revision process
- "Complete" after designating "Application information Complete" during revision of the "Incomplete" status revision
- "Revise Complete" after being designated revise complete but before being submitted to COC/CED
- "Revise COC" after being submitted to COC/CED but before COC approval.

FSA-848A's that are in the process of being terminated but the termination has not yet been approved display with a status of "Terminate COC".

**C Customizable CRP Practice Expiration Report and Letters**

The Customizable CRP Practice Expiration Report allows users to set the date range for expiring practices to be included in the report to something greater than what is available in the "Practices Expiring within 30 days Report. This report facilitates a proactive approach to notifying CRP producers of practices approaching expiration.

**522 Monitoring CRP C/S Obligations (Continued)****C Customizable CRP Practice Expiration Report and Letters (Continued)**

Additionally, a practice expiration letter specific to CRP is available. This letter advises the producer that:

- the C/S will be cancelled if performance is not reported or an extension of the practice expiration date is not requested by the practice expiration date
- failure to complete the practice may result in termination of the associated CRP contract.

The Customizable CRP Practice Expiration Report is available to both State and County users.

The report is generated based upon the timeframe and county selected by the user.

- Report Begin Date is defaulted to the current date and cannot be edited
- Report End Date is selected by the user and can be entered manually in MM/DD/YYYY format or can be selected from the calendar help tool.

**D CRP/EF CRP Practice Expiration Reminder Letters**

Expiration reminder letters are only available to County users.

Expiration reminder letters are generated based upon the timeframe and county selected by the user.

Report Begin Date is defaulted to the current date and cannot be edited.

Report End Date is selected by the user and can be entered manually in MM/DD/YYYY format or can be selected from the calendar help tool.

The CSS User Guide contains instructions for generating expiration reminder letters.

**522 Monitoring CRP C/S Obligations (Continued)****E FSA-848A, Practices Expiring Within 30 Days Report**

Use FSA-848A, Practices Expiring within 30 Days Report, to identify producers who need to be sent letters warning of practices expiring in 30 calendar days.

The report displays all practices with a “Practice Completion Date” that falls within the next 30 calendar days. FSA-848A’s with multiple practices will have multiple rows displayed in the report if more than 1 practice associated with FSA-848A will expire in the next 30 calendar days. Practice statuses in this report include “Approved”, and practices with performance reported (“Partially Earned” or “Pending Certification”).

**F FSA-848A, Practices With Expiration Date Exceeded Report**

Use FSA-848A, Practices With Expiration Date Exceeded Report, to identify FSA-848A’s needing action because the completion date for the practices on FSA-848A has passed.

This report contains all practices with expected practice completion dates that have passed and that have not yet had the “Practice complete?” question that appears in the Producer Certification process answered with a “Yes”.

Practice statuses included in the report include:

- “Approved” (no performance reported)
- “Partially Earned” (partial performance reported with a payment issued)
- “Pending Approval” (approval data entered but no COC/CED approval date for FSA-848A)
- “Pending Certification” (TSP and producer certification of performance, but no County Office signature date entered for the payment)
- “Payment Failed” (payment attempted but not successful).

522 **Monitoring CRP C/S Obligations (Continued)**

**G Status Management Report – CSS Applications/Agreements**

Use the Status Management Report – CSS Applications/Agreements to identify:

- practices not designated as “practice complete” with expiration dates:
  - that have already passed, or
  - that are in the immediate future
- “Paid” status agreements with practices that have a status other than paid.

Version 1 lists expired practices and practices where expiration is imminent that have not been designated as “Practice complete”. The County Office must review the report and complete the applicable action for each FSA-848A including:

- certify and mark practice complete
- extend practice expiration date
- potentially terminate agreement.

Version 2 lists practices with practice statuses of something other than “Paid” that exist on agreements with agreement statuses of “Paid”. The County Office must address the practice status to get it to paid. This may require a zero certification, processing a pending payment, or marking a failed payment as a valid failure. The County Office must never terminate the agreement because terminating a “Paid” agreement will create receivables for prior payments.

**H Monitoring CRP Obligation Reporting Action Responsibilities**

Use this table to monitor CRP obligation reporting action responsibilities.

<b>Report</b>	<b>Employee</b>	<b>Required Action</b>
All FSA-848, Pending Approval	Program Technician	<ul style="list-style-type: none"> <li>• On the first of each month, prepare a report of all FSA-848’s, pending approval to ensure that FSA-848’s in revision status are approved timely. FSA-848A’s in revision status that require action will have an alpha suffix in the control number and require action.</li> <li>• Approve, revise, or terminate the pending FSA-848’s, as applicable.</li> <li>• Provide a copy of the monthly report to the DD with action taken documented on the list by the 15th of each month.</li> </ul>

522 Monitoring CRP C/S Obligations (Continued)

H Monitoring CRP Obligation Reporting Action Responsibilities (Continued)

Report	Employee	Required Action
All FSA-848, Pending Approval (Continued)	DD	<ul style="list-style-type: none"> <li>• Review the monthly report provided by each County Office.</li> <li>• Contact the County Offices that do not provide a report by the 15th of each month.</li> <li>• Provide a summation of actions taken to the State Office by the end of each month.</li> </ul>
	State Office	<ul style="list-style-type: none"> <li>• Review the monthly reports provided by DD'.</li> <li>• Provide summary report for the State to SED.</li> </ul>
	SED	Review the monthly report and communicate corrective actions needed to DD's.
FSA-848A, Customizable CRP Practice Expiration Report	Program Technician	<ul style="list-style-type: none"> <li>• Generate the report in October of each FY to *--identify all CRP C/S practices expiring in that--* FY.</li> <li>• Generate and mail expiration reminder letters using "CRP/EFCRP Practice Expiration *--Reminder" option in CSS Reports Menu.--*</li> <li>• On the first of each month, rerun the report to monitor progress of practice completion for the current date through the end of the FY.</li> <li>• Provide a monthly update of practice completion progress to DD by the 15th of the month.</li> </ul>
	DD	<ul style="list-style-type: none"> <li>• Review the monthly report provided by each County Office.</li> <li>• Contact the County Offices that do not provide a report by the 15th of each month.</li> <li>• Provide a summation of actions taken to the State Office by the end of each month.</li> </ul>

522 Monitoring CRP C/S Obligations (Continued)

H Monitoring CRP Obligation Reporting Action Responsibilities (Continued)

Report	Employee	Required Action
FSA-848A, Customizable CRP Practice Expiration Report (Continued)	State Office	<ul style="list-style-type: none"> <li>• Review the monthly reports provided by DD’s.</li> <li>• Provide summary report for the State to SED.</li> </ul>
	SED	Review the monthly report and communicate corrective actions needed to DD’s.
FSA-848A, Practices Expiring Within 30 Days	Program Technician	<ul style="list-style-type: none"> <li>• On the first of each month, prepare a report of FSA-848’s expiring within 30 calendar days to track performance that needs to be completed within 30 calendar days according to subparagraph 502 B.</li> <li>• Mail all participants on the list the “Practice Expiring in 30 days” letter.</li> <li>• Provide a copy of the monthly report to DD with action taken documented on the list by the 15th of each month.</li> </ul>
	DD	<ul style="list-style-type: none"> <li>• Review the monthly report provided by each County Office according to paragraph 33.</li> <li>• Contact the County Offices that do not provide a report by the 15th of each month.</li> <li>• Provide a summation of actions taken to the State Office by the end of each month.</li> </ul>
	State Office	<ul style="list-style-type: none"> <li>• Review the monthly reports provided by DD’s.</li> <li>• Provide summary report for the State to SED.</li> </ul>
	SED	Review the monthly report and communicate corrective actions needed to DD’s.

522 Monitoring CRP C/S Obligations (Continued)

H Monitoring CRP Obligation Reporting Action Responsibilities (Continued)

Report	Employee	Required Action
FSA-848A, Practices With Expiration Date Exceeded	Program Technician	<ul style="list-style-type: none"> <li>• On the first of each month, prepare a report of FSA-848's with Expiration Date Exceeded.</li> <li>• Review the practice status for each FSA-848A on the report.</li> <li>• Contact all participants that have not submitted receipts or certified completion of practices with instructions for practice performance certification or extension, as applicable.</li> <li>• Review report with COC.</li> <li>• Process applicable payments for participants who had submitted receipts and certified completion of the practice.</li> <li>• Terminate FSA-848A's for practices that have not been completed or an extension has not been requested and approved according to paragraphs 502 through 504.</li> <li>• Provide a copy of the monthly report to DD with action taken documented on the list by the 15th of each month.</li> </ul>
	DD	<ul style="list-style-type: none"> <li>• Review the monthly report provided by each County Office.</li> <li>• Contact the County Offices that do not provide a report by the 15th of each month.</li> <li>• Provide a summation of actions taken to the State Office by the end of each month.</li> </ul>
	State Office	<ul style="list-style-type: none"> <li>• Review the monthly report provided by DD.</li> <li>• Provide summary report for the State to SED.</li> </ul>
	SED	Review the monthly report and communicate corrective actions needed to DD's.

522 Monitoring CRP C/S Obligations (Continued)

H Monitoring CRP Obligation Reporting Action Responsibilities (Continued)

Report	Employee	Required Action
Status Management Report – CSS Applications/Agreements	Program Technician	<ul style="list-style-type: none"> <li>• On the first of each month, prepare 2 versions of the Status Management Report using the selection criteria.</li> <li>• Review the practice status for each FSA-848A on the reports.</li> <li>• Contact all participants that have not submitted receipts or certified completion of practices, as applicable.</li> <li>• Review report with COC.</li> <li>• Process applicable payments for participants who had submitted receipts and certified completion of the practice.</li> <li>• Provide a copy of the monthly report to DD with action taken documented on the list by the 15th of each month.</li> </ul>
	DD	<ul style="list-style-type: none"> <li>• Review the monthly report provided by each County Office.</li> <li>• Contact the County Offices that do not provide a report by the 15th of each month.</li> <li>• Provide a summation of actions taken to the State Office by the end of each month.</li> </ul>
	State Office	<ul style="list-style-type: none"> <li>• Review the monthly reports provided by DD’s.</li> <li>• Provide summary report for the State to SED.</li> </ul>
	SED	Review the monthly report and communicate corrective actions needed to DD’s.



**523 National Office Monitoring**

**A C/S Reports**

The National Office established 2 monthly CRP C/S reports:

- CRP contracts (CRP-1) that are not matched (“Unmatched”) with a corresponding FSA-848A recorded in CSS
- current and aged FSA-848A’s, recorded in CSS with unpaid balances after the practice expiration date.

**B Report Distribution**

The National Office will generate and provide the reports monthly to State Offices to assist in monitoring timely recording and managing of CRP FSA-848’s.

**524-545 (Reserved)**



**Part 16 CRP-1 Modifications****Section 1 CRP-1 Revisions****546 Revisions to CRP-1's****A When to Revise CRP-1's**

CRP-1's must be revised for the following reasons:

- change in farm number after a reconstitution, if the farm number is on CRP-1

**Note:** For CRP-1's that have a farm number provided, if the farm number changes, the County Office must complete a pen and ink change on the hard copy of CRP-1 to strike through the farm number. Do not add a new farm number to CRP-1. The County Office employee making the change and the CRP participant both must initial and date the strike through. If the farm number changes again, no action is required.

- change of participants
- change in participant's shares
- part of the land under CRP-1 is terminated by the participant according to subparagraph 571 B
- part of the land under CRP-1 is terminated because of a violation
- land under CRP-1 is withdrawn from cropland status
- land under CRP-1 is sold to another producer
- loss of control of land, including death, sale, inheritance, incompetency, foreclosure, or eminent domain
- acreage changes because of new digital imagery
- removal of CRP because of natural conditions.

**Note:** This is applicable to all CRP-1 signups.

546 Revisions to CRP-1's (Continued)

**B Revising Erroneous Acre Determinations**

Revise erroneous acre determinations according to the following.

**Note:** This subparagraph only applies to cases where there was **no** measurement service completed.

<b>IF, after CRP-1 is approved, it is determined that CRP-1 includes...</b>	<b>THEN...</b>
<p><b>more</b> eligible acres than originally approved</p>	<ul style="list-style-type: none"> <li>• revise CRP-1 to include the additional eligible acres</li> <li>• do <b>not</b> make retroactive payments on the additional acres.</li> </ul>
<p><b>less</b> eligible acres than originally approved</p>	<ul style="list-style-type: none"> <li>• revise CRP-1 to correct the error</li> <li>• do <b>not</b> collect overpayments if it is an FSA, NRCS, or TSP error.</li> </ul>

**C Notification of Revisions**

COC or CED **must** notify all CRP participants in writing that the conservation plan and CRP-1 **must** be revised to reflect the change to CRP-1. Participants **must** consult with NRCS or TSP to revise the conservation plan. Notify all participants, in writing, upon COC or CED receipt of the revised conservation plan, that the participants have 60 calendar days from the date of notification to sign the revised CRP-1.

546 Revisions to CRP-1's (Continued)

**D Required Forms and Signatures**

The following provides required forms and signatures.

Form	Signature Required
<ul style="list-style-type: none"> <li>• CRP-1 (Exhibit 21)</li> <li>• CRP-1 Appendix</li> <li>• NRCS-CPA-1155</li> <li>• Certification Statement (subparagraph 130 E)</li> <li>• Conservation Plan and Contract Support Documents</li> </ul>	<ul style="list-style-type: none"> <li>• Operator.</li> <li>• Operator's spouse, if spouse is another producer.</li> <li>• Each owner whose name is on the deed.</li> </ul> <p><b>Note:</b> CRP-1 signatures are required 60 calendar days after COC notification. No signature is required on CRP-1 Appendix.</p>

**Note:** An operator is not required to sign a revised CRP-1 if the operator provides a written statement voluntarily relinquishing rights to CRP.

**E Requirement Exceptions**

The requirements for signatures apply unless:

- a trustee of BIA representing native Americans owning the land signs on their behalf

**Note:** All CRP-1's signed by BIA representative on behalf of native Americans owning the land must be reviewed by RA. COC or CED must not approve CRP-1 until RA determines that the required signatures have been obtained.

- a native American has a restrictive 5-year BIA farm lease that has been extended according to BIA provisions.

**F Other Signatures**

COC or CED must:

- ensure that operators and tenants receive fair and equitable treatment
- verify that this provision is being followed before making C/S or annual rental payments.

## 546 Revisions to CRP-1's (Continued)

## G Revising CRP-1's

Revise CRP-1 **only** according to the following.

Step	Action
1	Initiate the CRP-1 revision or division in CCMS, according to 5-CRP, Part 2, Sections 2 and 5.
2	Make necessary adjustments in CCMS to update CRP-1 according to 5-CRP, Part 2, Sections 1 and 2.
3	*--Print revised CRP-1 from CCMS according to 5-CRP, Part 2, Section 1.--*
4	Write "VOID" on original CRP-1.
5	<p>Provide copy of revised CRP-1 to all participants for signature, and CRP-1 Appendix, if applicable.</p> <p><b>Note: Do not</b> provide a different CRP-1 Appendix if the participant on the revised CRP-1 is the same participant signing the original CRP-1. See subparagraph I.</p>
6	Once signatures are obtained on revised CRP-1 and conservation plan, COC/CED will approve.

**546 Revisions to CRP-1's (Continued)****H Revising CRP-1 if Plan Is Modified**

If CRP-1 is revised for reasons other than modifying the plan, consult with NRCS or TSP about the need for modifying the approved conservation plan.

- Do **not** revise CRP-1 for only changes to the approved conservation plan. NRCS or TSP will use NRCS-CPA-1156.

**Note:** Changes in practices will require a revision to CRP-1.

- NRCS or TSP, in consultation with the participant, is responsible for changing the approved conservation plan.
- COC or CED will consider recommendations for changes in CRP practices.
- Final approval for changes in C/S obligations is the responsibility of COC.
- Obtain a signed, modified conservation plan from NRCS or TSP.
- An approved conservation plan **must** be modified to reflect signatures of new owners if CRP-1 is revised because of succession-in-interest.

**I Policy for Using Correct CRP-1 and CRP-1 Appendix**

Successors-in-interest electing to succeed to an existing CRP-1 must:

- sign the current version of CRP-1
- receive the same CRP-1 Appendix that was agreed to by the predecessor.

**Note:** **Do not** provide a different CRP-1 Appendix if the participant on the revised CRP-1 is the **same** participant signing the original CRP-1.

546 Revisions to CRP-1's (Continued)

**J Applicability of CRP-1 Appendix for CRP Offers**

The following provides the dates of each CRP-1 Appendix used for CRP offers.

<b>IF CRP acreage was offered during...</b>	<b>THEN CRP-1 is effective for program year...</b>	<b>AND the date of the applicable CRP-1 Appendix is...</b>
signups 1 through 4	1986, 1987, and 1988	February 25, 1986.
signup 5	1987 and 1988	July 17, 1987.
signups 6 and 7	1988 and 1989	January 22, 1988.
signups 8 and 9	1989 and 1990	February 2, 1989.
signup 10	1991	February 28, 1991.
signup 11	1992	June 25, 1991.
signup 12	1993	June 9, 1992.
signup 13	1996 and 1997	September 6, 1995.
continuous signup 14	1997 and 1998	September 3, 1996.
signup 15	1998 and 1999	February 12, 1997.
signup 16		
continuous signup 17		
signup 18		
continuous signup 19	2000	
signup 20	1999 and 2000	
signup 21	2001	November 29, 1999.
continuous signup 21	2000 and 2001	either of the following:  <ul style="list-style-type: none"> <li>• February 12, 1997, for CRP-1's approved before January 1, 2000</li> <li>• November 29, 1999, for CRP-1's approved on or after January 1, 2000.</li> </ul>
continuous signup 22	2000 and 2001	November 29, 1999.
continuous signup 23	2001 and 2002	
continuous signup 24	2002 and 2003	
continuous signup 25	2003 and 2004	
signup 26	2004 and 2005	
continuous signup 27	2004 and 2005	May 1, 2003.
continuous signup 28		
signup 29		
continuous signup 30	2006 and 2007	
continuous signup 31	2005 and 2006	
continuous signup 31	2006 and 2007	
REX signup 32	2008 through 2011	
general signup 33	2007	



546 Revisions to CRP-1's (Continued)

J Applicability of CRP-1 Appendix for CRP Offers (Continued)

IF CRP acreage was offered during...	THEN CRP-1 is effective for program year...	AND the date of the applicable CRP-1 Appendix is...
continuous signup 35	2007 and 2008	May 1, 2003.
continuous signup 36	2008 and 2009	
continuous signup 37	2009 and 2010	
continuous signup 38	2010 and 2011	
general signup 39	2011	
continuous signup 40	2011 and 2012	
general signup 41	2012	
continuous signup 42	2012 and 2013	
general signup 43	2013	
continuous signup 44	2013 and 2014	
general signup 45	2014	
continuous signup 46	2014 and 2015	
continuous signup 47	2015 and 2016	
continuous signup 48	2016 and 2017	One of the following:
general signup 49	2017	
grasslands signup 200	2017 and subsequent	<ul style="list-style-type: none"> <li>• October 22, 2015, for CRP-1's approved before August 30, 2016</li> <li>• August 30, 2016, for CRP-1's approved on or after August 30, 2016</li> <li>• October 14, 2016, for CRP-1's approved on or after October 14, 2016.</li> </ul>
continuous signup 50	2017 and 2018	Either of the following: <ul style="list-style-type: none"> <li>• August 30, 2016</li> <li>• October 14, 2016, for CRP-1's approved on or after October 14, 2016.</li> </ul>
continuous signup 51	2018 and 2019	October 14, 2016.
Grasslands signup 201	2018	
continuous signup 52	2019 and 2020	
continuous signup 53	2020 and 2021	*--December 9, 2019.--*
general signup 54	2021	

**Note:** Continuous signup 34 is used for EFCRP.

**547 Revising CRP-1 Because of Loss of Control of Land**

**A General Policies**

CRP-1 **may** need to be revised because of loss of control of land under CRP-1.

If loss of control occurs because of death, sale, inheritance, incompetency, foreclosure, or exercise of eminent domain, follow:

- paragraph 630 for conservation easements placed on CRP land
- paragraph 554 for succession-in-interest
- subparagraphs 550 B and C for other revisions
- paragraph 551 for land acquired by a Federal agency
- paragraph 571 for:
  - land acquired by eminent domain
  - terminations
  - terminations because of foreclosure.

**B If Owner Loses Control of CRP Land**

Follow this table if owner loses control of CRP land.

<b>IF loss of control occurs...</b>	<b>THEN...</b>
on a tract of land on which all CRP-1 acres are located	revise CRP-1 and the approved conservation plan according to paragraph 546.
on part of CRP-1 acreage	<ul style="list-style-type: none"> <li>• continue CRP-1 on the remaining acreage still under control of participant</li> <li>• follow paragraph 571 for partial terminations</li> <li>• offer person acquiring control successor-in-interest rights.</li> </ul>
and CRP-1 is not continued on any part of acreage	terminate CRP-1 according to paragraph 571.

**548 Revising CRP-1 Because of Loss of Interest by Operator or Tenant****A Voluntary Withdrawal by Operator or Tenant From CRP-1**

CRP-1 acreage on which an operator or tenant voluntarily relinquishes the right to CRP-1 benefits may be continued by the owner or other eligible participant becoming a successor-in-interest.

The participant acquiring an interest in CRP-1:

- may share in payments made according to division of shares on CRP-1
- will be responsible for complying with CRP-1 provisions
- will be liable for payment reductions for noncompliance after becoming a party to CRP-1.

**B COC Action**

An operator **must** submit a request, in writing, to COC to be removed from CRP-1 when the operator no longer has an interest in CRP acreage.

COC must:

- document basis for removal, in both COC minutes and in CRP folder
- verify that a signed statement was received from operator leaving voluntarily
- give owner the option of continuing to operate the land or obtaining a new operator if previous operator:
  - voluntarily relinquishes rights to CRP benefits
  - files for bankruptcy
  - dies and the estate fails to succeed within 60 calendar days of COC notification.

**549 Revision Because Participant Gains Control of Land Under CRP-1**

**A Gaining Control of Land Under CRP-1**

Follow this table when the participant of an existing CRP-1 gains control of other land already under CRP-1.

<b>WHEN...</b>	<b>THEN...</b>
participant chooses to assume CRP-1 on newly acquired land	<ul style="list-style-type: none"> <li>• do not combine CRP-1's</li> <li>• revise CRP-1 on new land.</li> </ul> <p><b>Note:</b> See paragraph 554 for successor-in-interest.</p>
participant chooses to continue both CRP-1's	<ul style="list-style-type: none"> <li>• advise participant of maximum payment limitation</li> </ul>
either CRP-1 will not be continued	terminate applicable CRP-1 according to paragraph 571.

**550 Other Revisions**

**A Revision Because of New Aerial Imagery**

If new aerial imagery \* \* \* (certified CLU’s or GIS measurement) results in a change in the approved CRP acreage or official cropland for the farm, follow 5-CRP, Part 2, Section 2 for revisions to the acreage.

**B Revision to Substitute Fields**

Fields designated under CRP-1 cannot be substituted because the original field is under a long-term contract.

**C Removal of CRP Acreage Because of Natural Conditions**

Apply this subparagraph to CRP-1 when CRP acreage no longer exists because of natural conditions.

**Example:** The original CRP-1 contained 50 acres along a river. The river eroded 3 acres of land downstream; therefore, only 47 acres remain in the field.

Do not apply this subparagraph to CRP acreage that is underwater or that has been severely damaged.

County Offices must take the following action.

Step	Action
1	Revise CRP-1 to remove acreage that has been physically removed from the property after COC determines that the acreage is no longer eligible for CRP because it does not exist.
2	See 10-CM for procedure on adjusting farm and cropland acreage.
3	Do not require refunds on the acreage that has been physically removed.

**D Revision Authorized by DAFP**

Revisions, other than in this section, require DAFP approval.

## 551 Gain of Control of CRP Land by a Federal Agency

### A Federal Agency Gains Control of CRP Land

Federal agencies that acquire property that contains CRP acreage are **ineligible** to succeed to or earn payments under CRP or offer acreage for enrollment in CRP. However, CRP-1 may be continued on land acquired by a Federal agency if:

- CRP acres are maintained according to CRP-1 terms and conditions
- the operator on CRP-1 at the time the Federal agency gains control continues to be the operator of the property.

**Note:** The Federal agency **must** provide evidence of control to the operator for the remainder of CRP-1 period. Other eligible tenants, including the previous owner, may continue to earn CRP payments, as “other producers”. If the operator relinquishes rights to CRP, CRP-1 must be terminated.

If CRP-1 will be continued with eligible CRP participants, do the following:

- use CRP-20 to notify participants of the conditions for continuing CRP-1

**Note:** Send a copy of CRP-20 to the Federal agency.

- have CRP participants and an authorized representative of the Federal agency sign CRP-1E Addendum within 60 calendar days of COC notification
- file a copy of CRP-20 and CRP-1E Addendum in the participant’s folder.

If a Federal agency acquires property that contains CRP land and chooses **not to continue** CRP-1:

- terminate CRP-1 on the affected acres
- **do not** require refund of previous CRP payments if Federal agency agrees to maintain the acreage according to the CRP-1 terms and conditions.

**Note:** CRP participants may earn their prorated share of eligible CRP payments according to paragraph 463.

**551 Gain of Control of CRP Land by a Federal Agency (Continued)****A Federal Agency Gains Control of CRP Land (Continued)**

When a Federal agency maintains the CRP acreage and the land is subsequently sold to a new owner, if CRP-1 will:

- be continued, see paragraph 554 for succession-in-interest
- **not** be continued, see paragraph 571 for terminations.

**B Exception When FLP Gains Control of CRP Land**

The provision that an eligible successor **must** control CRP acreage for the remainder of CRP-1 period does **not** apply if during the period FLP holds title to property that contains CRP acreage and an eligible FLP borrower exercised the right to repurchase the property under FLP's "lease back/buy back" provisions.

**Note:** See Exhibit 6.

CRP payments may be continued if:

- participants have received CRP-20
- FLP continues to hold title to the property and the FLP borrower **has signed:**
  - a lease to repurchase the property that includes CRP acreage
  - CRP-1E Addendum within 60 calendar days of notification.

CRP payments must be prorated to eligible participants, based on the date the lease was approved by FLP.

**Note:** No payment will be made under CRP-1 until FLP and the eligible FLP borrower **have entered** into a lease to repurchase the property under "lease back/buy back" provisions.

County Offices must:

- review the FLP lease to ensure that the FLP lease **does not** otherwise violate CRP provisions
- file a copy of the FLP lease, CRP-20, and CRP-1E Addendum in the participant's folder.

## 551 Gain of Control of CRP Land by a Federal Agency (Continued)

**C Continuing CRP-1 With FLP Borrower**

CRP-1 will be revised **only if** the land is sold to an eligible participant who agrees to continue CRP-1.

During the period the eligible borrower is attempting to repurchase the property under FLP's "lease back/buy back" provisions, the FLP borrower **must**:

- be considered as an "other producer" under CRP-1
- forfeit **all** rights to future payments and refund, subject to previous payments made under CRP-1, if the property is:
  - not repurchased by the FLP borrower within 5 years
  - sold to an eligible participant who does **not** continue CRP-1.

If the FLP borrower:

- **does not** repurchase the land under CRP-1, see paragraph 571 for terminations
- repurchases the land under CRP-1, see paragraph 547 for revisions.

**D Reoffering CRP Acreage Under FLP Control**

CRP acreage under FLP control may be reoffered if:

- the person offering the acreage has signed a purchase agreement with FLP before the end of sign-up
- the person offering the acreage meets the eligibility requirements in paragraph 126
- the acreage being reoffered meets all other eligibility requirements.

COC or CED will not approve CRP-1 until proof of ownership is provided.

**E Policy Regarding Operators**

The exceptions provided in this paragraph do **not** relieve COC's of the responsibility to ensure that the rights of operators or tenants are protected.

Eligible operators or tenants, who are signatories on **original** CRP-1, will:

- continue to earn their share of CRP payments
- **not** be arbitrarily removed or replaced as eligible participants on CRP-1.



552 Revising CRP-1 Because of Inheritance

A Policy

A producer who becomes the owner of land enrolled in CRP because of inheritance, and succeeds to CRP-1, may receive payments for that CRP-1 without regard to the amount of payments received under any other CRP-1 executed before the inheritance. The participant must provide adequate documentation, as defined by COC, to prove that acreage was inherited.

B When the Recipient Already Has an Interest in the Inherited CRP-1

When a CRP participant inherits CRP acreage and the recipient already has a share of the inherited CRP-1, use the following table for guidance.

**Note:** Each example assumes the son inherits the father’s share of CRP-1.

<b>IF the recipient’s revised payment total for all CRP-1’s is...</b>	<b>THEN...</b>
less than \$50,000  <b>Example:</b> Father and son share CRP-1, each receives 50 percent of the \$20,000 annual rental payment.	<ul style="list-style-type: none"> <li>• revise the inherited CRP-1 to remove the deceased participant and increase the shares of the recipient to 100 percent according to 5-CRP, Part 2, Section 2</li> <li>• process payments in the normal manner according to 5-CRP, Part 5, Section 2.</li> </ul>
greater than \$50,000  <b>Example:</b> Father and son share CRP-1, each receives 50 percent of the \$60,000 annual rental payment.	<ul style="list-style-type: none"> <li>• revise the inherited CRP-1 to remove the deceased participant and increase the shares of the recipient to 100 percent according to 5-CRP, Part 2, Section 2</li> <li>• update the Subsidiary software using the inheritance adjustment. See 3-PL (Rev. 2), paragraph 142 and the inheritance policy in 5-PL, paragraph 276.</li> </ul>

552 Revising CRP-1 Because of Inheritance (Continued)

**C When the Recipient Has No Prior Interest in CRP-1**

When a CRP participant inherits CRP acreage, and the recipient had no share in CRP-1 before inheritance, use the following table for guidance.

<b>IF the recipient's revised payment total for all CRP-1's is...</b>	<b>THEN...</b>
less than \$50,000	<ul style="list-style-type: none"> <li>• revise the inherited CRP-1 to remove the deceased participant and add the recipient</li> <li>• payments will be processed in the normal manner according 5-CRP, Part 5, Section 2.</li> </ul>
greater than \$50,000	<ul style="list-style-type: none"> <li>• revise the inherited CRP-1 to remove the deceased participant, and add the recipient according to 5-CRP, Part 2, Section 2</li> <li>• revise through pay limit system using the inheritance adjustment. See 3-PL (Rev. 2), paragraph 142 and the inheritance policy in 5-PL, paragraph 276.</li> </ul>

**553 Transferring Land From CRP to ACEP-WRE, HFRP, or EWP Floodplain Easement**

**A Transferring Existing CRP-1's**

Land that is subject to an existing CRP-1 may be accepted into ACEP-ALE, ACEP-WRE, HFRP, or EWP Floodplain Easement at the discretion of NRCS.

**Important:** The same land may be enrolled in CRP, including CREP, and ACEP-ALE at the same time.

When issuing CRP annual rental payments, the amount must be prorated from October 1 to the filing date of the easement for ACEP-WRE, HFRP, or EWP Floodplain Easement.

**Notes:** Do not cancel CRP-1 until all ACEP-WRE, HFRP, or EWP Floodplain Easement documents are approved and filed. See 5-CRP, Part 2, Section 2 to terminate CRP-1.

Refunds of C/S payments will not be required when terminating CRP to enroll in ACEP-WRE, HFRP, or EWP Floodplain Easement. Refund of CRP-SIP is required.

No CRP refunds are due on land enrolled in ACEP-ALE provided the participants continue to comply with CRP-1.

Land terminated from CRP is no longer included in the 25 percent cropland limitation or 10 percent easement limitation.

**B Transferring Portion of CRP Acreage**

If only a portion of the land subject to CRP-1 is accepted into ACEP-WRE, HFRP, or EWP Floodplain Easement, terminate only that portion of CRP-1 that is affected by enrollment into ACEP-WRE, HFRP, or EWP Floodplain Easement as follows.

Step	Action
1	Divide CRP-1 into separate CRP-1's according to 5-CRP, Part 2, Section 5.
2	After revising CRP-1, terminate CRP-1 for the acres transferring to ACEP-WRE, HFRP, or EWP Floodplain Easement according to 5-CRP, Part 2, Section 2.

554 **Successor-in-Interest**

**A Eligible Person Acquiring Interest in CRP Land**

An eligible person may become successor-in-interest to CRP-1 if:

- land has been sold
- there has been a change in owner or operator
- a foreclosure or involuntary loss of land occurs.

Follow this table if an eligible person acquires an interest in CRP lands.

<b>IF eligible person elects...</b>	<b>THEN...</b>
<b>not</b> to continue CRP-1	terminate CRP-1 according to paragraph 571.
to continue CRP-1	revise CRP-1 according to subparagraph 546 G.

**B Eligible Succession**

Before approving CRP-1 revisions, COC or CED must ensure that the successor-in-interest:

- understands that any outstanding adjustments because of violations by the previous participant will be the successor’s responsibility
- has 1 of the following:
  - a valid deed to the land under CRP-1
  - a contract-for-deed with the seller that has been properly filed under applicable State law

**Note:** Contact RA for further guidance.

- a final journal entry of a probate court showing change of ownership, if RA concurs
- acquired right of occupancy, through foreclosure proceedings, to the land under CRP-1.

**Note:** This provision applies only to right of occupancy acquired as a result of foreclosure proceedings.

554 Successor-in-Interest (Continued)

**C Full or Partial Succession**

The following shows the difference between full succession-in-interest and partial succession-in-interest.

IF...	AND...	THEN consider succession...
the owner is the only signatory to CRP-1	no longer has control of CRP land	to be full succession-in-interest.
the operator is also signatory to CRP-1	the operator voluntarily relinquished right to CRP-1 and <b>is not</b> replaced	
	the operator will remain on CRP-1	to be a partial succession-in-interest.
	the operator voluntarily relinquished right to CRP-1 and <b>is</b> replaced	<b>Note:</b> The shares on revised CRP-1 must be agreed to by successor and operator, and approved by COC or CED.
CRP-1 will be continued on only a portion of the CRP acres		to be a partial succession-in-interest.

**D Responsibilities of Eligible Successors**

An eligible person who acquires an interest in land under CRP-1 and becomes a successor-in-interest by signing CRP-1, regardless of the division of shares, is:

- entering into a binding agreement with CCC for the remainder of the CRP-1 period
- jointly and severally liable for complying with terms and conditions of CRP-1

**Exception:** Participants that sign CRP-1 with zero percent interest in the annual rental payment will **not** be held responsible for contract compliance.

- responsible for:
  - refunding all payments made since the effective date of CRP-1, including payments earned by previous participant, if CRP-1 is subsequently terminated
  - complying with payment limitation provisions
  - complying with landlord and tenant provisions.

## 554 Successor-in-Interest (Continued)

**D Responsibilities of Eligible Successors (Continued)**

COC or CED must notify previous CRP-1 signers, when a successor-in-interest CRP-1 is approved, that they are no longer responsible for complying with CRP-1 for the acreage in which they no longer have an interest.

An operator or tenant, or his or her estate cannot be replaced **unless** the operator, tenant, or his or her estate agrees, in writing, to voluntarily withdraw from CRP-1 and is determined by COC or CED to no longer be an eligible participant.

\*--COC or CED must notify, in writing:--\*

- new landowners and authorized estate representatives that they have an opportunity to succeed to CRP-1

**Notes:** If a revised CRP-1 is not signed within 60 calendar days from the date of notification by COC or CED, CRP-1 must be terminated. No successor-in-interest will be allowed.

FSA must not force landowners to agree to accept an estate representative as an operator. If a landowner refuses to sign a revised CRP-1, CRP-1 must be terminated without requiring refunds. See paragraph 571.

\*--When the County Office knows or becomes aware of the death of a participant,--\* and the County Office does not know of an heir or estate to contact, the County Office must send a letter to the last known address of the deceased participant within 10 workdays of finding out the participant is deceased. See subparagraph F.

- the bankruptcy trustee that CRP-1 must be affirmed. See paragraph 580.

## 554 Successor-in-Interest (Continued)

**D Responsibilities of Eligible Successors (Continued)**

\*--Within 10 workdays of becoming aware of the death of the participant, regardless of whether the deceased participant is still listed as an owner on the deed, purchase contract, or other acceptable document that affirms ownership, deceased participants with a share:

- greater than zero, the County Office must initiate a revision to CRP-1
- of zero, the County Office must remove the deceased participant from CRP-1.--\*

If Business Partner is the method of notification, the 10 workdays are from the date the County Office confirms the producer's death through the Date of Death Workflow process according to 11-CM, paragraph 151. The participant will only receive prorated payment from October 1 to the date of death.

\* \* \*

**E Policy for Using Correct CRP-1 and CRP-1 Appendix**

Successors-in-interest electing to succeed to an existing CRP-1 must:

- sign the current version of CRP-1
- receive the same CRP-1 Appendix that was agreed to by the predecessor.

**Note:** Do not provide a different CRP-1 Appendix if the participant on the revised CRP-1 is the **same** participant signing the original CRP-1.

**554 Successor-in-Interest (Continued)****\*--F Policy When Heir or Estate of Deceased is Unknown**

If the County Office knows or becomes aware of the passing of a participant, and the County Office does not know of an heir or estate of the deceased to contact, the County Office must mail CRP-30 (Exhibit 7) to the last known address of the deceased participant within 10 workdays of finding out the participant is deceased.

**Note:** County Offices must mail a copy of CRP-30 to all participants on CRP-1. See Exhibit 7.

If the County Office becomes aware of the deceased through Business Partner Date of Death notification, the 10 workdays start from the date the County Office confirms the producer's death via the Date of Death Workflow process, according to 11-CM, paragraph 151.

If a successor is not identified within 90 calendar days of the date of CRP-30, COC must terminate CRP-1.

The purpose of CRP-30 is to:

- identify point of contact for the deceased
- provide the County Office contact information so the potential successor can contact the County Office and provide information or ask questions
- provide notification that CRP-1 will be terminated if a potential successor is not identified within 90 calendar days of the letter.

County Office will **not** include a copy of CRP-1 with CRP-30. CRP-30 is **not** the notification to successor giving her/him 60 calendar days to sign a revised CRP-1.--\*

**555 Revisions Authorized by DAFP****A DAFP Authorized Revisions**

Revisions, other than in this section, require DAFP approval.

**556-570 (Reserved)**



## Section 2 Terminations, Foreclosures, Receiverships, and Bankruptcies

### 571 Terminations

#### A Policy for Terminating All Land Under CRP-1

COC must terminate **all** land under CRP-1 before its expiration date, if any of the following are met:

- participant loses control of or transfers **all** of the land under CRP-1 and there is no successor-in-interest
- **all** signatories voluntarily request, in writing, to terminate **all** land under CRP-1
- participants' request for termination of part of the land under CRP-1 was disapproved and participants proceed to violate the terms and conditions of CRP-1 on that land

**Example:** Participant has 100 acres enrolled in CRP. Participant requests to terminate part of the acres under CRP-1 to return to crop production. The request is not approved. Producer plants part of the acres under CRP-1 to corn. COC must terminate all land (100 acres) under CRP-1.

**Note:** See subparagraph 603 E.

- **all** land under CRP-1 is transferred to ACEP-WRE, HFRP, or EWP Floodplain Easement according to paragraph 553

**Note:** The same land **may** be enrolled in CRP, including CREP, and ACEP-ALE at the same time.

- CRP practice or practices failed on **all** land under CRP-1 according to subparagraph 492 B and COC determines the cost of restoring the cover outweighs the benefits received from the restoration
- land under CRP-1 is under lease for gas, oil, earth, or mineral rights and the owner of these rights exercises the option to extract the gas, oil, earth, or minerals on **all** of the land under CRP-1 according to paragraph 154
- CRP-1 was approved based on erroneous eligibility determinations according to paragraph 638

## 571 Terminations (Continued)

**A Policy for Terminating All Land Under CRP-1 (Continued)**

- NRCS determines continuous signup practice cannot function on its own when a partial termination is requested
- participant is out of compliance with CRP-1 terms and conditions on all the land under CRP-1, and COC determines there was not a good faith effort to comply according to paragraph 603.

**Note:** See paragraph 573 for terminating CRP-1's.

**B Policy for Terminating Part of the Land Under CRP-1**

COC must terminate **part** of the land under CRP-1 before its expiration date, if any of the following are met:

- participant loses control of or transfers **part** of the land under CRP-1 and there is no successor-in-interest
- participant is out of compliance with CRP-1 terms and conditions on part of the land under CRP-1, and COC determines there was not a good faith effort to comply according to paragraph 603
- **part** of the land under CRP-1 is transferred to ACEP-WRE, HFRP, or EWP Floodplain Easement according to paragraph 553

**Note:** The same land **may** be enrolled in CRP, including CREP, and ACEP-ALE at the same time.

- CRP practice or practices failed on **part** of the land under CRP-1 according to subparagraph 492 B and COC determines the cost of restoring the cover outweighs the benefits received from the restoration
- land under CRP-1 is under lease for gas, oil, earth, or mineral rights and the owner of these rights exercises the option to extract the gas, oil, earth, or minerals on **part** of the land under CRP-1 according to paragraph 154
- part of the land under CRP-1 was approved based on erroneous eligibility determinations according to paragraph 638

## 571 Terminations (Continued)

**B Policy for Terminating Part of the Land Under CRP-1 (Continued)**

- **both** of the following conditions are met:
  - **all** signatories to CRP-1 request, in writing, to terminate part of the acreage under an approved CRP-1
  - the later of the following:
    - CRP-1 has been effective for at least 2 years

**Exception:** CRP-1's that have been re-enrolled do not have to be in effect for at least 2 years.

**Example:** CRP-1 number 926 was enrolled in 2006 and was scheduled to expire September 30, 2016, but was re-enrolled to CRP-1 number 10025 with an effective date of October 1, 2016. CRP-1 number 10025 does **not** have to be in effect for 2 years to request a partial termination.

- the approved cover is established on the acreage
- for continuous signup practices only, NRCS determines the remaining practice functions after part of the land under CRP-1 is terminated.

**Notes:** A paid-for measurement service must be completed to determine the acreage terminated. The producer must refund annual rental payments plus interest and liquidated damages for the acreage terminated. Any cover destroyed on the acreage not terminated must be re-established at the producer's expense.

SRR's for remaining acreage under CRP-1 must not be recalculated.

Requests for termination of part of the land under CRP-1 that do not meet these requirements may only be approved by DAFP.

**571 Terminations (Continued)****B Policy for Terminating Part of the Land Under CRP-1 (Continued)**

Requests for DAFP approval of termination of part of the land under CRP-1 **must** include, at a minimum:

- written request, signed by all signatories to CRP-1, to terminate part of the acreage under an approved CRP-1 that includes the reason for termination and what the land will be used for after termination
- COC and STC recommendations
- map of acreage to be terminated
- copy of original CRP-2 or CRP-2C and revised CRP-2 or CRP-2C with **all** item numbers completed for acreage that will remain enrolled in CRP. Participants must **not** sign revised CRP-2 or CRP-2C.

**Note:** See paragraph 573 for terminating CRP-1's.

**572 Terminations Because of Foreclosures and Eminent Domain****A CRP-1 Terminated Because of Foreclosure**

CRP participants will not be required to refund payments received when CRP-1 is terminated because of foreclosure, regardless of the foreclosure date.

**Note:** Sufficient documentation **must** be provided to COC or CED verifying the CRP acreage was foreclosed upon.

If the participant regains control of the land under CRP-1, then CRP-1 will be in effect on the date the foreclosure will apply.

**Note:** See paragraph 580.

## 572 Terminations Because of Foreclosures and Eminent Domain (Continued)

### B Land Acquired Under Eminent Domain

CRP land acquired under threat of condemnation or by eminent domain for public use is considered an involuntary loss of land by the participant.

COC must:

- terminate the CRP acres acquired through condemnation or eminent domain

**Exception:** CRP acreage may be continued under CRP-1 if there is minimal impact on the affected acreage and the vegetative cover is maintained.

- waive the refund of annual rental payments and C/S payments
- not assess liquidated damages.

**Note:** CRP payments must be prorated to eligible participants based on the date the land was acquired by eminent domain.

## 573 Terminating CRP-1

### A How to Terminate CRP-1

COC must do the following when terminating all or part of the land under CRP-1:

- clearly document the facts in the COC minutes
- on CRP-1, write, “Terminated for (reason), REF COC minutes of (date of COC meeting)”

**Note:** Person making entries must initial and date.

- cancel automated CRP-1 according to 5-CRP, Part 2, Section 2

**Important:** Terminated CRP-1’s may only be reinstated by DAFP. COC’s, CED’s, or STC’s do not have authority to reinstate a terminated CRP-1.

**573 Terminating CRP-1 (Continued)****A How to Terminate CRP-1 (Continued)**

- notify each CRP-1 participant of all of the following:
    - reason for termination
    - they are no longer required to comply with terms of CRP-1 for which they no longer have an interest
    - they are ineligible to receive future CRP payments for acreage terminated
    - conservation compliance provisions apply
    - when part of the land under CRP-1 is terminated, they have 60 calendar days from the date of notification to obtain all signatures on revised CRP-1
- Note:** If all signatures are not obtained within 60 calendar days of notification by COC, CRP-1 must be terminated.
- amount that **must** be refunded. See paragraph 574.

**Note:** Standard payment reductions do not apply to terminated CRP-1's.

**574 Required Refunds****A Refunds**

For terminations, COC must request refund of all of the following:

- all annual rental payments plus interest
- all C/S payments, plus interest
- CRP-SIP, plus interest
- PIP, plus interest
- liquidated damages, if applicable, according to paragraph 577.

**574 Required Refunds (Continued)****A Refunds (Continued)**

**Notes:** Liquidated damages are not included when calculating the total amount of refund for requests for waivers of refunds. Liquidated damages may be waived according to paragraph 578.

If a participant was assessed a payment reduction during the CRP-1 period, required refunds must not include the amount of the reduction.

C/S payments may be prorated after the permanent cover has been established for 5 years if COC determines, after consulting with the Conservation District and NRCS, that the established conservation practices have achieved the desired conservation benefits.

A second party review must be conducted on all refund calculations.

Refunds must be requested when there is no success-in-interest, regardless of whether the sales contract for the land requires the purchaser to succeed to CRP-1.

See paragraph 576 for waiver of refunds.

**575 Refunds Not Required****A No Refunds Required**

Refunds of CRP-1 payments are not required of:

- operators when the administrator or heirs of an owner's estate do not become successor-in-interest to CRP-1
- the owner's estate if the estate or the heirs do not succeed to CRP-1

**Note:** If the owner's estate succeeds to CRP-1, and the heirs subsequently do not succeed, refunds are not required from the estate.

- heirs if the deceased has no estate and the heirs do not succeed to CRP-1
- participants when both of the following apply:
  - an operator's estate wants to succeed to CRP-1
  - the landowner refuses to sign a revised CRP-1

**575 Refunds Not Required (Continued)****A No Refunds Required (Continued)**

- participants when CRP-1 is being terminated to enroll the acreage in a State conservation program, ACEP-WRE, EWP Floodplain Easement, or HFRP

**Exception:** Refunds of SIP are required.

- participants when CRP-1 was approved based on an erroneous ownership or operatorship determination as provided in paragraph 638, and CRP-1 is terminated because of the erroneous determination
- participants when CRP-1 was approved based on an erroneous land eligibility determination according to paragraph 638, and CRP-1 is terminated because of the erroneous determination
- participants when COC determines that CRP-1 must be terminated, based on provisions in subparagraph 492 B.

**Note:** COC or CED must clearly document in COC minutes that the costs of restoring the cover outweigh the benefits received from the restoration.

**576 Requests for Waiver of Refunds****A Policy for Waivers of Refunds**

COC and STC are authorized to provide relief to the extent determined to be equitable to waive refunds when the following apply:

- a request to waive refunds is received from participants, in writing

**Note:** It is the participants responsibility to request a waiver of refunds. It is the County Office's responsibility to notify the participant of the amount due.

- the total amount of refunds for any 1 CRP-1, calculated according to paragraph 574 does not exceed:
  - \$5,000, for COC authority to waive refunds
  - \$25,000, for STC authority to waive refunds
- extenuating circumstances exist to warrant a waiver of refunds.

**Note:** SED's are authorized to waive refunds for equitable relief according to subparagraph E.



## 576 Requests for Waiver of Refunds (Continued)

**B COC Waivers of Refunds**

COC must:

- determine whether criteria exist to warrant a waiver of refunds

**Note:** See subparagraph C.

- thoroughly document requests for waivers, including reasons and justification for decision, in COC minutes
- ensure that COC determination letter includes appeal rights and fully documents reasons for any waiver of refunds, how the waiver was determined, and why it is equitable
- submit requests for waivers in excess of \$5,000 to STC or SED, as applicable
- not submit requests for waivers to STC or SED if COC does not recommend approval
- provide CD a report of waivers of refunds, no later than December 1 for each FY, according to subparagraph F.

**Notes:** COC may waive liquidated damages according to paragraph 578.

COC may waive TIP liquidated damages according to subparagraph 812 C.

**Important:** If the CRP participant is requesting a waiver of refunds for more than one CRP-1 and any CRP-1 refund is in excess of the \$5,000 COC authority, no waiver of any CRP-1 may be provided by COC. Waivers for all CRP-1's must be submitted to STC.

**Example:** The CRP participant has a haying and grazing violation on three CRP-1's, and requests a waiver of refunds on all CRP-1's. Contract 1 calculated refund is \$2,360. Contract 2 calculated refund is \$15,400. Contract 3 calculated refund is \$18,000.

COC has no authority to waive refunds for any CRP-1 even though Contract 1 is within the \$5,000 COC authority. All CRP-1's must be submitted to STC for a determination.

**Note:** If any of CRP-1's is in excess of the \$25,000 STC authority, all contracts must be submitted to DAFP for authority to waive refunds.

## 576 Requests for Waiver of Refunds (Continued)

### B COC Waivers of Refunds (Continued)

**Important:** In no case can either COC or STC provide a partial waiver for a contract in excess of their applicable authority.

**Example:** The CRP participant has a violation on their CRP-1. The calculated refund is \$7,200. COC **may not** waive any portion of the refund.

### C Criteria for Waivers of Refunds

Refunds are requested from CRP participants when either the participant requests to terminate all or a portion of CRP-1 or COC terminates all or a portion of CRP-1. COC termination for a violation of CRP-1 occurs when a determination of “good faith” cannot be made. COC’s are responsible for maintaining program integrity and should not approve a waiver for refunds simply because a participant requests it. COC’s should only approve a waiver of refunds when extenuating circumstances warrant a waiver. COC must document the justification to support the determination. When determining whether a waiver of refunds should be approved, COC’s should include, but are not limited to, all of the following considerations:

- could the waiver be justified to other participants who continue to comply with CRP and to taxpayers
- does approving a waiver treat all similarly situation participants fairly and equitably
- did the participant know or have reason to know that the action they took, or failed to take, could result in a violation of CRP-1 and requirement to refund payments
- were there conditions beyond the participant’s control that contributed to requirement to refund benefits
- will the participant gain a financial benefit from their actions

**Example:** Returning the land to agricultural production, or harvesting and selling a commodity planted in violation.

- whether the participant provided all required information timely without any misrepresentation, concealment, or intention to evade any program compliance provision

## 576 Requests for Waiver of Refunds (Continued)

**C Criteria for Waivers of Refunds (Continued)**

- whether the participant brought the failure to FSA's attention or if FSA learned of the program failure or discrepancy by other means
- if the failure was the result of oversight and not an intent of the participant to comply with only some of CRP's requirements
- the actual performance rendered by the participant toward compliance with CRP's requirements
- whether the termination was a result of repeated violations.

**Example:** The CRP participant hayed the CRP acreage without authorization 3 times in the last 5 years.

**Important:** Financial hardship must not be the sole factor in COC's determination to approve the CRP participant's request for a waiver of refunds.

**D STC Waivers of Refunds**

STC must:

- thoroughly document requests for waivers, including reasons and justification for decision, in STC minutes
- ensure that the STC determination letter includes appeal rights and fully documents reasons for any waiver of refunds, how the waiver amount was determined, and why it is equitable
- provide CD a report of waivers of refunds for the previous FY, no later than December 1 each year, according to subparagraph F.

**Notes:** STC may waive liquidated damages according to paragraph 578.

STC may waive TIP liquidated damages according to subparagraph 812 C.

**Important:** If the CRP participant is requesting a waiver of refunds for more than one CRP-1 and any CRP-1 is in excess of the \$25,000 STC authority, no waiver of any CRP-1 may be provided by STC. Waivers for all CRP-1 must be submitted to DAFP.

## 576 Requests for Waiver of Refunds (Continued)

**E SED Waivers of Refunds for Equitable Relief**

SED's:

- have separate relief authority found in 7-CP
- may approve requests for waivers of refunds because of termination of CRP-1 or CRP-1R when the total amount calculated according to paragraph 574, plus interest is equal to or less than \$20,000

**Example:** The total refund amount calculated according to paragraph 574 is \$23,000. The participant requested a waiver of \$20,000. Because the total calculated refund amount exceeds \$20,000, SED must submit the request for waiver to DAFP if it recommends approval of the waiver.

**Note:** Sufficient documentation must be maintained when waivers are approved.

- must thoroughly document requests for waivers, including reasons and justification for decision and include OGC concurrence according to 7-CP in the file
- ensure that the SED determination letter includes appeal rights and fully documents reasons for any waiver of refunds, how the waiver amount was determined, and why it is equitable
- must submit all cases for waivers of refunds to DAFP for relief, when the total refund amount calculated according to subparagraph D exceeds \$20,000

**Note:** The cases must contain the following:

- copy of participant's written request for relief
- copy of COC and STC minutes thoroughly documenting request and justification
- copy of all applicable forms and documents in the case file, including but not limited to CRP-1's, CRP-2's, CRP-2C's, copy of digital imagery, conservation plans, land deeds, etc.

576 Requests for Waiver of Refunds (Continued)

**E SED Waivers of Refunds for Equitable Relief (Continued)**

- all documentation used by COC and STC during review
- narrative of the case in chronological order.

**Note:** Incomplete case files may delay response.

- must not submit requests for waivers of refunds to DAFP if STC does not recommend approval.

**F Report**

STC’s and COC’s must provide a report to the State Office of all refunds waived during the previous FY. The report must include the following:

- State and county code
- CRP participant name
- CRP-1 number
- calculated refund amount
- amount waived
- reason waived.

State Offices must provide a compilation of the STC and COC reports to the CRP Program Manager no later than December 1 for each FY. The following is an example of the report.

FY _____ Refunds Waiver Report					
State and County Code	CRP Participant Name	CRP-1 Number	Calculated Refund Amount	Amount Waived	Reason Waived
<b>Total</b>			\$	\$	

**577 Assessing Liquidated Damages****A Determining Liquidated Damages Amounts**

To determine the amount when assessing liquidated damages, multiply the number of acres being terminated times 25 percent times the annual rental rate.

**B When to Assess Liquidated Damages**

**After CRP-1 is approved, COC** will assess liquidated damages if an original or revised CRP-1 is terminated.

**Note:** Assess liquidated damages for TIP CRP-1R according to Part 21.

**C When Not to Assess Liquidated Damages**

Do not assess liquidated damages if:

- CRP-1 is not approved and the producer withdraws in writing any request for CRP participation
- CRP-1 participant is adversely affected by a person determination or by being determined not “actively engaged” according to 1-PL or 4-PL, or 5-PL, as applicable, and withdraws from CRP-1
- CRP land is acquired under threat of condemnation or by eminent domain or acquired by an entity with the right of eminent domain, according to paragraph 572
- CRP land is under an existing lease for earth, oil, gas, or other mineral exploration before submission of CRP, and lessor exercises rights under the lease
- an estate does not succeed to CRP-1
- all signatures are not obtained after the offer is determined acceptable.

**Note:** If all signatures are not obtained after offer is determined acceptable, the offer is determined ineligible and CRP-1 must not be approved.

## 578 Waiving Liquidated Damages

### A Request for Waiver

Determinations to waive liquidated damages must be made on a case-by-case basis. CRP-1 termination does not automatically warrant waiving liquidated damages. When considering granting waivers, COC and STC will consider:

- the future use of the terminated CRP acreage
- the circumstances in which CRP-1 was terminated
- the agreement by the participant at time of enrollment to remove the acreage from production for the full term of CRP-1
- whether the acreage will be restored to production
- the effect the termination has on the participant.

COC may waive up to 50 percent of the assessed liquidated damages or recommend waiver of 100 percent to STC.

STC may approve requests to waive all liquidated damages.

**Liquidated damages will not be waived when COC or STC determines there was not a good faith effort to comply with the terms and conditions of CRP-1.**

### B Submitting Waiver Requests

COC must submit fully documented requests to STC. Include the following when preparing requests:

- participants written request
- COC findings
- specific COC recommendations and basis for recommendation, including determination on whether liquidated damages must be assessed
- copies of all program documents and other County Office records.

**579 CRP Land in State or Federal Receivership****A Policy**

CRP-1's on land subsequently placed in State or Federal receivership, **subject to RA's concurrence:**

- do not have to be terminated
- may continue to earn payments if CRP-1 terms and conditions are satisfied.

**B Court-Appointed Receiver**

A Receiver is appointed by the court to manage the assets of a landowner. However, the Receiver:

- must not be a successor to CRP-1
- is not required to sign CRP-1.

**Note:** A court-appointed Receiver “stands in the shoes” of the landowner as the CRP participant.

CRP-1 communications should be made with the Receiver.

**C Continuing CRP-1 on Land in State or Federal Receivership**

**Do not** revise CRP-1 **until** the land is sold to an eligible participant who agrees to continue CRP-1.

If land is subsequently sold and CRP-1:

- will be continued, follow paragraph 546 for revisions
- will **not** be continued, follow paragraph 571 for terminations.

**D Issuing CRP Payments for Land in State or Federal Receivership**

Payments must, subject to RA concurrence, be:

- made to the eligible CRP participant, using the participant's ID number
- mailed to the State or Federal Receiver.

**Note:** Do not make payments to the Receiver.



**580 CRP-1 in Bankruptcy****A Bankruptcy Policy**

Because of the complexity of the U.S. Bankruptcy Code provisions:

- there are no established **standard procedures** regarding participants who have filed for protection under the bankruptcy law
- STC's and COC's must, **in all cases**, determine program eligibility involving bankruptcy cases based on the **advice** of RA.

If CRP-1 is terminated because of bankruptcy, refunds are not required from any signatories on CRP-1.

**B CRP-1 Considered Executory Contract**

CRP-1's are considered **executory** contracts.

CRP-1's approved **before** filing a petition for bankruptcy must be **affirmed** by the Trustee or Debtor in Possession:

- upon order of the court
- after notice and hearing as determined by RA.

**Note:** No payments will be made under CRP-1's, after filing the petition, **until** there is a court order agreed to by RA permitting assumption and an actual assumption.

**C Chapter 7**

When a CRP participant files a Chapter 7 bankruptcy petition, the Trustee **must** obtain approval from the Bankruptcy Court within 60 calendar days of filing the bankruptcy petition to assume CRP-1. Otherwise, CRP-1 must be terminated according to paragraph 571. Refunds, however, are not required.

**580 CRP-1 in Bankruptcy (Continued)****D Exception to Chapter 7**

If the Trustee does not affirm CRP-1 within 60 calendar days of filing the bankruptcy petition, CRP-1 may be reaffirmed with the debtor if:

- the parties elect to continue CRP-1 with FSA, waiving any breach deemed to have occurred by the lack of affirmation by the Trustee
- the debtor shows the property has been abandoned by the Trustee, leaving the debtor in a position to continue to comply with the terms and conditions for the full term of CRP-1
- agreeing to the reaffirmation will not compromise FSA's or CCC's interest
- RA agrees to defend the reaffirmation.

**Note:** A formal court approved reaffirmation will generally not be required.

**E Chapters 11 and 13**

Participants **must** also affirm or reject CRP-1's under Chapters 11 and 13. However, there is no requirement to assume CRP-1 within 60 calendar days. The reorganization plan must include an affirmation or rejection of CRP-1 when filed with the Bankruptcy Court.

**Note:** If the reorganization plan has not been filed, request guidance from RA about when CRP-1 would have to be assumed by the Debtor in Possession, his or her estate, or his or her Trustee.

**581-600 (Reserved)**

## Part 17 Compliance and Spot Checks

## 601 General Provisions

## A Participant Responsibilities

All signatories on CRP-1 are jointly and severally responsible for complying with the term and conditions of CRP as stated on:

- CRP-1
- CRP-1 Appendix
- the approved conservation plan
- any other CRP forms.

**Exception:** Only signatories that receive a share greater than zero are responsible for compliance.

## \*--B Status Reviews and Certifying Practice Installation

NRCS or TSP will complete a field visit to conduct a status review with the participant for all of the following:

- certifying that all practices (CP1, CP2, etc.) on CRP-1 were installed according to NRCS standards and specifications and document the certification on FSA-848B, according--\* to paragraphs 507 and 508
- not later than 2 years after certification that all practices (CP1, CP2, etc.) were installed according to NRCS standards and specifications to determine the approved permanent \*--cover is fully established and document the findings on NRCS-LTP-13, or its related electronic form
- management activities, as requested or determined necessary by FSA
- no earlier than 2 years before expiration of the contract to determine the status of the approved permanent cover and document the findings on NRCS-LTP-13, or its related electronic form.--\*

**Example:** CRP-1 is scheduled to expire on September 30, 2024. NRCS will complete a status review at some time between October 1, 2022, and September 30, 2024.

FSA will provide a listing of practices to NRCS or TSP for CRP-1's that a status review is \*--required.--\*

## 601 General Provisions (Continued)

**\*--B Status Reviews and Certifying Practice Installation (Continued)**

The State Forestry Agency will provide NRCS or TSP a report by CRP-1 number and participant's name for each of the following:

- CRP-1's that do not have adequate tree cover established or require replanting
- CRP-1's that have established adequate tree cover and have not been reported as--\* established.

NRCS or TSP will provide a copy of the "Status Review" for these CRP-1's to FSA.

\* \* \*

NRCS or TSP must use NRCS-LTP-13, or its related electronic form, for required status reviews.

NRCS or TSP will provide COC signed copies of the status reviews and the following information, if applicable:

- progress of the practice establishment
- the reason why the practices have not been established
- the current health or condition of the vegetation, trees, or cover planted
- why the practice does not meet the design standards and specifications
- what action **must** be taken for the practice to meet the standards and specifications
- the estimated time it will take to meet the standards and specifications.

**Note:** If the status review indicates a problem with the approved permanent cover, photos must be provided.

**601 General Provisions (Continued)****C FSA County Office Action**

FSA County Offices must:

- file the status review copies in CRP folders
- follow up on noncompliance cases
- conduct annual spot checks according to 2-CP **after** NRCS or TSP completes a status review and certifies that the approved permanent cover is fully established
- conduct annual spot checks on at least 10 percent of CRP-1's, including CREP, approved for:
  - \*--spot treatment during PNS according to paragraph 427--\*
  - early land preparation according to paragraph 636.

**Note:** States may establish policy for additional spot checks, when appropriate.

If NRCS or TSP certifies that the approved permanent cover has not been fully established after completing a status review, COC will determine necessary action. Action may include, but is not limited to:

- terminating CRP-1 according to paragraph 571
- participant working with NRCS or TSP to establish an approved permanent cover
- determining that erosion is being controlled adequately with existing cover according to subparagraph 603 D.

602 Certifying CRP Acreage

A Certification of CRP Acreage

Before CRP annual rental payments are issued, an annual certification of CRP acreage must be filed on either FSA-578 or CRP-817U by 1 of the following:

- owner on CRP-1
- operator on CRP-1
- person authorized by power of attorney.

**Notes:** See subparagraph B for completing CRP-817U.

Substitute forms are not authorized. State and County Offices must not develop substitute forms for FSA-578 or CRP-817U.

A late-filed FSA-578 or CRP-817U can be accepted after the subsequent ARD if the CRP cover is present.

A **current** AD-1026 and applicable payment limitation forms must be on file for all participants earning CRP benefits before CRP annual rental payments are issued.

B Completing CRP-817U

County Offices must complete CRP-817U according to the following.

Step	Action
1	Enter tract number in item 1.
2	Enter CRP-1 number in item 2.  <b>Note:</b> Use one CRP-817U for each CRP-1.
3	Enter the program year for the certification in item 3. Do not enter the CRP-1 year.
4	Enter applicable CRP practices and the associated number of acres in item 4.
5	Provide a deadline for returning CRP-817U to the County Office.
6	Mail CRP-817U to CRP participant.
7	When the participant returns CRP-817U: <ul style="list-style-type: none"> <li>• ensure that participant signed and dated CRP-817U in item 5</li> <li>• update the following:                             <ul style="list-style-type: none"> <li>• FSA-578 in CARS according to 2-CP</li> <li>• eligibility flags in web subsidiary according to 3-PL (Rev. 2).</li> </ul> </li> </ul>

602 Certifying CRP Acreage (Continued)

C Example of CRP-817U

The following is an example of CRP-817U.

<p><b>CRP-817U</b> (12-02-19)</p>	<p><b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency</p>	
<p><b>CERTIFICATION OF COMPLIANCE FOR CRP</b></p>		
<p>[ Producers name and address ]</p>	<p>[ County Office Address, City, State, Zip and Telephone number ]</p>	
<p>Dear Producer:</p> <p>Our records indicate that all of the following applied to you in the previous year:</p> <ol style="list-style-type: none"> <li>1. That all or a portion of the land of your farm was enrolled in the Conservation Reserve Program (CRP).</li> <li>2. That you certified compliance with Highly Erodible Land Conservation and Wetland Conservation provisions and have an approved farm operating plan for payment eligibility review (form CCC-502) or CCC-902 as applicable.</li> </ol> <p>If the above statements remain true for the current year, please sign and date the CRP-817U and return it to this office by _____ so your CRP rental payment may be processed. <span style="margin-left: 100px;">(Return date)</span></p>		
<p><b>IMPORTANT INFORMATION – PLEASE READ AND RETURN BY DATE SPECIFIED SHOWN ABOVE</b></p>		
1. Farm Number	2. CRP Contract No.	3. Program Year of Certification
4. Practice Identification and Acres		
<p>I hereby certify that: (1) the information shown above is correct; (2) I have and will continue to comply with ALL the terms and conditions of the indicated CRP contract, including the applicable appendix and any addendums; (3) I am in compliance with ALL Highly Erodible Land Conservation (HEL) and Wetland Conservation (WC) provisions set forth in 7 CFR Part 12; (4) I have filed an approved farm operating plan for payment eligibility review (form CCC-502 or CCC-902, as applicable), in accordance with 7 CFR Part 1400 and there have been no changes in my farming operation; and (5) USDA representatives are authorized to enter upon and inspect the farm indicated above for the purpose of confirming this certification.</p> <p><b>Contact this office immediately if any information shown is incorrect or if farming interests identified on the farm operating plan referred to above have changed.</b></p>		
5A. Producer's Signature (By)	5B. Title/Relationship of the Individual Signing in the Representative Capacity	5C. Date
<p><b>NOTE:</b> The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.) and 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program (CRP) through certification of compliance with all terms and conditions indicated on the CRP contract. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program (CRP).</p> <p><b>Paperwork Reduction Act (PRA) Statement:</b> The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE</b></p> <p><small>In accordance with Federal Civil Rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small></p> <p><small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small></p> <p><small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found on line at <a href="http://www.asc.usda.gov/complaint_filing_cust.html">http://www.asc.usda.gov/complaint_filing_cust.html</a> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (800) 633-9882. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-6410; (2) fax: (202) 696-1442; or (3) email: <a href="mailto:program.ad@usda.gov">program.ad@usda.gov</a>. USDA is an equal opportunity provider, employer, and vendor.</small></p>		

## 603 Noncompliance

### A Noncompliance Cases

Notify participant in writing of noncompliance issue.

Noncompliance cases must be handled promptly before CRP payments are made for the year.

COC must determine whether a participant who is in violation of CRP-1 terms and conditions:

- made a good faith effort to comply
- did **not** make a good faith effort to comply.

### B Examples of Noncompliance

COC must consider a producer to be out of compliance if:

- the approved permanent cover has been harvested or grazed or other commercial use has been made of the forage

**Exception:** Managed harvesting, routine grazing, or emergency haying or grazing, as authorized.

- an unauthorized crop, such as an agricultural commodity, has been planted on acreage under CRP-1
- trees have been harvested or sold, or other commercial use has been made of trees, including the shearing or shaping of trees for Christmas trees or removal of pine straw

**Exception:** Customary forestry activities are authorized.

- producer conducted an activity on CRP acres without authorization, including \*--unauthorized treatment, such as mowing, spraying, and burning of CRP during PNS--\*
- the State or local noxious weed commission determines that the participant is violating noxious weed provisions and notifies COC that the noxious weeds are not controlled on the designated acres
- the approved permanent cover has not been maintained according to the conservation plan
- the producer has not performed required management activities according to the conservation plan



**603 Noncompliance (Continued)****B Examples of Noncompliance (Continued)**

- other undesirable weeds, plants, insects, or pests, as determined by COC, are not controlled on the designated acreage
- a satisfactory approved permanent cover or a required practice has not been established or re-established within the time prescribed
- the producer has not complied with landlord and tenant provisions
- there has been a scheme or device that tends to defeat the program
- a false claim has been filed
- a violation of the terms and conditions of CRP-1 has occurred.

**C Joint and Several Liability**

If the farm is in violation of CRP-1 terms and conditions, all signatories to CRP-1 are jointly and severally liable for any payment reduction or refunds that may become due to CCC because of noncompliance.

CRP participants with zero interest in the annual rental payment are not responsible for contract compliance.

**D COC Determinations**

The participant must do both of the following before COC can make a determination:

- submit an explanation for the noncompliance issue either in writing or in person
- correct the noncompliance issue as required by COC.

The participant must provide a written explanation or request to meet with COC within 15 calendar days of the noncompliance notification letter.

COC must:

- make a determination of good faith effort or lack thereof
- document the reasons for the determination in COC minutes
- notify the participant in writing of the determination and provide appeal rights according to 1-APP.

## 603 Noncompliance (Continued)

**E Participant's Good Faith Effort**

If COC determines that the participant made a good faith effort to comply with the terms and conditions of CRP-1 and:

- a practice failed because of natural disaster or through no fault of the participant, do not use this subparagraph

**Note:** See subparagraph 492 B.

- noncompliance has occurred for reasons other than a practice failing because of natural disaster or through no fault of the participant, COC must:
  - assess a standard payment reduction on the affected acres not to exceed the annual rental payments for CRP-1 on which the violation occurred

**Note:** See paragraph 604.

- advise the participant that subsequent violations may result in terminating CRP-1.

If noncompliance because of practice failure occurs after the fifth year of CRP-1, COC may determine whether CRP-1 must be:

- continued without additional C/S, if an approved permanent cover has failed and adequate cover exists to prevent erosion

**Note:** Adequate cover to prevent soil erosion does not satisfy tree planting requirements.

- terminated according to paragraph 571.

When determining whether to terminate CRP-1, COC must consider factors, such as the age of CRP-1 and the cost-effectiveness of re-establishing the practice.

**Example:** COC terminates CRP-1 because, in the eighth year of CRP-1, the producer inadvertently applied a herbicide that killed all ground cover.

## 603 Noncompliance (Continued)

**F Good Faith Effort Not Determined**

If COC determines there was not a good faith effort to comply with the terms and conditions of CRP-1 and:

- the participant's request for termination of part of the land under CRP-1 was not approved, COC must terminate **all** land under CRP-1 according to subparagraph 571 A

**Example:** Participant has 100 acres enrolled in CRP. Participant requests to terminate part of the acres under CRP-1 to return to crop production. The request is not approved. Producer plants part of the acres under CRP-1 to corn. COC must terminate all land (100 acres) under CRP-1.

- there was no request to terminate part of the land under CRP-1, COC must terminate only land in violation according to subparagraph 571 B.

COC **must** determine there is not a good faith effort to comply with the terms and conditions of CRP-1 if:

- unauthorized grazing is discovered, and producer refuses to remove livestock from CRP acreage
- unauthorized haying is discovered, and producer refuses to destroy or donate the hay

**Note:** If the unauthorized hay has already been sold or used by the time the violation is discovered, COC may determine the producer made a good faith effort to comply with the terms and conditions of CRP-1. Burning is not an authorized method for destruction of the hay. Donation must be to a third-party.

- unauthorized planting or harvesting of a crop is discovered and producer refuses to destroy the crop.

**Note:** If the unauthorized crop has already been sold or used by the time the violation is discovered, COC may determine the producer made a good faith effort to comply with the terms and conditions of CRP-1.

604 Standard Payment Reductions

A Accessing Payment Reduction

When COC determines a participant made a good faith effort to comply with the terms and conditions of land under CRP-1, a standard payment reduction will be assessed. The standard payment reduction must not exceed the annual rental payments for CRP-1 on which the violation occurred.

IF noncompliance is a result of...	THEN payment reduction will be calculated...
unauthorized haying or grazing	by: <ul style="list-style-type: none"> <li>• multiplying the value per acre of the hayed or grazed production, as determined by COC, times</li> <li>• the number of acres in violation, times 2.</li> </ul> COC may prorate standard payment reduction based on the days, weeks, or months the violation occurred.
either of the following: <ul style="list-style-type: none"> <li>• noncontrol of weeds, insects, or rodents</li> <li>• wind or water erosion</li> </ul>	as applicable, by multiplying the estimated cost per acre to: <ul style="list-style-type: none"> <li>• carry out satisfactory control measures, times the number of acres in violation, times 2</li> </ul>
failure to maintain or establish an eligible approved permanent cover	<ul style="list-style-type: none"> <li>• establish approved permanent cover, times the number of acres, times 2.</li> </ul>
unauthorized activity including treatment such as mowing, spraying, and burning, during the PNS for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law	at the amount equal to the annual rental payment for the acreage that was in violation.
unauthorized planting or harvesting of a crop, such as annually tilled crops, pine straw, etc.	by multiplying the acres in violation times the current market value times the lesser of the following: <ul style="list-style-type: none"> <li>• established yield for the crop times 2</li> <li>• actual yield for the crop times 2.</li> </ul> <p><b>Note:</b> See subparagraph 603 F if the participant refuses to destroy unauthorized crop.</p>

To ensure equity in assessment of SPR, STC may recommend standardized rates for the year. It is recommended that the same rate established under 4-CP provisions for noncontrol of weeds and erosion for ARC, CTAP, or PLC purposes be used for CRP.

All standard payment reductions must be recorded through Conservation Payments according to 5-CRP, Part 5, Section 8.--\*

## 605 Request for Waiver of Payment Reductions

### A Waiver or Reduction of Standard Payment Reduction

COC must:

- authorize a waiver or reduction of the standard payment reduction only if the request is received from participants, in writing

**Note:** It is the participant's responsibility to request a waiver or reduction of refunds.

- ensure that participants are provided applicable appeal rights according to 1-APP
- thoroughly document requests for waiver or reduction of standard payment reduction refunds in COC minutes
- submit requests for waiver or reduction of standard payment reduction to STC only if COC determines that the action is justified based on documented and verifiable facts of the individual case
- provide a report of waivers or reductions of the standard payment reduction, no later than December 1 for each FY according to subparagraph B.

**Notes:** Each case is unique. Determinations must be made on a case-by-case basis based on the facts of the individual case.

COC's may waive up to 50 percent of the assessed standard payment reduction.

STC must:

- thoroughly review each request for waiver or reduction of standard payment reduction
- thoroughly document requests for waiver or reduction of standard payment reduction in STC minutes
- provide a report of waivers or reductions of standard payment reduction, no later than December 1 for each FY according to subparagraph B.

**Note:** Each case is unique. Determinations must be made on a case-by-case basis based on the facts of the individual case.

STC's may waive up to 100 percent of the assessed standard payment reduction.

**605 Request for Waiver of Payment Reductions (Continued)**

**B Reports**

STC’s and COC’s must provide a report to the State Office of all waivers of the standard payment reduction during the previous FY. The report must include the following:

- State and county code
- CRP participant name
- CRP contract number
- calculated standard payment reduction amount
- amount waived
- reason waived.

State Offices must provide a compilation of the STC and COC reports to the CRP Program Manager no later than December 1 each year.

The following is an example of the report.

<b>Standard Payment Reduction Waiver Report</b>					
<b>State and County Code</b>	<b>CRP Participant Name</b>	<b>CRP Contract Number</b>	<b>Calculated Standard Payment Reduction</b>	<b>Amount Waived</b>	<b>Reason Waived</b>
<b>Total</b>			<b>\$</b>	<b>\$</b>	

**606-625 (Reserved)**

Part 18 Permissive and Restrictive Uses of CRP Acres

626 Harvesting and Grazing Restrictions

A CRP-1 Harvesting Restrictions

No crops of any kind, including pine straw, may be harvested from the designated CRP acreage during the contract period.

**Exceptions:** Incidental harvest of natural products, such as wild game, fish, native berries, etc., from CRP acreage may be permitted if all of the following are met:

- they do not increase supplies of feed for domestic animals
- the participant receives no economic benefit
- there is no commercial use of the products.

**Note:** The exceptions do not include harvesting of pine straw.

The conservation plan must **not**:

- include any unauthorized harvesting
- **not** be modified to include any of the exceptions.

627 (Reserved)





**628 Using CRP Acreage as Turn Rows****A Using CRP Acreage as Turn Rows or Crossing Areas**

Limited use of field margins and areas within a field enrolled in CRP is authorized during the PNS only if this activity is conducted as part of the planting, cultivating, or harvesting of a crop in an adjoining field. Use of such CRP acreage must be:

- limited to turning or crossing areas
- minimal, as determined by STC.

**Note:** Areas within a field include, but are not limited to:

- waterways
- contour grass strips
- prairie strips
- terraces.

CRP acreage must not be used as a lane or road under any circumstances.

**629 Water as Cover****A Water as Eligible Cover**

CRP-1 may be continued on land that is under water because of natural causes or as a result of a flood control structure if the participant agrees to all of the following:

- replace the permanent vegetative cover on CRP acreage if the water recedes
- not use the impounded water for irrigation water for producing agricultural commodities
- obtain a modified conservation plan from NRCS or TSP that includes the eligible uses that can be made of the acreage under water.

Ponds may be an eligible cover on CRP if they are installed according to subparagraph 429 A.

**630 Policy When Easement Placed on CRP Acreage****A When Easements Are Placed on CRP Acreage**

Land enrolled in CRP that is not encumbered by a CRP useful life easement and is subsequently encumbered by other conservation easements, except for ACEP-WRE or EWP Floodplain Easements, may continue to earn CRP payments under CRP-1 if the:

- participant continues to comply with CRP-1 terms and conditions
- **entity/organization**/agency providing the conservation easement certifies, in writing, that:
  - it was aware of the existence of CRP-1 at the time the participant agreed to encumber the acreage
  - the participant will be able to comply with all CRP provisions.

**Notes:** Land encumbered by certain conservation easements, such as those placed by FWS and FLP Debt for Nature, is ineligible for subsequent enrollment in CRP and CRP-1 extensions.

See paragraph 553 for transferring land from CRP to ACEP-WRE, HFRP, and EWP Floodplain Easements.

The same land may be enrolled in CRP, including CREP, and ACEP-ALE at the same time.

**631 Guidelines for Public Use of CRP Acreage****A Public Use of CRP Acreage Guidelines**

The following is the procedure for continuing CRP-1 on land temporarily being used by public utilities for installing gas lines, pipes, cable, telephone poles, etc., materials used by an entity of the State for road building, or Federally funded pipeline projects.

CRP-1's may be continued without reduction in payment if:

- the participant provides COC or CED details of proposed temporary use, including length of use
- COC authorizes the use

**Note:** Use is **not** authorized during the PNS.

- NRCS or TSP certifies, in writing, usage will have minimal effect, such as:
  - erosion is kept to a minimum
  - minimum effect on wildlife and wildlife habitat
  - minimum effect on water and air quality

**Important:** NRCS or TSP written certification must be filed in CRP folder.

- the participant restores cover, at the participant's expense, to disturbed acreage in timeframe set by COC or CED.

**Note:** No payment reduction will be made for compensation received by the participant from the public agency.

NRCS or TSP will determine whether the disturbance will have an adverse effect on the land. If NRCS or TSP determines that public use will have an adverse effect on CRP acreage, the affected acreage must be terminated and refunds assessed.

**632 Carbon Sequestration Credits****A Selling Carbon Sequestration Credits**

CRP participants may sell carbon sequestration credits associated with acreage enrolled in CRP. Selling carbon sequestration credits is not considered commercial use and is not, therefore, a violation of CRP-1.

**633 Recreational Hunting and Commercial Shooting Preserves on CRP Acreage****A Recreational Hunting**

CRP participants may lease hunting rights, charge fees for access to hunters, or conduct other similar hunting operations on CRP acreage if such activity occurs during the normal hunting season for the pursuit of game that is normal to the area. Hunting **must** be conducted consistent with State laws and bag limits for the appropriate game species.

**Important:** Barrier fencing or boundary limitations that prohibit wildlife access to or from the CRP acreage is **not** allowed.

**B Commercial Shooting Preserves**

Commercial shooting preserves may be operated on CRP acreage if all of the following are met:

- the commercial shooting preserve is licensed by a State agency, such as the State Fish and Wildlife Agency or State Department of Natural Resources
- the commercial shooting preserve is operated in a manner consistent with the applicable State agency rules governing commercial shooting preserves
- CRP cover is maintained according to the conservation plan
- no barrier fencing or boundary limitations exist that prohibit wildlife access to or from the CRP acreage

**633 Recreational Hunting and Commercial Shooting Preserves on CRP Acreage (Continued)****B Commercial Shooting Preserves (Continued)**

- related CRP cover maintenance, as determined by STC according to FOTG and in consultation with the State Technical Committee, **must**:
  - be performed according to the conservation plan
  - provide benefit and enhancement to all wildlife normal to the area
  - be conducted outside the PNS
  - not adversely impact the CRP cover
  - not degrade wildlife habitat benefits, water quality benefits, or erosion control measures.

**Important:** STC, in consultation with the State Technical Committee, **must** determine the extent and method of cover maintenance acceptable for all CRP acreage within the State that provides enhancement for all wildlife habitats.

**C Mowing of CRP Cover**

As provided in paragraph 427, periodic mowing and mowing for cosmetic purposes is prohibited at all times. Annual mowing of CRP for generic weed control is prohibited. Mowing of CRP cover, not to exceed 20 percent of the total CRP acres in a field, is permitted. This activity **must** be:

- included in the conservation plan
- part of a State-approved management plan for habitat maintenance and wildlife and land management
- conducted outside the PNS.

**Note:** The location of this mowing should be changed from year to year.

**633 Recreational Hunting and Commercial Shooting Preserves on CRP Acreage (Continued)****C Mowing of CRP Cover (Continued)**

Until a status review to certify practice establishment has been completed by NRCS, TSP, COC or CED, in consultation with NRCS, may allow participants to spray and mow the acreage under CRP-1 at any time, if such activity is required in the conservation plan to establish the approved cover.

**634 Authorized Use****A Authorized Uses of CRP Acreage**

COC may determine authorized uses of CRP acreage on a case-by-case basis during the contract period, except during the PNS, if the use is not otherwise prohibited in procedure.

**Example:** COC may authorize using CRP acreage for a parking lot for a special event or as a camp site on a limited basis. COC has no authority to authorize the harvesting of forage or trees.

Each request must be documented in COC minutes with justification for actions taken. Inspection fees or payment reductions may be assessed as determined by COC.

**B Beehives on CRP Acreage**

Consistent with the soil, water, and wildlife goals of CRP, beehives may be stored on CRP acreage.

**635 Applying Waste Products on CRP Acreage****A Application Requirements for Sludge and Agriculture By-Products**

COC's may permit the application of sludge or an agricultural by-product on acreage under CRP-1 if:

- FSA-850 does not reveal any adverse impacts to the human environment that cannot be successfully mitigated
- the participant has sought approval to apply the waste and the waste has been approved, or is not prohibited, by any State or local water quality agency with jurisdiction over the area of application

**Note:** COC must consult with State or local water quality agencies on an as needed basis to ensure proper application of the materials.

- all requirements and specifications are met as required by EPA and State and local regulatory authorities that provide oversight for air quality and water quality
- a current soil and waste test analysis that is conducted by a State-approved laboratory determines the nutrient level for the nitrogen, phosphorus, and potassium of the waste and the amount of material to be applied per acre
- the waste will be applied by injection
- the amount of nutrients applied are limited to the level that can be used by the vegetative cover
- the waste is free of toxic elements, or does not contain amounts of toxic elements that could build up over a period of time to a level injurious to animals and humans
- all required State or local permits for applying the waste to agricultural land are obtained by parties responsible for applying the material
- the approved conservation plan is modified to include the entire acreage that will be treated
- the waste will not be applied within 100 feet of property boundaries or water sources, such as wells, streams, rivers, wetlands, or swamps
- the waste will be applied when the wind direction allows minimal odor detection by neighbors and the humidity level is low.

**635 Applying Waste Products on CRP Acreage (Continued)****B Application Requirements for Animal Waste**

COC's or CED's may permit the application of animal waste, sludge, or agricultural by-product on CRP acreage if NRCS or TSP provides, in writing, that the conservation plan developed meets or exceeds the minimum standards of FOTG. The approved conservation plan must be modified to include the application of animal waste, sludge, or agricultural by-product.

**Note:** Soil contaminated with petroleum products or hazardous waste will not be allowed for application on CRP acreage.

**C Application Restrictions**

The amount applied must not exceed the:

- permitted application rate as determined by the soil and waste test analyses for animal waste, sludge, or agricultural by-products
- quantity specified in the modified conservation plan as determined by NRCS for animal waste, sludge, or agricultural by-products.

The participant **must** agree to re-establish, at the CRP participant's expense, the vegetative cover in the event of failure or damage after application.

The timing of each application should minimize adverse impacts to:

- air quality, including odor
- water quality
- wildlife
- environment
- endangered species.

**Note:** CRP cover must not be disturbed during the PNS.



**635 Applying Waste Products on CRP Acreage (Continued)****D Participant Responsibility**

During and after application of the waste at their own expense, CRP participants must:

- ensure that erosion is controlled
- re-establish and maintain the approved cover for the contract period.

**E Payment Reduction**

If producer receives compensation for the use of CRP acreage, the annual rental payment must be reduced by the amount of compensation the participant receives.

**636 Destroying CRP Cover Before CRP-1 Expiration****A General Policy for Spring- and Fall-Seeded Crops, Including Arid Areas**

Beginning July 1 of the final year of the contract period, CRP cover may be destroyed or chemicals may be applied on certain acreage before CRP-1 expiration to prepare a seedbed for spring- or fall-seeded crops.

This provision requires that participants:

- obtain an approved conservation plan for the destruction of the cover from NRCS or TSP when the method of destruction could cause adverse environmental affects, as determined by NRCS or TSP
- not destroy the cover during the PNS
- obtain an approved conservation plan for conservation compliance, if applicable
- be assessed a 25 percent payment reduction, if the cover is grazed or mechanically removed for commercial use

**Note:** The reduction must **not** be applied if the hay is donated to a third party.

- be assessed a payment reduction from the date of destruction through September 30
- submit requests to start this activity according to this paragraph.

**636 Destroying CRP Cover Before CRP-1 Expiration (Continued)****A General Policy for Spring- and Fall-Seeded Crops, Including Arid Areas (Continued)**

**Notes:** See subparagraph:

- B for acreage ineligible for early land preparation
- C for participants' responsibilities.

Participants may mow CRP acreage before applying chemicals to prepare CRP acreage for spring-seeded crops, if the mowing is conducted outside the PNS.

**B Acreage Ineligible for Early Land Preparation**

All CRP cover may be destroyed in the final year of CRP-1 for early land preparation, according to subparagraph A, B, or C, as applicable, except for acreage that is:

- devoted to the following practices:
  - CP5A, CP8A, CP9, CP16A, CP21, CP21B, CP21S, CP22, CP22B, CP22S, CP23, CP27, CP28, CP29, and CP30
  - practices on which a useful life easement is filed
- located within an average width 120 feet of a stream having perennial or seasonal/intermittent flow or other permanent water body
- considered a wetland by NRCS
- required to serve as a wetland buffer according to the practice standard in FOTG to protect the functions and values of a wetland
- located within an approved wellhead protection area

**Note:** See subparagraph 181 B for approved wellhead protection areas.

- subject to frequent flooding, as determined by NRCS or TSP.

636 Destroying CRP Cover Before CRP-1 Expiration (Continued)

C Participants' Responsibilities

Determine participants' responsibilities according to the following.

**Note:** Measurement service is available at the participant's expense for requests to prepare only a portion of the acreage under CRP-1.

<p><b>WHEN participants, in the final year of CRP-1, intend to destroy CRP cover to...</b></p>	<p><b>THEN participants...</b></p>
<p>prepare for spring- or fall-seeded crops from July 1 through September 30</p>	<ul style="list-style-type: none"> <li>• must submit requests on CRP-1G Addendum before beginning any activity</li> <li>• are required to meet with NRCS or TSP to obtain an approved conservation plan for:                             <ul style="list-style-type: none"> <li>• the destruction of the CRP cover when the method of destruction could cause adverse environmental effects, as determined by TSP</li> <li>• conservation compliance, if applicable</li> </ul> </li> <li>• may not hay, graze, or otherwise make commercial use of the CRP acreage during the PNS</li> <li>• may not destroy cover during the PNS</li> <li>• may plant fall-seeded agricultural commodities in areas where planting such crops normally occurs before October 1, as determined by STC</li> <li>• may mechanically remove cover and make commercial use of CRP acreage during the CRP-1 period with a 25 percent reduction of the annual rental payment</li> </ul> <p><b>Note:</b> Participants may mechanically remove cover from CRP acreage without a reduction of the annual rental payment if no commercial use is made of the forage. The participant <b>must</b> pay for a field visit by COC or CED to verify destruction of the cover.</p> <ul style="list-style-type: none"> <li>• must receive a reduced annual rental payment for the period indicated on CRP-1G Addendum, item 3.</li> </ul> <p><b>Notes:</b> See subparagraph D for processing requests.</p> <p style="text-align: center;">All signatories to CRP-1 are required to sign CRP-1G Addendum before COC or CED approval.</p>

636 Destroying CRP Cover Before CRP-1 Expiration (Continued)

**D Processing Participants' Requests**

County Office must process participants' requests for early land preparation according to the following table.

Step	Action
1	Accept requests on CRP-1G Addendum. See subparagraph E for example of CRP-1G Addendum. Ensure that all required signatures are obtained.
2	Ensure that participants meet with NRCS or TSP to develop a conservation plan for: <ul style="list-style-type: none"> <li>• the destruction of the CRP cover when the method of destruction could cause adverse environmental effects, as determined by NRCS or TSP</li> <li>• conservation compliance, if applicable.</li> </ul>
3	Remind participants that approval is for land preparation activities only. However, planting fall-seeded agricultural commodities is permitted when fall planting of these crops normally occurs before October 1, as determined by STC. <p><b>Note:</b> Unauthorized haying and grazing during the contract period are violations of CRP-1.</p>
4	Ensure that participants are aware that no annual rental payment will be earned for the period indicated on CRP-1G Addendum, item 3. Nonpayment period must begin on the day land preparation commences, but: <ul style="list-style-type: none"> <li>• no earlier than July 1</li> <li>• ends September 30.</li> </ul> <p><b>Note:</b> The nonpayment period may be for a portion of a month. The payment reduction will be based on the number of nonpayment days entered on CRP-1G Addendum, item 3.</p>
5	Attach to CRP-1G Addendum a copy of digital imagery with the acreage on which the cover will be destroyed highlighted.
6	Provide each participant and NRCS or TSP with a: <ul style="list-style-type: none"> <li>• copy of approved CRP-1G Addendum</li> <li>• a photocopy highlighting the acreage on which the cover will be destroyed.</li> </ul>
7	File CRP-1G Addendum and attached digital imagery in the CRP-1 folder.
8	Immediately approve requests received on eligible acreage.
9	During the normal payment cycle, after October 1, prorate the final payment to exclude payment for the nonpayment period identified on CRP-1G Addendum, item 3.

636 Destroying CRP Cover Before CRP-1 Expiration (Continued)

E Example of CRP-1G Addendum

The following is an example of CRP-1G Addendum.

<b>This form is available electronically.</b>		
<b>CRP-1G Addendum</b> (12-02-19)  <b>CRP-1 MODIFICATION TO ALLOW EARLY LAND PREPARATION</b>	U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation	1. ST. & CO. Code  2. Contract No.  3. Period of Nonpayment - Sept. 30, 20 ____  4. Acres  5. Farm No.
	<b>6. TERMS TO ALLOW EARLY LAND PREPARATION</b> This contract modification is entered into by the Commodity Credit Corporation (CCC) and the undersigned participant(s) on the Conservation Reserve Program contract number in Item 2, above.  By signing this contract modification, the CCC agrees to allow the participant(s) identified below to, in the final year of the contract, prepare for planting the specified CRP acreage in Item 4, above.  By signing this contract modification, the participant(s) agrees: <ul style="list-style-type: none"> <li>• To meet with the Natural Resource Conservation Service (NRCS) or assigned Technical Service Provider to develop a conservation plan for land preparation.</li> <li>• To not destroy the cover established pursuant to the CRP practices provisions of the contract, during the primary nesting season.</li> <li>• To accept a 25-percent reduction in the annual rental rate if the specified CRP acreage is grazed, or hay is mechanically removed, for commercial use during the CRP-1 period.</li> <li>• To accept a reduced annual rental payment in the final year of the contract from the date of destruction of cover established pursuant to the CRP practices provisions of the contract through September 30<sup>th</sup>, as specified in Item 3, above.</li> </ul>	
	7A. Participant's Signature (BY)	7B. Title/Relationship (Individual Signing in a representative capacity)
7A. Participant's Signature (BY)	7B. Title/Relationship (Individual Signing in a representative capacity)	7C. Date (MM-DD-YYYY)
7A. Participant's Signature (BY)	7B. Title/Relationship (Individual Signing in a representative capacity)	7C. Date (MM-DD-YYYY)
8A. Signature of CCC Representative	8B. Date (MM-DD-YYYY)	9. County FSA Office Name and Address (Including Zip Code)
10. Telephone Number (Including Area Code):		11. Fax Number (Including Area Code):
<p><b>NOTE:</b> <i>The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 1410, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to enable the producer to request modification of an existing CRP contract to allow for the early preparation of CRP acreage for the planting of seeded crops. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for the producer to request modification of an existing CRP contract to allow for the early preparation of CRP acreage for the planting of seeded crops.</i></p> <p><i>This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title II, Subtitle G, Funding and Administration). RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</i></p> <p><small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small></p> <p><small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small></p> <p><small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider, employer, and lender.</small></p>		

**637 Conservation or Land Improvements During the Last Year of Contract Period****A General Policy for Conservation and Land Improvement**

Beginning on October 1 of the last FY of the contract period, the owner or operator may make conservation or land improvements for economic use that facilitate maintaining protection of enrolled land after expiration of CRP-1. These activities may only be approved by CED or COC if the owner or operator:

- files a written request for the activity
- agrees the land will be maintained in the existing perennial cover after CRP-1 expiration
- carrying out the activities develops and implements or modifies an existing conservation plan.

**B Activities Authorized**

The following conservation and land use activities are authorized to be completed during the last FY of the contract period:

- installing fencing, pens, and paddocks
- installing ponds, wells, and other water facilities
- livestock water development facilities, such as pipes, pipelines, troughs, and tanks
- wildlife enhancements.

**Notes:** Land improvements in the last FY of the contract period will **not** be permitted during the PNS.

Conservation and land improvements in the last FY of the contract period do not include planting a crop.

CRP C/S assistance is **not** authorized for activities implemented under this paragraph.

See subparagraph 367 F and 1-EQ for environmental compliance requirements.

**637 Conservation or Land Improvements During the Last Year of Contract Period (Continued)****C Prohibition on Re-Enrollment**

All land under CRP-1 where the participants complete conservation and land improvement according to this paragraph is not eligible to be re-enrolled in CRP for 5 years after the expiration date of CRP-1.

**D Payment Reduction**

A payment reduction for conservation and land improvements in the last FY of the contract period is required. The payment reduction is 8.3 percent per month for each month or portion of a month for acreage on which a conservation and land improvement activity, according to subparagraph B, occurs before the scheduled CRP-1 expiration.

**Note:** The reduction must not exceed the CRP annual rental payment for the FY.

**Example:** A CRP participant has 40.00 acres enrolled in CRP. The rental rate is \$40 per acre. The annual rental payment is \$1,600. During the last FY of the contract period, the participant requests and COC approves the installation of fencing and water facilities according to a modified conservation plan. The CRP participant completes the activity on May 16, 2020. A total of 9.00 acres are affected. A reduction of 8.3 percent applies to the 9.00 acres for 5 months (May through September). The annual rental payment will be reduced by 8.3 for each of the 5 months.  $\$40$  (rental rate) times  $.083$  (percent) times  $5$  (months) times  $9.00$  (acres) equals  $\$149.40$ . The rental payment of  $\$1,600$  will be reduced by  $\$149.40$ .

**638 Erroneous Eligibility Determinations****A Erroneous Land Eligibility**

\*--Land enrolled that is ineligible must be terminated according to paragraph 571. Refunds--\* are not required.

**B Erroneous Ownership Determination**

If it is determined that CRP-1 was approved based on an erroneous ownership or operatorship determination, COC must:

- not assess liquidated damages
- not require refund of C/S if participant agrees to maintain the practice for the contract period
- not require refund of annual rental payments earned
- allow producers adversely affected to earn the current year's annual rental payment
- terminate affected acres of CRP-1.

**Note:** If the eligible ownership or operatorship requirement was not met at the time CRP-1 was approved, but is currently met, COC must not terminate CRP-1.



## 639 Wind Turbines

### A Policy

In exchange for a 25 percent reduction in the annual rental payment, windmills, wind turbines, wind-monitoring towers, or other wind-powered generation equipment and associated access to such equipment may be installed on CRP acreage provided all of the following are met:

- total acreage devoted to such equipment, including transformers and other ancillary equipment, and associated access and firebreak acreage does not exceed 5.00 acres per CRP-1
- installation does not occur during the PNS
- environmental impacts have been considered according to subparagraph 367 F.

Provided all requirements are met, COC will approve requests to install windmills, wind turbines, wind-monitoring towers, or other wind-powered generation equipment and associated access to such equipment.

COC approvals must be thoroughly documented in the COC minutes and the CRP folder. A copy of the completed NRCS-CPA-52 must be maintained in the CRP folder.

See subparagraph B for determining the annual payment reduction.

Requests that exceed 5.00 acres must be submitted to DAFP, through the State FSA Office. Requests submitted to DAFP must include:

- completed NRCS-CPA-52
- map of the acreage with the proposed location of the windmills, wind turbines, wind-monitoring towers, or other wind-powered generation equipment and associated access clearly identified
- copy of request from participant
- total acres requested to be devoted to such equipment including transformers and other ancillary equipment, and associated access and firebreak acreage.

**Note:** More restrictive requirements may apply within the lesser prairie chicken action area.

**639 Wind Turbines (Continued)****B Payment Reductions**

A 25 percent reduction in the annual rental payment will be applied to the acreage devoted to windmills, wind turbines, wind-monitoring towers, or other wind-powered generation equipment and associated access, including acreage devoted to transformers and other ancillary equipment, associated access roads, and firebreaks.

**640 Enrollment in EQIP or CSP During the Last Year of Contract Period****A Policy**

Beginning on October 1 of the last FY of the contract period, the owner or operator may enroll the land under an EQIP or CSP contract and begin the establishment of a practice under the EQIP or CSP contract, as applicable. Neither the enrollment of the land into EQIP or CSP or the establishment of a practice in the last FY of the contract period will be a violation of CRP-1.

**B Payment Reduction**

No payment reduction will be applied for enrollment of the land into EQIP or CSP or the establishment of a practice under the EQIP or CSP contract, as applicable, in the last FY of the contract period.

**641 Organic Certification Process During the Last Three FY's of Contract Period****A Policy**

During the last three FY's of the contract period, the owner or operator may begin the certification process under the Organic Foods Production Act of 1990. Such actions will not be a violation of CRP-1.

**B Payment Reduction**

No payment reduction will be applied for beginning the certification process under the Organic Foods Production Act of 1990, provided such actions are performed in the last three FY's of the contract period.

**642-662 (Reserved)**

**\*--Part 19 Haying and Grazing of CRP Acres**

**Section 1 Non-Emergency Haying and Grazing Provisions**

**663 Non-Emergency Haying and Grazing Eligibility**

**A Types of Non-Emergency Haying and Grazing**

The following are types of non-emergency haying and grazing:

- non-emergency grazing **outside PNS**
- non-emergency grazing **during PNS**
- grazing to control invasive species **outside PNS**
- non-emergency haying including harvesting for biomass **outside PNS**
- beginning farmer grazing **outside PNS**
- incidental grazing **outside PNS**
- gleaning grazing.

**B Practices Eligible for Non-Emergency Haying or Grazing (Excluding Incidental Grazing)**

Acreage eligible for non-emergency haying and grazing includes acreage devoted to all practices except for CP12 and the following tree practices: CP3, CP3A, CP5A, CP16A, CP17A, CP31, CP36, CP38 (unless authorized by the SAFE agreement), and CP38C.

Acreage will become eligible 12 months after the cover is fully established. Non-emergency haying or grazing is not allowed on CREP unless the CREP agreement specifically permits such activity.

**Exception:** CREP agreements in effect on December 20, 2018, see paragraph 668 for non-emergency incidental grazing practices.

**C Ineligible Acreage**

Acreage ineligible for non-emergency haying and grazing includes acreage devoted to:

- useful life easements if the easement prohibits haying or grazing
- grazing land within 20 feet of a perennial or seasonal/intermittent stream or other permanent waterbody.--\*

**\*--663 Non-Emergency Haying and Grazing Eligibility (Continued)**

**D Frequency and Payment Reduction**

The following table lists the frequency and applicable payment reduction for each type of permitted activity.

<b>Non-Emergency</b>		
<b>Permitted Activity</b>	<b>Frequency</b>	<b>Payment Reduction</b>
Non-emergency grazing <b>outside PNS</b>	Not more than every other year.	25 percent
Non-emergency grazing <b>during PNS</b>	Not more than every other year with a 50 percent reduction in the carrying capacity.	
Grazing to control invasive species <b>outside PNS</b>	Frequency determined by conservation plan to control Kudzu and other invasive species.	
Non-emergency haying or harvesting for biomass <b>outside PNS</b>	Not more than once every 3 years with 25 percent of the acreage unharvested.	
Beginning farmer grazing <b>outside PNS</b>	May be conducted annually by a beginning farmer or rancher with a contract share greater than zero.	None
Incidental grazing <b>outside PNS</b>	May be conducted annually. The intermittent and seasonal use of CLEAR practices that is incidental to the agricultural production on the land adjacent to the buffer conducted after the participant harvests crops from within the surrounding field.	
Gleaning grazing	May be conducted once in the fall of the first year of CRP-1 before the cover is established.	

Under no circumstances may non-emergency haying or grazing be permitted if such activity would cause long-term damage to the vegetative cover on the land, determined on a contract-by-contract basis.--\*

**\*--664 Non-Emergency Grazing Requirements****A CRP Participant Requirements**

CRP participants:

- must request and receive approval in writing from FSA before grazing
- must specify the number and location of acres to be grazed on digital imagery/map
- must record the intended use to graze on CRP-117 (Exhibit 47)
- must sign the request before the grazing begins (Exhibit 48)
- must obtain a modified conservation plan to include grazing, unless grazing had been included when CRP-1 was approved
- must not hay and graze the same acreage in the program year
- must agree in writing to re-establish, at their own expense, any cover destroyed or damaged as a result of grazing
- may be subject to the noncompliance provisions in subparagraph 670 B, if the conservation plan is not followed.
- may rent or lease the haying or grazing privilege
- must be assessed a payment reduction, if applicable, based on the number of acres grazed times the CRP annual rental rate times 25 percent
- not graze **during the PNS** without a 50 percent reduction in the carrying capacity
- remove livestock no later than the end of the grazing period as stipulated in the conservation plan.--\*

**\*--664 Non-Emergency Grazing Requirements (Continued)****B Conservation Plan Requirements**

The conservation plan:

- must require that the vegetative cover is maintained, soil erosion is minimized, and water quality and wildlife habitat are protected
- must require that no long-term damage to the vegetative cover occurs
- must be site-specific and reflect the local resource concerns
- must utilize NRCS Conservation Practice Standard Prescribed Grazing (Code 528)
- must require fencing livestock at least 20 feet from adjacent water bodies without cost share
- must not allow supplemental feeding of hay, grain, silage, etc.
- may allow use of mineral supplements
- must not allow any haying, grazing, or other activity that would adversely affect the purpose and performance of the practice
- must require management of heavy use locations, such as watering facilities and loafing areas, to minimize bare ground conditions and trails
- must require minimum grazing heights and plant regrowth height following grazing before the dormant season
- must not allow grazing of wildlife food plots (CP12) or tree practices, according to subparagraph 663 B.--\*

**\*--664 Non-Emergency Grazing Requirements (Continued)****C Commencement and Duration of Grazing**

Non-emergency grazing:

- must not exceed 120 calendar days of grazing
- may begin by the date specified in the conservation plan, but not before March 1
- must end by the date specified in the conservation plan, but not later than November 1
- may begin **before the PNS** and continue **after the PNS** (but not during the PNS), without a 50 percent reduction in the carrying capacity
- may occur for 1 or more days **during the PNS** as specified in the conservation plan, with a 50 percent reduction in the carrying capacity **during the PNS**.

**Example 1:** The PNS is April 15 to July 15. A CRP participant may obtain a modified conservation plan to allow grazing from March 1, 2020, to April 14, 2020, and to graze again beginning July 16, 2020, not to exceed a total of 120 calendar days, as determined by NRCS in the modified conservation plan. Based on the start date, the participant can use non-emergency grazing again any time after March 1, 2022 subject to an approved conservation plan. The payment reduction is 25 percent in the program year (program year 2020) based on the start date of the grazing on the acres actually grazed.

**Example 2:** The PNS is April 15 to July 15. The participant's modified conservation plan allows grazing to start July 16, 2020, not to exceed 120 calendar days as determined by NRCS in the modified conservation plan. Based on the start date, the participant would not be allowed to use non-emergency grazing for 2 years. The participant would be able to use non-emergency grazing beginning July 16, 2022, subject to the conservation plan. The payment reduction is 25 percent in the program year (program year 2020) based on the start date of the grazing on the acres actually grazed.--\*

## \*--665 Non-Emergency Haying or Harvesting for Biomass Requirements

### A CRP Participant Requirements

CRP participants:

- must request and receive approval in writing from FSA before haying or harvesting for biomass
- must specify the number and location of acres to be hayed or harvested for biomass on digital imagery/map
- must record the intended use to either hay or harvesting for biomass on CRP-117 (Exhibit 47)
- must sign the request before the haying or harvesting for biomass begins (Exhibit 48)
- must obtain a modified conservation plan to include haying or harvesting for biomass, unless it was already part of the conservation plan had been included when CRP-1 was approved
- must not hay or harvest for biomass and graze the same acreage during the program year
- must agree in writing to re-establish, at their own expense, any cover destroyed or damaged as a result of haying or harvesting for biomass
- may be subject to the noncompliance provisions in subparagraph 670 B, if the conservation plan is not followed.
- must be assessed a payment reduction, if applicable, based on the number of acres hayed or harvested for biomass times the CRP annual rental rate times 25 percent
- may rent or lease the haying or harvesting for biomass privilege
- limit haying or harvesting for biomass to 1 cutting per program year
- must not hay or harvest for biomass **during the PNS**
- remove all hay from CRP acreage within 15 days after baling
- leave 25 percent of the CRP-1 acres as unharvested.--\*



**\*--665 Non-Emergency Haying or Harvesting for Biomass Requirements (Continued)**

**B Conservation Plan Requirements**

The conservation plan:

- must require that the vegetative cover is maintained, soil erosion is minimized, and water quality and wildlife habitat are protected
- must require that no long-term damage to the vegetative cover occurs
- must be site-specific and reflect the local resource concerns
- must utilize NRCS Conservation Practice Standard Forage Harvest Management (Code 511)
- must not allow any haying, or harvesting for biomass activity that would adversely affect the purpose and performance of the practice
- must not allow haying or harvesting for biomass of wildlife food plots (CP12) or tree practices, according to subparagraph 663 B.--\*

**\*--665 Non-Emergency Haying or Harvesting for Biomass Requirements (Continued)****C Commencement and Duration of Haying**

Non-emergency haying:

- may begin by the date specified in the conservation plan, but not before March 1
- must end by the date specified in the conservation plan, but not later than August 1.

**Example 1:** The PNS is April 15 to July 15. A CRP participant may obtain a modified conservation plan to allow haying or harvesting for biomass from March 1, 2020, to April 14, 2020, and to allow haying or harvesting for biomass again beginning July 16, 2020, for up to 15 days, not to exceed a total of 60 (one cutting) calendar days, as determined by NRCS in the modified conservation plan. Based on the start date, the participant can use non-emergency haying or harvesting for biomass again any time after March 1, 2022, subject to an approved conservation plan. The payment reduction is 25 percent in the program year (program year 2020) based on the start date of the haying or harvesting for biomass on the acres actually hayed or harvested for biomass.

**Example 2:** The PNS is April 15 to July 15. The participant's modified conservation plan allows haying or harvesting for biomass to start July 16, 2020, not to exceed 60 calendar days as determined by NRCS and approved by FSA in the modified conservation plan. Based on the start date, the participant would not be allowed to use non-emergency haying or harvesting for biomass for 2 years. The participant would be able to use non-emergency haying or harvesting for biomass beginning July 16, 2022, subject to the conservation plan. The payment reduction is 25 percent in the program year (program year 2020) based on the start date of the haying or harvesting for biomass on the acres actually hayed or harvested for biomass.--\*

**\*--666 Non-Emergency Invasive Species Grazing**

**A General Provisions**

Non-emergency grazing to control invasive species on all practices as listed in subparagraph 663 B is authorized **outside the PNS** where Kudzu or other invasive species have infested CRP acreage.

Participants must request a modified conservation plan which includes NRCS Conservation Practice Standard Herbaceous Weed Control (Code 315) and receive approval from FSA before conducting any grazing to control invasive species. Participant must identify the invasive species and dates acreage will be grazed. Non-emergency grazing to control invasive species cannot exceed 30 calendar days between May 1 and September 1.

Land grazed for control of invasive species is ineligible for emergency grazing during the same program year.

A payment reduction of 25 percent must be assessed for acres grazed to control invasive species.--\*

**\*--667 Non-Emergency Beginning Farmer or Rancher Grazing**

**A General Provisions**

A beginning farmer or rancher who is a participant on CRP-1 with a share of the rental payment greater than zero can annually graze all CRP practices **outside the PNS** without a payment reduction.

The beginning farmer or rancher must certify annually as a beginning farmer or rancher on CCC-860 before grazing.

All other requirements in paragraph 664 must be met.--\*

**\*--668 Non-Emergency Incidental Grazing****A General Provisions**

Acreage devoted to CP8A, CP15A, CP15B, CP18B, CP18C, CP21, CP21B, CP21S, CP23, CP23A, CP29, CP30, CP37, CP38A, CP38B, and CP43 is eligible for incidental grazing **outside the PNS**, with no payment reduction if all the following are met:

**Important:** Acreage enrolled through a SAFE may only be grazed or allowed as part of the SAFE. CP38 may not be grazed, unless authorized by the SAFE agreement. Non-emergency incidental grazing is not allowed on CREP unless the CREP agreement specifically permits such activity.

- grazing is incidental to the gleaning of the crop residue in a field, or before the harvest of a small grain
- grazing occurs after the participant harvests crops from within the surrounding field
- all livestock must be removed from CRP acreage no later than 60 days after incidental grazing begins
- an NRCS or TSP final status review has been completed for the practice that certifies the approved cover has been established
- grazing will not adversely affect the purpose and performance of the practice.

The CRP acreage to be grazed must be immediately adjacent to the acreage harvested to be gleaned or the acreage planted to small grains to be grazed. If the CRP acreage is separated from the cropland to be grazed by a fence, road, stream or other barrier, the CRP acreage cannot not be grazed under the incidental grazing provisions.

The participant must request by filing a CRP-37 for incidental grazing. The participant must agree in writing to re-establish, at their own expense, any cover destroyed or damaged as a result of this incidental grazing, regardless of recommendations or determinations made by NRCS.

**Note:** See Exhibit 54 for CRP-37.

**Example:** A participant requests to graze a CP21, Filter Strips, as part of the gleaning of the corn crop residue in the adjacent cropland field. There is a fence between the field with the corn residue and the CP21. Incidental grazing of the CP21 is not allowed.--\*

**\*--669 Non-Emergency Gleaning Grazing****A General Provisions**

COC's or CED's may authorize gleaning of crop residue on acreage enrolled in CRP if all the following requirements are met:

- the acreage is in the first year of a CRP-1
- the acreage was devoted to an agricultural commodity before enrollment in CRP
- mechanical harvesting of the agricultural commodity was not completed in sufficient time for gleaning of the crop residue to be completed before the start date of CRP-1
- the gleaning of the crop residue will not delay the installation of the approved cover
- participant requests, in writing, to glean acreage enrolled in CRP and must agree to all of the following:
  - provide adequate cover to prevent soil erosion
  - remove all livestock no later than 60 days after gleaning begins.

**B Example:**

A participant has an approved CRP signup offer with a start date of October 1. The:

- acreage is currently planted to corn
- approved practice cannot be established until the following spring.

COC may authorize the participant to glean the CRP acreage after October 1 (the start date of CRP-1), provided all the requirements in this subparagraph are met.--\*

**\*--670 Non-Emergency Haying and Grazing Provisions**

**A Participant Provisions**

CRP participants must take the following actions every time they request to use non-emergency haying and grazing provisions.

Step	Action
1	Identify the acreage to be hayed/grazed on digital imagery/map.
2	Obtain a modified conservation plan for the applicable non-emergency haying or grazing provisions.
3	Record intended use on CRP-117. See Exhibit 47.
4	Sign the agreement in Exhibit 48.  <b>Note:</b> All participants are required to sign the agreement before haying or grazing begins.
5	Receive notification of approval in writing from COC or CED before beginning any haying or grazing.
6	Report the number of acres actually hayed or grazed, within 10 calendar days of the end of the haying or grazing period in the conservation plan, and sign and date CRP-118. See Exhibit 49.
7	Re-establish the CRP cover, at their own expense, if the cover fails as a result of any non-emergency haying or grazing.
8	Be assessed a payment reduction, if applicable, according to subparagraph 663 D.
9	CRP participants <b>must remove:</b> <ul style="list-style-type: none"> <li>• livestock from all fields within 1 calendar day of the end of the modified conservation plan end date for grazing</li> <li>• hay from fields within 15 days after baling</li> <li>• all livestock from CRP acreage no later than the end date for invasive species grazing treatment as specified in the conservation plan.</li> </ul>
10	Non-emergency grazing must not be conducted during the PNS without a 50 percent reduction in carrying capacity. Haying is not allowed during the PNS.

--\*

**\*--670 Non-Emergency Haying and Grazing Provisions (Continued)**

**B Maintenance Defaults**

Maintenance defaults apply to participants who conducted unauthorized non-emergency haying or grazing

Use the following table when a maintenance default occurs.

<b>IF the non-emergency haying or grazing occurs on...</b>	<b>THEN...</b>
fewer acres than requested on the CRP-117	compute applicable payment reduction based on the actual acres hayed or grazed and reported on the CRP-118.
more acres than requested on the CRP-117 and the COC determines the participant made a good faith effort to comply	compute applicable payment reduction based on the actual acres hayed or grazed and reported on the CRP-118 and assess a standard payment reduction on the acreage in excess of the acreage requested on the CRP-117 according subparagraph 604 A.
more acres than requested on the CRP-117, and the COC determines the participant did not make a good faith effort to comply	terminate the CRP-1 according subparagraph 571 A.

**C Participant Reports**

Participants must report the number of acres hayed or grazed within 10 calendar days of the end of the haying or grazing period in the conservation plan, using the CRP-118.

**D County Office Report**

As part of the annual Haying and Grazing Summary Report, County Offices must report to the State Office by December 1 of each year, the number of:

- CRP-1’s where haying or grazing under applicable non-emergency haying and grazing provisions actually occurred
- CRP acres actually hayed or grazed under applicable non-emergency haying and grazing provisions.--\*



**\*--670 Non-Emergency Haying and Grazing Provisions (Continued)**

**E STC Report**

STC or designee must report to the Conservation Division (CD) by accessing the following CD SharePoint site at <https://usdagcc.sharepoint.com/sites/fsa-dafp/CEPD/policy/Pages/CD%20Policy%20Home.aspx>.

SELECT “CRP Haying and Grazing Annual Summary Report” in the left column. This report must be submitted by December 31 of each year and will include the following:

- CRP-1’s harvested under applicable non-emergency haying and grazing provisions
- CRP acres harvested under applicable non-emergency haying and grazing provisions.

**Note:** Negative reports are required.--\*

**671-680 (Reserved)**



## \*--Section 2 Emergency Haying and Grazing

## 681 County Eligibility

## A Eligibility Outside the PNS

Emergency haying or emergency grazing of the approved cover is allowed in response to a drought, flood, wildfire, or other emergency as determined by DAFP on all practices including CP38 if allowed in the SAFE agreement, **outside the PNS**, when:

- all or any part of the county in which the CRP acreage is physically located is designated as D2 (severe drought) or greater for one week according to the United States Drought Monitor; see subparagraph B.

**Note: See paragraph 682 for practice restrictions if the Drought Monitor meets the LFP trigger threshold.**

- there is at least a 40 percent loss in forage production in the county in which the CRP acreage is physically located; see subparagraph C; or
- DAFP determines that CRP can assist in the response to a natural disaster event without long-term damage to the established cover; see subparagraph D.

Acreage ineligible for emergency haying or grazing includes acreage devoted to:

- useful life easements if the easement prohibits haying or grazing
- land within 20 feet of a perennial or seasonal/intermittent stream or other permanent waterbody
- any practice **not** listed in subparagraph 682.

Under no circumstances may emergency haying or grazing be permitted if such activity would cause long-term damage to the vegetative cover on the land, determined on a contract-by-contract basis.--\*

## \*--681 County Eligibility (Continued)

**B Emergency Haying and Grazing based on U.S. Drought Monitor**

Counties are authorized CRP emergency haying and grazing **outside of the PNS** on all practices when any part of the county is in a D2 condition based on the U.S. Drought Monitor.

The National Office will post a listing of counties authorized to allow emergency haying and grazing **outside the PNS** based on the U.S. Drought monitor using the CD SharePoint site. County Offices can access this listing by selecting “D2/D3 CRP Eligible Emergency Haying and Grazing Counties” in the left menu at

[https://usdagcc.sharepoint.com/sites/fsa-dafp/CEPD/county\\_office/SitePages/Home.aspx](https://usdagcc.sharepoint.com/sites/fsa-dafp/CEPD/county_office/SitePages/Home.aspx).

No additional State or DAFP approval is required and County and State Offices are not required to submit a request to the National Office for this type of emergency haying and grazing authorization. After a county has been authorized for emergency haying and grazing, the County Office must publicize the availability of emergency haying and grazing.

A CRP participant can utilize up to 90 consecutive days or a total of 90 days before and after the PNS (if county is still eligible for emergency grazing) of emergency grazing subject to a modified conservation plan during the program year on all practices. A CRP participant will have up to 60 days from when the county was approved for emergency haying to harvest one cutting of hay **outside the PNS** subject to a modified conservation plan.

Emergency grazing **during the PNS** is allowed only when all of the following are met:

- payments are authorized for the county under LFP (D2 for 8 weeks, D3, or D4)
- less than 50 percent of the normal carrying capacity
- the participants conservation plan is modified to incorporate the 50 percent of normal carrying capacity, and approved prior to grazing.

A list of counties eligible for this authority is on the SharePoint site listed in this subparagraph.

If payments are authorized for a county under LFP **outside the PNS**, only certain practices are approved to be hayed according to subparagraph 682 B.--\*

**\*--681 County Eligibility (Continued)**

**C Emergency Haying and Grazing that Requires STC Authorizations**

If emergency haying or grazing is not authorized under subparagraph B, COC's may request STC approval for emergency haying or grazing for all or part of a county when there is a 40 percent or greater loss in forage production using the CRP-42. See subparagraph E.

Each week State offices must report to CD the counties approved for emergency haying or grazing based on a 40 percent loss in forage production (only county's approved that week will be reported upon approval) using the applicable link in the left menu at

**<https://usdagcc.sharepoint.com/sites/fsa-dafp/CEPD/policy/Pages/CD%20Policy%20Home.aspx>**.

## \*--681 County Eligibility (Continued)

**E Applying for STC or DAFP Authorization**

COC must submit requests to the STC for authorization for emergency haying or grazing of CRP acreage when the reason for the emergency haying or grazing is 40 percent or greater loss of forage production according to subparagraph C

All requests for emergency haying or grazing under subparagraph C or D must include at a minimum all the following:

- CRP-42, completed according to Exhibit 51
- detailed narrative written description of disaster conditions in the county
- copy of COC minutes and narrative recommendation
- copy of STC minutes and narrative recommendation for subparagraph D
- explanation of livestock emergency and justification of need for emergency activities.

When COC is requesting authorization for emergency haying or grazing in only a part of the county, the County Office must submit the following:

- CRP-42, completed according to Exhibit 51, for the:
  - entire county
  - affected area
- county map clearly showing the part of the county affected by the disaster.

**Note:** The affected area must be outlined by township boundaries, roads, highways, streams, or other identifiable landmarks.

If the request for part of a county is approved, the part of the county not covered by the request will not be eligible for emergency haying or grazing of CRP.

All COC requests and STC determinations, as applicable, must be recorded in the COC minutes.

COC must clearly document in the COC minutes the following:

- justification for the request to release CRP acres for emergency haying or grazing
- monthly review of conditions in the county and the basis used to determine whether continued haying or grazing is warranted.--\*

**\*--681 County Eligibility (Continued)****E Applying for STC or DAFP Authorization (Continued)**

STC must thoroughly review COC requests for completeness and approve the request for loss of forage production if all requirements are met.

If STC, as applicable, approves COC's request, COC will notify all participants in the county or part of the county, as applicable, of the authorization for emergency haying and grazing CRP acreage by the fastest means possible.

**F STC Action and Determinations**

STC's will approve or disapprove, as appropriate, County office requests for 40 percent loss of forage production; see subparagraph C

STC must:

- make determinations on a county-by-county basis
- report county approvals to CD weekly for loss of forage production.

Each week State Offices must report to CD the counties approved for emergency haying or grazing based on a 40 percent loss in forage production (only county's approved that week will be reported upon approval) using the applicable link in the left menu at **<https://usdagcc.sharepoint.com/sites/fsa-dafp/CEPD/policy/Pages/CD%20Policy%20Home.aspx>**.

**\*--681 County Eligibility (Continued)**

**G Emergency Haying and Grazing Duration/Deadlines and Timeframes**

The duration for emergency haying and grazing approved for CRP participants is for:

- grazing, up to 90 days during the program year
- haying, up to 60 days during the program year.

**Note:** Emergency haying and grazing may begin before the PNS and continue after the end of the PNS, but only when conditions in subparagraphs B, C, or D are still applicable after the PNS

The STC cannot authorize an extension of time for:

- emergency haying
- DAFP approvals.--\*



**\*--682 Practice Restrictions Outside the PNS****A All Practices**

If payments are not authorized for the county under LFP, emergency haying and grazing that is authorized under subparagraphs 681 B, C, and D is allowed on **all practices** including CP38E but only if such activity is specifically authorized in the SAFE agreement. Emergency haying and grazing is not allowed on SAFE acres where the SAFE agreement is silent on emergency haying and grazing.

**Note:** See subparagraph B for restrictions on practices and acres when LFP payments are authorized (D2 for 8 weeks, D3, or D4)

**B Selected Practices**

Haying of all practices is not authorized if payments are authorized for a county under LFP. This information about counties approved for LFP will be provided on the CD SharePoint site in subparagraph 681 B.

If payments are authorized for a county under LFP, emergency haying is restricted to 50 percent of the acreage devoted to practices CP1, CP2, CP4B, CP4D, CP10, CP18B, CP18C and CP38E but only if such activity is specifically authorized in the SAFE agreement. **No haying is allowed during the PNS.--\***

**\*--683 Emergency Haying and Grazing Provisions****A General Provisions**

Emergency haying or grazing must be confined to the acreage physically located within the boundary of the eligible county, regardless of where the headquarters for the farm is located or the county where the farm is administratively located.

**Note:** A CRP field, which is partially located in an eligible county and partially located in an ineligible county, may be hayed or grazed as part of an eligible county, if all other requirements are met.

CRP participant:

- must request and receive approval in writing from FSA before haying or grazing
- must specify the number and location of acres to be hayed or grazed on digital imagery/map
- must record the requested activity (haying or grazing) on CRP-117 (Exhibit 47)
- must sign the request before the emergency haying or grazing begins (Exhibit 52)
- must obtain a modified conservation plan to include haying or grazing, that does not permit long-term damage to the vegetative cover

**Note:** The haying or grazing as referenced in the conservation plan **must** be site specific and reflect the local wildlife needs and concerns.--\*

**\*--683 Emergency Haying and Grazing Provisions (Continued)****A General Provisions (Continued)**

- must not hay and graze the same acreage in the same program year
- **will not** be assessed a payment reduction for approved emergency haying or grazing
- may rent or lease the haying or grazing privilege
- may not begin haying or grazing before the date specified in the modified conservation plan
- must agree in writing to re-establish, at their own expense, any cover destroyed or damaged as a result of haying or grazing.

In addition, for grazing only must:

- remove all livestock from all CRP fields no later than the end of the emergency grazing period in the conservation plan
- if applicable graze at one half the carrying capacity **during the PNS**.

In addition, for haying only must:

- not hay **during the PNS**,
- remove all hay from all CRP fields within 15 calendar days after baling.

Participants who hay or graze CRP acreage, or fail to follow these provisions, will be subject to the noncompliance provisions according to paragraph 685.--\*

**\*--683 Emergency Haying and Grazing Provisions (Continued)****B Conservation Plan Requirements**

The conservation plan:

- must require that the vegetative cover is maintained, soil erosion is minimized, and water quality and wildlife habitat are protected
- must require that no long-term damage to the vegetative cover occurs
- must be site-specific and reflect the local resource concerns
- must utilize NRCS Conservation Practice Standard Prescribed Grazing (Code 528) or NRCS Conservation Practice Standard Forage Harvest Management (Code 511)
- must require fencing livestock at least 20 feet from adjacent water bodies without cost share
- must not allow supplemental feeding of hay, grain, silage, etc.
- may allow use of mineral supplements
- must not allow any haying, grazing, or other activity that would adversely affect the purpose and performance of the practice
- must require management of heavy use locations, such as watering facilities and loafing areas, to minimize bare ground conditions and trails
- must require minimum grazing stubble heights based on current conditions when the plan is developed
- must limit haying to 1 cutting per program year
- **must limit the plan to 90 days of CRP emergency grazing.--\***

**\*--683 Emergency Haying and Grazing Provisions (Continued)**

**C Participant Provisions**

CRP participants must:

- file a request to hay or graze CRP acreage before emergency haying or grazing begins
- take the following actions.

Step	Action
1	Identify the acreage to be hayed or grazed on digital imagery/map.
2	Obtain a modified conservation plan to include emergency haying or grazing requirements, <b>outside the PNS</b> , without long-term damage to the cover as determined by NRCS or TSP. The haying or grazing as specified in the conservation plan <b>must</b> be site specific and reflect the local wildlife needs and concerns.
3	Record intended haying or grazing use on CRP-117. See Exhibit 47.
4	Sign agreement in Exhibit 52.  <b>Note:</b> All participants are required to sign the agreement before haying or grazing begins.
5	Receive notification of approval in writing from COC or CED before beginning any haying or grazing.
6	Report the number of acres actually hayed or grazed, and sign and date CRP-118. See Exhibit 49.
7	CRP participant will re-establish the CRP cover, at their own expense, if the cover fails as a result of emergency haying or grazing.
8	Haying must be limited to 1 cutting per program year.
9	Participants must stop haying and grazing according to the modified plan developed based on the current site-specific conditions; at a minimum the plan must provide minimum grazing stubble heights.
10	CRP participants <b>must</b> remove all hay from all fields within 15 calendar days from when the hay is baled.
11	CRP participants <b>must</b> remove all livestock from all fields no later than 1 day after the end of the emergency grazing period.

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**\*--684 Payment Reductions**

**A Reduction Rates**

Authorized emergency haying and grazing may be conducted without any reduction to the annual rental payment.

**685 Compliance**

**A Required Spot Checks**

To ensure that CRP cover is not damaged, wildlife and associated habitat is protected, and participants are complying with their conservation plans, COC's must spot-check at least 10 percent of CRP-1's approved for emergency haying or grazing per year. Spot checks must be completed within 10 calendar days from when the producer reports the emergency haying or grazing on the CRP-118.

**B Maintenance Defaults**

Maintenance defaults apply to participants who conducted **unauthorized** emergency **haying or grazing**

Use the following table when a maintenance default occurs.

<b>IF the haying or grazing occurs on...</b>	<b>THEN...</b>
fewer acres than requested on the CRP-117	compute applicable payment reduction based on the actual acres hayed or grazed and reported on the CRP-118.
more acres than requested on the CRP-117 and the COC determines the participant made a good faith effort to comply	compute applicable payment reduction based on the actual acres hayed or grazed and reported on the CRP-118 and assess a standard payment reduction on the acreage in excess of the acreage requested on the CRP-117 according to 2-CRP, subparagraph 604 A.
more acres than requested on the CRP-117, and the COC determines the participant did not make a good faith effort to comply	terminate the CRP-1 according to 2-CRP.

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**\*--686 Reporting Requirements****A Participant Reports**

Participants **must** report the number of acres hayed or grazed within 10 calendar days of the end of the emergency haying or grazing period in the conservation plan using the CRP-118.

**B County Office Report**

As part of the annual Emergency Haying and Grazing Summary Report, County Offices must report to the State Office December 1 of each year, the number of:

- CRP-1's where haying or grazing under emergency haying and grazing provisions actually occurred
- CRP acres actually hayed or grazed under emergency haying and grazing provisions.

**C STC Report**

STC or designee must report to CD by accessing the following CD SharePoint site at <https://usdagcc.sharepoint.com/sites/fsa-dafp/CEPD/policy/Pages/CD%20Policy%20Home.aspx>.

SELECT "CRP Haying and Grazing Annual Summary Report" in the left column. This report must be submitted by December 31 of each year and will include the following:

- the number of CRP-1's where haying or grazing under emergency authority occurred
- CRP acres hayed or grazed under emergency authority.

**Note:** Negative reports are required.--\*

\*--687 Summary of Haying and Grazing

**A Summary of Each Type of Haying and Grazing**

The following table provides a summary of haying and grazing types and the applicable policy and payment reduction.

<b>Haying and Grazing Provisions Table</b>		
<b>Type/Provisions Activity/For</b>	<b>Components</b>	<b>Payment Reduction</b>
Non-Emergency Harvesting for Hay or Biomass	<p><b>Outside the PNS</b>, all practice acres (as listed in subparagraph 663 A) are eligible for non-emergency harvesting for hay or biomass.</p> <ul style="list-style-type: none"> <li>• No more frequently than 1 in 3 years.</li> <li>• Emergency haying or grazing restarts the frequency for conducting non-emergency harvesting for hay.</li> <li>• Not authorized <b>during the PNS</b>.</li> <li>• No later than August 31.</li> <li>• Must not hay on 25 percent of the contract acres.</li> <li>• Request approval before harvesting eligible acreage.</li> </ul>	25 percent
Non-Emergency Grazing	<p><b>Outside the PNS</b>, all practice acres are eligible for non-emergency grazing except CP12, CP3, CP3A, CP5A, CP16A, CP17A, CP31, CP36, CP38C, and CP38 if not specifically allowed in the SAFE agreement.</p> <ul style="list-style-type: none"> <li>• No more frequently than every other year.</li> <li>• Emergency haying or grazing restarts the frequency for conducting non-emergency grazing.</li> <li>• Request an approval before grazing eligible acres.</li> </ul> <p><b>Exception:</b> During the PNS a 50 percent reduction in carrying capacity is required.</p>	25 percent

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\*--687 Summary of Haying and Grazing

A Summary of Each Type of Haying and Grazing (Continued)

Haying and Grazing Provisions Table (Continued)		
Type/Provisions Activity/For	Components	Payment Reduction
Non-Emergency Incidental Grazing	<p>Practices, CP8A, CP15A, CP15B, CP18B, CP18C, CP21, CP21B, CP21S, CP23, CP23A, CP29, CP30, CP37, (CP38A, CP38B, CP38D, if included in the approved safe agreement), and CP43.</p> <ul style="list-style-type: none"> <li>• Incidental to grazing crop residue in the surrounding field.</li> <li>• Not authorized <b>during the PNS</b>.</li> <li>• Authorized up to 60 calendar days after the start of incidental grazing.</li> <li>• Request approval before grazing eligible acreage.</li> </ul>	No payment Reduction
Non-emergency Grazing-Gleaning	<ul style="list-style-type: none"> <li>• Acreage is in the first year of CRP-1.</li> <li>• Acreage was devoted to an agricultural commodity before enrollment into CRP.</li> <li>• Mechanical harvesting not completed in time to glean the crop residue before the start date of CRP-1.</li> <li>• Gleaning the crop residue will not delay establishment of the approved cover.</li> <li>• Authorized up to 60 calendar days after the start of permissive grazing.</li> <li>• Request approval before grazing eligible acreage.</li> </ul>	No Payment Reduction
Non-Emergency Prescribed (Invasive Species) Grazing	<p><b>Outside the PNS</b>, all practice acres are eligible for non-emergency (all practices including CP38 if the activity is allowed in the SAFE) agreement. Practices not eligible for non-emergency prescribed (Invasive Species) grazing are CP12 and tree practices CP3, CP3A, CP5A, CP16A, CP17A, CP31, CP36, CP38C.</p> <ul style="list-style-type: none"> <li>• Must be grazed according to NRCS Conservation Practice Standard Herbaceous Weed Control (Code 315).</li> <li>• Not to exceed 30 calendar days between May 1 and September 1.</li> <li>• Request approval before grazing eligible acreage.</li> </ul>	25 percent

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\*--687 Summary of Haying and Grazing

A Summary of Each Type of Haying and Grazing (Continued)

Haying and Grazing Provisions Table (Continued)		
Type/Provisions Activity/For	Components	Percent Payment Reduction
Emergency Haying	<ul style="list-style-type: none"> <li>• Outside PNS, haying on all practice acres including CP38E if specifically allowed under the SAFE agreement outside the primary nesting period if approved.</li> <li>• Exception, if LFP (D2 for 8 weeks, D3, or D4), haying may only occur on acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, and CP18C on not more than 50 percent of the acres. Haying is approved for acreage devoted to practice CP38E if haying is specifically allowed under the SAFE agreement.</li> <li>• Producer must request approval before haying eligible acreage.</li> <li>• Producer has up to 60 days to complete one cutting of hay.</li> <li>• County Office must spot-check 10 percent of CRP-1's approved.</li> </ul>	No Payment Reduction
Emergency Grazing	<ul style="list-style-type: none"> <li>• <b>Outside the PNS</b>, all practices including CP38E if specifically allowed under the SAFE agreement.</li> <li>• During PNS, all practices, including CP38E if specifically allowed under the SAFE agreement with a 50 percent reduction of normal carrying capacity if the county is eligible for LFP payments (D2 for 8 weeks, D3, or D4).</li> <li>• Up to 90 days of grazing is allowed.</li> <li>• Producer must request approval before grazing eligible acreage.</li> <li>• County Office must spot-check 10 percent of CRP-1's approved.</li> </ul>	No Payment Reduction

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688-770 (Reserved)

Part 20 (Reserved)

771-800 (Reserved)

**Part 21 TIP****Section 1 TIP Policy****801 Overview****A Background**

The Agricultural Improvement Act of 2018 amended the Food Security Act of 1985 to authorize \$50 million for the voluntary transition of land enrolled under an expiring CRP contract from an owner or operator to a veteran, beginning, or SDA farmer or rancher to return the land to production for sustainable grazing or crop production.

Owners or operators who qualify under TIP may be eligible to receive annual rental payments for up to 2 additional years after the CRP-1 expiration date provided the transition is **not** to a family member as defined in Exhibit 2.

**Note:** Family members of the owner or operators may participate in TIP; however, the additional 2 years of annual rental payments will **not** be paid.

**B Signup Period for TIP**

Eligible owners and operators, veteran, beginning, or SDA farmers or ranchers may enroll in TIP on a continuous basis.

To be considered eligible, veteran, beginning, or SDA farmers or ranchers and CRP participants must enroll in TIP during the period beginning 2 years before the CRP contract expiration date and the earlier of the following:

- August 15 of the FY that the CRP contract is scheduled to expire
- \$50 million statutory limit has been reached.

**Note:** The August 15 deadline is to allow NRCS or TSP the required time to complete the TIP sustainable grazing or crop production conservation plans.

**802 Eligible Land****A Eligible Land for TIP**

All or a portion of land under an expiring CRP contract may be eligible to enroll in TIP, if COC or CED determines that **all** of the following have been met:

- producer eligibility requirements in paragraph 803
- land eligibility requirements in subparagraph 804 A for contracts scheduled to expire
- land under CRP-1 is in compliance according to Part 17.

**B Easement Eligibility for TIP**

Land expiring from CRP-1 under an easement that would prohibit the land from being farmed in a sustainable manner is **not** eligible to be enrolled under CRP-1R.

**803 Eligible Producers****A Owner or Operator Eligibility**

To be eligible for TIP, producers must be owners or operators on land under an expiring CRP contract.

One or more participants under CRP-1 may be eligible to transition land to a veteran, beginning, or SDA farmer or rancher and enroll in TIP if **all** of the following have been met:

- persons or entities on the expiring CRP-1 must receive, in the aggregate, at least 50 percent of the annual rental payments

**Note:** The owner or operator that is a member of an entity must own at least 50 percent of the stock of the entity to be eligible for TIP.

- owner or operator agrees to sell, has a contract to sell, or leases the land for a minimum of 5 years to a veteran, beginning, or SDA farmer or rancher before CRP-1R begins

**Notes:** See paragraph 807.

In the case of a long-term lease, the lease must be a nonrevocable, long-term lease of at least 5 years, or less than 5 years with an option to purchase the land, which must begin on the CRP-1R beginning date.

## 803 Eligible Producers (Continued)

## A Owner or Operator Eligibility (Continued)

- owner or operator and veteran, beginning, or SDA farmer or rancher have signed CRP-1R according to paragraph 805
- owners or operator agrees to allow veteran, beginning, or SDA farmer or rancher to make conservation and land improvements, according to a modified conservation plan approved by NRCS or TSP, **beginning** on the date COC or CED approves CRP-1R according to paragraph 806.

**Notes:** Land improvements in the last year of the CRP contract under CRP TIP will **not** be \*--permitted during PNS unless CRP-1 cover was already disturbed because of allowable land improvements started before the first day of PNS.--\*

If land improvements are to be made in the last year of CRP-1 according to paragraph 806, CRP-1 participants must modify the CRP conservation plan according to the recommendations of NRCS or TSP.

**Important:** CRP participants:

- are responsible for the land under an expiring CRP-1 until that CRP-1 expires
- must modify the CRP-1 conservation plan if land improvements are to be made during the last year of CRP-1.

When 1 or more owners or operators on a CRP-1 agree to transition their portion of the land under CRP-1 to veteran, beginning, or SDA farmer or rancher, CCC may approve CRP-1R provided all signatories to CRP-1 sign CRP-1R and all other eligibility criteria are met. The land transfer must not have taken place until after participants have signed CRP-1R.

**Note:** All CRP-1 signatories are required to sign CRP-1R. At least 1 participant with at least 50 percent share on CRP-1 must meet participant criteria. If all signatories on CRP-1 do **not** agree to sign CRP-1R, then the land is **not** eligible under TIP.

**Example 1:** Three participants have equal shares in an expiring CRP contract. Two of the participants intend to participate in TIP. The land is eligible for TIP because the shares of the 2 participants equal at least 50 percent provided all signatories sign CRP-1R and all other eligibility criteria have been met.

**803 Eligible Producers (Continued)****A Owner or Operator Eligibility (Continued)**

**Example 2:** Four participants have equal shares in an expiring CRP contract. Two of the participants intend to participate in TIP. The land is eligible for TIP because the shares of the 2 participants equal at least 50 percent provided all signatories sign CRP-1R and all other eligibility criteria have been met.

**Example 3:** Five participants have equal shares in an expiring CRP contract. Two of the participants intend to participate in TIP. The land is **not** eligible for TIP because the shares of the 2 participants do **not** equal at least 50 percent of the shares on the expiring CRP contract.

**Notes:** All CRP-1 shareholder signatories are eligible to receive the 2 years annual rental payments provided they have signed CRP-1R, are otherwise eligible, and the provisions of this paragraph are met.

TIP payments will be issued according to the shares at the time CRP-1 expires.

**B Veteran, Beginning, or SDA Farmer or Rancher Eligibility**

A veteran, beginning, or SDA farmer or rancher may be eligible for TIP provided the veteran, beginning, or SDA farmer or rancher agrees to **all** of the following:

- buy or lease (under a long-term lease of at least 5 years) the land under CRP-1 from an owner or operator during the last year of CRP-1 before its scheduled September 30 expiration
- develop and implement the required conservation plans according to paragraph 806
- self-certify and sign CRP-1R.

**Notes:** A minor combined with a parent or legal guardian in a farming operation under 4-PL, would not meet beginning farmer or rancher criteria until the minor is of legal age and no longer combined. In rare cases, where COC has determined the minor stands alone and is not combined with a parent or legal guardian, the minor may meet the beginning farmer or rancher definition provided COC determines the minor materially and substantially participates in the operation of the farm or ranch involved in CRP-1R.

For TIP, the definition of SDA farmer or rancher does **not** include gender. See Exhibit 2.

## 804 TIP for CRP-1's

## A TIP for CRP-1's That Expire on or After September 30

Generally, land subject to CRP-1R must be returned to production using sustainable grazing or crop production methods.

Beginning on October 1 that is 2 years before the CRP-1 scheduled expiration date of September 30, the owner or operator may sign CRP-1R to allow the veteran, beginning, or SDA farmer or rancher to do 1 or more of the following:

- modify the current CRP-1 conservation plan to begin conservation and land improvements

**Note:** CRP-1 signatories are responsible for the CRP cover until CRP-1 expires. If land improvements are to be made in the last year of CRP-1, conservation plan must be modified by CRP-1 participants.

- begin the certification process under the Organic Foods Production Act of 1990
- offer eligible land into continuous CRP.

**Note:** Land improvements in the last year of the CRP contract under CRP TIP will **not** be \*--permitted during PNS unless CRP-1 cover was already disturbed because of allowable land improvements started before the first day of PNS.--\*

If all other eligibility requirements are met, the veteran, beginning, or SDA farmer or rancher with an approved CRP-1R is eligible to offer transitioned land for continuous CRP according to Part 6, Section 1.

**Note:** Eligible veteran, beginning, or SDA farmers or ranchers with an approved CRP-1R \*--will be eligible to re-enroll, beginning on April 1 of the year CRP-1 expires,--\* partial field continuous conservation practices in CRP, according to a CRP conservation plan and the provisions of TIP. The re-enrolled acres will become effective on October 1 following the expiration of CRP-1 of the qualified owner or operator, provided that the veteran, beginning, or SDA farmer or rancher has control of the property and meets all other qualifying conditions of CRP.

The veteran, beginning, or SDA farmer or rancher enrolling into continuous CRP is **not required** to meet 12-month owner/operator criteria for acres under CRP-1R.

In cooperation with NRCS, County Offices must inform the veteran, beginning, or SDA farmer or rancher to contact NRCS for more information about the opportunity to enroll in CSP or EQIP. Enrollment in CSP or EQIP must begin October 1, on or after CRP-1 expires.

**Note:** Land under CRP-1R is **not** eligible to be enrolled into general signup.

## 805 CRP-1R Signature Requirements

### A Required Signatures

CRP-1R must be signed by **all** of the following:

- owners or operators
- veteran, beginning, or SDA farmer or rancher
- all signatories to CRP-1.

**Exception:** See subparagraph 335 C for signature requirement exceptions.

**Note:** See paragraph 810 for an example of CRP-1R.

## 806 Required Conservation Plans for TIP

### A Veteran, Beginning, or SDA Farmer or Rancher TIP Conservation Plan Requirements

During the last year of CRP-1 before its scheduled expiration, the veteran, beginning, or SDA farmer or rancher must develop a conservation plan that meets acceptable standards for sustainable grazing or crop production methods to be implemented beginning on the approved CRP-1R beginning date (item 7 A). The sustainable grazing and crop production methods must be designed as a part of an overall plan defined on an ecosystem level to be useful in creating integrated systems of plant and animal production practices that have a site-specific application that would:

- enhance the environment and the natural resource base
- use nonrenewable resources efficiently
- sustain the economic viability of the farming operation.

The veteran, beginning, or SDA farmer or rancher must complete **all** of the following for acres under CRP-1R:

- **sustainable grazing or crop production conservation plan** that meets NRCS FOTG for sustainable grazing or crop production methods according to this paragraph to be effective on the CRP-1R beginning date
- conservation plan according to Conservation Compliance Provisions of the 1985 Act that requires completing AD-1026 for HEL
- **CRP conservation plan** that meets the requirements for continuous CRP, CSP, or EQIP, as applicable, if enrolling the acres in 1 or more of these programs that are under CRP-1R after CRP-1 expires.



**806 Required Conservation Plans for TIP (Continued)****B Owner or Operator Conservation Plan Requirements**

Beginning on the first day of the last year of CRP-1, CRP participants with an approved CRP-1R must allow the veteran, beginning, or SDA farmer or rancher to install certain conservation practices and institute land improvements that are consistent with the conservation plan during the last year of CRP-1 according to an approved modified conservation plan in consultation with NRCS or TSP.

**Note:** The farmer or rancher must, in consultation with FSA and NRCS or TSP, ensure that the CRP-1 conservation plan has been modified for land improvements agreed upon with the veteran, beginning, or SDA farmer or rancher. The owner or operator is responsible for ensuring that the conservation plan is modified if land improvements are being made on land under CRP-1.

The following are allowable conservation and land improvements in the last year of CRP-1 under TIP, according to an approved modified conservation plan:

- preparing the land for certified organic food production
- laying out contours for contour buffer strips
- surveying and site preparation for contour farming
- installing filter strips
- installing fencing
- installing livestock watering facilities

**Note:** Grazing is **not** allowed before CRP-1 expiration.

- installing pipelines
- installing ponds
- installing terraces
- installing water wells
- installing waterways

## 806 Required Conservation Plans for TIP (Continued)

### B Owner or Operator Conservation Plan Requirements (Continued)

- other potential improvements for re-enrolling acres into continuous CRP according to NRCS or TSP guidelines
- other appropriate practices as recommended by NRCS or TSP.

**Notes:** Land improvements in the last year of CRP-1 under CRP TIP will **not** be permitted \*--during PNS unless CRP-1 cover was already disturbed because of allowable land improvements started before the first day of PNS.--\*

Land improvements in the last year of CRP-1 do not include planting a commodity crop except when used as a temporary cover establishing conservation practices.

CRP C/S assistance is **not** authorized for TIP.

Using other Federal C/S assistance requires refund of CRP C/S assistance according to subparagraph 490 B.

Generally, only the acres under CRP-1R must be returned to sustainable grazing or crop production methods.

**Notes:** CRP-1 provisions continue to apply through its expiration for land **not** covered by CRP-1R.

For expired CRP-1 land that is **not** enrolled in an approved TIP CRP-1R, the land may be returned to an agricultural commodity using normal crop production methods in compliance with Conservation Compliance Provisions of the 1985 Act. See 6-CP.

### C TIP and Early Land Preparation

Certain conservation and land improvements are allowable in the last 2 years (beginning October 1 of the year CRP-1 expires) of CRP-1 as provided in subparagraph B.

Early land preparation provisions in paragraph 636 generally apply to land enrolled under a TIP modification to CRP-1. However, if the desired early land preparation activity conflicts with acceptable standards for sustainable grazing or crop production, then early land preparation provisions must **not** be used.

**Important:** TIP participants requesting early land preparation must follow all of the provisions in paragraph 636.

**806 Required Conservation Plans for TIP (Continued)****C TIP and Early Land Preparation (Continued)**

Activities allowable under TIP in the last 2 years of CRP-1 relates to conservation and land improvements. As a general matter, destruction of the cover before CRP-1 is expired should **not** be approved. If, however, in the extraordinary case where NRCS or TSP determines that allowing the cover to be disturbed in the last year of CRP-1 to prepare to plant an agricultural crop after CRP-1 expires meets the criteria of a sustainable conservation system, the CRP conservation plan may be modified.

**807 Approving CRP-1R's****A Requirements Before CRP-1R Approval**

**Before** approving CRP-1R's, County Offices must:

- ensure that a separate CRP-1R is completed and signed for each **expiring** CRP-1 enrolled in TIP

**Note:** CRP-1R must be approved no later than September 30 of the year CRP-1 expires.

- determine acres to be transitioned
- ensure that the owner or operator and veteran, beginning, or SDA farmer or rancher has completed all required conservation plans according to paragraph 806, as applicable
- ensure owners or operators have provided sufficient evidence that the land entered into under TIP will be either sold or long term leased to a veteran, beginning, or SDA farmer or rancher effective the day CRP-1R begins.

**Note:** Sufficient evidence must include 1 of the following:

- written long term lease (at least 5 years duration)
- contract for deed
- statement signed by TIP participants reflecting either the long term lease or contract to sell.

**807 Approving CRP-1R's (Continued)****B COC or CED Approval of CRP-1R's**

COC or CED must approve CRP-1R's if all of the following are met:

- all required signatures have been obtained on all related CRP forms and conservation plans according to paragraphs 805, 806, and 808
- a modified conservation plan is approved for land improvements in the last year of CRP-1, if applicable
- the conservation plan is consistent with polices in Part 11
- all producer eligibility criteria has been met
- all land eligibility criteria has been met
- sufficient evidence has been provided according to subparagraph A.

**C COC Responsibilities**

COC or CED must:

- approve/disapprove CRP-1R, as applicable
- sign and date CRP-1R
- follow conflict of interest provisions in 22-PM.

**Note:** COC or CED must **not** approve CRP-1R until **all** requirements in subparagraph B has been met.

**D Approval Responsibilities**

Follow the provisions for approval responsibilities for CRP-1R's according to subparagraph 401 D.

**E County Office Action**

After requirements in subparagraphs A through D have been met, notify the owner or operator and the veteran, beginning, or SDA farmer or rancher in writing of approval/disapproval of CRP-1R's.

**808 CRP-1R Provisions****A CRP-1R Duration**

CRP-1R begins on October 1 that is the day after the CRP-1 scheduled expiration date and ends 2 years following the CRP-1 expiration date of September 30.

**Note:** Preparing or installing certain conservation practices may occur up to 2 years before the beginning date of CRP-1R according to paragraph 806.

**Example:** A operator has land under CRP contract that expires on September 30. The operator and SDA farmer signed CRP-1R on June 14, and the operator modified the CRP-1 conservation plan to make conservation land improvements in the last year of CRP-1. COC or CED approved the modified conservation plan and CRP-1R on August 1. CRP-1R goes into effect October 1.

**B CRP-1R Payments**

Owners or operators with an approved CRP-1R may receive up to 2 additional annual rental payments **after CRP-1 expires** provided that the owner or operator is **not** a family member of the veteran, beginning, or SDA farmer or rancher according to the definition of family member in Exhibit 2.

**Example:** The farmer and a nonfamily member veteran, beginning, or SDA farmer or rancher completed and signed CRP-1R on May 17, for CRP-1 scheduled to expire on September 30. The CRP-1R period is October 1 through September 30. The owner or operator may receive the first CRP-1R payment after October 1, and the final TIP payment after October 1, provided all other payment eligibility criteria are met.

**C CRP TIP Payment Limitation**

Payment limitation as applicable for other CRP-1's will be applied to CRP-1R annual rental payments.

## 808 CRP-1R Provisions (Continued)

**D CRP TIP AGI Provisions**

The AGI determination of the expiring CRP-1 will continue for the additional 2 years for annual rental payments under TIP.

**E Succeeding to CRP-1R**

A new owner of land, purchased from the owner or operator, that was transitioned under TIP and is under a long-term lease with a veteran, beginning, or SDA farmer or rancher, may succeed to an approved CRP-1R, provided the successor continues to honor the lease with the veteran, beginning, or SDA farmer or rancher and all the provisions of CRP-1R are met.

**F Modifications to CRP-1R's for Payments**

Allowable modifications to TIP CRP-1R's are:

- TIP contract number on CRP-1R and on the TIP spreadsheet **must** be identical to CRP-1 at the time CRP-1 expires for TIP payments to be processed and issued

**Note:** Any revision to CRP-1 number in the last year of CRP-1 **must** be revised on the approved TIP CRP-1R.

**Example:** If CRP-1 number is 314A when CRP-1 expires, then CRP-1R number **must** be 314A-TIP. See subparagraph 810 A, item 2 for TIP CRP-1R numbering procedure.

- TIP acres **must** be less than or equal to the acres on the expiring CRP-1.

**Note:** Unless correcting a data entry error, the following CRP-1R fields must **not** be changed:

- Rental Rate Per Acre CRP-1
- CRP-1R Beginning Date
- CRP-1R End Date.

**809 Outreach**

**A Targeting Veteran, Beginning, or SDA Farmers or Ranchers**

FSA will announce TIP through press releases, newsletters, and any other available means. In addition, State and County Offices must conduct additional outreach activities to ensure participation of veteran, beginning, or SDA farmers or ranchers.

For outreach efforts specific to this notice, State Offices must ensure, using all available means, that veteran, beginning, or SDA groups are informed of the opportunities provided under TIP.

State Offices must prioritize efforts to plan targeted outreach activities jointly with partner organizations whose mission specifies service to target groups as veteran, beginning, or SDA farmers or ranchers.

## 810 Completing CRP-1R's

## A Instructions for Completing CRP-1R

Complete CRP-1R according to the following.

Item	Instructions
1	Enter State and county code and administration location.
2	Enter CRP-1R number.  <b>Note:</b> Expiring CRP-1 contract number from CRP-1, item 3, plus the extension "TIP".  <b>Example:</b> 567-TIP.
3	Enter acres for enrollment into TIP.
4	Enter farm number.
5	Enter tract number.
6	Enter County Office address and telephone number.
7	Enter rental rate/acre from CRP-1, item 7.
8A	Enter TIP beginning date (beginning date of CRP-1R). See subparagraph 808 A.
8B	Enter TIP ending date (ending date of CRP-1R). See subparagraph 808 A.
9	<b>Owner or operator and veteran, beginning, or SDA farmer or rancher must read the self-certification statement.</b>
10	<b>Participants must read and fill in the CRP contract number.</b>
10A	Require owner or operator to print name, enter share on CRP-1, sign, and date.
10B	Require veteran, beginning, or SDA farmer or rancher to print name, sign, and date.  <b>Note:</b> Do <b>not</b> enter share for veteran, beginning, or SDA farmer or rancher.
10C	Require CRP-1 signatories to print name, enter share on CRP-1, sign, and date.
11	COC or CED approves CRP-1R.



810 Completing CRP-1R's (Continued)

B Example of CRP-1R

The following is an example of CRP-1R.

Note: CRP-1R is available at

<http://intra3.fsa.usda.gov/dam/ffasforms/currentforms.asp>.

<b>This form is available electronically.</b>																											
<b>CRP-1R</b> (12-02-19)  <b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation  <b>CONSERVATION RESERVE PROGRAM</b> <b>TRANSITION INCENTIVES PROGRAM CONTRACT</b>	1. ST. & CO CODE & ADMIN. LOCATION 40 029	2. CONTRACT NUMBER 567 TIP																									
	3. ACRES FOR ENROLLMENT 15.1	4. TRACT NUMBER 2258																									
5A. COUNTY OFFICE ADDRESS (Include Zip Code) Codrington County FSA Office PO Box 1536 810 10 <sup>th</sup> Ave. SE Watertown, SD 57201	6. RENTAL RATE  58.00	7. CONTRACT PERIOD A. BEGINNING (MM-DD-YYYY) 12/1/2010 B. ENDING (MM-DD-YYYY) 9/10/2012																									
5B. TELEPHONE NUMBER (Include Area Code): 605-886-8202																											
<p><b>NOTE:</b> The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a, as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (16 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3301 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR 1410. The information will be used by CCC to consider and, if so decided, process the offer to enter into a Conservation Reserve Program contract, to assist in determining eligibility, and to determine the correct parties to the Conservation Reserve Program contract. The information collected on this form may be disclosed to other Federal, State, and Local government agencies, Tribal agencies, and non-governmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Information provided hereunder will be subject to the provisions of section 1619 of Pub. L. 110-246 (7 U.S.C. 8791), section 2004 of Pub. L. 107-171 (16 U.S.C. 3844), the Privacy Act, and other applicable privacy laws. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to offer to enter into a Conservation Reserve Program contract.</p> <p><b>Paperwork Reduction Act (PRA) Statement:</b> The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE</b></p>																											
<p><b>8. CERTIFICATION:</b></p> <p>By signing below, the participant in Item 9A(1) certifies to all of the following: (1) effective on the date in Item 7A, I have a contract to sell, or lease under a non-revocable long-term lease of at least 5 years, the acres identified in Item 3 to the beginning or socially disadvantaged farmer(s) or rancher(s) identified in Item 9B(1); (2) I will no longer operate, or allow to be operated other than by the individual specified in item 9.B, unless such individual voluntarily withdraws from or terminates the above-mentioned contract or lease, the acres identified in Item 3 beginning on the date in Item 7A; and (3) the beginning or socially disadvantaged farmer(s) or rancher(s) in Item 9B(1) may: a) begin Organic Foods Production Certification, b) develop a conservation plan and install practices and initiate land improvements consistent with the conservation plan as necessary, and c) offer to enroll under continuous Conservation Reserve the acres identified in Item 3.</p> <p>By signing below, the beginning or socially disadvantaged farmer or rancher identified in Item 9B(1) certifies: (1) I am a beginning farmer or rancher or a socially disadvantaged farmer or rancher as shown on a form FSA-860; (2) I agree to develop and implement a conservation plan in compliance with the Conservation Compliance Provisions of the Food Security Act of 1985, Pub. L. 99-198 (the 1985 Act), as amended, which requires completion of form AD-1026; (3) I understand that I must present a copy of my conservation plan to CCC prior to the beginning date in Item 7A, before CCC will approve this contract, (4) I agree to develop and implement a conservation plan that meets applicable standards for sustainable grazing and/or crop production methods on the acres identified in Item 3; (5) I understand that I may be eligible to enroll in the Conservation Stewardship Program under 7 CFR Part 1470 or the Environmental Quality Incentives Program under 7 CFR Part 1466, (6) I understand that I may be eligible to enroll under the continuous Conservation Reserve Program; (7) I understand that I may begin Organic Foods Production Certification, (8) I am not related to the participant in item 9A, and (9) the effective date of the above-mentioned sale or lease will be the date specified in item 7A.</p>																											
<p><b>9. PARTICIPANTS: (As a signatory to CRP contract 567, I agree to allow this contract to be modified under the TIP provisions.)</b></p> <table border="1"> <tr> <td>                 A(1) FARMER OR RANCHER NAME AND ADDRESS (Zip Code):                   Joe Farmer             </td> <td>                 (2) SHARE                   75 %             </td> <td>                 (3) SIGNATURE (BY):                  /s/ Joe Farmer             </td> <td>                 DATE (MM-DD-YYYY)             </td> </tr> <tr> <td colspan="4">                 (4) TITLE/RELATIONSHIP (of Individual Signing in the Representative Capacity)                   (If more than three individuals are signing, continue on attachment.)             </td> </tr> <tr> <td>                 B(1) BEGINNING OR SOCIALLY DISADVANTAGED FARMER OR RANCHER NAME AND ADDRESS (Zip Code):                   Peter Lancer             </td> <td>                 (2) SHARE                   %             </td> <td>                 (3) SIGNATURE (BY):                  /s/ Peter Lancer             </td> <td>                 DATE (MM-DD-YYYY)             </td> </tr> <tr> <td colspan="4">                 (4) TITLE/RELATIONSHIP (of Individual Signing in the Representative Capacity)                   (If more than three individuals are signing, continue on attachment.)             </td> </tr> <tr> <td>                 C(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):                   Gladys Forsyth             </td> <td>                 (2) SHARE                   10 %             </td> <td>                 (3) SIGNATURE (BY):                  /s/ Gladys Forsyth             </td> <td>                 DATE (MM-DD-YYYY)             </td> </tr> <tr> <td colspan="4">                 (4) TITLE/RELATIONSHIP (of Individual Signing in the Representative Capacity)                   (If more than three individuals are signing, continue on Page 2)             </td> </tr> </table>				A(1) FARMER OR RANCHER NAME AND ADDRESS (Zip Code):  Joe Farmer	(2) SHARE  75 %	(3) SIGNATURE (BY): /s/ Joe Farmer	DATE (MM-DD-YYYY)	(4) TITLE/RELATIONSHIP (of Individual Signing in the Representative Capacity)  (If more than three individuals are signing, continue on attachment.)				B(1) BEGINNING OR SOCIALLY DISADVANTAGED FARMER OR RANCHER NAME AND ADDRESS (Zip Code):  Peter Lancer	(2) SHARE  %	(3) SIGNATURE (BY): /s/ Peter Lancer	DATE (MM-DD-YYYY)	(4) TITLE/RELATIONSHIP (of Individual Signing in the Representative Capacity)  (If more than three individuals are signing, continue on attachment.)				C(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):  Gladys Forsyth	(2) SHARE  10 %	(3) SIGNATURE (BY): /s/ Gladys Forsyth	DATE (MM-DD-YYYY)	(4) TITLE/RELATIONSHIP (of Individual Signing in the Representative Capacity)  (If more than three individuals are signing, continue on Page 2)			
A(1) FARMER OR RANCHER NAME AND ADDRESS (Zip Code):  Joe Farmer	(2) SHARE  75 %	(3) SIGNATURE (BY): /s/ Joe Farmer	DATE (MM-DD-YYYY)																								
(4) TITLE/RELATIONSHIP (of Individual Signing in the Representative Capacity)  (If more than three individuals are signing, continue on attachment.)																											
B(1) BEGINNING OR SOCIALLY DISADVANTAGED FARMER OR RANCHER NAME AND ADDRESS (Zip Code):  Peter Lancer	(2) SHARE  %	(3) SIGNATURE (BY): /s/ Peter Lancer	DATE (MM-DD-YYYY)																								
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C(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):  Gladys Forsyth	(2) SHARE  10 %	(3) SIGNATURE (BY): /s/ Gladys Forsyth	DATE (MM-DD-YYYY)																								
(4) TITLE/RELATIONSHIP (of Individual Signing in the Representative Capacity)  (If more than three individuals are signing, continue on Page 2)																											
<p><b>10. CCC USE ONLY – Payments according to the shares are approved.</b></p>		A. SIGNATURE OF CCC REPRESENTATIVE	B. DATE (MM-DD-YYYY)																								
<p><small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/household status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small></p> <p><small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small></p> <p><small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.aphis.usda.gov/complaint_filing_cust.html">http://www.aphis.usda.gov/complaint_filing_cust.html</a> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9922. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410, (2) fax: (202) 690-7442; or (3) email: <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider, employer, and lender.</small></p>																											
Date Printed:																											

810 Completing CRP-1R's (Continued)

B Example of CRP-1R (Continued)

CRP-1R (12-02-19)		CONTINUATION OF ITEM 9		Page 2 of 2
A(1) FARMER OR RANCHER NAME AND ADDRESS <i>(Zip Code):</i>  Sue Olson	(2) SHARE  10 %	(3) SIGNATURE (BY): /s/ Sue Olson	DATE: (MM-DD-YYYY)	
		(4) TITLE/RELATIONSHIP <i>(of Individual Signing in the Representative Capacity)</i>		
B(1) BEGINNING OR SOCIALLY DISADVANTAGED FARMER OR RANCHER NAME AND ADDRESS <i>(Zip Code):</i>	(2) SHARE  %	(3) SIGNATURE (BY):	DATE: (MM-DD-YYYY)	
		(4) TITLE/RELATIONSHIP <i>(of Individual Signing in the Representative Capacity)</i>		
C(1) PARTICIPANT'S NAME AND ADDRESS <i>(Zip Code):</i>	(2) SHARE  %	(3) SIGNATURE (BY):	DATE: (MM-DD-YYYY)	
		(4) TITLE/RELATIONSHIP <i>(of Individual Signing in the Representative Capacity)</i>		
A(1) FARMER OR RANCHER NAME AND ADDRESS <i>(Zip Code):</i>	(2) SHARE  %	(3) SIGNATURE (BY):	DATE: (MM-DD-YYYY)	
		(4) TITLE/RELATIONSHIP <i>(of Individual Signing in the Representative Capacity)</i>		
B(1) BEGINNING OR SOCIALLY DISADVANTAGED FARMER OR RANCHER NAME AND ADDRESS <i>(Zip Code):</i>	(2) SHARE  %	(3) SIGNATURE (BY):	DATE: (MM-DD-YYYY)	
		(4) TITLE/RELATIONSHIP <i>(of Individual Signing in the Representative Capacity)</i>		
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B(1) BEGINNING OR SOCIALLY DISADVANTAGED FARMER OR RANCHER NAME AND ADDRESS <i>(Zip Code):</i>	(2) SHARE  %	(3) SIGNATURE (BY):	DATE: (MM-DD-YYYY)	
		(4) TITLE/RELATIONSHIP <i>(of Individual Signing in the Representative Capacity)</i>		
C(1) PARTICIPANT'S NAME AND ADDRESS <i>(Zip Code):</i>	(2) SHARE  %	(3) SIGNATURE (BY):	DATE: (MM-DD-YYYY)	
		(4) TITLE/RELATIONSHIP <i>(of Individual Signing in the Representative Capacity)</i>		

Date Printed:

811 Processing Applications for TIP

A TIP Application Process

The following provides a chronological guide for processing applications for TIP.

Step	Action
1	FSA will announce TIP through press releases, newsletters, and any other available means. In addition, State and County Offices will conduct additional outreach activities to ensure participation of low income and minority producers.
2	<p>A producer is interested in enrolling in TIP. County Offices must:</p> <ul style="list-style-type: none"> <li>• review TIP with the producer</li> <li>• provide the producer with the TIP factsheet and discuss applicable program provisions</li> <li>• explain producer, land, and other eligibility requirements.</li> </ul>
3	<p>The owner or operator <b>and</b> veteran, beginning, or SDA farmer or rancher will initiate CRP-1R and identify the following:</p> <ul style="list-style-type: none"> <li>• State and county code where the acreage being transitioned is administratively located</li> <li>• expiring CRP contract to transition under TIP</li> <li>• TIP contract number and contract acres</li> </ul> <p><b>Note:</b> Expiring CRP-1 contract number from CRP-1, item 3, plus the extension “TIP”.</p> <p><b>Example:</b> 567-TIP.</p> <ul style="list-style-type: none"> <li>• number of CRP-1 transition acres</li> <li>• farm number</li> <li>• tract number</li> <li>• rental rate/acre from CRP-1, item 7.</li> </ul>

811 Processing Applications for TIP (Continued)

A TIP Application Process (Continued)

Step	Action
4	Owner or operator will self-certify to selling or long-term leasing expiring acres on CRP-1R.
5	Veteran, beginning, or SDA farmer or rancher will self-certify on CRP-1R.
6	The following producers will sign CRP-1R: <ul style="list-style-type: none"> <li>• owners and operators</li> <li>• veteran, beginning, or SDA farmers or ranchers</li> <li>• all signatories to CRP-1.</li> </ul>
7	Owner or operator and veteran, beginning, or SDA farmer or rancher will work with NRCS or TSP to develop and complete the modification of conservation plan if land improvements will be made on the land subject to CRP in the last year of CRP-1.
8	Veteran, beginning, or SDA farmer or rancher will: <ul style="list-style-type: none"> <li>• develop and implement a conservation compliance plan and submit a completed AD-1026 to the administrative county</li> <li>• ensure that the conservation plan meets applicable standards for sustainable grazing and/or crop production methods.</li> </ul>
9	COC or CED after review will provide CRP-1R approval.

## 812 Managing CRP-1R TIP Contracts and Spot Check Policy

### A Participant Responsibilities

All signatories on CRP-1R are jointly and severally responsible for complying with the terms and conditions of CRP-1R.

**Exception:** Only signatories that have a share of CRP-1R **and** the veteran, beginning, or SDA are responsible for compliance. Zero share CRP-1R signatories are not jointly responsible.

### B Examples of Violations Under TIP

COC must consider a participant to be in violation of CRP-1R if:

- participants and/or veteran, beginning, or SDA withdraws CRP-1R after signing CRP-1R
- participants voluntarily break long term lease or contract for deed after signing CRP-1R
- participants erroneously self-certified to TIP definitions according to paragraph 803

**Note:** COC will use personal knowledge to determine accuracy of self-certification on CRP-1R.

- participants do not follow the applicable conservation plan for TIP.

**Notes:** County Office will spot check 15 percent of TIP conservation plans until enrollment into TIP reaches the minimum number needed to draw a statistically reliable sample.

County Office will spot check the conservation plans for TIP through the end date of CRP-1R according to subparagraph 808 A.

If COC determines 1 or more of the participants are in violation of the terms and conditions \*--of CRP-1R, COC will collect refunds plus interest for any TIP payments issued before the--\* violation was discovered. In the case of a violation, any unpaid TIP payments will not be issued. COC must determine the participant or participants in violation and assess damages as applicable.

**812 Managing CRP-1R TIP Contracts and Spot Check Policy (Continued)****C Waiving TIP Liquidated Damages**

Determinations to waive liquidated damages must be made on a case-by-case basis. CRP-1R termination does not automatically warrant waiving liquidated damages. When considering granting waivers, COC and STC must consider:

- the circumstances in which the contract was terminated
- the agreement by the participants at time of enrollment to transition the acreage for the full term of CRP-1R
- whether the acreage will be restored to production using sustainable methods
- the effect the termination has on the participants.

COC may waive up to 50 percent of the assessed liquidated damages or recommend waiver of 100 percent to STC.

STC may approve requests to waive all liquidated damages.

**Liquidated damages must not be waived when COC or STC determines there was not a good faith effort to comply with the terms and conditions of CRP-1R.**

**D Submitting Waiver Requests**

COC must submit fully documented requests to STC. Include the following when preparing requests:

- producer's written request
- COC findings
- specific COC recommendations and basis for recommendation, including determination on whether liquidated damages must be assessed
- copies of all program documents and other County Office records.

**E Request for Waivers**

For waiver of refunds for TIP, see paragraph 576.

**813-820 (Reserved)**

**Section 2 TIP Payments****821 General Information for TIP Payments****A Introduction**

The TIP payment process is an automated process that determines the following:

- whether the producer is eligible to receive payment
- payment amounts that can be sent to NPS for disbursement
- overpayment amounts that will be updated to the Pending Overpayment Report if the producer is determined ineligible after a payment has been disbursed.

**B Payment Processing and Eligibility**

The TIP payment process uses the common payment process developed for other programs, such as SURE, ELAP, and RTCP. See 9-CM for additional information on the common payment process including the eligibility rules applicable for TIP.

**C Frequency of Payment Processing**

TIP payments are processed nightly for the following:

- payment amounts recorded through the TIP payment process during the workday
- any payment on the Nonpayment or Insufficient Funds Reports will be reprocessed nightly to determine whether the condition previously preventing the payment has been corrected. See 9-CM for additional information on the Common Payment Reports.

**D Payments Less Than \$1**

TIP payment process must be issued to the exact amount calculated.

**E eFunds Allotment**

TIP payments are controlled through the e-funds process. Allotments will be provided to each County Office by the National Office based on total net TIP payment amounts for the applicable program year by administrative State and County Office as computed through the TIP payment process.

**821 General Information for TIP Payments (Continued)****E eFunds Allotment (Continued)**

If additional funds are required, County Offices must contact the appropriate State Office specialist. State Offices must contact the National Office to request additional allotments by sending an e-mail with the program year and amount to the Program Delivery Division.

**F Payment Limitation**

The payment limitation for TIP is \$50,000. The following programs are subject to the same \$50,000 for the program year:

- CIB
- CRP
- EFCRP
- SAFE
- TIP
- WRI.

The accumulated total of all payments for these programs cannot exceed \$50,000 for the applicable program year. Determining the amounts subject to payment limitation also varies based on whether the contract is subject to 1-PL or 4-PL rules. All TIP payments are subject to 1-PL provisions.

See 1-PL and 4-PL for additional information on controlling payment limitation.

**G Payment Due Date**

61-FI provides general guidance for determining payment due dates for various programs. The TIP payment system sends the current system date to NPS as the payment due date. The system **cannot** determine the payment due date because of numerous factors. County Offices must manually determine the payment due date by determining the later of the following:

- date producer signed CRP-1R
- date producer filed payment eligibility documentation, including the following:
  - AD-1026
  - CCC-502
  - CCC-526, if AGI provisions were applicable to the expiring CRP contract



**821 General Information for TIP Payments (Continued)**

**G Payment Due Date (Continued)**

- if the producer is an entity or joint operation, date members filed the requisite payment eligibility documentation
- availability of software to process the payment, usually the first week of October of the applicable payment year.

If the payment is **not** issued within 30 calendar days after the later of the dates in this subparagraph, then prompt payment interest is payable to the producer. County Offices must:

- manually determine the payment due date based on the factors identified in this subparagraph
- follow the provisions of 61-FI for issuing the interest payment.

**H AGI**

The AGI determination of the expiring CRP-1 will continue for the additional 2 years for annual rental payments under TIP.

Since TIP does not have an automated contract process to determine AGI based on the eligibility applicable to the expiring CRP contract, there is no way for the payment system to check AGI eligibility. Therefore, County Offices must follow this table if a producer or member does not meet AGI provisions.

<b>IF the producer on CRP-1R...</b>	<b>THEN County Offices must...</b>
does not meet AGI provisions	<ul style="list-style-type: none"> <li>• notate the ineligibility on CRP-1R</li> <li>• not record the payment in the TIP payment software.</li> </ul>
is an entity or joint operation and at least 1 member does not meet applicable AGI provisions	notify their State Office. State Offices must contact CD for assistance.

**822-826 (Withdrawn--Amend. 2)**

**827-830 (Reserved)**



## Part 22 SAFE

**831 Basic SAFE Information****A Background**

On March 22, 2007, FSA announced the SAFE initiative, which allows:

- State Offices to address local wildlife conservation needs
- producers to install practices that benefit high priority State wildlife conservation objectives through the use of targeted restoration of vital habitats.

This cooperative conservation effort is based on locally developed conservation proposals that address the highest priority wildlife objectives in the State.

**B Basic Information**

SAFE provides an opportunity to develop grassroots cooperative conservation projects to address high priority wildlife needs through habitat restoration. The practices must be used to address wildlife habitat that can be enhanced through the restoration of eligible cropland through CRP. Enrollment is available under continuous and general signup criteria, depending on the practice and cover being established.

**832 Policy****A Eligibility**

Eligible cropland is:

- acreage determined to be eligible according to the land criteria provided in paragraph 151
- located within the State-designated SAFE project area.

**Note:** Marginal pastureland is **not** eligible unless criteria is met for a threatened or endangered species with specific habitat needs of marginal pastureland. See paragraph 181.

## 832 Policy (Continued)

**B Practices and Signup Type**

SAFE is limited to the following practices that are based on applicable CRP practices listed in the following table.

<b>SAFE Practice</b>	<b>Practice Type</b>	<b>Applicable CRP Practices</b>
CP38A	Buffers	CP8A, CP21, CP22, CP43
CP38B	Wetlands	CP9, CP23, CP23A, CP25, CP27, CP28, CP37
CP38C	Trees	CP3, CP3A, CP16, CP17, CP25, CP31
CP38D	Longleaf Pine	CP36
CP38E	Grass	CP1, CP2, CP4D, CP12, CP15A, CP15B, CP18B, CP18C, CP24, CP25, CP33, CP42

The applicable CRP practice being used with a SAFE practice may be referred to as the subpractice or supporting practice.

Only the following SAFE practice and sub-practice combinations may be offered for SAFE under general signup.

<b>Practice</b>	<b>CRP-1 Period</b>
CP38C-3	10 to 15 <u>1/</u>
CP38C-3A	10 to 15 <u>1/</u>
CP38C-25 (primarily trees)	10 to 15 <u>1/</u>
CP38E-1	10 to 15 <u>1/</u>
CP38E-2	10 to 15 <u>1/</u>
CP38E-4D	10 to 15 <u>1/</u>
CP38E-12 <u>2/</u>	10 to 15 <u>1/</u>
CP38E-25 (primarily grass)	10 to 15 <u>1/</u>
CP38E-42	10 to 15 <u>1/</u>

1/ Producer must select a contract period between 10 and 15 years.

2/ CP12 is only available in conjunction with certain other practices. The length of CRP-1 is determined by the practice used in conjunction with CP12. See Exhibit 11.

832 Policy (Continued)

**B Practices and Signup Type (Continued)**

\*--SAFE is limited to the following practices that are based on applicable CRP practices listed in the following table.

<b>SAFE Practice</b>	<b>Practice Type</b>	<b>Applicable CRP Practices</b>
CP38A	Buffers	CP8A, CP15A, CP15B, CP21, CP22, CP33, CP43
CP38B	Wetlands	CP9, CP23, CP23A, CP25, CP27, CP28, CP37
CP38C	Trees	CP3, CP3A, CP16A, CP17A, CP25, CP31
CP38D	Longleaf Pine	CP36
CP38E	Grass	CP1, CP2, CP4D, CP12, CP18B, CP18C, CP24, CP25, CP42

The applicable CRP practice being used with a SAFE practice may be referred to as the subpractice or supporting practice.

Follow subparagraph 66 C for SAFE practice and sub-practice combinations that may be offered for SAFE under general signup.

Follow subparagraph 66 C for SAFE practice and sub-practice combinations that may be offered for SAFE under continuous signup.--\*

**832 Policy (Continued)****C Contract Duration and Effective Date**

The CRP-1 period for CRP contracts is 10 to 15 years according to the applicable signup type. The effective date of CRP-1 is defined in paragraph 213 for continuous signup offers and paragraph 402 for general signup offers.

**D Incentives**

SIP's and PIP's are authorized for SAFE practices offered under continuous CRP signup consistent with paragraphs 66 and 197.

SIP's and PIP's are **not** authorized for general signup practices.

**E Management Activity**

Approved SAFE proposals must have periodic management activities performed. Reference paragraph 428 for information on required management. This activity may be based on the management activity approved for the CRP practice used as a basis for the SAFE practices. If new or modified management activities are necessary, these activities must be established according to paragraph 428.

SAFE proposals may include additional management activities as deemed advantageous for the habitat management for the targeted species. Additional management activities included in the approved SAFE proposal may not be waived by the State Office.

**\*--F C/S--\***

CCC will pay up to 50 percent of the eligible cost of establishing a permanent cover. Refer to Part 15 for C/S policy.

State Offices must develop a C/S table similar to Exhibit 11, after practices are selected.

**Note:** See Exhibit 11, page 6 for an example.

**832 Policy (Continued)****G Review and Approval Cycle**

Proposals for SAFE projects may be submitted annually during a 30- to 60-calendar-day period generally at the end of the fiscal year. Dates will be announced annually.

Proposals for SAFE projects received **after** the annual review period will not be considered, and the proposal will need to be resubmitted during the next open period for proposals.

Proposals not approved may be resubmitted for consideration in the following year's approval cycle.

**833 SAFE Proposals****A Proposal Development**

A SAFE proposal may be developed and put forth by a Federal, State, or local agency or by a private organization. The proposal must be developed consistent with the process set forth in this paragraph and must comply with the format provided in the proposal announcement each year.

Proposals must include documentation of support from cooperating partners or stakeholders.

Proposals must be based on the existing CRP framework and CRP practices. All proposals must be limited to the existing CRP practices described in subparagraph 832 B.

A SAFE proposal may select 1 or more CRP practices for use as SAFE practices. CRP practices may be used without modification, or 1 or more practices may be modified. See subparagraph C.

**Example:** SAFE practices intended to restore habitat for the benefit of Sharp-Tailed Grouse in Idaho may incorporate CP2 (Establishment of Permanent Native Grasses) and CP4D (Permanent Wildlife Habitat, Noneasement) as best suited for the project and these practices may be used under CP38E (Grass) without changes.

**833 SAFE Proposals (Continued)****B Proposal Criteria**

SAFE practices may be used to restore plant and animal habitats of the following categories:

- rare, threatened, and endangered species
- species that have suffered a significant population decline
- species that provide significant social or economic value to the community.

**Note:** This includes restoration of habitat for game species, such as pheasant or quail, salmon or steelhead streams, or other socially or economically significant species.

SAFE project proposals must include measurable and tangible benefits to the target species. Methods of monitoring populations of target species within the project area must be included in the proposal.

SAFE project proposals must define the project area. Project areas should be limited to the historic and current range of the target species.

In kind service contributions are required and must be defined in the proposal. In kind contribution services may include, but are not limited to conservation planning, outreach and evaluation.

Approved SAFE proposals are considered agreements between USDA/FSA and the SAFE proposal partners.

Haying and grazing is allowed on CP38 contracted acres only if the SAFE agreement specifically allows haying and grazing, subject to any restrictions in the SAFE agreement.

Failure to adhere to SAFE provisions and guidelines may result in suspension or termination of the SAFE agreement.



## 833 SAFE Proposals (Continued)

**B Proposal Criteria (Continued)**

Additional SAFE proposal criteria will be set each year and may include at minimum requirements:

- that the proposal must center around the purpose of the wildlife focus or continuity of wildlife habitat
- for a more diverse mix, at least the highest point score for general CRP signup for that practice
- for increased forbs and legumes or different species of trees/shrubs or different understory, as opposed to general CRP signup
- for increased management and maintenance of the cover, more frequent management activities, as planned by NRCS or TSP

**Example:** Every 4 years vs. 1 time in the CRP-1 period.

- that multiple SAFE proposals per State be for a different type of habitat.

SAFE and CREP projects areas cannot overlap.

**C Practice Modifications**

As part of the SAFE proposal, CRP practices provided in this handbook may be modified by imposing additional requirements. Rationale for CRP practice modifications must be:

- part of the SAFE proposal
- supported by scientifically-defensible information or expert judgment
- follow NRCS conservation practice standards.

These changes apply only within the approved SAFE project area.

**Note:** Practice requirements may not be relaxed.

**Examples:** The Sharp-Tailed Grouse Restoration SAFE practice, CP38E, could require all plantings (based on CP4D) to have 5 native species of grasses plus a requirement that Silver Sage Brush be a part of the planting.

The Sharp-Tailed Grouse Restoration SAFE practice, CP38E, could alter CP2 (Establishment of Permanent Native Grasses) by the seeding rates or frequency of disturbance.

**834 Existing SAFE Project Agreements**

**A Modifications to Existing SAFE Project Agreements**

Proposed modifications will generally be entertained only during the SAFE Project Proposal Submittal period each year unless the modification is initiated by FSA.

Reports, Forms, Abbreviations, and Redelegations of Authority

Reports

None.

Forms

The following lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-893	Recommendation of Percent of Cropland To Be Enrolled in CRP/ACEP-WRE	83	81
AD-894	Request for Cropland Waiver for CRP/ACEP-WRE	82	81
AD-1026	Highly Erodible Land Conservation (HELIC) and Wetland Conservation (WC) Certification		35, 462, 519, 602, 806, 811, 821
CCC-36	Assignment of Payment		465
CCC-37	Joint Payment Authorization		465
CCC-502	Farm Operating Plan		35, 104, 821
CCC-505	Voluntary Permanent Base Acre Reduction		401
CCC-526	Payment Eligibility Average Adjusted Gross Income Certification		131, 401, 821
CCC-526C	Payment Eligibility - Average Adjusted Gross Income Certification for Certain Conservation Reserve Program Contracts Approved Before October 1, 2008		35, 131
CCC-674	Certification for Contracts, Grants, Loans, and Cooperative Agreements	Ex. 6	6
CCC-770 CRP1	CRP Contract Approval Checklist		7
CCC-770 CRP2	CRP Cost Share Payment Checklist		7
CCC-770 CRP3	CRP Annual Rental Payment Checklist		7
CCC-770 CRP4	CRP PIP, CP23, CP23A, CP37 and SIP Payment Checklist		7
CCC-860	Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification		Ex. 24

## Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

## Forms (Continued)

Number	Title	Display Reference	Reference
CCC-901	Member's Information		35, 519
CCC-902	Farm Operating Plan for Payment Eligibility 2009 and Subsequent Program Years		35, 104
CCC-920	Grassland Reserve Program Contract		401
CCC-926 <u>1/</u>	Average Adjusted Gross Income (AGI) Statement		131
CCC-931	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		131, 401
CCC-931C	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		35, 131
CCC-933	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information (For the 2013 crop, program, and fiscal years only)		131, 401
CCC-941	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		35, 131, 401
CRP-1	Conservation Reserve Program Contract	Ex. 21	Text and Exhibits
CRP-1 Appendix	Appendix to Form CRP-1, Conservation Reserve Program Contract		Text
CRP-1 Continuation	Continuation to the Conservation Reserve Program (CRP) Contract		211
CRP-1E Addendum	Addendum Regarding Possession of Conservation Reserve Program (CRP) Property Held by Federal Agency		551
CRP-1G Addendum	CRP-1 Modification to Allow Early Land Preparation	636	35
CRP-1R	Conservation Reserve Program Transition Incentives Program Contract	810	Text

1/ CCC-926 is obsolete; however, is still in effect for existing CRP contracts.

## Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

## Forms (Continued)

Number	Title	Display Reference	Reference
CRP-2	Conservation Reserve Program Worksheet (For General Signup)	333	Text, Ex. 11, 21, 26
CRP-2C	Conservation Reserve Program Worksheet (For Continuous Signup)	212	Text, Ex. 5, 21
CRP-2G	Conservation Reserve Program Worksheet (For CRP Grassland Signup)	267	Text, Ex. 21, 24
CRP-2G-1	CRP Grassland Small Livestock Operation Certification	267	263, Ex. 11, 24
CRP-20	Notice of Conservation Reserve Program (CRP) Contract Termination		551
CRP-23	Notice Regarding Acceptable CRP Offers	Ex. 5	171, 215, 269, 286, 341
CRP-24	Notice of Contract Approval	Ex. 5	171, 215, 269, 286, 341, 401
CRP-25	Notice of CRP Waiver of Ownership	Ex. 5	129
CRP-26	Notice of Unacceptable Offer	Ex. 5	81, 171, 211, 215, 238, 286, 341
CRP-27	Notice Regarding Acceptable CRP Grassland Offers	Ex. 5	269
CRP-28	Notice of Unacceptable Offer	Ex. 5	269
CRP-30	Deceased Participant Letter	Ex. 7	554
CRP-35	Notice of Offer Reconsideration	Ex. 5	5
CRP-36	Notice Regarding Late-Filed Offer	Ex. 5	336
CRP-37	Request for Incidental Grazing	Ex. 54	668
CRP-42	County Precipitation and Feed and Forage Loss Report	Ex. 51	681
CRP-117	Request to Participate in Haying and Grazing of CRP Acreage	Ex. 47	664, 665, 670, 683, 684
CRP-118	Certification of Participation in Haying and Grazing of CRP Acreage	Ex. 49	670, 683, 684, 686
CRP-817U	Certification of Compliance for CRP	602	335
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		468
FSA-578	Report of Acreage		332, 602

## Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

## Forms (Continued)

Number	Title	Display Reference	Reference
FSA-848	Cost-Share Request		Text, Ex. 5
FSA-848A	Cost-Share Agreement	500	Text
FSA-848A-1	Continuation Sheet for Cost-Share Agreement		500
FSA-848B	Cost-Share Performance Certification and Payment	500	Text, Ex. 5
FSA-848B-1	Continuation Sheet for Cost-Share Performance Certification and Payment		500
FSA-850	Environmental Screening Worksheet		635
FSA-860	2009 Crop Assistance Program (CAP) Application		Ex. 48
IRS-1042	Annual Withholding Tax Return for U.S. Source Income of Foreign Persons		466
IRS-1042S	Foreign Persons U.S. Source Income Subject to Withholding		466
NRCS-CPA-52	Environmental Evaluation Worksheet		171, 286, 366, 367, 369, 401, 639
NRCS-CPA-1155	Conservation Plan or Schedule of Operations		369, 546
NRCS-CPA-1156	Revision of Plan / Schedule of Operations or Modification of a Contract		369
NRCS-LTP-13	Status Review		508, 601
SF-424-1 <u>1/</u>	Application for Federal Assistance		52
SF-LLL	Disclosure of Lobbying Activities	Ex. 6	6
SF-LLL-A	Disclosure of Lobbying Activities Continuation Sheet	Ex. 6	6

1/ SF-424-1 is obsolete.

## Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

## Abbreviations Not Listed in 1-CM

The following lists approved abbreviations not listed in 1-CM.

Approved Abbreviation	Term	Reference
ACEP	Agricultural Conservation Easement Program	Ex. 2
ACEP-ALE	Agricultural Conservation Easement Program - Agricultural Land Easement	553, 571, 630
ACEP-WRE	Agricultural Conservation Easement Program - Wetland Reserve Easement	81, 82, 151, 332, 553, 571, 575, 630
ARC	Agriculture Risk Coverage	261, 604, Ex. 5
ARD	acreage reporting deadline	602
CARS	Crop Acreage Reporting System	602
CCMS	Conservation Contract Maintenance System	171, 286, 522, 546
CD	Conservation Division	31, 511, 576, 821, Ex. 11, 24, 51
CIB	cumulative impact bonus	821
COLS	Conservation Online System	Text, Ex. 26
CP	conservation practice	Text, Ex. 11, 26
CSP	Conservation Stewardship Program	151, 640, 804, 806
CSS	Cost-Share Software	Text
EBI	environmental benefits index	286, 293, 339, 401, 426, 429, Ex. 26
EFCRP	Emergency Forestry Conservation Reserve Program	522, 546, 821, Ex. 11
EI	erodibility index	81, 151, 286, Ex. 2, 11, 26
ESA	Endangered Species Act	366, 367
FOTG	Field Office Technical Guide	52, 102, 366, 511, 633, 635, 363, 806, Ex. 2, 11, 26
FWP	Farmable Wetlands Pilot Program	66, Part 8, Ex. 11
HFRP	Healthy Forest Restoration Program	553, 571, 575, 630
HUC	hydrologic unit code	Ex. 26
NHPA	National Historic Preservation Act	366, 367
NOAA	National Oceanic and Atmospheric Administration	367
PIP	practice incentive payment	Text, Ex. 11
PLC	Price Loss Coverage	261, 604, Ex. 5
PLS	pure live seed	426, 490
PNS	primary nesting season	Text

Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

Abbreviations Not Listed in 1-CM (Continued)

Approved Abbreviation	Term	Reference
RA	regional attorney	130, 335, 431, 546, 554, 579, 580
REX	re-enrollments and extensions	546, Ex. 20
RKLS	Gross Potential Erosion or Potential Erosion	Ex. 26
RUSLE	Revised Universal Soil Loss Equation	52, 151, Ex. 26
SAFE	State Acres for Wildlife Enhancement	Text, Ex. 26
SDMS	Soils Database Management System	102
SHPO	State Historic Preservation Officer	367
SIP	Signup Incentive Payment	Text, Ex. 11
SRC	State Resource Conservationist	Ex. 11
RTCP	Reimbursement Transportation Cost Program	821
TERRA	Tool for Environmental Resource Results Assessment	Text
THPO	Tribal Historic Preservation Officer	367
TIP	Transition Incentive Program	126, 401, 576, 577, Part 21
TSP	Technical Service Provider	Text, Ex. 2, 11, 26, 48, 52
USLE	Universal Soil Loss Equation	151
WEQ	Wind Erosion Equation	52, 151
WESL	Wind Erosion Soils List	Ex. 26
WRI	Wetland Restoration Incentive	574, 821, Ex. 11

Delegations of Authority

The following table lists delegations of authority in this handbook.

Delegation	Reference
STC may delegate an official representative to sign documents.	31



## Definitions of Terms Used in This Handbook

### Affected Acres

The affected acres are designated CRP acres, as determined by COC, to be in violation of a term or condition of CRP-1.

### Agricultural Commodity

An agricultural commodity means:

- any crop planted and producer by annual tilling of the soil or on an annual basis by 1-trip planters
- sugarcane planted or produced in a State, or
- alfalfa and other multi-year grasses and legumes grown in a rotation practice not to exceed 12 years.

### Agricultural Conservation Easement Program (ACEP)

ACEP means the program that provides the establishment of wetland easements on land under subtitle H of Title XII of the Food Security Act of 1985, as amended.

### Annual Rental Payment

Annual rental payment is, unless the context indicates otherwise, the annual payment specified in the CRP contract that, subject to the availability of funds, is made to a participant to compensate a participant for placing eligible land in CRP, including any incentive payments that are not specifically cost-share payments. For purposes of this definition, practice incentive payments and incentive payments related to forest management are not considered part of annual rental payments.

### Approved Cover

An approved cover means the permanent vegetative cover or water cover specified in an approved CRP contract.

## Definitions of Terms Used in This Handbook (Continued)

### Beginning Farmer or Rancher

A beginning farmer or rancher is, as determined by CCC, a person, or entity who:

- has not been a farm or ranch operator or owner for more than 10 consecutive years
- materially and substantially participates in the operation of the farm or ranch involved in the CRP contract modification
- if an entity, is an entity in which 50 percent of the members or stockholders of the entity meets the first 2 requirement of this definition.

### Carrying Capacity

Carrying capacity has the same meaning as normal carrying capacity defined in 7 CFR Part 1416.

### Commercial Pond-Raised Aquaculture Facility

A commercial pond-raised aquaculture facility is, any earthen facility from which \$1,000 or more of freshwater food fish were sold or normally would have been sold during a calendar year.

### Common Grazing Practices

Common grazing practices means grazing practices, including those related to forage and seed production, common to the area of the subject ranching or farming operation. Included are routine management activities necessary to maintain the viability of forage or browse resources that are common to the locale of the subject ranching or farming operation.

### Conservation District

Conservation District means a political subdivision of a State, Indian Tribe, or territory, organized pursuant to the State or territorial soil conservation district law, or Tribal law. The subdivision may be a conservation district, soil conservation district, soil and water conservation district, resource conservation district, natural resources district, land conservation committee or similar legally constituted body.

**Definitions of Terms Used in This Handbook (Continued)****Conservation Plan**

Conservation plan means a record of the participant's decision and supporting information for treatment of a unit of land or water, and includes a schedule of operations, activities, and estimated expenditures needed to solve identified natural resource problems by devoting eligible land to permanent vegetative cover, trees, water, or other comparable measures. For land enrolled under a grassland signup, the conservation plan will contain provisions for common grazing or forage management practices and related activities consistent with achieving CRP purposes and maintaining the health and viability of grassland resources.

**Conservation Priority Area**

Conservation priority area means an area designated with adverse water quality, wildlife habitat, air quality, or other natural resource impacts related to agricultural production activities or to assist agricultural producer to comply with Federal and State environmental laws or to meet other conservation needs, such as for air quality.

**Conserving Use**

Conserving use means a use of land that meets crop rotation requirements, as specified by CCC, for: alfalfa, multi-year grasses, and legumes planted during 2012 through 2017; for summer fallow during 2012 through 2017; or for land on which the CRP contract expired during the period 2012 through 2017 and on which the grass cover required by the CRP contract continues to be maintained as though still enrolled. Land that meets this definition of "conserving use" will be considered to have been planted to an agricultural commodity for the purposes of eligibility specified in §1410.6(b)(1).

**Considered Planted**

Considered planted means land devoted to a conserving use during the crop year or during any of the 2 years preceding the crop year if the contract expired; cropland enrolled in CRP; or land for which the producer received an approved prevented planting claim, according to 2-CP.

**Contour Grass Strip**

Contour grass strip means a vegetation area that follows the contour of the land that complies with FOTG and a conservation plan developed.

**Definitions of Terms Used in This Handbook (Continued)**

**Contract Period**

Contract period means the term of the CRP contract.

**Cost-Share (C/S) Payment**

C/S payment means, unless the context indicates otherwise, the payment made by CCC to assist program participants in installing the practices required in a CRP contract.

**Cropland**

Land defined as cropland in 7 CFR Part 718, except for land in terraces that are no longer capable of being cropped.

**CRP Contract or CRP-1**

CRP contract or CRP-1 is the approved agreement, including the approved conservation plan, that:

- is entered into, in writing, between COC and the participant
- sets forth the terms and conditions for participation in CRP.

**Dead or Dry Litter Crop**

A dead or dry litter crop:

- provides high tonnage of residue and mulch for erosion control
- conserves moisture until the permanent vegetative cover is established
- is an annual crop established before seeding of a permanent vegetative cover
- is used in arid areas where a lack of moisture prevents establishment of permanent vegetative cover in the normal manner.

**Eligible Partner**

Eligible partner means a State, political subdivision of a State, nongovernmental organization, or an Indian Tribe.

**Definitions of Terms Used in This Handbook (Continued)****Erodibility Index (EI)**

EI means an index used to determine the inherent erodibility from either water or wind, but not both combined, of a soil in relation to the soil loss tolerance for that soil.

**Family Member**

A family member defined according to 7 CFR Part 718 and Part 1410 as “an individual to whom a person is related as spouse, lineal ancestor, lineal descendant, or sibling, including a:

- (1) Great grandparent;
- (2) Grandparent;
- (3) Parent;
- (4) Child, including a legally adopted child;
- (5) Grandchild;
- (6) Great Grandchild;
- (7) Sibling of the family member in the farming operation; and
- (8) Spouse of a person listed in items 1 through 7.”

**Federally-Owned Land**

Federally-owned land means land owned by the Federal Government or any department, instrumentality, bureau, or agency thereof, or any corporation whose stock is wholly owned by the Federal Government.

**Field Border**

Field border means a strip of permanent vegetation established at the edge or around the perimeter of a field, the purpose of which is to provide food and cover for quail and upland birds in cropland areas.

**Field Office Technical Guide (FOTG)**

FOTG means the official USDA guidelines, criteria, and standards for planning and applying conservation treatments and conservation management systems. It contains detailed information on the conservation of soil, water, air, plant, animal resources, and cultural resources applicable to the local area for which it is prepared.

**Definitions of Terms Used in This Handbook (Continued)****Field Windbreak, Shelterbelt, and/or Living Snowfence**

Field windbreak, shelterbelt, and/or living snowfence means a vegetative barrier with a linear configuration composed of trees, shrubs, or other vegetation that are designated as such in a conservation plan and that are planted for the purpose of reducing wind erosion, controlling snow, improving wildlife habitat, or conserving energy.

**Filter Strip**

Filter strip means a strip or area of vegetation immediately adjacent and parallel to an eligible water body, the purpose of which is to remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake, and other processes, thereby reducing pollution and protecting surface water and subsurface water quality and of a width determined appropriate for such purpose.

**Forb**

Forb means any herbaceous plant other than those in the grass family.

**Grassland**

Grassland means land described in §1410.6(d)

**Grass Waterway**

Grass waterway means a shape or graded channel that is established with suitable vegetation to convey surface water from terraces, diversions, or other water concentrations without causing erosion or flooding using a broad and shallow cross section to a stable outlet.

**Highly Erodible Land (HEL)**

HEL means land determined to have an EI equal to or greater than 8 on the acreage offered.

**Improved Rangeland or Pastureland**

Improved rangeland or pastureland means grazing land permanently producing naturalized forage species that receives varying degrees of periodic cultural treatment to enhance forage quality and yields and is primarily consumed by livestock.

**Definitions of Terms Used in This Handbook (Continued)****Indian Tribe**

Indian Tribe means any Indian Tribe, band, nation or other organized group, or community including pueblos, rancherias, colonies and any Alaska Native Village, or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601-1629h), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

**Infeasible to Farm**

Infeasible to farm means an area of land that is too small or isolated to be economically farmed, or is otherwise suitable for such classification.

**Land Permanently Inundated With Water**

Land permanently inundated with water is land that is reasonably expected to be under water through the CRP-1 period.

**Local FSA Office**

Local FSA office means the FSA County Office serving the area in which the FSA records are located for the farm or ranch.

**Offer**

Offer means, unless the context indicates otherwise, if required by DAFP, the per-acre rental payment requested by the owner or operator in such owner's or operator's request to participant in CRP.

**Participant**

Participant means an owner or operator who has entered into CRP-1.

**Perennial Crop**

Perennial crop means a crop that is produced from the same root structure for 2 or more years.

**Permanent Vegetative Cover**

Permanent vegetative cover means a perennial stand of approved combinations of certain grasses, legumes, forbs, shrubs and trees for the contract period.

**Definitions of Terms Used in This Handbook (Continued)****Permanent Wildlife Habitat**

Permanent wildlife habitat means a vegetative cover with the specific purpose of providing habitat, food, or cover for wildlife and protecting other environmental concerns for the contract period.

**Practice**

Practice means a conservation, wildlife habitat, or water quality measure with appropriate operations and management as agreed to in the conservation plan to accomplish the desired program objectives according to CRP and FOTG standards and specifications as a part of a conservation management system.

**Prairie Strip**

Prairie strip means a strip(s) of diverse, dense, herbaceous, predominately native perennial vegetation designed and positioned on the landscape to most effectively address soil erosion and water quality by intercepting surface and subsurface water flow to remove nutrients, sediment, organic matter, pesticides, and other pollutants by deposition, absorption, plant uptake, denitrification and other processes, and thereby reduce pollution and protect surface and subsurface water quality while providing food and cover for wildlife.

**Primary Nesting Season**

Primary nesting season means the nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law.

**Riparian Buffer**

Riparian buffer means a strip or area of vegetation immediately adjacent and parallel to an eligible water body of sufficient width the purpose of which is to remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake and other processes, thereby reducing pollution and protecting surface water and subsurface water quality, which are also intended to provide shade to reduce water temperature for improved habitat for aquatic organisms and supply large woody debris for aquatic organisms and habitat for wildlife.



**Definitions of Terms Used in This Handbook (Continued)****Saline Seep**

A saline seep is an induced temporal (discharge) site with hydro-geologically connected recharge areas that contribute to high concentrations of soluble salts on or near the soil surface, impairing productivity. Discharge areas **must** have a soil electrical conductivity greater than 4 mmhos/cm at 25 degrees Celsius. Other characteristics include:

- ground water usually 4,000 micromhos or greater
- sodium absorption ratio ranges from 0 to 12
- soil pH less than 9
- high water table with electrical conductivity greater than mmhos/cm within 8 feet of the surface some or all of the time (often within 3 feet of the surface).

**Shrubland**

Shrubland means land where the dominant plant species are shrubs, which are plants that are persistent, have woody stems, and a relatively low growth habit.

**Socially Disadvantaged Farmer or Rancher**

A socially disadvantaged farmer or rancher means a farmer or rancher who is a member of a socially disadvantaged group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. Gender is not included as a covered group. Socially disadvantaged groups include the following and no others unless approved in writing by DAFP:

- American Indians or Alaskan Natives
- Asians or Asian-Americans
- Blacks or African Americans
- Hispanics
- Native Hawaiians or other Pacific Islanders.

**Soil Loss Tolerance (T)**

Soil loss tolerance (T) means the maximum average annual erosion rate specified in FOTG that will not adversely impact the long-term productivity of the soil.

**Definitions of Terms Used in This Handbook (Continued)****State**

State means State agencies, departments, districts, count or city governments, municipalities or any other State or local government of the State.

**State Technical Committee**

State Technical Committee means a committee established to provide information, analysis, and recommendations to USDA.

**Sustainable Grazing and Crop Production Methods**

Sustainable grazing and crop production methods is an integrated system of plant and animal production practices that have a site-specific application that would:

- meet man's food and fiber
- enhance the environment and the natural resource base
- use nonrenewable resources efficiently
- sustain the economic viability of the operation.

**Technical Assistance**

Technical assistance means assistance in regard to determining the eligibility of land and practices, implementing and certifying practices, ensuring CRP contract performance, and providing annual rental rate surveys. The technical assistance provided in connection with CRP to owners or operators, as approved by CCC, includes but is not limited to:

- technical expertise, information and tools necessary for the conservation of natural resources on land
- technical services provided directly to farmers, ranchers and other eligible entities, such as conservation planning, technical consultation, and assistance with design and implementation of conservation practices
- technical infrastructure, including activities, processes, tools and agency functions needed to support delivery of technical services, such as technical standards, resource inventories, training, data, technology, monitoring, and effects analyses.

**Definitions of Terms Used in This Handbook (Continued)****Technical Service Provider (TSP)**

TSP is an individual certified to provide technical assistance on behalf of USDA. Technical assistance includes conservation planning and design, layout, installation, and checkout of approved conservation practices.

**Tenancy**

Tenancy is the maintaining of acreage according to the Conservation Plan of Operation or, as otherwise required on the farm.

**Violation**

Violation means an action or inaction by the participant, either intentional or unintentional, that would cause the participant to no longer be eligible for all or a portion of cost-share, incentive payments, or annual rental payments.

**Water Cover**

Water cover means flooding of land by water either to develop or restore shallow water areas for wildlife or wetlands, or as a result of a natural disaster.

**Wellhead Protection Area**

Wellhead protection area means the area designated by EPA or the appropriate State agency with an Environmental Protection Agency approved by Wellhead Protection Program for water being drawn for public use, as defined for public use by the Safe Drinking Water Act, as amended.

**Wetland**

Wetland means land defined as wetland according to provisions of 7 CFR Part 12.

**Wetlands Reserve Program (WRP)**

WRP means the program authorized by 7 CFR Part 1467 in which eligible person enter into long-term agreements to restore and protect wetlands.

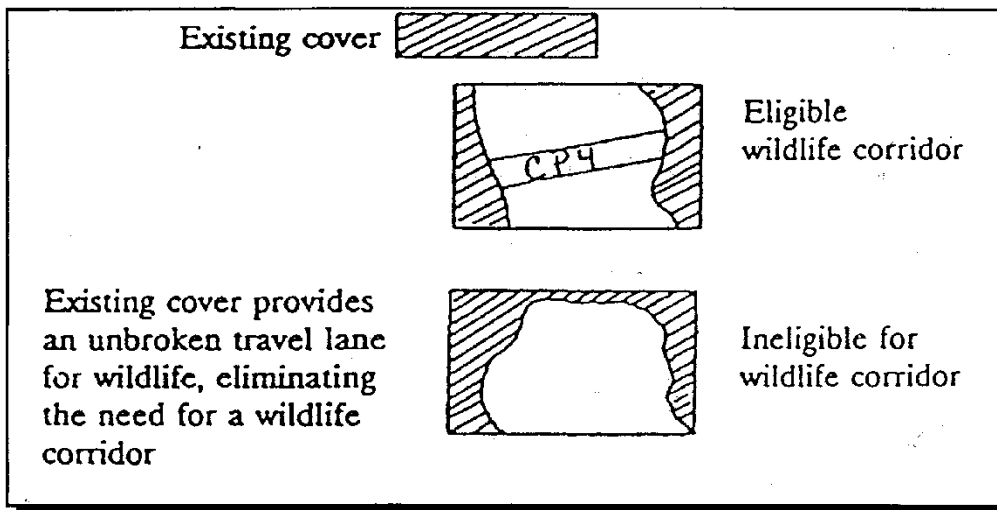
Definitions of Terms Used in This Handbook (Continued)

**Wildlife Corridor**

A wildlife corridor is a strip of land, 1 to 3 chains in width, which includes woody vegetation as determined by STC, in consultation with the State Technical Committee, that:

- connects existing wildlife cover
- provides travel lanes for wildlife through a nonprotective cover area.

The following are examples of eligible and ineligible wildlife corridors.




Letters Notifying Producers of Offer and Eligibility Status

A Example of CRP-23

The following is an example of CRP-23.

Note: The producer is not required to notify the County Office in writing; however, the County Office shall notate the producer's response in the CRP folder. See paragraph 341.

 <p><b>United States Department of Agriculture</b></p>	<p>Farm Production and Conservation</p>	<p>Farm Service Agency</p>	<p>State/county name or organizational unit Mail stop code and/or room number P.O. Box or Street Address City, State, ZIP Code</p>
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**NOTICE REGARDING ACCEPTABLE CRP OFFERS**

Date: (MM-DD-YYYY) \_\_\_\_\_

Dear: \_\_\_\_\_

This notice is to inform you that your offer on tract \_\_\_\_\_ under the Conservation Reserve Program (CRP) has been determined acceptable by FSA.

The Natural Resources Conservation Service (NRCS) or Technical Service Provider (TSP) must develop a conservation plan, approved by the Conservation District, and signed by all signatories on the CRP contract offer to participate in the CRP. So that we may continue to process your offer, you should continue to work with NRCS or TSP to obtain the required plan on the acreage which is subject to the offer. Your offer cannot be approved by the County Committee without an approved conservation plan.

Practices to be carried out under CRP may be started with the understanding that cost-share payments will **not** be made if the practice is not included in the approved conservation plan.

You have 30 days from the date of this letter to notify this office of whether you want your offer approved to participate in the CRP so that NRCS or TSP may begin plan development. If I do not hear from you within the 30-day period, we will reject your offer.

The same acreage cannot be enrolled under CRP and Agriculture Risk Coverage and Price Loss Coverage (ARC/PLC). The total of the CRP and ARC/PLC acres on a farm cannot exceed the total eligible land for the program on the farm. The owner of the land offered for CRP may be required to reduce all or a portion of ARC/PLC acreage before CRP-1 will be approved. Please contact the \_\_\_\_\_ County FSA Office for more information.

Sincerely,

\_\_\_\_\_

County Executive Director

**CRP-23** (02-13-20)

USDA is an equal opportunity provider, employer, and lender.

**Letters Notifying Producers of Offer and Eligibility Status (Continued)****B Using CRP-23**

Because continuous signup offers and general signup offers are not processed in the same manner and certain provisions do not apply to both offer types, County Offices **must** ensure that the correct information is provided in CRP-23.

CRP-23 **must** be:

- reproduced locally, including form number and date
- prepared in duplicate
- mailed to producers **before** CRP-1 is approved.

County Offices shall:

- for general signup offers:
  - use CRP-23 to notify producers that:
    - their CRP offer has been determined acceptable by the National Office
    - they have 30 days from the date of the letter to notify the County Office whether they want the offer approved provided all eligibility requirements are met

\* \* \*

- they **must** work with the technical agency to develop a conservation plan
- the same acreage cannot be enrolled under ARC/PLC and CRP

**Note:** See subparagraph 401 B.

- mail original CRP-23 to producer and file copy with the offer
- adapt CRP-23 to fit the situation

Letters Notifying Producers of Offer and Eligibility Status (Continued)

**B Using CRP-23 (Continued)**

- for continuous signup offers:
- use CRP-23 to notify producers that:
  - their CRP offer has been determined acceptable by COC
  - they **must** work with the technical agency to develop a conservation plan
  - the same acreage cannot be enrolled under CRP and ARC/PLC


**Note:** See subparagraph 401 B.

- the offer will be void if CRP-1 is not approved within 6 months of the date the producer signs CRP-2C
- all crops **must** be removed from the acreage before CRP-1 effective date
- if applicable, producer will be notified when CRP-1 is completed and ready for producer's signature; see paragraph 214
- starting the practice before CRP-1 approval is at the producer's own risk
- a paid-for measurement service is required, if applicable
- mail original CRP-23 to producer and file copy with the offer
- adapt CRP-23 to fit the situation
- not include language regarding \* \* \* liquidated damages.

Letters Notifying Producers of Offer and Eligibility Status (Continued)

C Example of CRP-24

The following is an example of CRP-24.

	United States	Farm Production	Farm	State/county name or organizational unit
	Department of Agriculture	and Conservation	Service Agency	Mail stop code and/or room number P.O. Box or Street Address City, State, ZIP Code

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**NOTICE OF CONTRACT APPROVAL**

Date *(MM-DD-YYYY)* \_\_\_\_\_

Dear: \_\_\_\_\_

Your offer to place land in the Conservation Reserve Program (CRP) has been approved  
\_\_\_\_\_ County Committee.

Enclosed are your signed copies of the CRP contract and attachments. The effective  
date of the CRP contract is \_\_\_\_\_ .

Form FSA-848 is provided for those conservation practices that are to be established in  
accordance with the approved conservation plan as part of your contract. When the practices are  
completed, you must provide this office a report of performance by signing the FSA-848B and  
include all receipts affiliated with practice establishment so cost-share payment can be made.

Sincerely,

\_\_\_\_\_  
County Executive Director

Enclosures

**CRP-24** (10-22-15)

USDA is an equal opportunity provider, employer, and lender



**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**D Using CRP-24**

County Offices shall:

- use CRP-24 to notify producers that their offer to place land in CRP has been approved and the effective date of the contract
  - adapt CRP-24 to fit the situation
  - reproduce CRP-24 locally


**Note:** Include the form number and date on the reproduction.

- prepare CRP-24 in duplicate.
- Mail original to producer.
- File a copy with CRP-1.

Letters Notifying Producers of Offer and Eligibility Status (Continued)

E Example of CRP-25

This is an example of CRP-25.

 <p><b>United States Department of Agriculture</b></p>	<p>Farm Production and Conservation</p>	<p>Farm Service Agency</p>	<p>State/county name or organizational unit Mail stop code and/or room number P.O. Box or Street Address City, State, ZIP Code</p>
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**NOTICE OF CRP WAIVER OF OWNERSHIP**

Date: *(MM-DD-YYYY)* \_\_\_\_\_

Dear: \_\_\_\_\_

It has been determined that a brief involuntary loss of ownership, because of foreclosure action initiated by a lending institution of voluntary loss instead of foreclosure, does not necessarily make a producer ineligible to participate in the Conservation Reserve Program (CRP). If a producer is purchasing a farm that the producer originally owned, the producer may participate in CRP if all other eligibility requirements are met.

Documentation submitted shows that you were the original owner and that you now have the opportunity to repurchase the farm.

Based on this information, it has been determined that the land is not being purchased for the purpose of placing it into CRP. You must complete purchase of the farm before you will be eligible to submit an offer or enrollment. If an acceptable offer is submitted and you agree, in writing, that the contract shall not be assumed by a successor in interest, you are eligible to participate in CRP.

Sincerely,

\_\_\_\_\_  
County Executive Director

**CRP-25** (10-22-15)

USDA is an equal opportunity provider, employer, and lender.

**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**F Using CRP-25**

County Offices shall:

- use CRP-25 to notify producers who had a brief involuntary loss of ownership, because of foreclosure, that they may participate because all other eligibility requirements are met
- adapt CRP-25 to fit the situation
- reproduce CRP-25 locally

**Note:** Include the form number and date on the reproduction.


- prepare CRP-25 in duplicate.
  - Mail original to producer.
  - File a copy with the offer.

Letters Notifying Producers of Offer and Eligibility Status (Continued)

G Example of CRP-26

This is an example of CRP-26. County Offices shall adapt CRP-26 to fit the situation according to 1-APP.

Note: This is only an example.

	Farm Production and Conservation	Farm Service Agency	State/county name or organizational unit Mail stop code and/or room number P.O. Box or Street Address City, State, ZIP Code
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**NOTICE OF UNACCEPTABLE OFFER**

Date: (MM-DD-YYYY) \_\_\_\_\_

Dear: \_\_\_\_\_

Thank you for your offer to place land in the Conservation Reserve Program (CRP). Your offer to participate in the \_\_\_\_\_ (year) CRP was not accepted because:

- Environmental Benefits Too Low
- Land Determined Ineligible
- Payment Rate Offered Exceeded the Maximum Payment Rate
- County Cropland Limitation Has Been Reached
- Existing Restrictive Easement
- 1-Year Ownership/Operatorship Eligibility Not Met
- Ineligible Cropping History
- Landowner/Tenant Provision Not Met
- Other
- Offer exceeds maximum available acreage allocation for the practice.

If you feel that all the facts have not been considered in your case, you may: \_\_\_\_\_

\_\_\_\_\_  
You need to provide factual information and reasons why you believe this determination is not correct.

Although your offer was not accepted, you may be eligible for the continuous sign-up of high priority conservation practices such as filterstrips, riparian buffers, grass waterways, shelter-belts, field wind breaks, living snow fences, contour grass strips, salt tolerant vegetation, or shallow water areas for wildlife. I have enclosed a copy of a FSA continuous signup fact sheet. Please contact our office if you are interested.

It may be possible that your offer for general sign-up may be modified to increase the environmental benefits and the likelihood of acceptance in a future signup.

*\* (Insert appeal rights to COC according to 1-APP)*

Sincerely,

\_\_\_\_\_  
County Executive Director

Enclosures

**CRP-26** (06-09-16)

USDA is an equal opportunity provider, employer, and lender.

**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**H Using CRP-26**

County Offices shall:

- use CRP-26 to notify producers that their CRP offer was unacceptable

**Note:** When using CRP-26 to notify producers that their continuous signup offer was not acceptable, County Offices shall modify CRP-26 by removing the language regarding:

- continuous signup
- increasing the environment benefits.

- check appropriate box on CRP-26
- modify CRP-26 to provide appropriate appeal rights under 1-APP

**Note:** Modifications include:

- number of days to appeal or request mediation
- appeal rights to COC only; to COC, STC, or NAD; or the right to request mediation.

- reproduce CRP-26 locally

**Note:** Include the form number and the date on the reproduction.

- prepare CRP-26 in duplicate, and distribute as follows:
  - mail the original to the producer
  - file a copy with the offer
- include CRP continuous signup fact sheet when notifying producers that their offer under a general signup was not acceptable.

**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**H Using CRP-26 (Continued)**

County Offices may adapt CRP-26 to fit the situation.

**Examples:** Following are examples of adapting CRP-26 to different situations.

- Including the producer's EBI score and the national cutoff score.

**Note:** Offers in counties that have met the 25-percent cropland limitation may have an effective cutoff score that is different than the national average EBI cutoff score.


- Explaining why the acreage or producer was determined ineligible.
- Including the maximum payment rate and the producer's offered amount.

Letters Notifying Producers of Offer and Eligibility Status (Continued)

\*--I Example of CRP-27

This is an example of CRP-27. County Offices may adapt CRP-27 to fit the situation according to 1-APP.

Note: This is only an example.

 <p><b>United States Department of Agriculture</b></p>	<p>Farm Production and Conservation</p>	<p>Farm Service Agency</p>	<p>State/county name or organizational unit Mail stop code and/or room number P.O. Box or Street Address City, State, ZIP Code</p>
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**NOTICE REGARDING ACCEPTABLE CRP GRASSLANDS OFFERS**

Date: (MM-DD-YYYY) \_\_\_\_\_

Dear: \_\_\_\_\_

This notice is to inform you that your offer on tract \_\_\_\_\_ under the Conservation Reserve Program (CRP) Grasslands has been determined acceptable. Your contract will begin on October 1, 2020.

The Natural Resources Conservation Service (NRCS) or Technical Service Provider (TSP) must develop a plan, approved by the Conservation District, and signed by all signatories on the CRP contract offer to participate in the CRP. So that we may continue to process your offer, you should continue to work with NRCS or TSP to obtain the required plan on the acreage which is subject to this offer. Your offer cannot be approved by the County Committee without an approved conservation plan.

Practices to be carried out under CRP Grasslands may be started with the understanding that cost-share payments will not be made if the practice is not included in the approved conservation plan.

Your CRP contract must be signed by all signatories and approved by FSA by close of business **September 30, 2020**.

The same acreage cannot be enrolled under the CRP and ARC or PLC. In addition, the total land participating in CRP and the total base acres on a farm cannot exceed the total eligible land for the program on the farm. The owner of the land enrolling land into CRP may be required to reduce all or a portion of the base acres on a farm before contract (CRP-1) can be approved. Please contact the \_\_\_\_\_ County FSA office for more information.

Sincerely,

\_\_\_\_\_

County Executive Director

Enclosures

**CRP-27** (02-13-20)

USDA is an equal opportunity provider, employer, and lender.

--\*






Letters Notifying Producers of Offer and Eligibility Status (Continued)

\*--J Example of CRP-28

This is an example of CRP-28. County Offices may adapt CRP-28 to fit the situation according to 1-APP.

Note: This is only an example.

 <p><b>United States Department of Agriculture</b></p>	<p>Farm Production and Conservation</p>	<p>Farm Service Agency</p>	<p>State/county name or organizational unit Mail stop code and/or room number P.O. Box or Street Address City, State, ZIP Code</p>
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**NOTICE OF UNACCEPTABLE CRP GRASSLANDS OFFERS**

Date: (MM-DD-YYYY) \_\_\_\_\_

Dear: \_\_\_\_\_

Thank you for your offer to place land in the Conservation Reserve Program (CRP) Grasslands. Your offer to participate in the \_\_\_\_\_ (year) CRP Grasslands was not accepted because:

- Grassland Ranking Score Too Low
- Land Determined Ineligible
- County Cropland Limitation Has Been Reached
- Existing Restrictive Easement
- 1-Year Ownership/Operatorship Eligibility Not Met
- Landowner/Tenant Provision Not Met
- Other

If you feel that all the facts have not been considered in your case, you must contact this office.

You need to provide factual information and reasons why you believe this determination is not correct.

It may be possible that your offer for CRP grasslands sign-up may be modified to increase the ranking score and the likelihood of acceptance in future signup periods.

Sincerely,

\_\_\_\_\_

County Executive Director

Enclosures

**CRP-28** (02-13-20)

USDA is an equal opportunity provider, employer, and lender.

--\*

**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**\*--J Using CRP-28**

County Offices will:

- use CRP-28 to notify producers that their CRP offer was unacceptable
- check appropriate box on CRP-28
- modify CRP-28 to provide appropriate appeal rights under 1-APP

**Note:** Modifications include:

- number of days to appeal or request mediation
- appeal rights to COC only; to COC, STC, or NAD; or the right to request mediation.
- reproduce CRP-28 locally

**Note:** Include the form number and the date on the reproduction.

- prepare CRP-28 in duplicate, and distribute as follows:
  - mail the original to the producer
  - file a copy with the offer.--\*

**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**\*--J Using CRP-28 (Continued)**

County Offices may adapt CRP-28 to fit the situation.

**Examples:** Following are examples of adapting CRP-28 to different situations.

- Including the producer's ranking score and the national cutoff score.


**Note:** Offers in counties that have met the 25-percent cropland limitation may have an effective cutoff score that is different than the national average ranking factor cutoff score.

- Explaining why the acreage or producer was determined ineligible.
- Including the maximum payment rate and the producer's offered amount.--\*

Letters Notifying Producers of Offer and Eligibility Status (Continued)

K Example of CRP-35

This is an example of CRP-35.

	United States	Farm	Farm	State/county name or organizational unit
	Department of Agriculture	Production and Conservation	Service Agency	Mail stop code and/or room number P.O. Box or Street Address City, State, ZIP Code

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**NOTICE OF OFFER RECONSIDERATION**

Date: *(MM-DD-YYYY)* \_\_\_\_\_

Dear: \_\_\_\_\_

A change in the technical determination recently provided to the Farm Service Agency by the Natural Resources Conservation Service or Technical Service Provider (TSP) regarding your Conservation Reserve Program (CRP) offer warrants the reconsideration of your offer for a CRP contract.

The change that was provided for your offer may make it acceptable to FSA. After it is re-evaluated by the National FSA Office, you will be notified as soon as possible of the final acceptance or rejection determination of your offer.

I regret any inconvenience that this may have caused you.

Sincerely,

\_\_\_\_\_  
County Executive Director

**CRP-35** (10-22-15)

USDA is an Equal Opportunity Provider and Employer

**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**K Using CRP-35**

County Offices shall:

- use CRP-35 to notify producers that their CRP offer has been changed because of a change in the technical determination by NRCS or TSP
- adapt CRP-35 to fit the situation
- reproduce CRP-35 locally


**Note:** Include the form number and date on the reproduction.

- prepare CRP-35 in duplicate.
  - Mail original to producer.
  - File a copy with the offer.

Letters Notifying Producers of Offer and Eligibility Status (Continued)

L Example of CRP-36

This is an example of CRP-36.

 <p><b>United States Department of Agriculture</b></p>	<p>Farm Production and Conservation</p>	<p>Farm Service Agency</p>	<p>State/county name or organizational unit Mail stop code and/or room number P.O. Box or Street Address City, State, ZIP Code</p>
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**NOTICE REGARDING LATE-FILED OFFER**

Date: *(MM-DD-YYYY)* \_\_\_\_\_

Dear: \_\_\_\_\_

The \_\_\_\_\_ County FSA Office will not consider your offer under the Conservation Reserve Program (CRP).

Offers under the CRP must be received by the County FSA Office no later than close of business that last day of signup, which was \_\_\_\_\_. Your offer was received in the County FSA Office on \_\_\_\_\_.

If you do not agree with this determination, you may request reconsideration, appeal, or both, in writing to the County Committee at the above address within 30 days of this letter.

If you have any other questions about the program, please call this office or contact your County FSA Committee member.

Sincerely,

\_\_\_\_\_  
County Executive Director

\_\_\_\_\_  
Date *(MM-DD-YYYY)*

CRP-36 (10-22-15)

USDA is an Equal Opportunity Provider and Employer

**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**L Using CRP-36**

County Offices shall:

- use CRP-36 to notify producers that their CRP offer was **not** received in a timely manner
- adapt CRP-36 to fit the situation, according to 1-APP
- reproduce CRP-36 locally

**Note:** Include the form number and date on the reproduction.

- prepare CRP-36 in duplicate.
  - Mail original to producer.
  - File a copy with the offer.





# Forms for Complying With Lobbying Disclosure Requirements

## A Example of CCC-674

The following is an example of CCC-674.

This form is available electronically. Form Approved - OMB No. 0348-0046

**CCC-674**  
(11-15-16) U.S. DEPARTMENT OF AGRICULTURE  
Commodity Credit Corporation

### CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

NAME AND ADDRESS OF RECIPIENT  
[Redacted]

TRANSACTION DOCUMENT (Loan No., Contract No., CCC-6 No(s), Check No., etc.) [Redacted]
PROGRAM YEAR [Redacted]

*To comply with lobbying disclosure requirements (31 U.S.C. 1352), applicants for and recipients of: 1) A Federal loan exceeding \$150,000; or 2) A Federal contract, grant, or cooperative agreement payment exceeding \$100,000 must file, with the disbursing office:*

*A. If they have not or will not use monies received for lobbying purposes, CCC-674.*  
*B. If they have or will use monies received for lobbying purposes, SF-LLL.*

---

**CERTIFICATION**

---

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\_\_\_\_\_  
RECIPIENT SIGNATURE

\_\_\_\_\_  
DATE

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0348-0046. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

**Forms for Complying With Lobbying Disclosure Requirements (Continued)**

**B Example of SF-LLL**

The following is an example of SF-LLL.

Approved by OMB No. 0348-0046		
<p><b>DISCLOSURE OF LOBBYING ACTIVITIES</b>                  Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352                  (See Reverse for public burden disclosure.)</p>		
<p><b>1. Type of Federal Action:</b></p> <p><input checked="" type="checkbox"/> a. contract  <input type="checkbox"/> b. grant  <input type="checkbox"/> c. cooperative agreement  <input type="checkbox"/> d. loan  <input type="checkbox"/> e. loan guarantee  <input type="checkbox"/> f. loan insurance</p>	<p><b>2. Status of Federal Action:</b></p> <p><input type="checkbox"/> a. bid/offer/application  <input type="checkbox"/> b. initial award  <input type="checkbox"/> c. post-award</p>	<p><b>3. Report Type:</b></p> <p><input type="checkbox"/> a. initial filing  <input type="checkbox"/> b. material change</p> <p><b>For Material Change Only:</b>                  year _____ quarter _____                  date of last report _____</p>
<p><b>4. Name and Address of Reporting Entity:</b></p> <p><input type="checkbox"/> Prime      <input type="checkbox"/> Subawardee                  Tier _____, if known:</p> <p>_____</p> <p>Congressional District, if known: _____</p>	<p><b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b></p> <p>_____</p> <p>Congressional District, if known: _____</p>	
<p><b>6. Federal Department/Agency:</b></p> <p>_____</p>	<p><b>7. Federal Program Name/Description:</b></p> <p>_____</p> <p>CFDA Number, if applicable: _____</p>	
<p><b>8. Federal Action Number, if known:</b></p> <p>_____</p>	<p><b>9. Award Amount, if known:</b></p> <p>\$ _____</p>	
<p><b>10. a. Name and Address of Lobbying Registrant</b>                  (If individual, last name, first name, MI):</p> <p>_____</p>	<p><b>b. Individuals Performing Services</b> (Including address if different from No. 10a)                  (last name, first name, MI):</p> <p>_____</p>	
<p><b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>		
<p>Signature: _____</p> <p>Print Name: _____</p> <p>Title: _____</p> <p>Telephone No.: _____ Date: _____</p>		<p>Authorized for Local Reproduction                  Standard Form LLL (Rev. 7-97)</p>
<p><b>Federal Use Only:</b></p>		

## Forms for Complying With Lobbying Disclosure Requirements (Continued)

### C Instructions for Completing SF-LLL

The following are instructions for completing SF-LLL.

#### INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred, Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be a prime or subaward receipt. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in Item 1 (e.g., Request for Proposal (RFP) number; Invitation for bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g. "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in Item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in Item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name and Middle Initial (MI).
11. Certifying official shall sign and date the form, print his/her name, title and telephone number.

*According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.*

**Forms for Complying With Lobbying Disclosure Requirements (Continued)**

**D Example of SF-LLL-A**

The following is an example of SF-LLL-A.

**DISCLOSURE OF LOBBYING ACTIVITIES  
CONTINUATION SHEET**


Approved by OMB  
0348-0046

Reporting Entity: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_

Authorized for Local Reproduction  
Standard Form - LLL-A

CRP-30, Deceased Participant Letter

The following is an example of CRP-30.

	United States Department of Agriculture	Farm Production and Conservation	Farm Service Agency	State/county name or organizational unit Mail stop code and/or room number P.O. Box or Street Address City, State, ZIP Code
---	---	---	---------------------------	--

---

Date: \_\_\_\_\_

The Family of [insert deceased producer's name]  
[insert last known mailing address of deceased producer]

Dear Sir or Madam,

Our office has been made aware of the passing of [insert deceased producer's name], and would like to offer our condolences to your family. We are taking steps to ensure that [insert deceased producer's name] USDA program benefits, records, and accounts are handled appropriately, and any payments earned are properly managed.

While we understand this is a difficult time, we would appreciate your help in providing the information we need to ensure that all records and potential benefits earned are accurate and complete. These records include a Conservation Reserve Program contract, to which eligible heirs or an estate may be able to succeed and receive subsequent annual payments.

Please contact our office within 90 days at [insert County Office phone number] or at the address above to let us know the point of contact that will be handling [insert deceased producer's name] affairs, so we can discuss options and benefits with an authorized representative. Please note that after 90 days from the date of this letter, certain options and benefits may no longer be available, and the Conservation Reserve Program contract will be terminated.

Please do not hesitate to contact our office with any questions or if there is any way in which we can assist you in this difficult time. Again, please accept our condolences.

Sincerely,

---

County Executive Director

**CRP-30** (02-13-20)

USDA is an equal opportunity provider, employer, and lender.



**MOU/Memorandums of Agreement**

**A Example of CRP Reservation MOU Between FSA, FWS, and Participant**

The following is an example of the MOU between FSA, FWS, and the participant.

<p style="text-align: center;"><b>CONSERVATION RESERVE PROGRAM RESERVATION</b></p> <p style="text-align: center;"><b>Memorandum of Understanding</b></p> <p>Vendor reserves the use of the property for agricultural purposes until _____, 20__. The U.S. Fish and Wildlife Service recognizes that the property is enrolled in the Conservation Reserve Program and the vendor reserves the right to continue in the Conservation Reserve Program and receive such payment, if any, as may be earned for the period ending _____, 20__. It is understood that the vendor is responsible for maintaining the property according to the terms and conditions of the Conservation Reserve Program and that the vendor will continue in the program for the duration of this reservation. The U.S. Fish and Wildlife Service does not warrant or represent that the vendor is entitle to continue participation in the Conservation Reserve Program. The U.S. Fish and Wildlife Service agrees it will not affect the property in any way which will violate the terms and conditions of the Conservation Reserve Program. On _____, 20__, or upon the date the property is no longer enrolled in the Conservation Reserve Program will terminate and full use and possession of the property shall transfer to the United States.</p> <p style="text-align: right;">_____ Vendor (Producer)</p> <p style="text-align: right;">_____ U.S. Fish and Wildlife Service</p> <p style="text-align: right;">_____ Farm Service Agency County Committee, _____ County in the State of _____.</p>
--

**MOU/Memorandums of Agreement (Continued)**

**B Memorandum of Agreement Between CCC, FSA, and FS**

The following Memorandum of Agreement was established between CCC, FSA, and FS for administration of CRP.

**Memorandum of Agreement (MOA)**

**Between**

**Commodity Credit Corporation (CCC),**

**Farm Service Agency (FSA),**

**And**

**Forest Service (FS)**

**For Implementation of the Conservation Reserve Program (CRP)**

**I. Purpose**

The purpose of this agreement is to delineate the responsibilities of CCC, FSA, and FS with respect to the provision of CRP forestry practices technical assistance.

**II. General Provisions**

CCC requires technical assistance (TA) for the implementation of the CRP, a CCC program. FSA, acting on behalf of the CCC, has determined that FS can provide personnel with expertise who will provide the needed technical assistance for the implementation of the CRP.

**III. Authority**

This MOA is authorized by Title XII of the Food Security Act of 1985, as amended (1985 Act), and the CCC Charter Act, as amended. Other authorities may also apply.

**IV. Responsibilities**

CCC, FSA, and FS, agree, subject to the availability of funds, that:

A FS will:

1. Ensure that a sufficient number of qualified employees are available to provide timely silvicultural recommendations for all forestry practice acreage offered for CRP enrollment.
2. Accurately complete and properly document the portion of CRP forms that prescribe forestry practices, including proper tree planting recommendations, thinning, and management activities.



**MOU/Memorandums of Agreement (Continued)**

**B Memorandum of Agreement Between CCC, FSA, and FS (Continued)**

3. Ensure site visitations occur and practice plans are developed and provided to participating landowners with forestry practices. Such plans will include proper tree planting procedures, proper site/species selection, site preparation recommendations, erosion control recommendations, post planting care, including thinning, and management activities such as prescribed burning. For continuous CRP (CCRP) and Conservation Reserve Enhancement Program (CREP) acreage, all conservation plans shall be completed (including signatures) within 90 calendar days of the time when the producer indicates in writing a desire to complete contract approval, but no later than 10 calendar days before the effective date of the contract. For general signup offers that are considered acceptable by CCC, and for which applicants have indicated in writing a desire to complete contract approval, conservation plans shall be completed within 90 calendar days of when the offer was accepted.
4. Provide complete site compliance checks after a practice is completed and furnish verification of proper practice installation to the local FSA office.
5. Ensure that seedlings acquired from state nurseries come from local seed sources that are well suited for the planting site.
6. Provide site inspections during the first three years of a project, and follow-up technical assistance if a forestry practice failure occurs, as determined by the attending forester.
7. Provide a reasonable and reliable estimate to FSA of technical assistance reimbursement needs for the upcoming fiscal year by August 15 of the prior year. Estimates will be based on anticipated CRP forestry activities and historic data.

**B. FSA will:**

1. Provide photocopies of aerial photography and a copy of the CRP-2 or CRP2C in a timely manner for all forestry practice acreage offered.
2. Provide completed acreage figures for each State for each sign-up in a timely manner, as agreed upon by FS and FSA. This will include General, Continuous, and CREP acreage, as well as acres utilizing forest management practices.

The following procedures will be used by FSA to determine the estimate of acres of trees planted for the following various practices:

- A. 100 percent of acres enrolled under CP3, CP3A, CP11, CP22, CP31, CP32, CP36, CP38C and CP38D.
- B. 95 percent of acres enrolled under CP23, CP23A, and CP28 in Southeastern and Northeastern States will be considered planted to trees (Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia,

**MOU/Memorandums of Agreement (Continued)**

**B Memorandum of Agreement Between CCC, FSA, and FS (Continued)**

Kentucky, Louisiana, Massachusetts, Maryland, Maine, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia).

C. 50 percent of acres enrolled under CP23, CP23A, and CP28 in Midwestern States will be considered planted to trees (Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin).

D. 100 percent of acres utilizing a forest management practice.

3. Provide to all parties final State acreage enrollment figures in July of the fiscal year for which TA is performed, based on the latest CRP offer activity and average contract approval rate. This will allow time for FSA to request an additional apportionment from the Office of Management and Budget, if necessary, and for the FS and FSA to modify the reimbursable agreement (FMS-7600A & B) as necessary, prior to the end of the fiscal year.
4. Provide national estimates for all forestry activities for future years, as requested by FS.

C. CCC will:

1. Reimburse FS for all technical assistance resulting from forestry activities on newly enrolled and re-enrolled acreage for all forestry practices. These activities include, but are not limited to, CP3 Tree Planting, CP3A Hardwood Tree Planting, CP5A Field Windbreaks, CP16A Shelterbelts, CP11 Vegetative Cover - Trees – Already Established, CP22 Riparian Buffers, CP23 Wetland Restoration (floodplain), CP23A Wetland Restoration (non-floodplain), CP28 Farmable Wetland Pilot (Upland), , CP31 Bottom Land Timber Establishment on Wetlands, CP36 Longleaf Pine, and SAFE tree practices (CP38C and CP38D).
2. Base reimbursement on actual costs for CRP technical assistance (salary, transportation, supplies, indirect, etc.), as reported by the Forest Service. Reporting will be based on hours of technical assistance provided to support CRP practice implementation.
3. If CCC disagrees with the reported costs FSA will alert FS within 90 days,

D. Miscellaneous

1. In the event that adequate funding to carry out the provisions of this agreement are no longer or otherwise not available, CCC, FSA, and FS agree that FS will terminate the responsibilities assigned to FS under this

**MOU/Memorandums of Agreement (Continued)**

**B Memorandum of Agreement Between CCC, FSA, and FS (Continued)**

agreement, in accordance with the termination clause of this agreement, and CCC may use a third party to complete the work.

2. It is mutually agreed that this Agreement is effective when signed and shall continue in full force and effect for a period of no more than five years, provided that authorizations provided by Title XII of the Food Security Act of 1985, as amended (1985 Act) continue for this period. Should the authority providing for this Agreement expire without being renewed, this Agreement shall immediately terminate; however, such termination shall not affect funds obligated while such authorization was in effect, to the extent allowed by law. This Agreement may be terminated at any time with thirty days written notice by one party. Should this Agreement be terminated, billing will be submitted for services rendered prior to the date of termination for which payment has not been received. This Agreement may be modified by amendment by duly executed officials of CCC, FSA, and FS, or their designees. FS and FSA will enter annually into a National Level Reimbursement Agreement (IAA-FMS Form 7600 A & B) based on this interagency agreement and any amendments hereto, subject to the availability of funds for CRP Tree Planting and forest management technical assistance.
3. It is mutually agreed that each party will strictly comply with the information gathering provisions of section 1619 of the Food, Conservation and Energy Act of 2008, P.L. 110-246 (a.k.a. the 2008 Farm Bill), as well as section 2004 of the Farm Security and Rural Investment Act of 2002, P.L. 107-171 (a.k.a. the 2002 Farm Bill), the Privacy Act, the Freedom of Information Act, and related acts concerning privacy and the dissemination of records. Failure by any party to comply with those laws may result in termination of this Agreement.
4. Disputes related to this Agreement will be resolved by the Administrator of FSA and the Chief of the FS, or their designees.

MOU/Memorandums of Agreement (Continued)

B Memorandum of Agreement Between CCC, FSA, and FS (Continued)

V. **Chesapeake Bay Watershed Riparian Buffer Enrollment Initiative**

CCC has been apportioned funds from OMB to support dedicated service forestry staff in the states of Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and New York for technical assistance work in the Chesapeake Bay Watershed to support riparian buffer establishment and maintenance. The Forest Service will administer technical assistance grants to these states. Each state will provide a minimum of 25 percent in matching funds. The Farm Service Agency will provide training to the dedicated foresters to clarify their responsibilities as CRP technical assistance providers (TSPs) and identify resources available to CRP TSPs.

The dedicated foresters will:

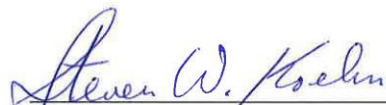
- A. Develop and implement targeted strategies to increase landowner enrollment in CREP, CRP, and landowner adoption and maintenance of CP22 and other conservation practices.
- B. Develop and conduct targeted landowner outreach campaigns aimed at increasing riparian buffer strip acreage enrollment.
- C. Provide forestry technical assistance to support the placement, design establishment and maintenance of riparian buffers, filters and related conservation practices.
- D. Establish, track and report annual riparian buffer and filter accomplishment goals and actual accomplishments.

IN WITNESS WHEREOF, the parties have executed this agreement as follows:



Richard Fordyce  
Administrator  
Farm Service Agency and  
Executive Vice President  
Commodity Credit Corporation

11/22/2019  
Date



Steven W. Koehn  
Director, Cooperative Forestry  
USDA, Forest Service

11/22/19  
Date

**MOU/Memorandums of Agreement (Continued)**

**C Memorandum of Agreement Between NRCS, FSA, and CCC**

The following Memorandum of Agreement was established between NRCS, FSA, and CCC for the implementation, cooperation, expectation, and responsibilities in carrying out CRP.

**Memorandum of Agreement (MOA)**  
**Between the Natural Resources Conservation Service (NRCS),  
and the Farm Service Agency (FSA),**  
**for Implementation of the Conservation Reserve Program (CRP)**  
**Through September 30, 2023**

**I. Purpose**

The purpose of this MOA is to provide for the implementation, cooperation, expectations, and responsibilities between NRCS and FSA in carrying out CRP.

**II. General Provisions**

Technical assistance is needed for the implementation of CRP. FSA has determined that NRCS has personnel with expertise who can provide the technical assistance needed for the implementation of CRP.

**III. Authority**

CRP is authorized by section 1231 of Title XII of the Food Security Act of 1985, as amended (1985 Act), 16 U.S.C. 3831 *et seq.* Other authorities may also apply to this MOA.

**IV. Responsibilities**

NRCS and FSA agree, subject to the availability of funds, that:

A. NRCS will:

1. Provide technical assistance either directly or through NRCS approved Technical Service Providers (TSP) and assure all technical work performed meets NRCS technical requirements.
2. In accordance with the NRCS estimated technical assistance cost formula, carry out technical assistance by making certain practice eligibility determinations for the Continuous CRP (CCRP), Conservation Reserve Enhancement Program (CREP), CRP- Grasslands, and the Farmable Wetlands Program (FWP), provide conservation planning for all new and reenrolled acres, and update conservation plans for CRP contract modifications.
3. Comply with the following: the 1985 Act, the regulations at 7 CFR part 1410, the procedures in FSA directives, other signed joint agency letters, and, all laws pertaining to CRP. Review and concur with program directives impacting NRCS before their issuance.

1

**MOU/Memorandums of Agreement (Continued)**

**C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)**

4. Be responsible for populating and providing to FSA a copy of completed NRCS form CPA-052, Environmental Evaluation (EE) and planning worksheet(s), or State modified version of the CPA-052, to document the potential environmental impacts associated with the proposed CRP contract and associated conservation practices and for recommending further action by FSA, the lead agency, to complete FSA's regulatory responsibilities.
5. Provide FSA with copies of associated documentation, as feasible, and additional information supporting the recommendations and findings on the NRCS CPA-052, EE planning worksheet or State modified version in accordance with NRCS General Manual (GM), 190, Part 410.5, Environmental Evaluation in Planning and GM 420, Part 401.11, Cultural Resources administrative responsibilities.
6. Complete or update, as applicable, Conservation Plan of Operations (CPO) for new offers or CRP contract revisions. NRCS will also revise conservation plans originally developed by TSPs, and charges will be based on the estimated technical assistance cost formula.
7. Determine if performance of a practice meets NRCS standards and specification and program criteria.
8. Provide support to the FSA County Committee (COC) and participant for corrective action if the practice in item 7 does not meet NRCS standard and specifications.
9. Certify all conservation practices installed, in accordance with the NRCS conservation practice standards, including practice applications designed by a TSP. Verification of the technical assistance work will be completed on Forms CRP-2 and FSA-848B as applicable.
10. To ensure CRP practice establishment and performance success, NRCS will provide technical assistance to the participant and conduct the necessary site visits during the offer process and throughout the practice establishment period to final certification. In general, site visits will be performed to determine practice eligibility, for conservation practice certification, when haying or grazing is requested to ensure continued conservation practice integrity, and at least one year before contract expiration to confirm conservation practice operation and maintenance.
11. At the COC's request, investigate potential invasive species presence.
12. Provide engineering services for the design, field layout, installation, and certification of constructed wetland and structural practices.

**MOU/Memorandums of Agreement (Continued)**

**C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)**

13. Provide technical and planning assistance for contracts associated with the CRP-Transition Incentives Program.
14. At the State level, conduct quality control reviews and assist FSA in providing training to ensure high levels of customer service and in providing support for corrective actions for practice maintenance violations.
15. By December 1, annually, provide FSA a report summarizing the locations and number of site visits conducted.

**B. FSA has overall program authority and responsibility and will:**

1. Administer all CRP contracts, including compliance determinations and appeals related to technical determinations regarding practice implementation.
2. Maintain responsibility as the lead agency for purposes of complying with the provisions of NEPA, NHPA, ESA, and other applicable laws, Executive Orders, and regulations, as provided for in FSA's Environmental Quality Programs handbook 1-EQ.
3. Complete all consultations with the State Historic Preservation Officer, Tribal Historic Preservation Officer, and Tribal governments, as required of its status as the lead agency, and all findings of historic property National Register of Historic Places eligibility and effects to these properties, as required by the Advisory Council on Historic Preservation regulations at 36 CFR part 800. FSA will make the final determination of finding of effects regarding the potential impacts to the environment, determinations of eligibility and effect and decisions on appropriate treatments regarding cultural resources related to the proposed CRP contract, and associated conservation practices, in accordance with 36 CFR 800.2(a)(2).
4. Be responsible for completing all consultations with the U.S. Fish and Wildlife Service and National Marine Fisheries Service, as required.
5. Serve as the Responsible Federal Official in making the final determination of finding of effects regarding the potential impacts to the environment, and effects and decisions on appropriate treatments regarding at-risk species and other natural resource concerns related to the proposed CRP contract and associated conservation practices.
6. Coordinate annual program delivery with NRCS, including concurrence with signup dates, referral protocols and deadlines, and planning deadlines prior to public announcements, in conjunction with other NRCS conservation programs to ensure efficient delivery of all USDA conservation programs.

**MOU/Memorandums of Agreement (Continued)**

**C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)**

7. Secure concurrence, to the extent practicable, from NRCS when updating CRP program policy prior to distribution for coordinated CRP program delivery and consistent interagency communication.

C. NRCS and FSA agree to:

1. Cooperate at all levels to ensure consistent implementation of CRP policies and procedures. Evaluate processes for streamlining to improve customer service, where allowed by law. Identify opportunities to improve administrative and technical procedures. When differences occur, the parties will provide information and recommendations to the next level (i.e., county offices will forward information and recommendations to the State offices; State offices will forward information and recommendations to National office). The Chief, NRCS, and Administrator, FSA, have final authority for ensuring consistent implementation of CRP policies and procedures.
2. Cooperate to provide policy and program support, utilize NRCS conservation practice standards and specifications for CRP practice installation and evaluation of practice performance, and coordinate payment schedules across conservation programs.
3. Coordinate with State Forestry agencies on delegated services for tree planting practices. Tree planting plans and practice certification will comply with NRCS standards and specifications.
4. Cooperate and provide technical support to FSA in development of CREP Agreements.
5. Attempt to resolve, expeditiously and informally, any disagreements concerning this MOA. If a resolution cannot be reached at the district/county level, issues will be elevated first to the State and then, if necessary, to the National level.

**V. MISCELLANEOUS PROVISIONS**

- A. All funding commitments of all parties in this MOA are subject to the availability of funds. If adequate funding is not made available, FSA and CCC agree that NRCS may terminate the responsibilities assigned to NRCS under this agreement as agreed to under the termination clause of this agreement.
- B. It is mutually agreed that this MOA is effective when signed by all parties and will continue in full force and effect through the effective end date of the Agriculture Improvement Act of 2018, P.L. 115-334. This MOA may be terminated at any time with 30 calendar days written notice by either party. This Agreement may be modified by amendments duly executed by officials of FSA and NRCS.



MOU/Memorandums of Agreement (Continued)

C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)


- C. FSA, or NRCS, will not sign or transfer any rights or obligations under this Agreement without prior written approval of the other party.
- D. FSA and NRCS agree that, to the extent possible under applicable law, each party will be solely responsible for its own acts, omissions, and the results thereof, and will not be responsible for the results thereof caused by the acts or omissions of the other party.
- E. The FSA Deputy Administrator for Farm Programs or designee or successor, is delegated authority to carry out this Agreement for, and with the NRCS Deputy Chief for Programs, or designee or successor, may further amend this Agreement consistent with the provisions of the 1985 Act, as amended, and the regulations at 7 CFR part 1410. The provisions of this Agreement may only be modified by written agreement between the parties.
- F. All parties to this MOA will comply fully with the information gathering provisions of section 1619 of the Food, Conservation, and Energy Act of 2008, P.L. 110-246 (the 2008 Farm Bill), as well as section 2004 of the Farm Security and Rural Investment Act of 2002, P.L. 107-171 (the 2002 Farm Bill), the Privacy Act, the Freedom of Information Act, and related acts concerning privacy and the dissemination of records. Copies of both laws are attached hereto.

Farm Service Agency

Natural Resources Conservation Service

  
Richard Fordyce  
Administrator, FSA

10/18/2019  
Date

  
Matthew Lohr  
Chief, NRCS

10-22-19  
Date

MOU/Memorandums of Agreement (Continued)

C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)

Section 1619 of the 2008 Farm Bill

Attachment 1

SEC. 1619. INFORMATION GATHERING.

- (a) GEOSPATIAL SYSTEMS- The Secretary shall ensure that all the geospatial data of the agencies of the Department of Agriculture are portable and standardized.
- (b) LIMITATION ON DISCLOSURES-
- (1) DEFINITION OF AGRICULTURAL OPERATION: In this subsection, the term "agricultural operation" includes the production and marketing of agricultural commodities and livestock.
- (2) PROHIBITION-Except as provided in paragraphs (3) and (4), the Secretary, any officer or employee of the Department of Agriculture, or any contractor or cooperator of the Department, shall not disclose-
- (A) information provided by an agricultural producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself, in order to participate in programs of the Department; or
- (B) geospatial information otherwise maintained by the Secretary about agricultural land or operations for which information described in subparagraph (A) is provided.
- (3) AUTHORIZED DISCLOSURES-
- (A) LIMITED RELEASE OF INFORMATION- If the Secretary determines that the information described in paragraph (2) will not be subsequently disclosed except in accordance with paragraph (4), the Secretary may release or disclose the information to a person or Federal, State, local, or tribal agency working in cooperation with the Secretary in any Department program:
- (1) when providing technical or financial assistance with respect to the agricultural operation, agricultural land, or farming or conservation practices; or
- (2) when responding to a disease or pest threat to agricultural operations, if the Secretary determines that a threat to agricultural operations exists and the disclosure of information to a person or cooperating government entity is necessary to assist the Secretary in responding to the disease or pest threat as authorized by law.
- (4) EXCEPTIONS- Nothing in this subsection affects:
- (A) the disclosure of payment information (including payment information and the names and addresses of recipients of payments) under any Department program that is otherwise authorized by law;
- (B) the disclosure of information described in paragraph (2) if the information has been transformed into a statistical or aggregate form without naming any:
- (i) individual owner, operator, or producer; or
- (ii) specific data gathering site; or
- (C) the disclosure of information described in paragraph (2) pursuant to the consent of the agricultural producer or owner of agricultural land.
- (5) CONDITION OF OTHER PROGRAMS-The participation of the agricultural producer or owner of agricultural land in, or receipt of any benefit under, any program administered by the Secretary may not be conditioned on the consent of the agricultural producer or owner of agricultural and under paragraph 4(c).
- (6) WAIVER OF PRIVILEGE OR PROTECTION- The disclosure of information under paragraph (2) shall not constitute a waiver of any applicable privilege or protection under Federal law, including trade secret protection.

**National CRP Practices**

**CP1 Establishment of Permanent Introduced Grasses and Legumes**

**A Purpose**

This practice is to establish new or maintain existing vegetative cover of introduced grasses and legumes on eligible cropland that will enhance environmental benefits.

**B Program Policy**

Apply this practice to establish or maintain existing permanent introduced grasses and legumes on eligible cropland.

**C Eligibility**

To be eligible for C/S, this practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the life of CRP-1
- be included in the approved conservation plan.

**Note:** C/S is authorized as a component of CP1 development of a permanent water source for wildlife.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP1 Establishment of Permanent Introduced Grasses and Legumes (Continued)

D C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...	
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, *--327, 338,--* 340, 342, 394, 512, 550, 574, 614, and 645.	
eligible seed			
seedbed preparation			
Seeding			
Herbicides	specified as necessary in the approved conservation plan		
Insecticides			
permanent water source for wildlife			
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seeds or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>		
Herbicides	to maintain vegetative cover		not authorized.
Insecticides			
clearing rocks or other obstructions from the area to be seeded			
Fencing			
Minerals	to enhance production		

**Note:** C/S does not apply for existing cover with no enhancements.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP1 Establishment of Permanent Introduced Grasses and Legumes (Continued)**

**E Practice Requirements**

The following are requirements for this practice.

- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.

**Exceptions:** Emergency and non-emergency haying/grazing if authorized and included in the conservation plan.

- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- A management activity is required for each practice, if needed.

**F Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**G Environmental Concerns**

Consider wildlife and other environmental concerns when establishing the protective measure.

**National CRP Practices (Continued)**

**CP1 Establishment of Permanent Introduced Grasses and Legumes (Continued)**

**H Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the life of CRP-1
- the cover fails to improve the environmental benefits during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

**I Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**J Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP2 Establishment of Permanent Native Grasses**

**A Purpose**

This practice is to establish new or maintain existing vegetative cover of native grasses on eligible cropland that will enhance environmental benefits.

**B Program Policy**

Apply this practice to establish or maintain existing permanent native grass species on eligible cropland.

**C Eligibility**

To be eligible for C/S, this practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the life of CRP-1
- be included in the approved conservation plan.

**Note:** C/S is authorized as a component of CP2 development of a permanent water source for wildlife.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP2 Establishment of Permanent Native Grasses (Continued)

D C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...	
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, *--327, 338,--* 340, 342, 394, 512, 550, 574, 614, 644, and 645.	
eligible seed			
seedbed preparation			
seeding, including approved shrubs	substantiated as needed by COC and listed as approved species in the practice specifications		
herbicides	specified as necessary in the approved conservation plan		
insecticides			
permanent water source for wildlife			
temporary cover	<ul style="list-style-type: none"> <li>required in the practice specifications</li> <li>needed until required seeds or plant stock is available</li> <li>needed because normal planting period for the species has passed</li> <li>that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>		
herbicides	to maintain vegetative cover		not authorized.
insecticides			
clearing rocks or other obstructions from the area to be seeded			
fencing			
minerals	to enhance production		

**Note:** C/S does not apply for existing cover with no enhancements.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP2 Establishment of Permanent Native Grasses (Continued)**

**E Practice Requirements**

The following are requirements for this practice.

- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.

**Exceptions:** Emergency and non-emergency haying and grazing as authorized.

- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- A management activity is required for each practice, if needed.

**F Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**G Environmental Concerns**

Consider wildlife and other environmental concerns when establishing the protective measure.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP2 Establishment of Permanent Native Grasses (Continued)**

**H Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1. C/S must be refunded if either of the following applies:

- producer destroys the cover during its lifespan
- cover fails to provide enhancement of environmental benefits during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

**I Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**J Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

**National CRP Practices (Continued)**

**CP3 Tree Planting**

**A Purpose**

This practice is to establish new or maintain existing stand of trees in a timber planting that will enhance environmental benefits.

**B Program Policy**

Apply this practice to eligible cropland suitable for growing new or maintaining existing trees that will provide multipurpose forest benefits.

**C Eligibility**

To be eligible for C/S, this practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the life of CRP-1
- be included in the approved tree planting plan.

C/S is authorized to plant approved native grass and/or shrub plantings best suited for wildlife in the area within the 10 to 20 percent openings. Open areas **must** be planted to a 50-point cover of approved native grasses and/or shrubs best suited for wildlife in the area.

C/S is not authorized for natural regeneration of native grass vegetation within the 10 to 20 percent open areas.

**D C/S Policy**

The following shows C/S policies for this practice.

**Important:** C/S is not authorized for natural regeneration of native grass vegetation within the 10 to 20 percent open areas.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
tree seedlings, seedbed preparation, and seeding/ planting	to establish approved tree species and improve environmental benefits to less than the soil loss tolerance	authorized.

**Note:** C/S does not apply for existing cover with no enhancements.

National CRP Practices (Continued)

CP3 Tree Planting (Continued)

D C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until approved plant stock is available</li> <li>• needed because the normal planting period for the approved species has passed</li> <li>• to establish a cover when a soil condition, such as chemical residue, will not immediately allow establishment of permanent cover</li> </ul>	authorized using technical practice codes 314, 315, 327, 338, 340, 394, 550, *--612, 644, and--* 645.  <b>Note:</b> Technical practice codes 327, 644, and 645 are for open areas <b>only</b> .
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
minerals, nutrients, seed, shrub seedlings, seedbed preparation, and seeding	substantiated as needed by COC to establish approved native grasses and/or shrubs best suited *--for wildlife in the area in the 10 to 20 percent--* open areas of the tree planting.  <b>Important:</b> Open areas <b>must</b> be planted to a 50-point cover of approved native grass and/or shrub plantings best suited for wildlife in the area. Tree plantings within the open areas are not authorized.  <b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals, <b>must</b> be specified in the practice specification, as designated by the designated technician.	
herbicides and insecticides	specified as necessary to establish the approved cover and included in the tree planting plan and conservation plan  <b>Note:</b> This does not include herbicides or pesticides used as part of the maintenance of the practice.	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP3 Tree Planting (Continued)**

**D C/S Policy (Continued)**

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
tree thinning (pre-commercial)		authorized using technical practice code 666.
fencing		not authorized.
roads		
clearing rocks or other obstructions from the area to be seeded		
minerals, nutrients, herbicides, and insecticides	to maintain vegetative cover, including trees, or enhance production	
clean tilling	for firebreaks, fuelbreaks, or firelanes	
to establish a tree species	for ornamental purposes and Christmas tree production	

**E Practice Requirements**

The following are requirements for this practice.

- Plantings **must** be protected from destructive fire and from grazing by domestic livestock for the life of CRP-1.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- A management activity is required for each practice, if needed.

**F Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP3 Tree Planting (Continued)

#### G Environmental Concerns

Consider preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications.

#### H Practice Maintenance

The practice must be maintained without additional C/S for the life of CRP-1. C/S must be refunded if either of the following applies:

- the producer destroys the cover during the life of CRP-1
- the cover fails to adequately improve environmental benefits during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

#### I Management Activity

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

#### J Program Development

Follow this subparagraph to develop the county program.

- County practice must identify the eligible species and provide any requirements, such as spacing, minimum plantings per acre, site preparation, or cultivation, that are conditions for C/S.
- Approved planting methods may be included or incorporated by reference to published technical standards.

#### K Technical Responsibility

Technical responsibility for this practice is assigned to FS. If an FS representative is not available, this responsibility may be redelegated to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP3A Hardwood Tree Planting

#### A Purpose

This practice is to establish and maintain a new stand or an existing stand of predominantly hardwood trees in a timber planting that will enhance environmental benefits.

**Note:** For CRP purposes, Longleaf Pine and Atlantic White Cedar must be treated as hardwood trees, if planted at rates appropriate for the site index.

#### B Program Policy

Apply this practice to eligible cropland suitable for growing new or maintaining existing hardwood trees that will provide multipurpose forest benefits.

Predominant hardwood may include softwood trees:

- not to exceed 50 percent of the total number of trees planted
- **only** to provide wildlife habitat diversity to the area
- where used as nurse trees for no economic use.

**Note:** If more than 50 percent of the trees planted are softwoods, the participant must be limited to a 10-year contract.

#### C Eligibility

To be eligible for C/S, this practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the life of CRP-1
- be included in the approved tree planting plan.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP3A Hardwood Tree Planting (Continued)

D C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the purpose is...	THEN C/S is...
to establish suitable hardwood tree species	to improve environmental benefits to an acceptable level	authorized using technical practice codes 314, 315, 327, 338, 340, 394, *--550, 612,--* 644, and 645.  <b>Note:</b> Technical practice codes 327, 644, and 645 are for open areas <b>only</b> .
temporary cover	<ul style="list-style-type: none"> <li>required in the practice specifications, including softwood trees, to ensure survivability of hardwoods</li> <li>needed until required plant stock is available</li> <li>needed because the normal planting period for the species has passed</li> <li>to establish a cover where a soil condition, such as chemical residue, will not immediately allow establishment of permanent cover</li> </ul>	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides	specified as necessary in the approved tree planting plan to establish the cover	
insecticides		
tree thinning (pre-commercial)		authorized using technical practice code 666.
tree shelters, netting, plastic tubes, or other animal control damage devices	approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing  <b>Note:</b> STC <b>must</b> designate areas where using these measures is warranted and cost-effective to protect seedlings. See paragraphs 31 and 490.	authorized not to exceed an average cost, as determined by STC.

**Note:** C/S does not apply for existing cover with no enhancements.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP3A Hardwood Tree Planting (Continued)

D C/S Policy (Continued)

IF the component is...	AND the purpose is...	THEN C/S is...
clean tilling	for firebreaks, fuelbreaks, or firelanes	not authorized.
fencing		
roads		
to establish a hardwood tree species	for ornamental purposes for Christmas tree production	
herbicides	to maintain the vegetative cover, including trees	
insecticides		
temporary cover	softwood trees that serve as trainers to produce high-value hardwoods  <b>Note:</b> Where silviculturally appropriate, as determined by the service forester, softwoods may be planted as trainers, not to exceed 50 percent of the number of trees planted to optimize hardwood quality if no commercial use is made of the softwoods.	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP3A Hardwood Tree Planting (Continued)

**E Practice Requirements**

The following are requirements for this practice.

- Approval **must** be obtained from the State Forester certifying that planting up to 50 percent softwoods is an appropriate silvicultural practice for the State.
- Planting in excess of 50 percent soft woods **must** receive prior approval from the FS and FSA National Office.
- Planting of softwoods may be for **only** nurse trees or as wildlife habitat in a pattern appropriate for that purpose.
- Plantings **must** be protected from destructive fire and from grazing by domestic livestock for the life of CRP-1.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- A management activity is required for each practice, if needed.

**F Planting Timespan**

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

CRP participants may be allowed to plant hardwood trees over 3 years if:

- 10.0 acres or more are scheduled to be established
- at least one-third of the trees are planted in each year
- hardwood tree planting is included in the tree planting plan.

**G Environmental Concerns**

Consider preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP3A Hardwood Tree Planting (Continued)

#### H Practice Maintenance

This practice must be maintained without additional C/S for the life of CRP-1 as designated by participant.

C/S must be refunded if either of the following applies:

- the producer destroys the cover during the life of CRP-1
- the cover fails to adequately improve environmental benefits during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

#### I Management Activity

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

#### J Program Development

Follow this subparagraph to develop the county program.

- County practice must:
  - identify the eligible species
  - provide requirements, such as spacing, minimum plantings per acre, including softwoods for cover (to be a minimum amount necessary), site preparation, or cultivation, that are conditions for C/S.
- Approved planting methods may be included or incorporated by reference to published technical standards.

#### K Technical Responsibility

Technical responsibility for this practice is assigned to FS. If an FS representative is not available, this responsibility may be redelegated to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP4B Permanent Wildlife Habitat (Corridors)**

**A Purpose**

This practice is to do both of the following:

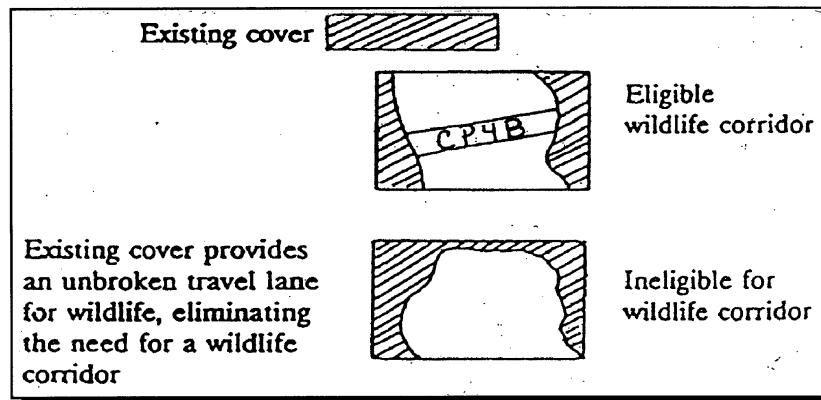
- establish a permanent wildlife corridor between 2 existing wildlife habitat areas that are not connected by a suitable corridor for environmental benefits
- enhance the wildlife in the designated or surrounding area.

**B Program Policy**

Apply this practice to eligible cropland that is suitably located and adapted to the establishment of new or maintaining existing permanent wildlife habitat. The practice must be 66 to 200 feet in width.

A wildlife conservation plan **must** be developed for acreage under CRP-1 devoted to CP4B.

The following are examples of eligible and ineligible wildlife corridors.



**C Eligibility**

To be eligible for C/S, this practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the CRP-1 period
- be included in the approved conservation plan
- include woody vegetation as determined appropriate by STC in consultation with the State Technical Committee.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP4B Permanent Wildlife Habitat (Corridors) (Continued)

D C/S Policies

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...	
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, 327, 340, 342, 394, 612, 614, and 644.	
eligible seed			
seedbed preparation			
approved shrubs and trees	substantiated as needed by COC and listed as approved species in the practice specifications		
seeding/planting	substantiated as needed by COC		
herbicides	specified as necessary in the approved conservation plan		
insecticides			
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seeds or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>		
herbicides	to maintain vegetative cover		not authorized.
insecticides			
clearing rocks or other obstructions from the area to be seeded			
roads			
fencing			
minerals	to enhance production		

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP4B Permanent Wildlife Habitat (Corridors) (Continued)**

**E Practice Requirements**

The following are requirements for this practice.

- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover for permanent wildlife habitat.
- Plantings **must** be protected from destructive fire and must not be harvested or grazed by domestic livestock for the life of CRP-1.

**Exceptions:** Emergency and non-emergency haying/grazing if authorized and included in the conservation plan.

- Chemicals used in performing CP4B **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled.
- A wildlife conservation plan **must** be developed for acreage under CRP-1 devoted to CP4B.
- A management activity is required for each practice, if needed.

**F Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP4B Permanent Wildlife Habitat (Corridors) (Continued)**

**G Environmental Concerns**

Consider preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications.

**H Practice Maintenance**

This practice must be maintained without additional C/S for the CRP-1 period.

C/S must be refunded if:

- producer destroys the cover during the CRP-1 period
- cover fails to provide enhancement of environmental benefits during the practice lifespan, unless caused by circumstances beyond the producer's control.

**I Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**J Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP4D Permanent Wildlife Habitat

### A Purpose

This practice is to establish new or maintain existing a permanent wildlife habitat cover to enhance environmental benefits for the wildlife habitat of the designated or surrounding areas.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to the establishment of new or maintaining existing permanent wildlife habitat.

A wildlife conservation plan **must** be developed for acreage under CRP-1 devoted to CP4D.

### C Eligibility

To be eligible for C/S, this practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the CRP-1 period
- be included in the approved conservation plan
- include woody vegetation as determined appropriate by STC in consultation with the State Technical Committee.

**Note:** C/S is authorized as a component of CP4D development of a permanent water source for wildlife.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP4D Permanent Wildlife Habitat (Continued)

D C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, 327, 338, 340, 342, 394, 612, 614, 644, and 645.
eligible seed		
seedbed preparation		
seeding, including approved shrubs, and trees	substantiated as needed by COC and listed as approved species in the practice specifications	
seeding/planting	substantiated as needed by COC	
herbicides	specified as necessary in the approved conservation plan	
insecticides		
permanent water source for wildlife		
temporary cover	<ul style="list-style-type: none"> <li>required in the practice specifications</li> <li>needed until required seeds or plant stock is available</li> <li>needed because normal planting period for the species has passed</li> <li>that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>	
tree thinning (pre-commercial)	to improve resource condition	
herbicides	to maintain vegetative cover	not authorized.
insecticides		
clearing rocks or other obstructions from the area to be seeded		
roads		
fencing		
minerals		

**Note:** C/S does not apply for existing cover with no enhancements.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP4D Permanent Wildlife Habitat (Continued)

**E Practice Requirements**

The following are requirements for this practice.

- Limit C/S to the minimum minerals and seeds necessary to establish an adequate cover for permanent wildlife habitat.
- Plantings **must** be protected from destructive fire and must not be harvested or grazed by domestic livestock for the life of CRP-1.

**Exceptions:** Emergency and non-emergency haying/grazing if authorized and included in the conservation plan.

- Chemicals used in performing CP4D **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- A wildlife conservation plan **must** be developed for acreage under CRP-1 devoted to CP4D.
- A management activity is required for each practice, if needed.

**F Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**G Environmental Concerns**

Consider preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP4D Permanent Wildlife Habitat (Continued)**

**H Practice Maintenance**

The practice must be maintained without additional C/S for the CRP-1 period. C/S must be refunded if:

- producer destroys the cover during the CRP-1 period
- cover fails to provide enhancement of environmental benefits during the practice lifespan, unless caused by circumstances beyond the producer's control.

**I Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**J Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP5A Field Windbreak Establishment

### A Purpose

This practice is to establish windbreaks to improve the environmental benefits on a farm or ranch to:

- reduce cropland erosion below soil loss tolerance
- enhance the wildlife habitat on the designated area
- increase conservation benefits associated with organic farming operations.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to the development or restoration of a field windbreak that will reduce erosion below soil loss tolerance and enhance wildlife habitat on the contract acres.

Eligible cropland must meet the requirements in subparagraph 181 A.

### C Size Requirement

Field windbreaks must be installed to the design standard in FOTG, established to reduce cropland erosion regardless of the purpose of the field windbreak. The maximum width of a field windbreak must not exceed the design standard established to reduce cropland erosion.

### D Eligibility

To be eligible for C/S, this cover practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring after establishment
- be maintained for the CRP-1 period
- be included in the approved conservation plan.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP5A Field Windbreak Establishment (Continued)

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	THEN C/S is...
trees or shrubs planted as field windbreaks that will improve the cropland wind erosion and environmental benefits on a farm or ranch temporary cover and the justification is: <ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because the normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>	authorized using technical practice codes 314, 315, 327, 340, 380, 441, 484, 550, 612, and 645.
plastic mulch or supplemental drip irrigation, for arid areas	
tree shelters, netting, plastic tubes, or other animal control damage devices, and the purpose is approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing  <b>Note:</b> STC <b>must</b> designate areas where using these measures is warranted and cost-effective to protect seedlings. See paragraphs 31 and 490.	authorized not to exceed an average cost, as determined by STC.
planting orchard trees	not authorized.
ornamental planting	
Christmas tree production	
Fences	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP5A Field Windbreak Establishment (Continued)

**F Practice Requirements**

The following are requirements for this practice.

- When supplemental drip irrigation or plastic mulch is applied and the average annual precipitation for the area is 25 inches or less.
- Planting **must** be protected from destructive fire and from grazing by domestic livestock for the life of CRP-1.
- Chemicals used in performing CP5A **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- A management activity is required for each practice, if needed.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP5A Field Windbreak Establishment (Continued)**

**H Environmental Concerns**

Consideration of wildlife habitat, water quality and quantity, and other environmental concerns, including impacts to organic farming operations, are to be evaluated in the planning and establishment of the protective measure.

**I Practice Maintenance**

The practice must be maintained for the CRP-1 period. C/S must be refunded if:

- producer destroys the cover during the CRP-1 period
- cover fails to improve environmental benefits during the practice lifespan unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop State/county program.

- Consider wildlife and environmental protection when designing this practice.
- State/county practice must identify the eligible species and provide any requirements, such as spacing, minimum planting per acre, site preparation, etc., that are conditions for C/S. Technical specifications may be incorporated by reference.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP8A Grass Waterways

### A Purpose

This practice is to:

- convey runoff from terraces, diversions, or other water concentrations without causing erosion or flooding
- improve water quality.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to the development or restoration of a grassed waterway that will convey runoff from terraces, diversions, or other water concentrations without causing erosion or flooding.

Eligible cropland must meet the requirements in subparagraph 181 A.

**Exception:** Outlet structures may be installed on ineligible land provided:

- the practice can only function by including the ineligible land that is adjacent to the location of the practice
- no eligible land is available
- the ineligible land is not enrolled
- the entire practice, eligible and ineligible land, must be included in the conservation plan.

C/S is authorized for the outlet structure.

### C Size Requirements

Grass waterways must always be installed to meet the minimum criteria to convey water off a field. A grass waterway may be constructed to a width up to 2 times the minimum design standard if requested by the producer to meet the producer's objectives, not to exceed a width of 100 feet.

**Note:** A grass waterway must not exceed a maximum width of 100 feet.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP8A Grass Waterways**

**D Eligibility**

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the CRP-1 period.

**E C/S Policy**

The following shows C/S policies for this practice.

<b>IF the component is...</b>	<b>THEN C/S is...</b>
site preparation	authorized using technical practice codes 340, 410, 412, 468, 587, 606, and 620.
eligible seed and seeding	
earth moving	
herbicides	
insecticides	
grading, shaping, and filling	
temporary cover until permanent vegetative cover is established	
subsurface drains where necessary for proper functioning of the waterway	
outlet structure as a component of CP8A	
subsurface drains as the sole component of the practice	
subsurface drains that serve as mains to laterals elsewhere in field	
fencing	

**F Practice Requirements**

The following are requirements for this practice.

- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- The seeded acreage must not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field.
- The practice must have periodic management activities performed, including mowing, according to the conservation plan and the NRCS technical standard, during the life of CRP-1, as determined by COC.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP8A Grass Waterways

### G Planting Timespan

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

### H Environmental Concerns

Consider wildlife and other environmental concerns when establishing the protective measure.

### I Planting Timespan

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

### J Practice Maintenance

The practice must be maintained for the CRP-1 period. C/S must be refunded if:

- producer destroys the practice during the CRP-1 period
- producer does not maintain the practice during the practice lifespan.

### K Management Activity

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

### L Program Development

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

### M Technical Responsibility

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP9 Shallow Water Areas for Wildlife

### A Purpose

This practice is to develop or restore shallow water areas to an average depth of 6 to 18 inches for wildlife. The shallow water area **must** provide a source of water for wildlife for the majority of the year.

**Exception:** For areas west of the 100<sup>th</sup> meridian that receive less than 25 inches of annual precipitation, the shallow water area **must** provide a source of water for wildlife for a minimum of 4 months of the year.

**Note:** This is not a pond development or wetland restoration practice. However, this practice may be constructed on suitable hydric and nonhydric soils.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to the development or restoration of a shallow water area for wildlife that will provide a source of water for the majority of the year.

Eligible cropland must meet the requirements in subparagraph 181 A.

**Exception:** For areas west of the 100<sup>th</sup> meridian that receive less than 25 inches of annual precipitation, the shallow water area **must** provide a source of water for wildlife for a minimum of 4 months of the year.

The practice **must** include an adequate buffer area of perennial vegetation to protect the water quality and provide wildlife habitat. The soil types, slope, and conservation practices applied on the field will determine the width of the buffer. However, the buffer width must not:

- be less than 20 feet
- exceed an average maximum width of 120 feet.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP9 Shallow Water Areas for Wildlife (Continued)**

**B Program Policy (Continued)**

The practice, including the buffer area, must not exceed 10 acres per tract. The total acres enrolled in CRP devoted to CP9 must not exceed 10 acres per tract. Multiple CRP-1's to enroll land to be devoted to CP9 on the same tract are **not** authorized. All acres to be devoted to CP9 **must** be included on one CRP-1 per tract.

**Example 1:** Producer offers to enroll 3 separate shallow water areas on the same tract. Each shallow water area will be located in a separate field on the tract. One shallow water area, including the required buffer area, will be 4 acres in size and the other 2 shallow water areas will be 1 acre each, including the required buffer area. All acres to be devoted to CP9 **must** be included on one CRP-1 for the tract. Therefore, the producer would complete one CRP-2 and one CRP-1 for the 6 total acres to be devoted to CP9 on the tract. Only 1 conservation plan would be developed for the 6 acres of CP9. No additional acres on the tract can be enrolled to be devoted to CP9.

**Example 2:** Producer offers to enroll 2 adjoining 10 acre shallow water areas on the same tract. Shallow water areas must not exceed 10 acres per tract. Accordingly, the offer would be rejected.

**Example 3:** On May 1, 2000, Jane Smith enrolls 6 acres to be devoted to CP9. On February 1, 2001, Jane Smith offers to enroll 4 acres to be devoted to CP9 on the same tract as the 6 acres enrolled in May 2000. Multiple CRP-1's to enroll land to be devoted to CP9 on the same tract are **not** authorized. Accordingly, the offer would be rejected.

CP21's, CP21B's, and CP21S's are not eligible to be used in conjunction with CP9's because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP9 Shallow Water Areas for Wildlife (Continued)**

**C Eligibility**

To be eligible for C/S, this practice must:

- be included in the approved conservation plan
- improve environmental benefits to an acceptable level
- prevent degradation of environmental benefits from recurring
- be maintained for the life of CRP-1
- be protected by an adequate buffer to protect the shallow water area
- provide a source of water for wildlife for the majority of the year.

**Exception:** For areas west of the 100<sup>th</sup> meridian that receive less than 25 inches of annual precipitation, the shallow water area **must** provide a source of water for wildlife for a minimum of 4 months of the year.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP9 Shallow Water Areas for Wildlife (Continued)

D C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
earthmoving	to construct dams, levees, dugouts, or dikes, if needed to develop or restore the shallow water areas	authorized using technical practice codes 327, 342, 356, 587, 644, and 657.
eligible and suitable plantings	for permanent habitat cover and serve as a buffer to protect shallow water area	
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	
structures, such as pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS	
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until the required seeds or plant stock is available</li> <li>• needed because the normal planting period for the permanent cover crop has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of the permanent cover immediately</li> </ul>	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover but not for use as part of the maintenance of the cover	
mineral or nutrient	substantiated as needed by COC	

National CRP Practices (Continued)

CP9 Shallow Water Areas for Wildlife (Continued)

D C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary food plots and fencing		not authorized.
installing a structure	to benefit land not designated for CRP purposes	
fencing or roads		
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelanes		
tree or grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
mineral or nutrient	to maintain cover or enhance production	

E Practice Requirements

The following are requirements for this practice.

- The practice **must** provide a source of water for wildlife for the majority of the year.

**Exception:** For areas west of the 100<sup>th</sup> meridian that receive less than 25 inches of annual precipitation, the shallow water area **must** provide a source of water for wildlife for a minimum of 4 months of the year.

- The water area must be an average of 6 to 18 inches in depth.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP9 Shallow Water Areas for Wildlife (Continued)**

**E Practice Requirements (Continued)**

- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.
- The practice, including the buffer area, must not exceed 10 acres per tract. The total acres enrolled in CRP devoted to CP9 must not exceed 10 acres per tract.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- Limit C/S to the minimum work and materials necessary to develop or restore the shallow water area for wildlife and establish an adequate cover to improve environmental benefits.
- The practice **must** be established and maintained according to the practice standards in FOTG.
- Planting or sowing of the approved cover must be completed within 12 months if the effective date of CRP-1. See paragraph 426 for exceptions.
- A management activity is required for each practice, if needed.

**F Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**G Environmental Concerns**

Consider wildlife and other environmental concerns when establishing this practice.

**H Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG. C/S must be refunded if:

- producer destroys the practice during the life of CRP-1
- producer fails to maintain the practice during the life of CRP-1
- the cover fails to provide adequate protection during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP9 Shallow Water Areas for Wildlife (Continued)**

**I Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**J Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

**CP10 Vegetative Cover - Grass - Already Established (CP10 Eligible to be Offered Before March 14, 2011, Only)**

**A Program Policy**

Beginning March 14, 2011, CP10 is **no** longer available for new offers. For offers submitted before March 14, 2011, this practice code is used to identify land:

- under CRP-1, if a grass cover approved for the applicable signup is already established  
**Note:** Contract management activity may be required as determined by COC, according to paragraph 428.
- not under CRP-1, with a grass cover approved for the applicable signup already established.  
**Note:** Contract management activity may be required as determined by COC, according to paragraph 428. C/S is not authorized for management activities.

C/S is authorized for:

- pollinator habitat as a component of CP10 before March 14, 2011
- wildlife water development as a component of CP10 before March 14, 2011, only.

Technical practice codes 327, 338, 340, 342, 394, 512, 548, 595, 614, 644, 645, and 647 may be used for CP10.

**National CRP Practices (Continued)**

**CP11 Vegetative Cover - Trees - Already Established (CP11 Eligible To Be Offered Before March 14, 2011, Only)**

**A Program Policy**

Beginning March 14, 2011, CP11 is no longer available. For offers submitted before March 14, 2011, this practice code is used to identify land established to trees that is under CRP-1 at the time the acreage is offered and the producer elects to reoffer the acreage to be devoted to trees.

**Notes:** Thinning and/or creating open areas in eligible existing tree stands are not a separate practice. The open areas must be considered CP11.

**Example:** Jane Smith offered in signup 39 100 acres of existing trees under CRP-1. Mrs. Smith offered to thin the existing trees and create 15 acres of openings of native grass and shrub plantings best suited for wildlife in the area. All 100 acres should have been offered as CP11.

See subparagraph B for C/S policy for this practice.

Not applicable to signups 10 through 13 and continuous signup.

National CRP Practices (Continued)

**CP11 Vegetative Cover - Trees - Already Established (CP11 Eligible To Be Offered Before March 14, 2011, Only) (Continued)**

**B C/S Policy**

The following shows C/S policies for planting of approved native grasses and/or shrubs within the 10 to 20 percent open areas created within the existing tree stand.

C/S is only authorized for the planting of approved cover within the open areas. C/S is **not** authorized for any component not listed in the following table.

**Important:** C/S is **not** authorized for natural regeneration of native grass vegetation within the 10 to 20 percent openings.

IF the component is...	AND the justification is...	THEN C/S is...
minerals, nutrients, herbicide, insecticide, seed, shrub seedlings, seedbed preparation, and seeding	substantiated as needed by COC to establish approved native grasses and/or shrubs best suited for wildlife in the area in the 10 to 20 percent open areas created within the existing tree stand.  <b>Important:</b> Open areas <b>must</b> be planted to a 50-point cover of approved native grasses and/or shrub plantings best suited for wildlife in the area. Tree plantings within the open areas are <b>not</b> authorized.  <b>Notes:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals, <b>must</b> be specified in the practice specification, as designated by the designated technician.  This does not include herbicides or insecticides used as part of the maintenance of the cover.	authorized using technical practice codes 314, 315, 327, 338, 394, 550, 612, 644, 645, 647, and 666.  <b>Note:</b> Technical practice codes 327, 644, 645, and 647 are authorized for open areas <b>only</b> .
tree thinning (pre-commercial)		authorized using technical practice code 666.

**C Technical Responsibility**

Technical responsibility for the practice is assigned to FS. If an FS representative is not available, this responsibility may be redelegated to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP12 Wildlife Food Plot

### A Purpose

This practice is to establish annual or perennial wildlife food plots that will enhance:

- wildlife
- wildlife habitat.

### B Program Policy

Apply this practice to CRP land that is suitably located and adapted to the establishment of annual or perennial wildlife food plots.

### C Eligibility

This practice must:

- enhance wildlife, wildlife habitat, or both
- improve environmental benefits below the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be included in the approved conservation plan
- be carried out as specified in the approved conservation plan.

### D C/S Policy

C/S is **not** authorized for this practice.

The following are requirements for this practice.

- Use the NRCS standards and specifications for wildlife upland or wetland habitat management for the desired wildlife species to:
  - establish suitable plant species for food plots
  - determine food plot location
  - determine total acres to be devoted to food plots.
- For CP23 and CP23A only, food plots may be planted on up to 10 percent of the enrolled acres
- Individual food plots must **not** exceed 5 acres in size and must **not** be immediately adjacent.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP12 Wildlife Food Plot (Continued)

**E Practice Requirements**

- Food plots **must** be separated by a sufficient distance to maximize wildlife benefits and accessibility.
- This practice may be used in conjunction with the following practices only:
  - CP1
  - CP2
  - CP3
  - CP3A
  - CP4D
  - CP10 before March 14, 2011
  - CP11 before March 14, 2011
  - CP23, the land devoted to CP12 maybe up to 10 percent of the acreage enrolled as CP23
  - CP23A, the land devoted to CP12 may be up to 10 percent of the acreage enrolled as CP23A
  - CP25.

**Note:** The practice used in conjunction with CP12 determines the length of CRP-1. CP12's **must** be the same length of the practice used in conjunction with CP12.

- Food plots may be at 1 location throughout the life of CRP-1 or may be relocated each year. If relocated, the previous food plot **must** be seeded to an approved permanent vegetative cover at the producer's expense.
- Minerals necessary to ensure that establishment of a successful food plot must be applied.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP12 Wildlife Food Plot (Continued)

**E Practice Requirements (Continued)**

- During installation, degradation of environmental benefits must be kept on an acceptable level.

**Example:** Using no-till seeding if appropriate.

- Food plots must be planted in the areas of CRP acreage that:
  - minimize adversity to environmental benefits
  - maximize wildlife benefits and accessibility.
- Chemicals used in performing this practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.

**F Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**G Environmental Concerns**

Consider wildlife and other environmental concerns when establishing the protective measure.

**H Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1.

**I CRP-1 Revisions**

Existing CRP-1's may be revised to include planting wildlife food plots if:

- determined necessary and feasible by TSP
- included in the approved conservation plan.

**Note:** Adding a food plot to an existing CRP-1 does **not** extend the length of CRP-1.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP12 Wildlife Food Plot (Continued)

### J Program Development

The county practice must identify the eligible species and provide any requirements, such as:

- spacing
- minimum planting per acres
- site preparation
- cultivation.

Approved planting methods may be included or incorporated by reference to published technical standards.

### K Technical Responsibility

Technical responsibility for this practice is assigned to NRCS or TSP.

## CP15A Establishment of Permanent Vegetative Cover (Contour Grass Strips)

### A Purpose

This practice is to establish strips of permanent vegetative cover generally following the contour on eligible cropland alternated with **wider cultivated strips** farmed on the contour that will reduce erosion and control runoff.

**Note:** This practice is **not** to develop or establish wildlife habitat.

Field border areas may be included in the contour buffer provided they are needed to drain water from the field as an integral part of the contour buffer system.

**Important:** NRCS or TSP **must** document, in writing, that the field border area is needed as an integral part of the contour buffer system to drain water from the field and for the contour buffer system to function properly.

**Note:** NRCS or TSP will determine the documentation needed to support the need for field borders consistent with FOTG standards. The documentation **must** be in the case file.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP15A Establishment of Permanent Vegetative Cover (Contour Grass Strips) (Continued)

**B Program Policy**

Apply this practice to eligible cropland that is suitably located and adapted to establish permanent vegetative cover for contour grass strips alternated with wider cultivated strips that are farmed on the contour. Contour grass strips that are not alternated with **wider cultivated strips** are not eligible for enrollment.

Eligible cropland must meet the requirements in subparagraph 181 A.

Contour grass strips must be installed to the minimum design standard to reduce erosion and control runoff.

**Important:** Contour grass strips are not eligible to be installed on terraces. Contour grass strips may be used in conjunction with terraces as an overall conservation management system (contour grass strips installed between terraces) if needed to control erosion and runoff on eligible cropland.

**C Size Requirements**

Minimum standards for the width of a contour buffer strip and the number of strips needed in a field will depend on:

- soil types
- percent slope and slope lengths
- conservation practices applied on the field.

The lower most contour buffer strip in a field may be up to 2 times the minimum width recommended for the practice. The minimum acceptable width for a contour buffer strip:

- designed for soil erosion control purposes is 15 feet
- seeded to grass or a grass/legume mixture is 15 feet
- seeded to legumes only is 30 feet.

**Note:** Legumes are unlikely to persist for the duration of CRP-1. Therefore, reseeding, at the producer's expense, may be necessary.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP15A Establishment of Permanent Vegetative Cover (Contour Grass Strips) (Continued)

C Size Requirements (Continued)

**A contour buffer strip may be applied up to a maximum width of 30 feet, if needed to accomplish the purpose of the practice. When the minimum design specification exceeds 30 feet, the minimum design specification is the maximum average width that may be enrolled.**

**Note:** The lower most contour buffer strip in a field may be a maximum of 60 feet wide.

The maximum width of field border areas that may be enrolled is 15 feet. Field border areas may be included in the contour buffer only if they are needed to drain water from the field as an integral part of the contour buffer system.

Contour buffer strips **must** be installed to meet the minimum standards to reduce erosion and control runoff.

D Eligibility

To be eligible for C/S, this practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the CRP-1 period
- be required by the approved conservation plan.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP15A Establishment of Permanent Vegetative Cover (Contour Grass Strips) (Continued)

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...	
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, *--327, 332,--* and 340.	
eligible seed			
seedbed preparation			
seeding			
herbicides	specified as necessary in the approved conservation plan		
insecticides			
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>		
herbicides	to maintain vegetative cover		not authorized.
insecticides			
earthmoving	to establish the contour grass strips		
clearing rocks or other obstructions from the area to be seeded			
fencing			
minerals	to enhance production		

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP15A Establishment of Permanent Vegetative Cover (Contour Grass Strips) (Continued)

**F Practice Requirements**

The following are requirements for this practice.

- **Must** be for the purpose of erosion and runoff control.
- **Must** be alternated with **wider** cultivated strips that are farmed on the contour.
- Not eligible to be installed on terraces.
- Limit C/S to the minimum minerals and seed necessary to establish adequate cover to improve environmental benefits.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The seeded acreage must not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field.
- A management activity is required for each practice, if needed.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP15A Establishment of Permanent Vegetative Cover (Contour Grass Strips) (Continued)**

**H Environmental Concerns**

Consider wildlife concerns when making determinations about seed varieties and other practice specifications.

**I Practice Maintenance**

The practice must be maintained without additional C/S for the CRP-1 period. C/S must be refunded if:

- producer destroys the cover during the CRP-1 period
- cover fails to provide enhancement of environmental benefits during the practice lifespan unless caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP15B Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces**

**A Purpose**

This practice is to establish vegetative cover on terraces to enhance water quality and reduce soil erosion. This practice is only applicable on terraces that are no longer under practice lifespan to ensure that the long-term functions of the terrace are maintained.

**Notes:** This practice is **not** to develop or establish wildlife habitat. Wildlife concerns may be considered when making determinations about seed varieties.

**Important:** This practice is only available on existing terraces that are no longer under the practice lifespan or other agreement to maintain the terrace practice.

NRCS or TSP must determine the documentation needed to support the need for CP15B consistent with FOTG standards. Documentation **must** be in the case file that the practice is needed and feasible.

**Example:** A terrace was installed under ACP in 1985. The practice lifespan was 10 years. The terrace is not in a vegetative cover and is functional. NRCS or TSP determines grass seeding is needed and feasible to enhance water quality and reduce soil erosion. This terrace is eligible to be enrolled in CRP as CP15B.

This practice is eligible for SIP or PIP.

**B Program Policy**

Apply this practice on eligible cropland that is suitably located on a terrace, which is not planted to a vegetative cover, is no longer under the practice lifespan, but seeding is needed and feasible consistent with the purposes of the practice. The area to be included is the actual terrace itself and an adequate buffer. Cropland must meet the requirements in subparagraph 181 A. See subparagraph C for size requirements of the buffer area.

Contour grass strips on terraces must be installed to the minimum design standard to ensure long-term viability of the terraces to reduce erosion and enhance water quality.

National CRP Practices (Continued)

**CP15B Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces (Continued)**

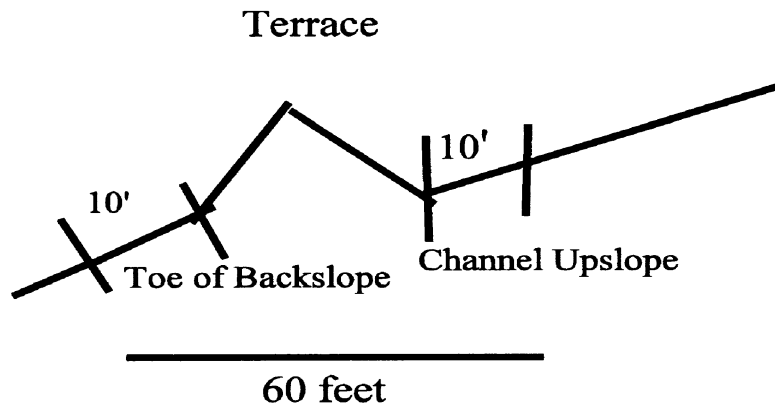
**C Size Requirements**

Minimum size standard for a contour buffer strip on terraces must be the minimum size necessary to protect the terraces. It may require a buffer not to exceed 10 feet on the upslope and downslope portion of the terrace. The maximum width of CP15B **must** not exceed 60 feet, including the buffer areas.

The practice must be designed to control soil erosion consistent with NRCS FOTG.

The following diagrams provide examples of the maximum width for CP15B.

**Example 1 Grassed-Back Terrace**



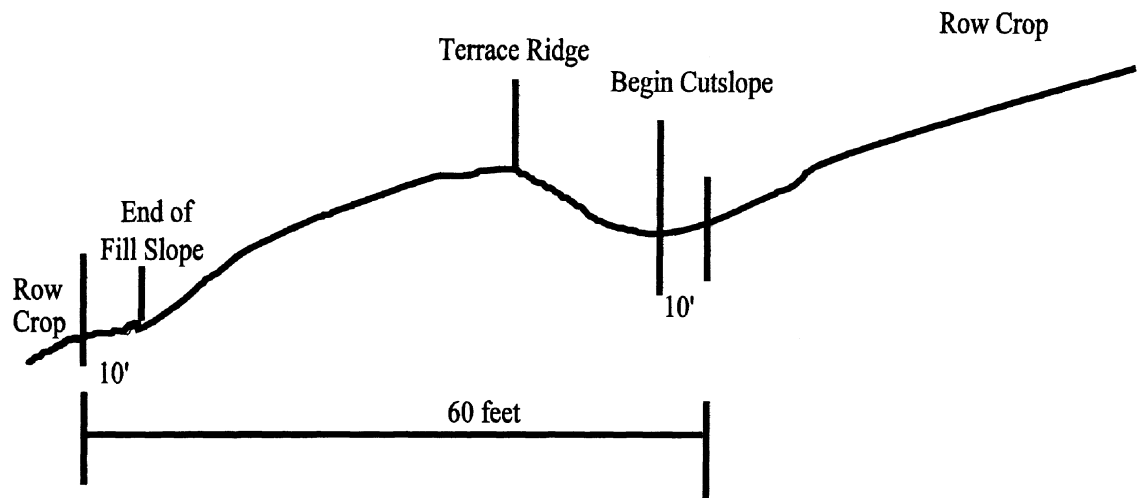
**Note:** The area of CP15B **must** not exceed 60 feet from the toe of the backslope side of the terrace to the channel upslope, including the 10-foot buffer area on either side of the terrace.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP15B Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces  
 (Continued)

C Size Requirements (Continued)

Example 2 Broad-Based Terraces



**Note:** The area of CP15B is measured from the beginning of the cutslope to the end of the fill slope. A 10-foot buffer may be included on either side of the terrace. In no case will CP15B exceed 60 feet wide, including the 10-foot buffer area on either side of the terrace.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP15B Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces  
(Continued)**

**D Eligibility**

To be eligible for C/S, this practice must:

- be on eligible cropland
- be installed on terraces that NRCS or TSP determines are properly functioning and are no longer protected by practice lifespan or other agreement to maintain the terrace practice

**Note:** An adjacent buffer, not to exceed 10 feet on the upslope and downslope, may be installed provided NRCS or TSP determines it is needed and feasible.

- not be installed on terraces that are currently in a vegetative cover
- be applicable only where seeding is needed and feasible
- be maintained for the CRP-1 period
- be included in the approved conservation plan.

**Examples:** A producer would like to enroll into CRP an existing terrace that has been in grass cover for the past 5 years. The terrace would **not** be eligible.

A producer would like to enroll into CRP a terrace. The terrace, as determined by NRCS or TSP, is not functioning properly. The terrace would **not** be eligible unless it is repaired.



National CRP Practices (Continued)

**CP15B Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces (Continued)**

**E C/S Policy**

The following shows C/S policies for this practice.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>	
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, *--327, 332,--* and 340.	
eligible seed			
seedbed preparation			
seeding			
herbicides	specified as necessary in the approved conservation plan		
insecticides			
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>		
herbicides	to maintain vegetative cover		not authorized.
insecticides			
earthmoving	to establish the contour grass strips		
clearing rocks or other obstructions from the area to be seeded			
fencing			
minerals	to enhance production		

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP15B Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces  
(Continued)**

**F Practice Requirements**

The following are requirements for this practice.

- **Must** meet cropping history.
- **Must not** be under a practice lifespan or other agreement to maintain the terrace system, as determined by COC.
- Seeding the terrace **must** be needed and feasible to accomplish the purposes of the practice.
- **Must** be installed on a terrace that NRCS or TSP determines is properly functioning.
- **Must** only be for the actual terrace and a buffer not to exceed 10 feet on the upslope and downslope side of the structure.

**Note:** CP15B **must not** exceed a maximum width of 60 feet, including the buffer areas.

- Limit C/S to the minimum minerals and seed necessary to establish adequate cover consistent with NRCS FOTG.
- Chemicals used in performing this practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The seeded acreage must not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field.
- A management activity is required for each practice, if needed.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP15B Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces  
(Continued)**

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Although the purpose of the practice is not to establish wildlife habitat, consider wildlife concerns when making determinations about seed varieties and other practice specifications.

**I Practice Maintenance**

The practice must be maintained without additional C/S for the CRP-1 period. C/S must be refunded if:

- producer destroys the cover during the CRP-1 period
- cover fails to provide enhancement of environmental benefits during the practice lifespan unless caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP16A Shelterbelt Establishment****A Purpose**

This practice is to establish shelterbelts on a farm or ranch to:

- enhance the wildlife habitat on the designated area
- save energy
- protect farmsteads or livestock areas
- increase conservation benefits associated with organic farming operations.

**B Program Policy**

Apply this practice to eligible cropland that is suitably located to protect farmsteads or livestock areas against serious wind and to save energy.

Eligible cropland must meet the requirements in subparagraph 181 A.

**C Size Requirements**

Shelterbelts must be installed to design standards in FOTG, established to protect farmsteads or livestock areas regardless of the purpose of the shelterbelt. A shelterbelt may be applied up to a maximum width of up to 2 times the design standard for protecting farmsteads or livestock areas, if requested by the producer to accomplish the purpose of protecting farmsteads or livestock areas.

**D Eligibility**

To be eligible for C/S, this practice must:

- improve environmental benefits to an acceptable level
- prevent degradation of environmental benefits from recurring after establishment
- be maintained for the CRP-1 period
- be included in the approved conservation plan.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP16A Shelterbelt Establishment (Continued)

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	THEN C/S is...
trees or shrubs planted as shelterbelts that will improve the environmental benefits on a farm or ranch temporary cover and the justification is: <ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>	authorized using technical practice codes 314, 315, 327, 340, 380, 441, 484, 550, 612, and 645.
plastic mulch or supplemental drip irrigation, for arid areas tree shelters, netting, plastic tubes, or other animal control damage devices, and the purpose is approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing  <b>Note:</b> STC <b>must</b> designate areas where using these measures is warranted and cost-effective to protect seedlings. See paragraphs 31 and 490.	authorized not to exceed an average cost, as determined by STC.
planting orchard trees	not authorized.
ornamental planting	
Christmas tree production	
fences	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP16A Shelterbelt Establishment (Continued)

**F Practice Requirements**

The following are requirements for this practice.

- When supplemental drip irrigation or plastic mulch is applied and the average precipitation for the area is 25 inches or less.
- Planting **must** be protected from destructive fire and from grazing by domestic livestock for the life of CRP-1.
- Chemicals used in performing this practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- A management activity is required for each practice, if needed.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP16A Shelterbelt Establishment (Continued)**

**H Environmental Concerns**

Consideration of wildlife habitat, water quality and quantity, and other environmental concerns, including impacts to organic farming operations, are to be evaluated in the planning and establishment of the protective measure.

**I Practice Maintenance**

The practice must be maintained for the CRP-1 period. C/S must be refunded if:

- producer destroys the cover during the CRP-1 period
- cover fails to improve environmental benefits during the practice lifespan unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

The following should be considered when developing this practice.

- Consider wildlife and environmental protection when designing this practice.
- State/county practice must identify the eligible species and provide any requirements, such as spacing, minimum planting per acre, site preparation, etc., that are conditions for C/S. Technical specifications may be incorporated by reference.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP17A Living Snow Fences**

**A Purpose**

This practice is to establish living snow fences on a farm or ranch to:

- manage snow
- provide living screen
- enhance the wildlife habitat on the designated area.

**B Program Policy**

Apply this practice to eligible cropland that is suitably located and adapted to the development of living snow fences to protect against drifting snow on lanes, road, railroads and public facilities:

Eligible cropland must meet the requirements in subparagraph 181 A.

**C Size Requirements**

Living snow fences must be installed to the design standard in FOTG, established for snow management regardless of the purpose of the living snow fence. The maximum width, including the snow catch area, of a field windbreak must not exceed the design standard for snow management.

**D Eligibility**

To be eligible for C/S, this practice must:

- improve environmental benefits to below the soil loss tolerance
- prevent degradation of environmental benefits from recurring after establishment
- be maintained for the CRP-1 period
- be included in the approved conservation plan.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP17A Living Snow Fences (Continued)**

**E C/S Policy**

The following shows C/S policies for this practice.

<b>IF the component is...</b>	<b>THEN C/S is...</b>
trees or shrubs planted as living snow fences to improve the environmental benefits on a farm or ranch	authorized using technical practice codes 314, 315, 327, 340, 380, 441, 484, 550, 612, and 645.
temporary cover and the justification is: <ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>	
plastic mulch or supplemental drip irrigation, for arid areas	
planting orchard trees	
ornamental planting	not authorized.
Christmas tree production	
fences	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP17A Living Snow Fences (Continued)

**F Practice Requirements**

The following are requirements for this practice.

- When supplemental drip irrigation or plastic mulch is applied and the average annual precipitation for the area is 25 inches or less.
- Planting **must** be protected from destructive fire and from grazing by domestic livestock for the life of CRP-1.
- Chemicals used in performing this practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- A management activity is required for each practice, if needed.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consider wildlife and other environmental concerns when establishing the protective measure.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP17A Living Snow Fences (Continued)**

**I Practice Maintenance**

The practice must be maintained for the CRP-1 period. C/S must be refunded if:

- producer destroys the cover during the CRP-1 period
- cover fails to improve environmental benefits during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop State/county program.

- Consider wildlife and environmental protection when designing this practice.
- State/county practice must identify the eligible species and provide any requirements, such as spacing, minimum planting per acre, site preparation, etc., that are conditions for C/S. Technical specifications may be incorporated by reference.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP18B Establishment of Permanent Vegetation to Reduce Salinity

### A Purpose

This practice is to either establish permanent salt tolerant vegetative cover within saline seep areas or establish permanent vegetative cover in areas causing seeps, including trees or shrubs, on eligible cropland that will improve the environmental benefits of a farm or ranch.

The cover **must** address the resource problem with the minimum acreage needed to control the saline seep.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to establish or maintain permanent vegetation to reduce salinity.

Eligible cropland must meet the requirements in subparagraph 181 A.

The use of this practice is only permitted if the technical recommendations are based on a sound technical basis that will address the resource problem. Only the minimum number of acres needed to control the saline seep formation may be enrolled.

**Example:** A technician recommends that a 40-acre field be enrolled in CRP to control a 1-acre saline seep. The technician is recommending enrollment of excessive acreage. The technician **must** focus the recharge area to only the portion of the field associated to the saline seep development.

### C Eligibility

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- improve environmental benefits to less than the soil loss tolerance
- be maintained for the CRP-1 period on areas causing seeps or the seep areas
- prevent degradation of environmental benefits from recurring after establishment.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP18B Establishment of Permanent Vegetation to Reduce Salinity (Continued)

D C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...	
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, 327, 342, 512, 550, 610, and 645.	
eligible seed			
seedbed preparation			
seeding			
herbicides	specified as necessary in the approved conservation plan		
insecticides			
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>		
herbicides	to maintain vegetative cover		not authorized.
insecticides			
clearing rocks or other obstructions from the area to be seeded			
fencing			
earthmoving			
minerals		to enhance production	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP18B Establishment of Permanent Vegetation to Reduce Salinity (Continued)

**E Practice Requirements**

The following are requirements for this practice.

- The saline seep and recharge area **must** meet the definitions in Exhibit 2.

**Note:** For re-enrolled acreage, NRCS or TSP has flexibility on the characteristics of the saline seep, including soil electrical conductivity, sodium absorption rate, pH, and water level. NRCS or TSP should evaluate the potential that the saline seep would occur without vegetative cover in the discharge and/or recharge area.

- TSP **must** use the best available data to define the recharge area to solve the resource problem with the minimum amount of acres.
- For seeps less than 5 acres, the recharge area cannot exceed a ratio of 10 acres of recharge to 1 acre of seep, which meets the definition in Exhibit 2.
- A map **must** be clearly marked with the saline seep, the exact acreage of the saline seep, and the recharge area.
- Acreage must not exceed 50 acres, unless NRCS SRC or designee and at least 1 independent technical peer with extensive knowledge in saline seeps review the practice before approval. For States with no independent technical peer, SRC or designee must serve that role.
- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid adverse impacts to surrounding lands.
- A management activity is required for each practice, if needed.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP18B Establishment of Permanent Vegetation to Reduce Salinity (Continued)**

**F Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**G Environmental Concerns**

Consider wildlife and other environmental concerns when establishing the protective measure.

**H Practice Maintenance**

The practice must be maintained for the CRP-1 period.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the CRP-1 period
- the cover fails to improve the environmental benefits during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**I Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**J Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP18C Establishment of Permanent Salt Tolerant Vegetative Cover

### A Purpose

This practice is to establish permanent salt tolerant vegetative cover on eligible cropland with existing high water tables that will improve the environmental benefits of a farm or ranch.

The cover **must** address the resource problem with the minimum acreage needed to control the saline seep.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to establish or maintain permanent salt tolerant vegetative cover.

Eligible cropland must meet the requirements in subparagraph 181 A.

The use of this practice is only permitted if the technical recommendations are based on a sound technical basis that will solve the resource problem. Only the minimum number of acres needed to control the saline seep formation may be enrolled.

**Example:** A technician recommends that a 40-acre field be enrolled in CRP to control a 1-acre saline seep. The technician is recommending enrollment of excessive acreage. The technician **must** focus the recharge area to only the portion of the field associated to the saline seep development.

### C Eligibility

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- improve environmental benefits to less than the soil loss tolerance
- be maintained for the CRP-1 period on areas with existing highwater tables
- prevent degradation of environmental benefits from recurring after establishment.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP18C Establishment of Permanent Salt Tolerant Vegetative Cover (Continued)

D C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...	
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, 327, 342, 512, 550, 610, and 645.	
eligible seed			
seedbed preparation			
seeding			
herbicides	specified as necessary in the approved conservation plan		
insecticides			
temporary cover	<ul style="list-style-type: none"> <li>required in the practice specifications</li> <li>needed until required seed or plant stock is available</li> <li>needed because normal planting period for the species has passed</li> <li>that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>		
herbicides	to maintain vegetative cover		not authorized.
insecticides			
clearing rocks or other obstructions from the area to be seeded			
fencing			
earthmoving			
minerals	to enhance production		

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP18C Establishment of Permanent Salt Tolerant Vegetative Cover (Continued)

**E Practice Requirements**

The following are requirements for this practice.

- The saline seep **must** meet the definition according to Exhibit 2.  
  
**Note:** For re-enrolled acreage, NRCS or TSP has flexibility on the characteristics of the saline seep, including soil electrical conductivity, sodium absorption rate, pH, and water level. NRCS or TSP should evaluate the potential that the saline seep would occur without vegetative cover in the discharge and/or recharge area.
- NRCS or TSP **must** use the best available data to define the recharge area to solve the resource problem with the minimum amount of acres.
- For seeps less than 5 acres, the recharge area cannot exceed a ratio of 10 acres of recharge to 1 acre of seep, which meets the definition in Exhibit 2.
- A map **must** be clearly marked with the saline seep, the exact acreage of the saline seep, and the recharge area.
- Acreage must not exceed 50 acres, unless NRCS SRC or designee and at least 1 independent technical peer with extensive knowledge in saline seeps review the practice before approval. For States with no independent technical peer, SRC or designee must serve that role.
- NRCS will issue guidance on technical assistance job approval authority for the practice.
- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid adverse impacts on surrounding lands.
- A management activity is required for each practice, if needed.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP18C Establishment of Permanent Salt Tolerant Vegetative Cover (Continued)**

**F Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**G Environmental Concerns**

Consider wildlife and other environmental concerns when establishing the protective measure.

**H Practice Maintenance**

The practice must be maintained without additional C/S for the useful life of the practice.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the CRP-1 period
- the cover fails to improve the environmental benefits during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**I Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**J Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP21 Filter Strips

### A Purpose

The purpose of this practice is to:

- remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake, denitrification, and other processes, and thereby reduce pollution and protect surface water and subsurface water quality while enhancing the ecosystem of the water body
- increase conservation benefits associated with organic farming operations.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to establish permanent vegetation to improve water quality.

Eligible cropland must meet the requirements in subparagraph 181 A.

CP21's are not eligible to be used in conjunction with the following practices:

- CP22, CP22B, and CP22S, because, if needed, a grass buffer is included in CP22, CP22B, or CP22S
- CP23, because acreage devoted to CP23 may include up to a 3 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP23A, because acreage devoted to CP23A may include up to a 4 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP9, because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area
- CP29 and CP30, because the practice must solve the resource concern without any additional practices.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP21 Filter Strips (Continued)

C Size Requirements

The minimum acceptable width of a filter strip is 20 feet. A filter strip may be applied up to a maximum average width of 120 feet, if needed to accomplish the purpose of the practice.

**Notes:** The maximum average width of filter strips established for any purpose other than protection and enhancement of water quality, must not exceed 120 feet.

Infeasible-to-farm provisions may apply to CP21.

When the minimum design specification for water quality exceeds 120 feet, the minimum design specification is the maximum average width that may be enrolled. NRCS **must** document the need for a minimum design specification in excess of 120 feet in writing.

**Note:** NRCS will use the Documentation of Suitability and Feasibility Worksheet to document the need for an additional average width for water quality purposes consistent with FOTG standards. The documentation **must** be maintained in the CRP folder.

CP21 Filter Strips (Continued)

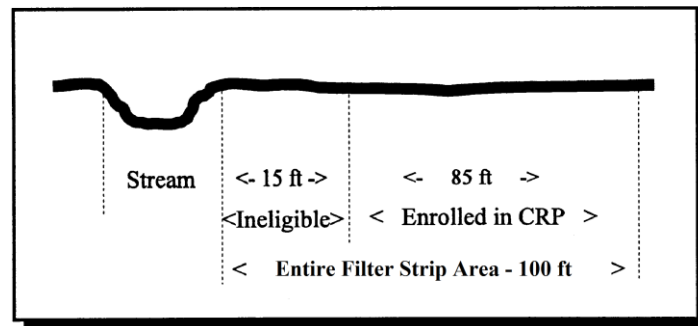
C Size Requirements (Continued)

**Example:** Producer offers to enroll land to be devoted to a 120-foot-wide filter strip to protect the adjacent eligible stream. Based on the soils, slope, and other site conditions, NRCS documents that to address the water quality resource problem and to function properly, the filter strip **must** be a minimum of 145 feet in width. Because the purpose of the filter strip is the protection and enhancement of water quality, the minimum of width 145 feet may be enrolled. The 145-foot minimum width is the maximum acreage that may be enrolled.

The filter strip must begin at the top of the stream bank. In some cases, there may be land that is adjacent to the stream that does **not** meet the eligibility criteria to be enrolled in CRP. **This land must not be enrolled in CRP.** However, if the eligible land is enrolled in CRP as a filter strip, the ineligible land **must be** included:

- in the area used as a filter strip
- in the conservation plan
- when determining the width of the filter strip.

This diagram provides an example of a filter strip adjacent to a stream that includes land **not** enrolled in CRP. The first 15 feet adjacent to the stream (starting at the top of the stream bank) does **not** meet the eligibility criteria to be enrolled in CRP.



The filter strip is 100 feet wide. Only the eligible land (85 feet width) is enrolled in CRP. The conservation plan is for the entire filter strip (100 feet). The producer is responsible for maintaining the entire practice (100 feet) according to the plan. Failure to maintain the entire 100 feet may result in CRP payment reductions or termination.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP21 Filter Strips (Continued)

**D Eligibility**

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- meet the cropland eligibility requirements in subparagraph 181 A
- improve environmental benefits to an acceptable level
- meet the purpose of the practice
- be maintained for the CRP-1 period
- prevent degradation of environmental benefits from recurring.

**E C/S Policy**

The following contains C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
mineral or nutrient	substantiated as needed by COC  <b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals <b>must</b> be specified in the practice specification as designated by the designated technician.	authorized using technical practice codes 314, 315, *--327, 342, 378, 382, 386, 390, 393, 410, 516,--* 533, 574, 604, 605, 614, 642, and 645.
site preparation		
eligible seed and seeding		
herbicide	specified as necessary in the approved conservation plan	
insecticide		

National CRP Practices (Continued)

CP21 Filter Strips (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specification</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of the cover immediately</li> </ul>	authorized.
pipelines and watering facilities or developments constructed outside of the filter strip	<p>providing a water source for livestock away from the filter strip and the adjacent stream or water body</p> <p><b>Note:</b> See paragraph 511.</p>	
fencing	<p>permanent fencing needed to exclude livestock from the filter strip</p> <p><b>Note:</b> See paragraph 511.</p> <p><b>Important:</b> A single strand electric fence must not be considered a permanent fence for CRP.</p>	
construction of structures where concentrated flow continues to degrade water quality	to meet the requirements of the conservation plan	
grading, leveling, and filling	<p>to control concentrated flow and site preparation.</p> <p><b>Important:</b> Grading, leveling, and filling does not include shaping or manipulation of the stream bank.</p>	



National CRP Practices (Continued)

CP21 Filter Strips (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
herbicide	to maintain vegetative cover	not authorized.
insecticide		
clearing rocks or other obstructions from the area to be seeded		
stream bank stabilization		
mineral or nutrient	to enhance production	

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded acreage must not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field.
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Meet the purpose of the practice.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP21 Filter Strips (Continued)**

**F Practice Requirements (Continued)**

- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- A management activity is required for each practice. See paragraph 428.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of wildlife habitat, water quality, and other environmental concerns, including impacts to organic farming operations are to be evaluated in the planning and establishment of the protective measure.

**I Practice Maintenance**

This practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate protection of water quality during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP21 Filter Strips (Continued)**

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

**CP21B Denitrifying Bioreactor on Filter Strips**

**A Purpose**

The purpose of this practice is to:

- improve water quality by reducing the nitrate-nitrogen content of subsurface agricultural drainage flow
- remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake, denitrification, and other processes, and thereby reduce pollution and protect surface water and subsurface water quality while enhancing the ecosystem of the water body
- increase conservation benefits associated with organic farming operations.

## National CRP Practices (Continued)

## CP21B Denitrifying Bioreactor on Filter Strips (Continued)

**B Program Policy**

Apply this practice to eligible cropland that is suitably located and adapted to establish and maintain a denitrifying bioreactor on permanent grass vegetation to improve water quality.

Eligible cropland must meet the requirements in subparagraph 181 A and must be:

- as determined by NRCS technical specifications, in a cost-effective manner through enrollment in CRP
- sites where there is a need to reduce nitrate-nitrogen concentration in subsurface drainage flow.

**Note:** This practice does not apply to underground outlets from practices such as terraces, where the drainage source is primarily from surface inlets.

CP21B's are not eligible to be used in conjunction with the following practices:

- CP22, CP22B, and CP22S, because, if needed, a grass buffer is included in CP22, CP22B, and CP22S
- CP23, because acreage devoted to CP23 may include up to a 3 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP23A, because acreage devoted to CP23A may include up to a 4 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP9, because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area
- CP29 and CP30, because the practice must solve the resource concern without any additional practice.

## National CRP Practices (Continued)

## CP21B Denitrifying Bioreactor on Filter Strips (Continued)

## C Size Requirements

The minimum acceptable width of a filter strip is 20 feet. A filter strip may be applied up to a maximum average width of 120 feet, if needed to accomplish the purpose of the practice.

**Notes:** The maximum average width of filter strips established for any purpose other than protection and enhancement of water quality must not exceed 120 feet.

Infeasible-to-farm provisions may apply to CP21B.

When the minimum design specification for water quality exceeds 120 feet, the minimum design specification is the maximum average width that may be enrolled. NRCS **must** document in writing the need for a minimum design specification in excess of 120 feet.

**Note:** NRCS will use the Documentation of Suitability and Feasibility Worksheet to document the need for additional average width for water quality purposes consistent with FOTG standards. The documentation **must** be maintained in the CRP folder.

**Example:** Producer offers to enroll land to be devoted to a 120-foot-wide filter strip to protect the adjacent eligible stream. Based on the soils, slope, and other site conditions, NRCS documents that to address the water quality resource problem and to function properly, the filter strip **must** be a minimum of 145 feet in width. Because the purpose of the filter strip is the protection and enhancement of water quality, the minimum width of 145 feet may be enrolled. The 145-foot minimum width is the maximum acreage that may be enrolled.

National CRP Practices (Continued)

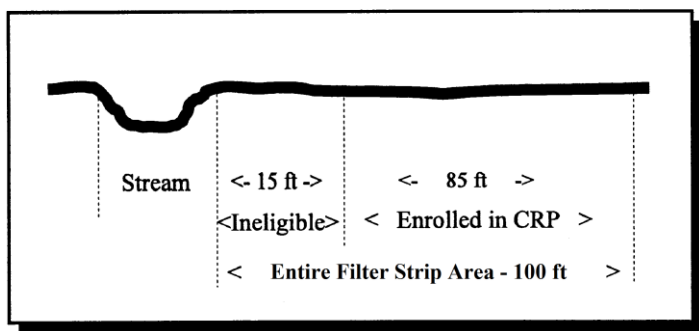
CP21B Denitrifying Bioreactor on Filter Strips (Continued)

C Size Requirements (Continued)

The filter strip must begin at the top of the stream bank. In some cases, there may be land that is adjacent to the stream that does **not** meet the eligibility criteria to be enrolled in CRP. **This land must not be enrolled in CRP.** However, if the eligible land is enrolled in CRP as a filter strip, the ineligible land **must be** included:

- in the area used as a filter strip
- in the conservation plan
- when determining the width of the filter strip.

This diagram provides an example of a filter strip adjacent to a stream that includes land **not** enrolled in CRP. The first 15 feet adjacent to the stream (starting at the top of the stream bank) does **not** meet the eligibility criteria to be enrolled in CRP.



The filter strip is 100 feet wide. Only the eligible land (85 feet width) is enrolled in CRP. The conservation plan is for the entire filter strip (100 feet). The producer is responsible for maintaining the entire practice (100 feet) according to the plan. Failure to maintain the entire 100 feet may result in CRP payment reductions or termination.

D Eligibility

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- meet the cropland eligibility requirements in subparagraph 181 A
- improve environmental benefits to an acceptable level
- be maintained for the CRP-1 period
- meet the purpose of the practice
- prevent degradation of environmental benefits from recurring.

National CRP Practices (Continued)

CP21B Denitrifying Bioreactor on Filter Strips (Continued)

E C/S Policy

The following contains C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
seedbed preparation	substantiated as needed by COC	authorized using technical practice codes 327, 338, 340, 342, 386, *--390, 393,--* 394, 550, 595, 643, 645, and 647.
minerals or nutrient		
eligible seed and seeding	substantiated as needed by COC  <b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals must be specified in the practice specification as designated by the designated technician.	
geotextile or plastic lining for the bottom, sides and top, media (wood chips or other approved material), chamber markers, and installation	to reduce nitrate nitrogen concentration in subsurface drainage flow	
water level control structure (diverter box) and installation	to regulate the flow into and out of the chamber	
perforated tile and installation	<ul style="list-style-type: none"> <li>• to be used inside the media chamber to spread out the water and to collect it at the lower end</li> <li>• to re-route existing tile into the water level control structure</li> </ul>	
locating tile lines	to locate a tile to tie into the water level control structure	
non-perforated tile and installation	to be used on both sides of the water level control structures	
outlet	if an outlet is needed in place of the tile to outlet into the creek	
herbicides	specified as necessary in the approved conservation plan	
insecticides		
pipeline and watering facilities constructed outside of the filter strip	providing a water source for livestock away from the filter strip and the adjacent stream or water body  <b>Note:</b> See paragraph 511.	

National CRP Practices (Continued)

CP21B Denitrifying Bioreactor on Filter Strips (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
fencing	<p>permanent fencing needed to exclude livestock from the filter strip</p> <p><b>Note:</b> See paragraph 511.</p> <p><b>Important:</b> A single strand electric fence must not be considered a permanent fence for CRP.</p>	authorized.
grading, leveling, and filling	<p>to control concentrated flow and site preparation</p> <p><b>Important:</b> Grading, leveling, and filling does not include shaping or manipulation of the stream bank.</p>	
construction of structures where concentrated flow continues to degrade water quality	to meet the requirements of the conservation plan	
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications needed until required seeds or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>	
herbicides	to maintain vegetative cover	not authorized.
insecticides		
clearing rocks or other obstructions from the area to be seeded		
stream bank stabilization		
minerals or nutrient	to enhance production	



## National CRP Practices (Continued)

## CP21B Denitrifying Bioreactor on Filter Strips (Continued)

## F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded acreage must not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field.
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Meet the purpose of the practice.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including maintenance as necessary to avoid an adverse impact on surrounding land.
- A management activity is required for each practice, if needed. See paragraph 428.
- When appropriate, a pollinator type mix should be used to establish the cover on top of the chamber.

**National CRP Practices (Continued)**

**CP21B Denitrifying Bioreactor on Filter Strips (Continued)**

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of wildlife habitat, water quality and other environmental concerns, including impacts to organic farming operations are to be evaluated in the planning and establishment of the protective measure.

**I Practice Maintenance**

This practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate protection of water quality during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

## National CRP Practices (Continued)

## CP21S Saturated Filter Strips

## A Purpose

The purpose of this practice is to:

- improve water quality by reducing the nitrate loading to surface water from subsurface drain outlets
- artificially raise the water table by diverting much of the water from a subsurface drainage system along the saturated filter strip to reduce nitrate loading to subsurface water through enhanced denitrification
- remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake, denitrification, and other processes, and thereby reduce pollution and protect surface water and subsurface water quality while enhancing the ecosystem of the water body
- increase conservation benefits associated with organic farming operations.

## B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to establish or maintain saturated filter strips to improve water quality.

Eligible cropland must meet the requirements in subparagraph 181 A and must be.

- as determined by NRCS technical specifications, in a cost-effective manner through enrollment in CRP

**Note:** This practice is applicable to cropland with a subsurface drainage system that can be adapted to discharge to vegetated area.

- soils and topography that are capable of maintaining a raised water table without adverse effects to stream banks, shorelines, and adjacent land.

**Note:** This practice does not apply to drainage systems or underground outlet systems that have surface inlets which allow entry of soil and debris capable of plugging the distribution pipe(s).

**National CRP Practices (Continued)****CP21S Saturated Filter Strips (Continued)****B Program Policy (Continued)**

CP21S's are not eligible to be used in conjunction with the following practices:

- CP22, CP22B, and CP22S, because, if needed, a grass buffer is included in CP22, CP22B, and CP22S
- CP23, because acreage devoted to CP23 may include up to a 3 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP23A, because acreage devoted to CP23A may include up to a 4 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP9, because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area
- CP29 and CP30, because the practice must solve the resource concern without additional practices.

**C Size Requirements**

The minimum acceptable width of a filter strip is 20 feet. A filter strip may be applied up to a maximum average width of 120 feet, if needed to accomplish the purpose of the practice.

**Notes:** The maximum average width of filter strips established for any purpose other than protection and enhancement of water quality must not exceed 120 feet.

Infeasible-to-farm provisions may apply to CP21S.

National CRP Practices (Continued)

CP21S Saturated Filter Strips (Continued)

C Size Requirements (Continued)

When the minimum design specification for water quality exceeds 120 feet, the minimum design specification is the maximum average width that may be enrolled. NRCS **must** document in writing the need for a minimum design specification in excess of 120 feet.

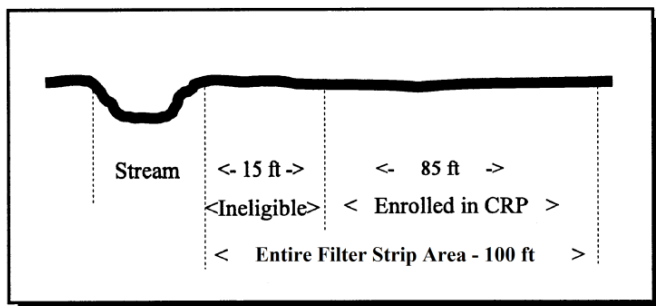
**Note:** NRCS will use the Documentation of Suitability and Feasibility Worksheet to document the need for an additional average width for water quality purposes consistent with FOTG standards. The documentation **must** be maintained in the CRP folder.

**Example:** Producer offers to enroll land to be devoted to a 120-foot-wide filter strip to protect the adjacent eligible stream. Based on the soils, slope, and other site conditions, NRCS documents that to address the water quality resource problem and to function properly, the filter strip **must** be a minimum of 145 feet in width. Because the purpose of the filter strip is the protection and enhancement of water quality, the minimum width of 145 feet may be enrolled. The 145-foot minimum width is the maximum acreage that may be enrolled.

The filter strip must begin at the top of the stream bank. In some cases, there may be land that is adjacent to the stream that does **not** meet the eligibility criteria to be enrolled in CRP. **This land must not be enrolled in CRP.** However, if the eligible land is enrolled in CRP as a filter strip, the ineligible land **must be** included:

- in the area used as a filter strip
- in the conservation plan
- when determining the width of the filter strip.

This diagram provides an example of a filter strip adjacent to a stream that includes land **not** enrolled in CRP. The first 15 feet adjacent to the stream (starting at the top of the stream bank) does **not** meet the eligibility criteria to be enrolled in CRP.



The filter strip is 100 feet wide. Only the eligible land (85 feet width) is enrolled in CRP. The conservation plan is for the entire filter strip (100 feet). The producer is responsible for maintaining the entire practice (100 feet) according to the plan. Failure to maintain the entire 100 feet may result in CRP payment reductions or termination.

National CRP Practices (Continued)

CP21S Saturated Filter Strips (Continued)

**D Eligibility**

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- meet the cropland eligibility requirements in subparagraph 181 A
- improve environmental benefits to an acceptable level
- be maintained for the CRP-1 period
- meet the purpose of the practice
- prevent degradation of environmental benefits from recurring.

**E C/S Policy**

The following contains C/S policies for this practice.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
seedbed preparation	substantiated as needed by COC	authorized using technical practice codes 327, 338, 340, 342, 386, *--390, 393, 394, 533, 550, 595,--* 643, 645, and 647.
minerals or nutrient		
eligible seed and seeding	substantiated as needed by COC  <b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals must be specified in the practice specification as designated by the designated technician.	
water level control structure (diverter box) and installation	to regulate the flow of water out into the drain field	
perforated tile and installation	distribute the water to the drain field	
locating tile lines	to locate a tile to tie into the water level control structure	
non-perforated tile and installation	distribute the water to the drain field	
outlet	if an outlet is needed in place of the tile to outlet into creek	
herbicides	specified as necessary in the approved conservation plan	
insecticides		

National CRP Practices (Continued)

CP21S Saturated Filter Strips (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
pipeline and watering facilities constructed outside of the filter strip	providing a water source for livestock away from the filter strip and the adjacent stream or water body  <b>Note:</b> See paragraph 511.	authorized.
fencing	permanent fencing needed to exclude livestock from the filter strip  <b>Note:</b> See paragraph 511.  <b>Important:</b> A single strand electric fence must not be considered a permanent fence for CRP.	
grading, leveling, and filling	to control concentrated flow and site preparation.  <b>Important:</b> Grading, leveling, and filling does not include shaping or manipulation of the stream bank.	
construction of structures where concentrated flow continues to degrade water quality	to meet the requirements of the conservation plan	
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications needed until required seeds or plant stock is available</li> <li>• needed because the normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>	
herbicides	to maintain vegetative cover	
insecticides		
clearing rocks or other obstructions from the area to be seeded		
stream bank stabilization		
minerals or nutrient	to enhance production	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP21S Saturated Filter Strips (Continued)

**F Practice Requirements**

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded acreage must not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field.
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Meet the purpose of the practice.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including maintenance as necessary to avoid an adverse impact on surrounding land.
- A management activity is required for each practice, if needed. See paragraph 428.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of wildlife habitat, water quality, and other environmental concerns, including impacts to organic farming operations are to be evaluated in the planning and establishment of the protective measure.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP21S Saturated Filter Strips (Continued)**

**I Practice Maintenance**

This practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate protection of water quality during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP22 Riparian Buffer

### A Purposes

The purpose of this practice is to:

- remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake, denitrification, and other processes, and thereby reduce pollution and protect surface water and subsurface water quality while enhancing the ecosystem of the water body
- create shade to lower water temperature to improve habitat for aquatic organisms
- provide a source of detritus and large woody debris for aquatic organisms and habitat for wildlife.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to establish riparian buffers to improve water quality.

**Eligible cropland** must meet the requirements in subparagraph 181 A and must be:

- NRCS or TSP determines, based on a site visit and using the Documentation of Suitability and Feasibility Worksheet, the cropland is suitable to be devoted to a riparian buffer devoted (planted or natural regeneration) to trees
- the cropland will be devoted (planted or natural regeneration) to trees.

**Note:** Land that is not suitable for tree plantings, as determined by NRCS or TSP, is not eligible to be enrolled in CRP as a CP22, Riparian Buffer.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP22 Riparian Buffer (Continued)**

**B Program Policy (Continued)**

**Marginal pastureland** requirements in subparagraphs 181 C and D **must** be met, in addition:

- NRCS or TSP determines, based on a site visit and using the Documentation of Suitability and Feasibility Worksheet, the marginal pastureland is suitable to be devoted to a riparian buffer devoted (planted or natural regeneration) to trees.

**Note:** Marginal pastureland to be devoted to wildlife habitat buffers must be enrolled as CP29.

- the marginal pastureland will be devoted (planted or natural regeneration) to trees.

**Note:** Land that is not suitable for tree plantings, as determined by NRCS or TSP, is not eligible to be enrolled in CRP as a CP22, Riparian Buffer.

For both cropland and marginal pastureland, CP22's are not eligible to be used in conjunction with the following practices:

- CP21, CP21B, and CP21S because, if needed, a grass buffer is included in CP22, CP22B, or CP22S
- CP23, because acreage devoted to CP23 may include up to a 3 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP23A, because acreage devoted to CP23A may include up to a 4 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP9, because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area
- CP29 and CP30, because the practice must solve the resource concern with additional practices.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP22 Riparian Buffer (Continued)

**C Size Requirements**

A riparian buffer must not be less than 35 feet in width. The maximum width of a riparian buffer is the lesser of 100 feet or 30 percent of the geomorphic floodplain. An area of native grasses and forbs may be added, if otherwise eligible, only for concentrated flow conditions dependent on the site.

Excessive sheet-rill and concentrated flow will be controlled in areas immediately adjacent and up-gradient of the buffer. This area must be the minimum necessary to control excessive sheet-rill erosion and/or concentrated flow.

A riparian buffer may be applied up to a maximum average width of 180 feet, if needed to accomplish the purpose of the practice.

**Notes:** The maximum average width of riparian buffers established for any purpose other than protection and enhancement of water quality must not exceed 180 feet.

Infeasible-to-farm provisions may apply to CP22 on cropland only.

When the minimum design specification for water quality exceeds 180 feet, the minimum design specification is the maximum average width that may be enrolled. NRCS or TSP **must** document the need for a minimum design specification in excess of 180 feet in writing.

**Note:** NRCS will use the Documentation of Suitability and Feasibility Worksheet to document the need for an additional average width for water quality purposes consistent with FOTG standards. The documentation **must** be maintained in the CRP folder.

**Example:** Producer offers to enroll cropland to be devoted to a 180-foot-wide riparian buffer to protect the adjacent eligible stream. Based on the soils, slope, and other site conditions, NRCS documents that to address the water quality resource problem and to function properly, the riparian buffer needs to be a minimum of 200 feet in width. Because the purpose of the riparian buffer is the protection and enhancement of water quality, the minimum width of 200 feet may be enrolled. The 200-foot minimum width is the maximum acreage that may be enrolled.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

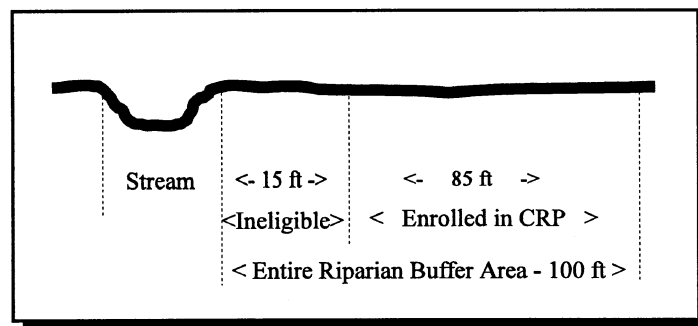
CP22 Riparian Buffer (Continued)

C Size Requirements (Continued)

The riparian buffer must begin at the top of the stream bank. In some cases, there may be land that is adjacent to the stream that does **not** meet the eligibility criteria to be enrolled in CRP. **This land must not be enrolled in CRP.** However, if the eligible land is enrolled in CRP as a riparian buffer, the ineligible land **must be** included:

- in the area used as a riparian buffer
- in the conservation plan
- when determining the width of the riparian buffer.

This diagram provides an example of a riparian buffer adjacent to a stream that includes land not enrolled in CRP. The first 15 feet adjacent to the stream (starting at the top of the stream bank) does **not** meet the eligibility criteria to be enrolled in CRP.



The riparian buffer is 100 feet wide. Only the eligible land (85 feet width) is enrolled in CRP. The conservation plan is for the entire riparian buffer (100 feet). The producer is responsible for maintaining the entire practice (100 feet) according to the plan. Failure to maintain the entire 100 feet may result in CRP payment reductions or termination.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP22 Riparian Buffer (Continued)

**D Eligibility**

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- be implemented on land that meets the cropland or marginal pastureland eligibility requirements in subparagraph 181 A or 181 C, as applicable
- improve environmental benefits to less than the soil loss tolerance
- meet the purpose of the practice
- be maintained for the CRP-1 period
- prevent degradation of environmental benefits from recurring.

**Note:** Use tree species that are native and noninvasive. Substitution with improved and locally accepted cultivars is permitted. Use high quality and adapted plant material.

National CRP Practices (Continued)

CP22 Riparian Buffer (Continued)

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
minerals, nutrients, seed, tree and shrub seedlings, seedbed preparation, and seeding, except when natural regeneration is selected by the producer	substantiated as needed by COC  <b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals <b>must</b> be specified in the practice specification, as designated by the designated technician.	authorized using technical practice codes 314, 315, 327, *--338, 378, 382, 390, 391, 394, 410, 441, 516, 533,--* 548, 550, * * * 574, 578, 604, 605, 612, 614, 642, 645, and 647.
herbicides and pesticides	specified as necessary to establish the vegetation and included in the conservation plan  <b>Note:</b> This does not include herbicides or pesticides used as part of the maintenance of the practice.	
temporary supplemental irrigation systems or plastic mulch, except when natural regeneration is selected by the producer	in arid areas where the average annual precipitation is 25 inches or less and determined needed by both COC and designated technician	
rock-filled infiltration trenches to induce subsurface flow	specified as necessary to establish the vegetation and included in the conservation plan  <b>Note:</b> The potential for groundwater contamination <b>must</b> be considered during planting and design.	
grading, leveling, and filling	to control concentrated flow and site preparation	
permanent fencing	fencing needed to exclude livestock from the riparian buffer  <b>Important:</b> A single strand electric fence must not be considered a permanent fence for CRP.	

National CRP Practices (Continued)

CP22 Riparian Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
water gaps, bridges, or other livestock crossing facilities on small streams	specified as necessary to prevent sedimentation and pollution in the stream and included in the conservation plan  <b>Note:</b> See subparagraph 511 I.	authorized.
pipelines and water facilities or developments constructed outside of the riparian buffer strip	substantiated as needed by COC for the purpose of providing a water source for livestock  <b>Note:</b> COC must only approve the minimum number of water sources needed. See paragraph 511.	
plugging, removing, or replacing with perforated pipe	to filter pollutants from underground drains through the riparian forest areas	
a regulating valve or structure may be installed to control drainage outflow	to reduce nitrogen or other pollutant loading	



National CRP Practices (Continued)

CP22 Riparian Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
tree shelters, netting, plastic tubes, or other animal damage control devices, except when natural regeneration is selected by the producer	approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing  <b>Note:</b> STC <b>must</b> designate areas where using such measures is warranted and cost-effective to protect seedlings. See paragraphs 31 and 490.	authorized not to exceed an average cost, as determined by STC.
tree thinning (pre-commercial)	to improve resource condition	authorized using technical practice code 666.
streambank stabilization		not authorized.
minerals, nutrients, herbicides, and insecticides	to maintain vegetative cover or enhance production	
seed, tree and shrub seedlings, seedbed preparation and seeding	for use with natural regeneration	
minerals and nutrients		
temporary supplemental irrigation systems or plastic mulch		
clearing rocks or other obstructions from the area to be seeded		

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP22 Riparian Buffer (Continued)

**F Practice Requirements**

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The buffer must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum materials necessary to establish an adequate cover to improve environmental benefits.
- Meet the purpose of the practice.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including maintenance as necessary to avoid an adverse impact on surrounding land
- A management activity is required for each practice, if needed. See paragraph 428.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1.

**Exceptions:** See paragraph 426 for exceptions to 12-month planting requirement.

See subparagraph H for natural regeneration.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP22 Riparian Buffer (Continued)

## H Natural Regeneration

Producers may elect to allow natural regeneration of the riparian buffer if **all** of the following are met:

- NRCS or TSP determines both of the following:
  - an adequate seed source of approved tree, shrub, and grass species suited to the soil and hydrology of the site is present to meet the purpose of the practice

**Note:** Grass is an acceptable cover in the riparian buffer only if determined needed to control concentrated flow and an excessive sheet flow.

- under normal conditions, the **appropriate cover** will be established within 2 years of CRP-1 effective date
  - erosion and runoff will be controlled during the establishment period
  - weeds, including noxious weeds, and other nonapproved plant species will be controlled during the establishment period
  - the conservation plan signed by the producer requires **all** of the following:
    - **no** C/S will be paid for the practice
- Exceptions:** See subparagraph E.
- the producer will plant the approved cover at no cost to FSA or CCC according to a revised conservation plan if the riparian buffer is not established through natural regeneration within 2 years of CRP-1 effective date
  - conservation practice code 647, Early Successional Habitat Development/Management, is used to identify natural regeneration

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22 Riparian Buffer (Continued)

**H Natural Regeneration (Continued)**

NRCS or TSP must spot check the site at the end of the second year to determine whether the riparian buffer is established and meets the standards **and** specifications for NRCS conservation practice code 391A, Riparian Forest Buffer.

**Note:** FSA **must** immediately notify the participant:

- of the result of the spot check
- that the participant **must** plant the approved cover with no C/S according to a revised conservation plan, if applicable.

COC or CED must **not** approve CRP-1 until **all** of the preceding requirements are met. COC must ensure that the producer is fully informed that:

- no C/S will be paid for natural regeneration

**Exceptions:** See subparagraph E.

- the producer will be required to plant the approved cover with no C/S if the approved cover is not established within 2-years of CRP-1 effective date.

**I Environmental Concerns**

Consideration of wildlife habitat, water quality, and other environmental concerns are to be evaluated in the planning and establishment of the protective measure.

**J Practice Maintenance**

This practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate protection of water quality during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)**  
**National CRP Practices (Continued)**

**CP22 Riparian Buffer (Continued)**

**K Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**L Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**M Technical Responsibility**

Technical responsibility for this practice is assigned to FS and NRCS, or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

## CP22B Denitrifying Bioreactor on Riparian Buffer

### A Purpose

The purpose of this practice is to:

- improve water quality by reducing the nitrate nitrogen content of subsurface agricultural drainage flow
- remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake, denitrification, and other processes, and thereby reduce pollution and protect surface water and subsurface water quality while enhancing the ecosystem of the water body
- create shade to lower water temperature to improve habitat for aquatic organisms
- provide a source of detritus and large woody debris for aquatic organisms and habitat for wildlife.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to establish and maintain denitrifying bioreactors on riparian buffers to improve water quality.

**Eligible cropland** must meet the requirements in subparagraph 181 A and must be:

- as determined by NRCS technical specifications, in a cost-effective manner through enrollment in CRP
- sites where there is a need to reduce nitrate nitrogen concentration in subsurface drainage flow.

**Note:** This practice does not apply to underground outlets from practices such as terraces, where the drainage source is primarily from surface inlets.

- NRCS or TSP determines, based on a site visit and using Documentation of Suitability and Feasibility Worksheet, the cropland is suitable to be devoted to a riparian buffer devoted (planted or natural regeneration) to trees
- the cropland will be devoted (planted or natural regeneration) to trees.

**Note:** Land that is not suitable for tree plantings as determined by NRCS or TSP, is not eligible to be enrolled in CRP as a CP22B, Denitrifying Bioreactor on Riparian Buffer.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)**

**B Program Policy (Continued)**

**Marginal pastureland** requirements in subparagraphs 181 C and D **must** be met, in addition:

- NRCS or TSP determines, based on a site visit and using the Documentation of Suitability and Feasibility Worksheet, the marginal pastureland is suitable to be devoted to a riparian buffer devoted (planted or natural regeneration) to trees

**Note:** Marginal pastureland to be devoted to wildlife habitat buffers must be enrolled as CP29.

- the marginal pastureland will be devoted (planted or natural regeneration) to trees.

**Note:** Land that is not suitable for tree plantings, as determined by NRCS or TSP, is not eligible to be enrolled in CRP as a CP22B, Denitrifying Bioreactor on Riparian Buffer.

For both cropland and marginal pastureland CP22B's are not eligible to be used in conjunction with the following practices:

- CP21, CP21B, or CP21S, because, if needed, a grass buffer is included in CP21, CP21B, and CP21S
- CP23, because acreage devoted to CP23 may include up to a 3 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP23A, because acreage devoted to CP23A may include up to a 4 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP9, because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area
- CP29 and CP30, because the practice must solve the resource concern without additional practices.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)

C Size Requirements

A riparian buffer must not be less than 35 feet in width. The maximum width of a riparian buffer is the lesser of 100 feet or 30 percent of the geomorphic floodplain. An area of native grasses and forbs may be added, if otherwise eligible, only for concentrate flow conditions dependent on the site.

Excessive sheet-rill and concentrated flow will be controlled in areas immediately adjacent and up-gradient of the buffer. This area must be the minimum necessary to control excessive sheet-rill erosion and/or concentrated flow.

A riparian buffer may be applied up to a maximum average width of 180 feet, if needed to accomplish the purpose of the practice.

**Notes:** The maximum average width of riparian buffers established for any purpose other than protection and enhancement of water quality must not exceed 180 feet.

Infeasible-to-farm provisions may apply to CP22B on cropland only.

When the minimum design specification for water quality exceeds 180 feet, the minimum design specification is the maximum average width that may be enrolled. NRCS or TSP **must** document in writing the need for a minimum design specification in excess of 180 feet.

**Note:** NRCS will use the Documentation of Suitability and Feasibility Worksheet to document the need for an additional average width for water quality purposes consistent with FOTG standards. The documentation **must** be in maintained in the CRP folder.

**Example:** Producer offers to enroll cropland to be devoted to a 180-foot-wide riparian buffer to protect the adjacent eligible stream. Based on the soils, slope, and other site conditions, NRCS documents that to address the water quality resource problem and to function properly, the riparian buffer needs to be a minimum of 200 feet in width. Because the purpose of the riparian buffer is the protection and enhancement of water quality, the minimum width of 200 feet may be enrolled. The 200-foot minimum width is the maximum acreage that may be enrolled.

The riparian buffer must begin at the top of the stream bank. In some cases, there may be land that is adjacent to the stream that does **not** meet the eligibility criteria to be enrolled in CRP.

**This land must not be enrolled in CRP.** However, if the eligible land is enrolled in CRP as a riparian buffer, the ineligible land **must be** included:

- in the area used as a riparian buffer
- in the conservation plan
- when determining the width of the riparian buffer.

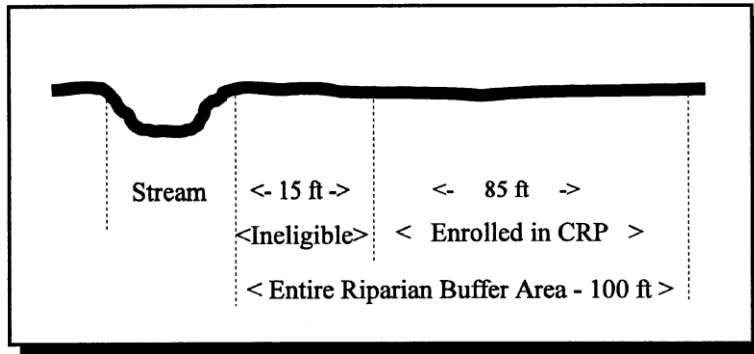


(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)

C Size Requirements (Continued)

This diagram provides an example of a riparian buffer adjacent to a stream that includes land **not** enrolled in CRP. The first 15 feet adjacent to the stream (starting at the top of the stream bank) does **not** meet the eligibility criteria to be enrolled in CRP.



The riparian buffer is 100 feet wide. Only the eligible land (85 feet width) is enrolled in CRP. The conservation plan is for the entire riparian buffer (100 feet). The producer is responsible for maintaining the entire practice (100 feet) according to the plan. Failure to maintain the entire 100 feet may result in CRP payment reductions or termination.

D Eligibility

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- be implemented on land that meets the cropland or marginal pastureland eligibility requirements in subparagraph 181 A or 181 C, as applicable
- improve environmental benefits to less than the soil loss tolerance

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)

D Eligibility (Continued)

- meet the purpose of the practice
- be maintained for the CRP-1 period
- prevent degradation of environmental benefits from recurring.

**Note:** Use tree species that are native and noninvasive. Substitution with improved and locally accepted cultivars is permitted. Use high quality and adapted plant material.

E C/S Policy

The following contains C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
minerals, nutrients, seed, tree and shrub seedlings, seedbed preparation, and seeding, except when natural regeneration is selected by the producer	substantiated as needed by COC  <b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals <b>must</b> be specified in the practice specification, as designated by the designated technician.	authorized using technical practice codes 314, 315, 327, *--338, 378, 382, 390, 391, 410, 441, 516, 533, 548,--* 550, 574, 578, 612, 614, 642, 645, and 647.
herbicides and pesticides	specified as necessary to establish the vegetation and included in the conservation plan  <b>Note:</b> This does not include herbicides or pesticides used as part of the maintenance of the practice.	
geotextile or plastic lining for the bottom, sides and top, media (wood chips or other approved materials), chamber markers, and installation	to reduce nitrate nitrogen concentration in subsurface drainage flow	
water level control structure (diverter box) and installation	to regulate the flow into and out of the chamber	
perforated tile and installation	<ul style="list-style-type: none"> <li>• to be used inside the media chamber to spread out the water and collect it at the lower end</li> <li>• to re-route existing tile into the water level control structure</li> </ul>	
outlet	if needed in place of the tile to outlet into the creek	

National CRP Practices (Continued)

CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
locating tile lines	to locate a tile to tie into the water level control structure	authorized.
non-perforated tile and installation	to be used on both sides of the water level controls structures	
temporary supplemental irrigation systems or plastic mulch, except when natural regeneration is selected by the producer	in arid areas where the average annual precipitation is 25 inches or less and determined needed by both COC and designated technician	
rock-filled infiltration trenches to induce subsurface flow	specified as necessary to establish the vegetation and included in the conservation plan  <b>Note:</b> The potential for groundwater contamination <b>must</b> be considered during planting and design.	
grading, leveling, and filling	to control concentrated flow and site preparation	
permanent fencing	fencing needed to exclude livestock from the riparian buffer  <b>Important:</b> A single strand electric fence must not be considered a permanent fence for CRP.	
water gaps, bridges, or other livestock crossing facilities on small streams	specified as necessary to prevent sedimentation and pollution in the stream and included in the conservation plan  <b>Note:</b> See subparagraph 511 I.	
pipelines and water facilities constructed outside of the riparian buffer strip	substantiated as needed by COC for the purpose of providing a water source for livestock  <b>Note:</b> COC must only approve the minimum number of water sources needed. See paragraph 511.	
plugging, removing, or replacing with perforated pipe	to filter pollutants from underground drains through the riparian forest areas	
a regulating valve or structure may be installed to control drainage outflow	to reduce nitrogen or other pollutant loading	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
tree shelters, netting, plastic tubes, or other animal damage control devices, except when natural regeneration is selected by the producer	approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing  <b>Note:</b> STC <b>must</b> designate areas where using such measures is warranted and cost effective to protect seedlings.  See paragraphs 31 and 490.	authorized not to exceed an average cost, as determined by STC.
tree thinning (pre-commercial)	to improve resource condition	authorized using technical practice code 666.
streambank stabilization		not authorized.
minerals, nutrients, herbicides, and insecticides	to maintain vegetative cover or enhance production	
seed, tree and shrub seedlings, seedbed preparation and seeding	for use with natural regeneration	
minerals and nutrients		
temporary supplemental irrigation systems or plastic mulch		
clearing rocks or other obstructions from the area to be seeded		

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The buffer must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum materials necessary to establish an adequate cover to improve environmental benefits.
- Meet the purpose of the practice.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)

**F Practice Requirements (Continued)**

- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including maintenance as necessary to avoid an adverse impact on surrounding land.
- The riparian buffer **must** be established and maintained according to the practice standards in FOTG.
- A management activity is required for each practice, if needed. See paragraph 428.
- When appropriate, a pollinator type mix should be used to establish the cover on top of the chamber.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1.

**Exceptions:** See paragraph 426 for exceptions to the 12-month planting requirement.

See subparagraph H for natural regeneration.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)

**H Natural Regeneration**

Producers may elect to allow natural regeneration of the riparian buffer if **all** of the following are met:

- NRCS or TSP determines both of the following:
  - an adequate seed source of approved tree, shrub, and grass species suited to the soil and hydrology of the site is present to meet the purpose of the practice
- **Note:** Grass is an acceptable cover in the riparian buffer only if determined needed to control concentrated flow and an excessive sheet flow.
- under normal conditions, the **appropriate cover** will be established within 2 years of the CRP-1 effective date
- erosion and runoff will be controlled during the establishment period
- weeds, including noxious weeds, and other non-approved plant species will be controlled during the establishment period
- the conservation plan signed by the producer requires **all** of the following:
  - **no** C/S must be paid for the practice

**Exceptions:** See subparagraph E.

- the producer will plant the approved cover at no cost to FSA or CCC according to a revised conservation plan if the riparian buffer is not established through natural regeneration within 2 years of the CRP-1 effective date
- conservation practice code 647, Early Successional Habitat Development/Management, is used to identify natural regeneration.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)

**H Natural Regeneration (Continued)**

NRCS or TSP must spot check the site at the end of the second year to determine whether the riparian buffer is established and meets the standards **and** specifications for NRCS conservation practice code 391A, Riparian Forest Buffer.

**Note:** FSA **must** immediately notify the participant:

- of the result of the spot check
- that the participant **must** plant the approved cover with no C/S according to a revised conservation plan, if applicable.

COC must **not** approve CRP-1 until **all** of the preceding requirements are met. COC must ensure that the producer is fully informed that:

- no C/S will be paid for natural regeneration

**Exceptions:** See subparagraph E.

- the producer will be required to plant the approved cover with no C/S if the approved cover is not established within 2-years of the CRP-1 effective date.

**I Environmental Concerns**

Consideration of wildlife habitat, water quality and other environmental concerns are to be evaluated in the planning and establishment of the protective measure.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP22B Denitrifying Bioreactor on Riparian Buffer (Continued)**

**J Practice Maintenance**

This practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG. C/S must be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate protection of water quality during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**K Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**L Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**M Technical Responsibility**

Technical responsibility for this practice is assigned to FS and NRCS, or TSP.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP22S Saturated Riparian Buffer**

**A Purpose**

The purpose of this practice is to:

- improve water quality by reducing the nitrate loading to surface water from subsurface drain outlets
- artificially raise the water table by diverting much of the water from a subsurface drainage system along the buffer to reduce nitrate loading to subsurface water through enhanced denitrification
- remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake, denitrification, and other processes, and thereby reduce pollution and protect surface water and subsurface water quality while enhancing the ecosystem of the water body
- create shade to lower water temperature to improve habitat for aquatic organisms
- provide a source of detritus and large woody debris for aquatic organisms and habitat for wildlife.

**B Program Policy**

Apply this practice to eligible cropland that is suitably located and adapted to establish and maintain saturated riparian buffers to improve water quality.

**Eligible cropland** must meet the requirements in subparagraph 181 A and must be:

- as determined by NRCS technical specifications, in a cost-effective manner through enrollment in CRP
- soils and topography that are capable of maintaining a raised water table without adverse effects to stream banks, shorelines, and adjacent land.

**Note:** This practice does not apply to drainage systems or underground outlet systems that have surface inlets which allow entry of soil and debris capable of plugging the distribution pipe(s).

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP22S Saturated Riparian Buffer (Continued)**

**B Program Policy (Continued)**

- NRCS or TSP determines, based on a site visit and using the Documentation of Suitability and Feasibility Worksheet, the cropland is suitable to be devoted to a riparian buffer devoted (planted or natural regeneration) to trees.
- the cropland will be devoted (planted or natural regeneration) to trees.

**Note:** Land that is not suitable for tree plantings as determined by NRCS or TSP, is not eligible to be enrolled in CRP as a CP22S, Saturated Riparian Buffer.

**Marginal pastureland** requirements in subparagraphs 181 C and D **must** be met, in addition:

- NRCS or TSP determines, based on a site visit using the Documentation of Suitability and Feasibility Worksheet, the marginal pastureland is suitable to be devoted to a riparian buffer devoted (planted or natural regeneration) to trees

**Note:** Marginal pastureland to be devoted to wildlife habitat buffers must be enrolled as CP29.

- the marginal pastureland will be devoted (planted or natural regeneration) to trees.

**Note:** Land that is not suitable for tree plantings, as determined by NRCS or TSP, is not eligible to be enrolled in CRP as a CP22S, Saturated Riparian Buffer.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP22S Saturated Riparian Buffer (Continued)

**B Program Policy (Continued)**

For both cropland and marginal pastureland CP22S's are not eligible to be used in conjunction with the following practices:

- CP21, CP21B, or CP22S, because, if needed, a grass buffer is included in CP21, CP21B, and CP21S
- CP23, because acreage devoted to CP23 may include up to a 3 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP23A, because acreage devoted to CP23A may include up to a 4 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP9, because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area
- CP29 and CP30, because the practice must solve the resource concern without additional practices.

**C Size Requirements**

A riparian buffer must not be less than 35 feet in width. The maximum width of a riparian buffer is the lessor of 100 feet or 30 percent of the geomorphic floodplain. An area of native grasses and forbs may be added, if otherwise eligible, only for concentrate flow conditions dependent on the site.

Excessive sheet-rill and concentrated flow will be controlled in areas immediately adjacent and up-gradient of the buffer. This area must be the minimum necessary to control excessive sheet-rill erosion and/or concentrated flow.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP22S Saturated Riparian Buffer (Continued)

C Size Requirements (Continued)

A riparian buffer may be applied up to a maximum average width of 180 feet, if needed to accomplish the purpose of the practice.

**Notes:** The maximum average width of riparian buffers established for any purpose other than protection and enhancement of water quality must not exceed 180 feet.

Infeasible-to-farm provisions may apply to CP22S on cropland only.

When the minimum design specification for water quality exceeds 180 feet, the minimum design specification is the maximum average width that may be enrolled. NRCS or TSP **must** document in writing the need for a minimum design specification in excess of 180 feet.

**Note:** NRCS use the Documentation of Suitability and Feasibility Worksheet to document the need for an additional average width for water quality purposes consistent with FOTG standards. The documentation **must** be maintained in the CRP folder.

**Example:** Producer offers to enroll cropland to be devoted to a 180-foot-wide riparian buffer to protect the adjacent eligible stream. Based on the soils, slope, and other site conditions, NRCS documents that to address the water quality resource problem and to function properly, the riparian buffer needs to be a minimum of 200 feet in width. Because the purpose of the riparian buffer is the protection and enhancement of water quality, the minimum width of 200 feet may be enrolled. The 200-foot minimum width is the maximum acreage that may be enrolled.

The riparian buffer must begin at the top of the stream bank. In some cases, there may be land that is adjacent to the stream that does **not** meet the eligibility criteria to be enrolled in CRP. **This land must not be enrolled in CRP.** However, if the eligible land is enrolled in CRP as a riparian buffer, the ineligible land **must be** included:

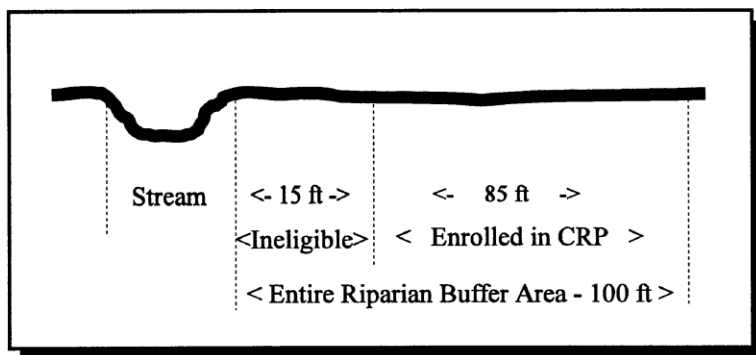
- in the area used as a riparian buffer
- in the conservation plan
- when determining the width of the riparian buffer.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22S Saturated Riparian Buffer (Continued)

C Size Requirements (Continued)

This diagram provides an example of a riparian buffer adjacent to a stream that includes land **not** enrolled in CRP. The first 15 feet adjacent to the stream (starting at the top of the stream bank) does **not** meet the eligibility criteria to be enrolled in CRP.



The riparian buffer is 100 feet wide. Only the eligible land (85 feet width) is enrolled in CRP. The conservation plan is for the entire riparian buffer (100 feet). The producer is responsible for maintaining the entire practice (100 feet) according to the plan. Failure to maintain the entire 100 feet may result in CRP payment reductions or termination.

D Eligibility

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- be implemented on land that meets the cropland or marginal pastureland eligibility requirements in subparagraph 181 A or 181 C, as applicable
- improve environmental benefits to less than the soil loss tolerance
- meet the purpose of the practice
- be maintained for the CRP-1 period
- prevent degradation of environmental benefits from recurring.

**Note:** Use tree species that are native and noninvasive. Substitution with improved and locally accepted cultivars is permitted. Use high quality and adapted plant material.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22S Saturated Riparian Buffer (Continued)

E C/S Policy

The following contains C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
minerals, nutrients, seed, tree and shrub seedlings, seedbed preparation, and seeding, except when natural regeneration is selected by the producer	substantiated as needed by COC  <b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals <b>must</b> be specified in the practice specification, as designated by the designated technician.	authorized using technical practice codes 314, 315, *-327, 338, 378, 382, 390, 391, 410, 441, 516, 533, 548, 550,--* 574, 578, 605, 612, 614, 642, 645, and 647.
herbicides and pesticides	specified as necessary to establish the vegetation and included in the conservation plan  <b>Note:</b> This does not include herbicides or pesticides used as part of the maintenance of the practice.	
media chamber, geotextile or plastic lining for the bottom, sides and top and media (wood chips or other approved materials), and installation	to reduce nitrate nitrogen concentration in subsurface drainage flow	
water level control structure (diverter box) and installation	to regulate the flow into and out of the chamber	
perforated tile and installation	<ul style="list-style-type: none"> <li>• to be used inside the media chamber to spread out the water and collect it at the lower end</li> <li>• to re-route existing tile into the water level control structure</li> </ul>	
outlet	if needed in place of the tile to outlet into the creek	

National CRP Practices (Continued)

CP22S Saturated Riparian Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
locating tile lines	to locate a tile to tie into the water level control structure	authorized.
non-perforated tile and installation	to be used on both sides of the water level controls structures	
temporary supplemental irrigation systems or plastic mulch, except when natural regeneration is selected by the producer	in arid areas where the average annual precipitation is 25 inches or less and determined needed by both COC and designated technician	
rock-filled infiltration trenches to induce subsurface flow	specified as necessary to establish the vegetation and included in the conservation plan  <b>Note:</b> The potential for groundwater contamination <b>must</b> be considered during planting and design.	
grading, leveling, and filling	to control concentrated flow and site preparation	
permanent fencing	fencing needed to exclude livestock from the riparian buffer  <b>Important:</b> A single strand electric fence will not be considered a permanent fence for CRP.	
water gaps, bridges, or other livestock crossing facilities on small streams	specified as necessary to prevent sedimentation and pollution in the stream and included in the conservation plan  <b>Note:</b> See subparagraph 511 I.	
pipelines and water facilities constructed outside of the riparian buffer strip	substantiated as needed by COC for the purpose of providing a water source for livestock  <b>Note:</b> COC must only approve the minimum number of water sources needed. See paragraph 511.	
plugging, removing, or replacing with perforated pipe	to filter pollutants from underground drains through the riparian forest areas	
a regulating valve or structure may be installed to control drainage outflow	to reduce nitrogen or other pollutant loading	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22S Saturated Riparian Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
tree shelters, netting, plastic tubes, or other animal damage control devices, except when natural regeneration is selected by the producer	approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing  <b>Note:</b> STC <b>must</b> designate areas where using such measures is warranted and cost effective to protect seedlings.  See paragraphs 31 and 490.	authorized not to exceed an average cost, as determined by STC.
tree thinning (pre-commercial)	to improve resource condition	authorized using technical practice code 666.
streambank stabilization		not authorized.
minerals, nutrients, herbicides, and insecticides	to maintain vegetative cover or enhance production	
seed, tree and shrub seedlings, seedbed preparation and seeding	for use with natural regeneration	
minerals and nutrients		
temporary supplemental irrigation systems or plastic mulch		
clearing rocks or other obstructions from the area to be seeded		

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The buffer must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum materials necessary to establish an adequate cover to improve environmental benefits.
- Meet the purpose of the practice.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22S Saturated Riparian Buffer (Continued)

**F Practice Requirements (Continued)**

- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including maintenance as necessary to avoid adverse impact on surrounding land.
- The riparian buffer **must** be established and maintained according to the practice standards in FOTG.
- A management activity is required for each practice, if needed. See paragraph 428.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1.

**Exceptions:** See paragraph 426 for exceptions to the 12-month planting requirement.

See subparagraph H for natural regeneration.

**H Natural Regeneration**

Producers may elect to allow natural regeneration of the riparian buffer if **all** of the following are met:

- NRCS or TSP determines both of the following:
- an adequate seed source of approved tree, shrub, and grass species suited to the soil and hydrology of the site is present to meet the purpose of the practice

**Note:** Grass is an acceptable cover in the riparian buffer only if determined needed to control concentrated flow and an excessive sheet flow.

- under normal conditions, the **appropriate cover** will be established within 2 years of the CRP-1 effective date

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP22S Saturated Riparian Buffer (Continued)

H Natural Regeneration (Continued)

- erosion and runoff will be controlled during the establishment period
- weeds, including noxious weeds, and other non-approved plant species will be controlled during the establishment period
- the conservation plan signed by the producer requires **all** of the following:

- **no** C/S will be paid for the practice

**Exceptions:** See subparagraph E.

- the producer will plant the approved cover at no cost to FSA or CCC according to a revised conservation plan if the riparian buffer is not established through natural regeneration within 2 years of the CRP-1 effective date
- conservation practice code 647, Early Successional Habitat Development/Management, is used to identify natural regeneration.

NRCS or TSP must spot check the site at the end of the second year to determine whether the riparian buffer is established and meets the standards **and** specifications for NRCS conservation practice code 391A, Riparian Forest Buffer.

**Note:** FSA **must** immediately notify the participant:

- of the result of the spot check
- that the participant **must** plant the approved cover with no C/S according to a revised conservation plan, if applicable.

COC must **not** approve CRP-1 until **all** of the preceding requirements are met. COC must ensure that the producer is fully informed that:

- no C/S will be paid for natural regeneration

**Exceptions:** See subparagraph E.

- the producer will be required to plant the approved cover with no C/S if the approved cover is not established within 2-years of the CRP-1 effective date.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP22S Saturated Riparian Buffer (Continued)**

**I Environmental Concerns**

Consideration of wildlife habitat, water quality, and other environmental concerns are to be evaluated in the planning and establishment of the protective measure.

**J Practice Maintenance**

This practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG. C/S must be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate protection of water quality during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**K Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**L Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**M Technical Responsibility**

Technical responsibility for this practice is assigned to FS and NRCS, or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP23 Wetland Restoration**

**A Purpose**

The purpose of this practice is to restore the functions and values of wetland ecosystems that have been devoted to agricultural use. The level of restoration of the wetland ecosystem must be determined by the producer in consultation with NRCS or TSP.

\* \* \*

**B Program Policy**

Apply this practice to eligible wetlands and associated acreage that are suitably located and adapted to the restoration of wetland functions and values. The restoration of wetland hydrology is only required to the extent specified by the producer.

Eligible cropland must meet the requirements in subparagraph 181 A.

**Note:** Cottonwoods may be planted to enhance the viability of other hardwood trees (oaks, etc.).

Selection of cottonwood as a component must be silviculturally and ecologically appropriate for the long-term health and production of the stand. Hydrologic and soil characteristics must be appropriate for the planting of cottonwood species.

**C Total Eligible Cropland Limit**

Total eligible cropland for wetland restorations is limited to cropland:

- according to paragraph 151
- within the 100-year floodplain of a permanent river or stream
- that includes a minimum of 51 percent hydric soils for the acreage offered (nonbuffer areas).

**Note:** An offer that includes a buffer outside the 100-year floodplain may be enrolled if otherwise eligible, needed, and feasible for the practice.

**D Size Requirements**

The amount of adjacent upland acreage to be enrolled must be determined by NRCS. The amount of adjacent upland acres:

- is limited to the minimum number of acres required to provide a protective buffer to the cropped wetland and to enhance wildlife habitat
- may be less than the 3 to 1 ratio
- must not exceed the 3 to 1 ratio.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP23 Wetland Restoration (Continued)**

**E Eligibility**

To be eligible for C/S, this practice must:

- be included in the approved conservation plan
- be maintained for the life of CRP-1
- restore the functional capability and values of the wetland ecosystem to a level determined by the participant in consultation with NRCS or TSP, including the following:
  - preventing degradation of the wetland area and surrounding upland area from recurring
  - increasing sediment trapping efficiencies
  - improving surface and ground water quality
  - preventing excessive erosion from recurring
  - providing waterfowl and other wildlife habitat
  - reducing flood flows.

**F C/S Policy**

The following provides C/S policies for this practice.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop or restore the hydrology of the site	authorized using technical practice codes 327, 338, 340, 342, 356, 394
eligible seeding for grassland ecosystem	for soils that are developed under a grassland ecosystem that will not be covered by water anytime during a normal growing season and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishment of permanent native grass species</li> <li>• establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	512, 550, 587, 612, 638, 644, 645, 657, 658, and 659.

National CRP Practices (Continued)

CP23 Wetland Restoration (Continued)

F C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
eligible seeding for woodland ecosystem	for soils that are developed under a woodland ecosystem, except in areas that will be covered by water during no less than 60 calendar days of the normal growing season, and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishment of hard mast-producing hardwoods adapted for living in wet conditions that will provide multipurpose forest and wildlife benefits</li> <li>• establishment of native and permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annual grasses, legumes, perennial native grass species, and softwoods, not to exceed 50 percent of the total number of trees planted, to serve as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	authorized.
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	
breaking tile	restore natural water flow	
structures, like pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS or TSP	

National CRP Practices (Continued)

CP23 Wetland Restoration (Continued)

F C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until the required seeds or plant stock is available</li> <li>• needed because the normal planting period for the permanent cover crop has passed</li> <li>• that a soil condition, like chemical residue, will not allow establishment of the permanent cover immediately</li> </ul>	authorized.
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal damage control devices	<p>approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing</p> <p><b>Note:</b> STC <b>must</b> designate areas where use of such measures is warranted and cost-effective to protect seedlings. See paragraphs 31 and 490.</p>	authorized not to exceed an average cost, as determined by STC.

National CRP Practices (Continued)

CP23 Wetland Restoration (Continued)

F C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
fencing or roads		not authorized.
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelanes		
tree or grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
mineral or nutrient	to maintain cover or enhance production	
cottonwoods planted to serve as a nurse crop for other hardwoods		

G Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum work and materials necessary to develop or restore the wetland hydrology, and establish an adequate cover to improve environmental benefits.
- The wetland ecosystem must be restored to the extent identified according to subparagraph B.

**Note:** The level of restoration must be determined by the producer in consultation with NRCS or TSP.

- Approval must be obtained from the State Forester and State Wildlife Agency certifying that planting of cottonwood as a nurse crop is appropriate for the State.
- Planting of cottonwood trees may only be for nurse trees in a pattern appropriate for that purpose.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP23 Wetland Restoration (Continued)

**G Practice Requirements (Continued)**

- Chemicals used in establishing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice **must** be established and maintained according to the practice standards in FOTG.
- The hydrology of the wetland **must** be maintained according to the operation and maintenance requirements for the practice standard.
- A management activity is required for each practice, if needed.

**H Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**I Environmental Concerns**

Consideration of water quality, wildlife, and other environmental concerns are to be evaluated in the planning and establishment of this practice.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP23 Wetland Restoration (Continued)**

**J Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the CRP contract period appropriate for the stand as determined by the State Forester. C/S for tree thinning is authorized.

C/S must be refunded if any of the following apply:

- producer destroys the practice during the life of CRP-1
- producer fails to maintain the cover during the life of CRP-1
- the cover fails to provide adequate protection of water quality during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

**K Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP23 Wetland Restoration (Continued)**

**L Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**M Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP. For areas to be established to trees, FS or State Forestry Agency must have technical responsibility. The State Forester has responsibility for determining whether selection of a cottonwood species component is silviculturally and ecologically appropriate.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP23A Wetland Restoration, Non-Floodplain

### A Purpose

The purpose of this practice is to restore the functions and values of wetland ecosystems that have been devoted to agricultural use. The level of restoration of the wetland ecosystem will be determined by the producer in consultation with NRCS or TSP.

### B Program Policy

Apply this practice to eligible wetlands and associated acreage that are suitably located and adapted to the restoration of wetland functions and values. The restoration of wetland hydrology is only required to the extent specified by the producer.

This practice must be:

- located outside the 100-year floodplain
- playa lakes

Eligible cropland must meet the requirements in subparagraph 181 A.

**Note:** Cottonwoods may be planted to enhance the viability of other hardwood trees (oaks, etc.).

Selection of cottonwood as a component must be silviculturally and ecologically appropriate for the long-term health and production of the stand. Hydrologic and soil characteristics must be appropriate for the planting of cottonwood species.

### C Size Requirements

The amount of adjacent upland acreage to be enrolled will be determined by NRCS. The amount of adjacent upland acres:

- is limited to the minimum number of acres required to provide a protective buffer to the cropped wetland and to enhance wildlife habitat
- may be less than the 4 to 1 ratio
- must not exceed the 4 to 1 ratio.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP23A Wetland Restoration, Non-Floodplain (Continued)**

**D Eligibility**

To be eligible for C/S, this practice must:

- be maintained for the life of CRP-1
- be included in the approved conservation plan
- restore the functional capability and values of the wetland ecosystem to a level determined by the participant in consultation with NRCS or TSP, including the following:
  - preventing degradation of the wetland area and surrounding upland area from recurring
  - increasing sediment trapping efficiencies
  - improving surface and ground water quality
  - preventing excessive erosion from recurring
  - providing waterfowl and other wildlife habitat
  - reducing flood flows.

**E C/S Policy**

The following provides C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop or restore the hydrology of the site	authorized.
eligible seeding for grassland ecosystem	for soils that are developed under a grassland ecosystem that will not be covered by water anytime during a normal growing season and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishment of permanent native grass species</li> <li>• establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	

National CRP Practices (Continued)

CP23A Wetland Restoration, Non-Floodplain (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
eligible seeding for woodland ecosystem	for soils that are developed under a woodland ecosystem, except in areas that will be covered by water during no less than 60 calendar days of the normal growing season, and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishment of hard mast-producing hardwoods adapted for living in wet conditions that will provide multipurpose forest and wildlife benefits</li> <li>• establishment of native and permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annual grasses, legumes, perennial native grass species, and softwoods, not to exceed 50 percent of the total number of trees planted, to serve as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	authorized.
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	
breaking tile	restore natural water flow	
structures, like pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS or TSP	

National CRP Practices (Continued)

CP23A Wetland Restoration, Non-Floodplain (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until the required seeds or plant stock is available</li> <li>• needed because the normal planting period for the permanent cover crop has passed</li> <li>• that a soil condition, like chemical residue, will not allow establishment of the permanent cover immediately</li> </ul>	authorized using technical practice codes 327, 338, 340, 342, 356, 394, 548, 550, 587, 612, 638, 644, 645, 657, 658, and 659.
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal damage control devices	<p>approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing</p> <p><b>Note:</b> STC <b>must</b> designate areas where use of such measures is warranted and cost-effective to protect seedlings. See paragraphs 31 and 490.</p>	authorized not to exceed an average cost, as determined by STC.

National CRP Practices (Continued)

CP23A Wetland Restoration, Non-Floodplain (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
fencing or roads		not authorized.
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelanes		
tree or grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
mineral or nutrient	to maintain cover or enhance production	
cottonwoods planted to serve as a nurse crop for other hardwoods		

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum work and materials necessary to develop or restore the wetland hydrology, and establish an adequate cover to improve environmental benefits.
- The wetland ecosystem will be restored to the extent identified according to subparagraph B.

**Note:** The level of restoration will be determined by the producer in consultation with NRCS or TSP.

- Approval must be obtained from the State Forester and State Wildlife Agency certifying that planting of cottonwood as a nurse crop is appropriate for the State.
- Planting for cottonwood trees may only be for nurse trees in a pattern appropriate for that purpose.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP23A Wetland Restoration, Non-Floodplain (Continued)

**F Practice Requirements (Continued)**

- Chemicals used in establishing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice **must** be established and maintained according to the practice standards in FOTG.
- The hydrology of the wetland **must** be maintained according to the operation and maintenance requirements for the practice standard.
- A management activity is required for each practice, if needed.

**G Planting Timespan**

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of water quality, wildlife, and other environmental concerns are to be evaluated in the planning and establishment of this practice.

**I Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of CRP-1 appropriate for the stand as determined by the State Forester.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP23A Wetland Restoration, Non-Floodplain (Continued)**

**I Practice Maintenance (Continued)**

C/S will be refunded if any of the following apply:

- producer destroys the practice during the life of CRP-1
- producer fails to maintain the cover during the life of CRP-1
- the cover fails to provide adequate protection of water quality during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

This practice will have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC. See paragraph 428.

C/S is not authorized for management activities.

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP, except in those areas established to trees, the Forest Service or State Forestry Agency will have the technical responsibility. The State Forester has responsibility for determining whether selection of a cottonwood species component is silviculturally and ecologically appropriate.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP24 Establishment of Permanent Vegetative Cover as Cross Wind Trap Strips

### A Purpose

The purpose of this practice is to establish at least 2 or more strips, varying in size, of permanent vegetative cover resistant to wind erosion perpendicular to the prevailing wind direction on eligible cropland with a wind erosion EI greater than or equal to 4 ( $EI \geq 4$ ) that will:

- reduce on-farm wind erosion
- trap wind-borne sediments and sediment borne contaminants
- help protect public health and safety.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to permanent vegetative cover for cross wind trap strips perpendicular to the prevailing wind direction.

Eligible cropland must meet the requirements in subparagraph 181 A.

This practice must:

- consist of at least 2 strips each that meet the size requirements in subparagraph D
- not exceed, in aggregate, 10 percent of the total field acreage
- only be devoted to eligible cropland with a wind erosion EI greater than or equal to 4 ( $EI \geq 4$ ).

### C Size Requirements

Cross wind trap strips must:

- be a minimum of 15 feet in width
- not exceed 25 feet in width
- consist of permanent vegetation that is a minimum of 12 inches in height
- not exceed, in aggregate, 10 percent of the total acreage in the field.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP24 Establishment of Permanent Vegetative Cover as Cross Wind Trap Strips (Continued)**

**D Eligibility**

To be eligible for C/S, this practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the CRP-1 period
- be required by the approved conservation plan
- not exceed the size requirements in subparagraph D
- only be devoted to eligible cropland with a wind erosion EI greater than or equal to 4 (EI ≥ 4).

**E C/S Policy**

The following shows C/S policies for this practice.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, 327, 338, 340, 342, 548, 550, 589, and 590.
eligible seed		
seedbed preparation		
seeding		
herbicides	specified as necessary during practice establishment in the approved conservation plan	
insecticides		
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP24 Establishment of Permanent Vegetative Cover as Cross Wind Trap Strips (Continued)

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
herbicides	to maintain vegetative cover	not authorized.
insecticides		
earthmoving	to establish the contour grass strips	
clearing rocks or other obstructions from the area to be seeded		
fencing		
minerals	to enhance production	

F Practice Requirements

The following are requirements for this practice.

- Limit C/S to the minimum minerals and seed necessary to establish adequate cover to improve environmental benefits.
- The acreage seeded must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- Designed width of strips **must** be maintained for the life of CRP-1.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP24 Establishment of Permanent Vegetative Cover as Cross Wind Trap Strips (Continued)**

**F Practice Requirements (Continued)**

- Deposition of soil materials must be removed when the accumulated sediment in the cross wind trap strip exceeds 6 inches in depth.

**Note:** Cover must be reseeded, at producer's expense, after accumulated sediment is removed.

- Vegetative cover height of at least 12 inches must be maintained for the life of CRP-1.
- The practice will have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC.

**G Planting Timespan**

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consider wildlife concerns when making determinations about seed varieties and other practice specifications.

**I Practice Maintenance**

The practice must be maintained without additional C/S for the CRP-1 period. C/S must be refunded if:

- producer destroys the cover during the CRP-1 period
- width of the strips is not maintained
- minimum height of vegetative cover is not maintained
- sediment deposition is not removed, when required, and acreage reseeded
- cover fails to provide enhancement of environmental benefits during the practice lifespan unless caused by circumstances beyond the producer's control.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP24 Establishment of Permanent Vegetative Cover as Cross Wind Trap Strips (Continued)**

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP25 Rare and Declining Habitat**

**A Purpose**

The purpose of this practice is to restore the functions and values of critically endangered, endangered, and threatened habitats. The extent of the restoration is determined by the specifications developed at the State level.

**Note:** All State specifications **must** be reviewed and approved by DAFP.

Habitats eligible for restoration include:

- Critically endangered, endangered, and threatened ecosystems listed in Appendix B of the U.S. Department of the Interior, National Biological Service, Biological Report 28, “Endangered Ecosystems of the United States: A Preliminary Assessment of Loss and Degradation.”

**Note:** See subparagraph M.

- Other specifically identified habitats within a State with documented losses of greater than 70 percent since European settlement.

**Notes:** Documentation of 70 percent or greater loss **must** be provided for all habitats not listed in subparagraph M.

All habitats not listed in subparagraph L **must** be approved by DAFP.

**B Program Policy**

Apply this practice to eligible cropland where a specified habitat can be restored and maintained, as determined by NRCS technical specifications, in a cost-effective manner through enrollment in CRP.

**Notes:** NRCS technical restoration specifications will be developed in consultation with the State Technical Committee.

Technical expertise from other Federal and State agencies and/or private organizations is encouraged to assist with habitat establishment and long-term management of the restored habitats.

State NRCS Offices must submit **all** specifications developed to NRCS National Headquarters for review. To be an eligible practice, specifications **must** be approved by DAFP before implementation.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP25 Rare and Declining Habitat (Continued)**

**C Size Requirements**

The size requirements for this practice will be determined in consultation with NRCS or TSP and the FOTG.

**D Eligibility**

To be eligible for C/S, this practice must:

- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the CRP-1 period
- be required by the approved conservation plan
- be implemented on eligible lands where the rare and declining habitat can be restored in a cost-effective manner through enrollment in CRP
- restore the native vegetative components and functions, and values of rare and declining wildlife habitats to a level determined by the specifications developed at the State level and approved by DAFP.

**Note:** C/S must not exceed 50 percent of the price at which the land placed in CRP could be sold for use as farmland at the time at which CRP-1 is signed by the producer. See paragraph 490.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP25 Rare and Declining Habitat (Continued)

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, 327, 338, 340, 342, 362, 394, 441, 550, 574, 600, 612, 614, 643, 645, 657, and 658.
eligible seed, including grasses, trees, shrubs, legumes and forbs	<b>Notes:</b> The requirements of this practice, including eligible seed mixtures and minerals <b>must</b> be specified in the practice specification, as developed by the designated technician.  Only seed that meets the purpose of the practice will be eligible for C/S.	
seedbed preparation		
seeding		
herbicides	specified as necessary during practice establishment in the approved conservation plan	
insecticides		
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>	
structures, such as pipe, flashboard risers, gates, chutes, and outlets	to restore hydrology, when applicable, for an effective practice, as determined by the designated technician and stated as needed in the technical specifications submitted for review and in the approved conservation plan	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP25 Rare and Declining Habitat (Continued)**

**E C/S Policy (Continued)**

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
tree tubes, plastic mulch, and temporary irrigation systems	in arid areas where needed to establish a tree planting, as determined by the designated technician and stated as needed in the technical specifications submitted for review and in the approved conservation plan	authorized.
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop or restore the hydrology of the site and specified as necessary during practice establishment in the approved conservation plan	
herbicides	to maintain vegetative cover	not authorized.
insecticides		
clearing rocks or other obstructions from the area to be seeded		
roads		
fencing		
minerals		

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP25 Rare and Declining Habitat (Continued)

**F Practice Requirements**

States must develop detailed:

- specifications to accomplish the successful restoration of the critically endangered, endangered, and threatened habitats within the State
- maps of the area where the approved practice specifications will be implemented.

All specifications **must** be reviewed and approved by DAFP.

The following are requirements for this practice.

- The approved critically endangered, endangered, or threatened habitat must be restored according to specifications developed by the State and approved by DAFP.
- Limit C/S to the minimum minerals and seed necessary to restore the rare and declining habitat vegetative characteristics, as provided by the State specific restoration specifications.
- Acreage **must** be maintained according to the conservation plan for the life of CRP-1.
- The acreage enrolled must not be harvested or grazed by domestic livestock for the life of CRP-1.
- The size of the acreage established should be of sufficient size and location on the landscape as to meet the purpose of the practice.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- A management activity is required for each practice, if needed.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP25 Rare and Declining Habitat (Continued)**

**G Planting Timespan**

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Restoration of critically endangered, endangered, and threatened habitats is the primary consideration when making determinations about types of plantings, spacing, and other practice specifications. Consider preserving and improving the surrounding environment when making determinations about seed varieties and other practice specifications.

**I Practice Maintenance**

The practice must be maintained without additional C/S for the CRP-1 period. C/S must be refunded if:

- producer destroys the cover during the CRP-1 period
- restoration fails to meet the goals of the practice during the practice lifespan, unless caused by circumstances beyond the producer's control
- cover fails, unless caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S not is authorized for management activities.

**K Program Development**

State-specific specifications will be developed for this practice and **must** be reviewed and approved by DAFP.

**County Offices are not authorized to modify established specifications or develop county practices for CP25.**

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP25 Rare and Declining Habitat (Continued)**

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

**M Approved Critically Endangered and Endangered Ecosystems**

**Critically Endangered (>98 Percent Decline) Ecosystems**

Old-growth and other virgin stands in the eastern deciduous forest biome.

Spruce-fir (*Picea rubens-Abies fraseri*) forest in the southern Appalachians.

Red pine (*Pinus resinosa*) and white pine (*Pinus strobus*) forests (mature and old-growth) in Michigan.

Longleaf pine (*Pinus palustris*) forests and savannas in the southeastern coastal plain.

Slash pine (*Pinus elliottii*) rockland habitat in South Florida.

Loblolly pine-shortleaf pine (*Pinus taeda-Pinus echinata*) hardwood forests in the West Gulf Coastal Plain.

*Arundinaria gigantea* canebrakes in the Southeast.

Tallgrass prairie east of the Missouri River and on mesic sites across range.

Bluegrass savanna-woodland and prairies in Kentucky.

Black Belt prairies in Alabama and Mississippi and in the Jackson Prairie in Mississippi.

Ungrazed dry prairie in Florida.

Oak (*Quercus* spp.) savanna in the Midwest.

Wet and mesic coastal prairies in Louisiana.

Lakeplain wet prairie in Michigan.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP25 Rare and Declining Habitat (Continued)

M Approved Critically Endangered and Endangered Ecosystems (Continued)

Sedge (*Carex* spp. and others) meadows in Wisconsin.

Hempstead Plains grasslands on Long Island.

Lake sand beaches in Vermont.

Serpentine barrens, maritime heathland, and pitch pine (*Pinus rigida*)-heath barrens in New York.

Prairies (all types) and oak savannas in the Willamette Valley and in the foothills of the Coast Range, Oregon.

Palouse prairie (Idaho, Oregon, and Washington and in similar communities in Montana).

Native grasslands (all types) in California.

Alkali sink scrub in southern California.

Coastal strand in southern California.

Ungrazed sagebrush steppe in the Intermountain West.

Basin big sagebrush (*Artemisia tridentata*) in the Snake River Plain of Idaho.

Atlantic white-cedar (*Chamaecyparis thyoides*) stands in the Great Dismal Swamp of Virginia and in North Carolina and possibly across the entire range.

Streams in the Mississippi Alluvial Plain.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP25 Rare and Declining Habitat (Continued)

M Approved Critically Endangered and Endangered Ecosystems (Continued)

Endangered (85-98 Percent Decline)

Old-growth and other virgin forests in regions and in States other than in those already listed, except in Alaska.

Mesic limestone forest and barrier island beaches in Maryland.

Coastal plain Atlantic white-cedar swamp, maritime oak-holly (*Quercus spp.-Ilex spp.*) forest, maritime redcedar (*Juniperus virginiana*) forest, marl fen, marl pond shore, and oak openings in New York.

Coastal heathland in southern New England and on Long Island.

Pine-oak-heath sandplain woods and lake sand beach in Vermont.

Floodplain forests in New Hampshire.

Red spruce (*Picea rubens*) forests in the central Appalachians (West Virginia).

Lowland forest in southeastern Missouri.

High-quality oak-hickory (*Quercus spp.-Carya spp.*) forest on the Cumberland Plateau and on the Highland Rim of Tennessee.

Limestone redcedar (*Juniperus virginiana*) glades in Tennessee.

Wet longleaf pine savanna and eastern upland longleaf pine forest in Louisiana.

Calcareous prairie, Fleming glade, shortleaf pine/oak-hickory forest, mixed hardwood-loblolly pine forest, eastern xeric sandhill woodland, and stream terrace sandy woodland/savanna in Louisiana.

Slash pine (*Pinus elliottii*) forests in southwestern Florida.

Red pine and white pine forests in Minnesota.

Coastal redwood (*Sequoia sempervirens*) forests in California.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP25 Rare and Declining Habitat (Continued)

**M Approved Critically Endangered and Endangered Ecosystems (Continued)**

Old-growth ponderosa pine (*Pinus ponderosa*) forests in the northern Rocky Mountains, Intermountain West, and eastside Cascades Mountains.

Riparian forests in California, Arizona, and New Mexico.

Coastal sage scrub (especially maritime) and coastal mixed chaparral in southern California.

Dry forest on main islands of Hawaii.

All types of native habitats in the lower delta of the Rio Grande River, Texas.

Tallgrass prairie (all types combined).

Native shrub and grassland steppe in Oregon and in Washington.

Low elevation grasslands in Montana.

Gulf Coast pitcher plant (*Sarracenia* spp.) bogs.

Upland hardwoods in the Coastal Plain of Tennessee.

Pocosins (evergreen shrub bogs) and ultramafic soligenous wetlands in Virginia.

Mountain bogs (southern Appalachian bogs and swamp forest-bog complex) in Tennessee and in North Carolina.

Upland wetlands on the Highland Rim of Tennessee.

Saline wetlands in eastern Nebraska.

Wetlands (all types combined) in south-central California, Illinois, Indiana, Iowa, Missouri, Nebraska, and Ohio.

Marshes in the Carson-Truckee area of western Nevada.

Low-elevation wetlands in Idaho.

**(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)**

**CP25 Rare and Declining Habitat (Continued)**

**M Approved Critically Endangered and Endangered Ecosystems (Continued)**

Woody hardwood draws, glacial pothole ponds, and peatlands in Montana.

Vernal pools in the Central Valley and in southern California.

Marshes in the Coos Bay area of Oregon.

Freshwater marsh and coastal salt marsh in Southern California.

Seasonal wetlands of the San Francisco Bay, California.

Large streams and rivers in all major regions.

Aquatic mussel (Unionidae) beds in Tennessee.

Submersed aquatic vegetation in the Chesapeake Bay, in Maryland, and in Virginia.

Mangrove swamps and salt marsh along the Indian River lagoon, Florida.

Seagrass meadows in Galveston Bay, Texas.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP25 Rare and Declining Habitat (Continued)**

**M Approved Critically Endangered and Endangered Ecosystems (Continued)**

**Threatened (70 - 84 Percent Decline)**

Nationwide riparian forests (other than in already listed regions), including southern bottomland hardwood forests.

Xeric habitats (scrub, scrubby flatwoods, sandhills) on the Lake Wales Ridge, Florida.

Tropical hardwood hammocks on the central Florida keys.

Northern hardwood forest, aspen (*Populus* spp.) parkland, and jack pine (*Pinus banksiana*) forests in Minnesota.

Saline prairie, western upland longleaf pine forest, live oak-pine-magnolia (*Quercus virginiana*-*Pinus* spp.-*Magnolia* spp.) forest, western xeric sandhill woodland, slash pine-pond baldcypress-hardwood (*Pinus elliottii*-*Taxodium ascendens*) forest, wet and mesic spruce-pine (*P. glabra*)-hardwood flatwoods, wet mixed hardwood-loblolly pine (*Pinus taeda*) flatwoods, and flatwoods ponds in Louisiana.

Alvar grassland, calcareous pavement barrens, dwarf pine ridges, mountain spruce-fir forest, inland Atlantic whitecedar swamp, freshwater tidal swamp, inland salt marsh, patterned peatland, perched bog, pitch pine-blueberry (*Pinus rigida*-*Vaccinium* spp.) peat swamp, coastal plain poor fens, rich graminoid fen, rich slopping fen, and riverside ice meadow in New York.

Maritime-like forests in the Clearwater Basin of Idaho.

Woodland and chaparral on Santa Catalina Island.

Southern tamarack (*Larix laricina*) swamp in Michigan.

Wetlands (all kinds) in Arkansas, Connecticut, Kentucky, and Maryland.

Marshes in the Puget Sound region, Washington.

Cienegas (marshes) in Arizona.

Coastal wetlands in California.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP27 Farmable Wetlands Pilot Wetland**

**A Purpose**

The purpose of this practice is to restore the functions and values of wetlands that have been devoted to agricultural use. Hydrology and vegetation **must** be restored to the maximum extent possible, as determined by USDA.

**B Program Policy**

Apply this practice to eligible wetlands that are suitably located and adapted to the restoration of wetland functions and values. The restoration of the wetland hydrology and vegetation is required to the maximum extent possible.

Eligible cropland must meet the requirements in subparagraph 240 A, and all of the following **must** be met:

- COC/CED determines both of the following:
  - cropland meets cropping history requirements
  - an associated buffer (CP28) is offered

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP27 Farmable Wetlands Pilot Wetland (Continued)**

**C Size Requirements**

The maximum acceptable size of any 1 CP27 is 40 acres. Wetlands greater than 40 acres in size are not eligible for enrollment in CRP under FWP.

**Note:** The total of all wetlands may exceed 40 acres.

**Example:** A producer offers a 41 acre wetland. Because the total wetland is greater than 40 acres in size, the entire 40 acre wetland is ineligible for enrollment in CRP under FWP.

**D Eligibility**

To be eligible for C/S, this practice must:

- only be enrolled under FWP
- only be enrolled with an eligible associated buffer (CP28)
- meet the cropping history requirements
- be included in the approved conservation plan
- be maintained for the life of CRP-1
- restore the functional capability and values of the wetland.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP27 Farmable Wetlands Pilot Wetland (Continued)

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop or restore the hydrology of the site	authorized using technical practice codes 327, 338, 340, 394, 512,550, 587, 612, 638, 644, 645, 657, 658, and 659.
eligible seed and seeding	for soils that are developed under a wetland ecosystem and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishing permanent native grass</li> <li>• establishing permanent introduced grasses, forbs, and legumes, trees, and native shrub species, where determined necessary to restore the functions and values of the wetland</li> <li>• planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	authorized.
breaking tile	restore natural water flow	
structures, such as pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS	
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until the required seeds or plant stock is available</li> <li>• needed because the normal planting period for the permanent cover crop has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of the permanent cover immediately</li> </ul>	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP27 Farmable Wetlands Pilot Wetland (Continued)

E C/S Policy (Continued)

If the component is...	And the justification is...	Then C/S is...
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	authorized
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing  <b>Note:</b> STC <b>must</b> designate areas where using such measures is warranted and cost-effective to protect seedlings.	authorized not to exceed an average cost, as determined by STC.
fencing or roads		not authorized.
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelines		
tree or grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
mineral or nutrient	to maintain cover or enhance production	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP27 Farmable Wetlands Pilot Wetland (Continued)

**F Practice Requirements**

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum work and materials necessary to develop or restore the wetland hydrology, and establish an adequate cover to improve environmental benefits.
- The wetland must be restored to the extent identified according to subparagraph B.
- Chemicals used in establishing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice **must** be established and maintained according to the practice standards in FOTG.
- The hydrology of the wetland **must** be maintained according to the operation and maintenance requirements for the practice standard.

**G Planting Timespan**

Planting of the approved permanent cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of water quality, wildlife, and other environmental concerns are to be evaluated in the planning and establishment of this practice.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP27 Farmable Wetlands Pilot Wetland (Continued)**

**I Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S will be refunded if any of the following apply:

- producer destroys the practice during the life of CRP-1
- producer fails to maintain the cover during the life of CRP-1
- the cover fails to provide adequate protection of water quality during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

This practice will have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP, except in those areas established to trees, the Forest Service or State Forestry Agency will have the technical responsibility

**M Associated Practice**

This practice is only authorized with the associated practice CP28, Farmable Wetland Pilot Buffer, to ensure that the functions and values of the wetland are maintained for the length of the contract.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP28 Farmable Wetlands Pilot Buffer

### A Purpose

The purpose of this practice is to provide a vegetative buffer around wetlands (CP27) to remove sediment, nutrients, and pollutants from impacting the wetland and to provide wildlife habitat for the associated wetland.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to the restoration of wetland functions and values.

Eligible cropland must meet the requirements in subparagraph 240 A, and both of the following **must** be met:

- cropland meets cropping history requirements
- the cropland offered is adjacent to an eligible wetland (CP27).

**Note:** CP28 is not eligible to be enrolled without CP27.

### C Size Requirements

The maximum size of any associated buffer (CP28) enrolled in CRP under FWP is 4 times the size of the wetland. STC's may determine a buffer ratio less than 4:1, consistent with program purposes and with State Technical Committee concurrence.

**Note:** The total acreage of each associated buffer must **not** exceed the size limitation.

**Example:** A producer offers a 3 acre eligible wetland (CP27) for enrollment in CRP under FWP. NRCS or TSP determines that the associated buffer (CP28) necessary to protect the wetland is 6 acres (2 to 1 ratio). CP27 and CP28 are both eligible for enrollment in CRP under FWP provided all other eligibility requirements are met.

### D Eligibility

To be eligible for C/S, this practice must:

- be enrolled under FWP
- be enrolled with the associated CP27 practice
- be required by the approved conservation plan
- meet the cropping history requirements
- improve environmental benefits to an acceptable level
- be maintained for the life of CRP-1

National CRP Practices (Continued)

CP28 Farmable Wetlands Pilot Buffer (Continued)

D Eligibility (Continued)

- prevent degradation of environmental benefits from recurring
- maintain and enhance the functions and values of the wetland system.

E C/S Policy

The following table provides C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
eligible seed	for soils that are developed under a grassland ecosystem that will not be covered by water anytime during a normal growing season and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishing permanent native grass species</li> <li>• establishing permanent introduced grasses, legumes, and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	authorized using technical practice codes 314, 315, 327, 382, 386, 390, 391, 393, 410, 516, 574, 614, 642, and 645.
eligible seeding	for soils that are developed under a woodland ecosystem, except in areas that will be covered by water during no less than 60 calendar days of the normal growing season, and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishing hard mast-producing hardwoods adapted for living in wet conditions that will provide multi-purpose forest and wildlife benefits</li> <li>• establishing permanent introduced grasses, legumes, and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annual grasses, legumes, perennial native grass species, and softwoods, not to exceed 50 percent of the total number of trees planted, to serve as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	

National CRP Practices (Continued)

CP28 Farmable Wetlands Pilot Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until the required seeds or plant stock is available</li> <li>• needed because the normal planting period for the permanent cover crop has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of the permanent cover immediately</li> </ul>	authorized.
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
grading, leveling, and filling	<p>to control concentrated flow and site preparation.</p> <p><b>Important:</b> Grading, leveling, and filling does not include shaping or manipulation of the streambank.</p>	
tree shelters, netting, plastic tubes, or other animal control devices	<p>approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing</p> <p><b>Note:</b> STC <b>must</b> designate areas where using such measures is warranted and cost-effective to protect seedlings.</p>	authorized not to exceed an average cost, as determined by STC.
herbicide, pesticides, and insecticides	to maintain vegetative cover	not authorized.
clearing rocks or other obstructions from the area to be seeded		
streambank stabilization		
mineral or nutrient	to maintain cover or enhance production	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP28 Farmable Wetlands Pilot Buffer (Continued)**

**F Practice Requirements**

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum work and materials necessary to establish an adequate cover to improve environmental benefits.
- Practice must reduce nutrients, sediment, organic matter, pesticides, and other pollutants that are being delivered to the associated wetland CP27, and CP41.
- Chemicals used in establishing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice **must** be established and maintained according to the practice standards in FOTG.

**G Planting Timespan**

Planting of the approved permanent cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of water quality, wildlife, and other environmental concerns are to be evaluated in the planning and establishment of this practice.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP28 Farmable Wetlands Pilot Buffer (Continued)**

**I Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S must be refunded if any of the following apply:

- producer destroys the practice during the life of CRP-1
- producer fails to maintain the cover during the life of CRP-1
- the cover fails to provide adequate protection of water quality during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

**M Associated Practice**

This practice is only authorized with the associated practice CP27, FWP Constructed Wetland, and CP41, FWP Flooded Prairie Wetland, to ensure that the functions and values of the wetland are maintained for the length of the contract.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP29 Marginal Pastureland Wildlife Habitat Buffer

### A Purpose

The purpose of this practice is to remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake, denitrification, and other processes, and thereby reduce pollution and protect surface water and subsurface water quality while enhancing the ecosystem of the water body. By restoring native grass communities, characteristics for the site will assist in stabilizing stream banks, reducing flood damage impacts, and restoring and enhancing wildlife habitat.

### B Program Policy

Apply this practice to eligible marginal pastureland that is suitably located and adapted to the \*--development or restoration of a wildlife habitat buffer to improve water quality.--\*

**Marginal pastureland** requirements in subparagraphs 181 C and D **must** be met, in addition:

- the vegetation for the site is a mix of grasses, shrubs, and forbs

**Note:** The practice must enhance the grass, shrub, and forb community and provide water quality improvement and wildlife habitat benefits.

- NRCS or TSP determines, based on a site visit using the Documentation of Suitability and Feasibility Worksheet, the marginal pastureland is suitable to be devoted to a wildlife habitat buffer.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP29 Marginal Pastureland Wildlife Habitat Buffer (Continued)**

**B Program Policy (Continued)**

CP29's are not eligible to be used in conjunction with the following practices:

- CP22, CP22B, or CP22S, because, if needed, CP22, CP22B, or CP22S include a grass buffer
- CP23, because acreage devoted to CP23 may include up to a 3 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP23A, because acreage devoted to CP23A may include up to a 4 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP21, CP21B, CP21S, or CP30, because the practice must solve the resource concern without additional practices
- CP9, because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area.

**C Size Requirements**

The minimum acceptable width of a wildlife habitat buffer is 20 feet. A wetland habitat buffer may be applied up to a maximum average width of 120 feet, if needed to accomplish the purpose of the practice.

**Note:** The maximum average width of wildlife habitat buffers established for any purpose other than protection and enhancement of water quality, must not exceed 120 feet.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP29 Marginal Pastureland Wildlife Habitat Buffer (Continued)

C Size Requirements (Continued)

When the minimum design specification for water quality exceeds 120 feet, the minimum design specification is the maximum average width that may be enrolled. NRCS or TSP **must** document the need for a minimum design specification in excess of 120 feet in writing.

**Note:** NRCS or TSP will use the Documentation of Suitability and Feasibility Worksheet to document the need for an additional average width for water quality purposes consistent with FOTG standards. The documentation **must** be maintained in the CRP folder.

**Example:** Producer offers to enroll land to be devoted to a 120-foot-wide wildlife habitat buffer to protect the adjacent eligible stream. Based on the soils, slope, and other site conditions, NRCS or TSP documents that to address the water quality resource problem and to function properly, the wildlife habitat buffer **must** be a minimum of 145 feet in width. Because the purpose of the wildlife habitat buffer is the protection and enhancement of water quality, the minimum of width 145 feet may be enrolled. The 145-foot minimum width is the maximum acreage that may be enrolled.

The wildlife habitat buffer will begin at the top of the stream bank. In some cases, there may be land that is adjacent to the stream that does **not** meet the eligibility criteria to be enrolled in CRP. **This land must not be enrolled in CRP.** However, if the eligible land is enrolled in CRP as a wildlife habitat buffer, the ineligible land will **be** included:

- in the area used as a wildlife habitat buffer
- in the conservation plan
- when determining the width of the wildlife habitat buffer.

A wildlife habitat buffer adjacent to a stream that includes land **not** enrolled in CRP. The first 15 feet adjacent to the stream (starting at the top of the stream bank) does **not** meet the eligibility criteria to be enrolled in CRP.

The wildlife habitat buffer is 100 feet wide. Only the eligible land (85 feet width) is enrolled in CRP. The conservation plan is for the entire wildlife habitat buffer (100 feet). The producer is responsible for maintaining the entire practice (100 feet) according to the plan. Failure to maintain the entire 100 feet may result in CRP payment reductions or termination.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP29 Marginal Pastureland Wildlife Habitat Buffer (Continued)

**D Eligibility**

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- be implemented on marginal pastureland that meets the eligibility requirements in subparagraph 181 C
- improve environmental benefits to an acceptable level
- meet the purpose of the practice
- be maintained for the CRP-1 period
- prevent degradation of environmental benefits from recurring.

**E C/S Policy**

The following contains C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
mineral or nutrient	substantiated as needed by COC  <b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals <b>must</b> be specified in the practice specification as designated by the designated technician.	authorized using technical practices 314, 315, 338, 342, 378, 382, 386, 390, 394, 512, 516, 533, 550, 574, 578, 612, 614, 642, and 645.
site preparation		
eligible seed and seeding		
herbicide	specified as necessary in the approved conservation plan	
insecticide		

National CRP Practices (Continued)

CP29 Marginal Pastureland Wildlife Habitat Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	required in the practice specification  needed until required seed or plant stock is available  needed because normal planting period for the species has passed  that a soil condition, like chemical residue, will not allow establishment of the cover immediately	authorized.
pipelines and watering facilities or developments constructed outside of the wildlife habitat buffer	providing a water source for livestock away from the wildlife habitat buffer and the adjacent stream or water body  <b>Note:</b> See paragraph 511.	
fencing	permanent fencing needed to exclude livestock from the buffer strip  <b>Note:</b> See paragraph 511.  <b>Important:</b> A single strand electric fence will not be considered a permanent fence for CRP.	
water gaps, bridges, or other livestock crossing facilities on small streams	specified as necessary to prevent sedimentation and pollution in the stream and included in the conservation plan  <b>Note:</b> See subparagraph 511 I.	authorized using technical practice code 578 for livestock crossing only.
construction of structures where concentrated flow continues to degrade water quality	to meet the requirements of the conservation plan	authorized.

National CRP Practices (Continued)

CP29 Marginal Pastureland Wildlife Habitat Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
herbicide	to maintain vegetative cover	not authorized.
insecticide		
clearing rocks or other obstructions from the area to be seeded		
stream bank stabilization		
mineral or nutrient	to enhance production	

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The buffer must not be harvested or grazed by domestic livestock for the life of the CRP-1.
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Meet the purpose of this practice.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP29 Marginal Pastureland Wildlife Habitat Buffer (Continued)**

**F Practice Requirements (Continued)**

- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- The practice will have periodic management activities performed, according to the conservation plan, during the life of CRP-1. See paragraph 428.

**G Planting Timespan**

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of wildlife habitat, water quality and quantity, and other environmental concerns are to be evaluated in the planning and establishment of the protective measure.

**I Practice Maintenance**

This practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate protection of water quality during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP29 Marginal Pastureland Wildlife Habitat Buffer (Continued)**

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP30 Marginal Pastureland Wetland Buffer

#### A Purpose

The purpose of this practice is to remove nutrients, sediment, organic matter, pesticides, and other pollutants from surface runoff and subsurface flow by deposition, absorption, plant uptake, denitrification, and other processes, and thereby reduce pollution and protect surface water and subsurface water quality while enhancing the ecosystem of the wetland. The practice will enhance and/or restore hydrology and plant communities associated with existing or degraded wetland complexes. The goal is to enhance water quality, reduce nutrient and pollutant levels, and improve wildlife habitat.

#### B Program Policy

Apply this practice to eligible marginal pastureland that is suitably located and adapted to the \*--development or restoration of a wetland buffer to improve water quality.--\*

**Marginal pastureland** requirements in subparagraph 181 C **must** be met, in addition, NRCS or TSP determines, based on a site visit, the marginal pastureland offered is suitable for a wetland buffer.

CP30's are not eligible to be used in conjunction with the following practices:

- CP22, CP22B, or CP22S, because, if needed, CP22, CP22B, and CP22S include a grass buffer
- CP23, because acreage devoted to CP23 may include up to a 3 to 1 ratio of uplands to ensure that the functions and values of the cropped wetland are restored
- CP23A, because acreage devoted to CRP23A may include up to a 4 to 1 ration of uplands to ensure that the functions and values of the cropped wetland are restored
- CP9, because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area
- CP21, CP21B, CP21S or CP29, because the practice must solve the resource concern without additional practices.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP30 Marginal Pastureland Wetland Buffer (Continued)**

**C Size Requirements**

The minimum acceptable width of a wetland buffer is 20 feet. A wetland buffer may be applied up to a maximum average width of 120 feet, if needed to accomplish the purpose of the practice.

When the minimum design specification for water quality exceeds 120 feet, the minimum design specification is the maximum average width that may be enrolled. NRCS or TSP **must** document the need for a minimum design specification in excess of 120 feet in writing.

**Note:** NRCS or TSP will use the Documentation Suitability and Feasibility Worksheet to document the need for an additional average width for water quality purposes consistent with FOTG standards. The documentation **must** be maintained in the CRP folder.

**Example:** Producer offers to enroll land to be devoted to a 120-foot-wide wetland buffer to protect the adjacent wetland. Based on the soils, slope, and other site conditions, NRCS or TSP documents that to address the water quality resource problem and to function properly, the wetland buffer **must** be a minimum of 145 feet in width. Because the purpose of the wetland buffer is the protection and enhancement of water quality, the minimum of width 145 feet may be enrolled. The 145-foot minimum width is the maximum acreage that may be enrolled.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP30 Marginal Pastureland Wetland Buffer (Continued)**

**D Eligibility**

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- be implemented on marginal pastureland that meets the eligibility requirements in subparagraph 181 C
- improve environmental benefits to an acceptable level
- meets the purpose of the practice
- be maintained for the CRP-1 period
- prevent degradation of environmental benefits from recurring.

**E C/S Policy**

The following contains C/S policies for this practice.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
mineral or nutrient	substantiated as needed by COC	authorized using technical practice codes 314, 315, 338, 342, 378, 382, 386, 390, 394, 512, 516, 533, 550, 574, 578, 612, 614, 642, 644, 645, 647, 657, and 658.
site preparation		
eligible seed and seeding	<b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals <b>must</b> be specified in the practice specification as designated by the designated technician.	
herbicide	specified as necessary in the approved conservation plan	
insecticide		
earthmoving	to restore the hydrology of the site	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP30 Marginal Pastureland Wetland Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specification</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, like chemical residue, will not allow establishment of the cover immediately</li> </ul>	authorized.
pipelines and watering facilities or developments constructed outside of the wetland buffer	providing a water source for livestock away from the wetland buffer and the adjacent stream or wetland  <b>Note:</b> See paragraph 511.	
fencing	permanent fencing needed to exclude livestock from the buffer strip  <b>Note:</b> See paragraph 511.  <b>Important:</b> A single strand electric fence will not be considered a permanent fence for CRP.	
construction of structures where concentrated flow continues to degrade water quality	to meet the requirements of the conservation plan	

National CRP Practices (Continued)

CP30 Marginal Pastureland Wetland Buffer (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
herbicide	to maintain vegetative cover	not authorized.
insecticide		
clearing rocks or other obstructions from the area to be seeded		
stream bank stabilization		
mineral or nutrient	to enhance production	

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The buffer must not be harvested or grazed by domestic livestock for the life of CRP-1
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Meet the purpose of the practice.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- The practice will have periodic management activities performed, according to the conservation plan, during the life of CRP-1. See paragraph 428.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP30 Marginal Pastureland Wetland Buffer (Continued)**

**G Planting Timespan**

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of wildlife habitat, water quality and quantity, and other environmental concerns are to be evaluated in the planning and establishment of the protective measure.

**I Practice Maintenance**

This practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate protection of water quality during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP31 Bottomland Timber Establishment on Wetlands

#### A Purpose

The purpose of this practice is to establish and provide for the long-term viability of a bottomland hardwood stand of trees that will:

- control sheet, rill, scour, and other erosion
- reduce water, air, or land pollution
- restore and enhance the natural and beneficial functions of wetlands
- promote carbon sequestration
- restore and connect wildlife habitat.

#### B Program Policy

Apply this practice to eligible cropland suitable for growing bottomland hardwood trees or adapted shrubs that will provide multipurpose forest and wildlife benefits.

Eligible cropland must meet the requirements in subparagraph 181 A.

**Note:** Cottonwoods may be planted to enhance the viability of other hardwood trees (oaks, etc.)

Selection of cottonwood as a component **must** be silviculturally and ecologically appropriate for the long-term health and production of the stand. Hydrologic and soil characteristics **must** be appropriate for the planting of cottonwood species.

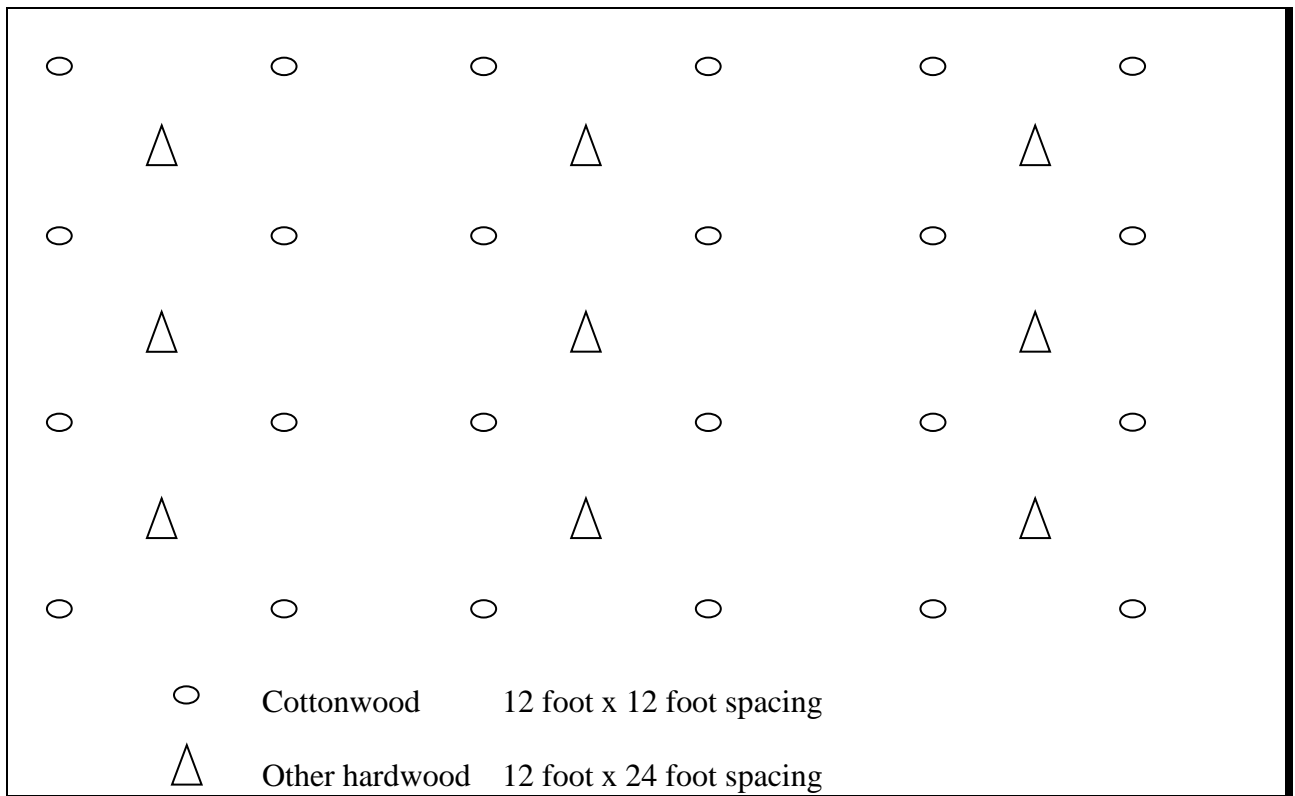
**Example:** Participant A enrolls 100 acres as CP31 who, working with a State Forester, selects cottonwood and 3 other silviculturally appropriate hardwood species. The cottonwoods are planted on 12' x 12' spacing and the other hardwoods are planted on 12' x 24' spacing. The plan calls for weed and insect control during year 1 and cottonwood thinning during year 15. The cottonwood serves as a nurse crop for the other hardwood species in the neighboring rows. In year 2, Participant A may be eligible to enter into an agreement with a carbon company where Participant A sells greenhouse gas credits provided the terms and conditions of the CRP contract are not impacted. This agreement is solely between Participant A and the carbon company.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP31 Bottomland Timber Establishment on Wetlands (Continued)

B Program Policy (Continued)

The following diagram illustrates a typical cottonwood/other hardwood planting.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP31 Bottomland Timber Establishment on Wetlands (Continued)**

**C Size Requirements**

This practice will be determined in consultation between NRCS or TSP and the participant.

**D Eligibility**

To be eligible for C/S, this practice must:

- do either of the following:
  - reduce excessive erosion to an acceptable level and increase sediment trapping efficiencies
  - improve surface or ground water quality
- reduce scour, gully, stream bank, sheet, or rill erosion
- prevent excessive erosion from occurring
- enhance food and cover for wildlife
- be maintained for the life of CRP-1
- be included in the approved conservation plan
- be within the recognized 100-year flood plain of a stream with perennial flow.

**Note:** A wetland designation, if needed, **must** be made by NRCS.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP31 Bottomland Timber Establishment on Wetlands (Continued)

E C/S Policy

The following table provides C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
to establish a minimum of 3 different varieties of mast producing hardwood tree and shrub species  <b>Notes:</b> The hardwood species may include cottonwoods planted between the rows of hardwood. The cotton woods serve as a nurse crop for the other hardwoods and may be thinned after year 9 of the CRP contract.	<ul style="list-style-type: none"> <li>• to reduce erosion from wind or water</li> <li>• provide food and cover for waterfowl and other wildlife</li> <li>• improve surface or ground water quality</li> </ul>	authorized using technical practice codes 314, 315, 338, 340, 391, 394, 550, 587, 612, 643, 644, 657, 658, and 659.
to establish no more than 25 percent of the silviculturally appropriate softwood species, as determined by STC and determined appropriate by State Forester	to enhance 1 of the following: <ul style="list-style-type: none"> <li>• wetland development</li> <li>• wildlife habitat</li> <li>• hardwood stand health and vigor</li> </ul>	
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specification</li> <li>• needed until required planting stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover</li> </ul>	



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP31 Bottomland Timber Establishment on Wetlands (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	authorized using technical practice codes 314, 315, 338, 340, 391, 394, 550, 587, 612, 643, 644, 657, 658, and 659.
herbicides or insecticides	specified as necessary in the approved tree planting plan to establish the cover	
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing  <b>Note:</b> STC <b>must</b> designate areas where using such measures is warranted and cost-effective to protect seedlings.	authorized not to exceed an average cost, as determined by STC.
tree thinning (pre-commercial)		authorized using technical practice code 666.
clean tiling	for firebreaks, fuelbreaks, or firelanes	not authorized.
fencing		
roads		
annual food plots		
to establish a hardwood tree species	<ul style="list-style-type: none"> <li>• for ornamental purposes</li> <li>• for Christmas trees</li> <li>• nursery tree production</li> <li>• production of commercial nuts, other than species customarily planted for forestry purposes</li> </ul>	
herbicides or insecticides	to maintain the vegetative cover including trees	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP31 Bottomland Timber Establishment on Wetlands (Continued)**

**F Practice Requirements**

The following are requirements for this practice:

- approval **must** be obtained from the State Forester and State Wildlife Agency certifying that planting of cottonwood as a nurse crop is appropriate for the State
- planting of cottonwood trees may only be for nurse trees in a pattern appropriate for that purpose
- plantings **must** be protected from destructive fire along with haying and grazing by domestic livestock for the life of CRP-1.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized uses, directions on the label, and other Federal and State policies and requirements.
- The practice **must** be established and maintained according to the practice standards in FOTG.

**G Planting Timespan**

Planting of the approved permanent cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consider preserving and improving the environment and wildlife concerns when making determinations about:

- types of plantings
- spacing
- water management structures
- other practice specifications.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP31 Bottomland Timber Establishment on Wetlands (Continued)**

**I Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the CRP contract appropriate for the stand as determined by the State Forester. C/S is authorized for tree thinning.

**J Management Activities**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP, except in those areas established to trees, the Forest Service or State Forestry Agency will have the technical responsibility.

**M Natural Regeneration**

Natural regeneration by nuts or seed is not permitted under this practice.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP33 Habitat Buffers for Upland Birds

#### A Purpose

The purpose of this practice is to provide food and cover for quail and upland birds in cropland areas. Secondary benefits may include reducing soil erosion from wind and water, increasing soil and water quality, protecting and enhancing the on-farm ecosystem, and increasing conservation benefits associated with organic farming operations.

\* \* \*

#### B Program Policy

\*--Apply this practice around the field edges or pivot corners of eligible cropland that is suitably located and adaptable to the establishment of wildlife habitat for primarily quail and upland bird species. Upland habitat buffers will be allowed to re-vegetate by natural herbaceous succession, and/or will be established to adapted species of native, warm-season grass, legumes, wildflowers, forbs, and limited shrub and tree plantings, as specified according to an approved conservation plan. The conservation plan **must** be designed according to the NRCS FOTG.--\*

Eligible cropland must meet the requirements in paragraph 151 and be located around field edges or pivot corners suitable for quail and upland birds.

**Note:** The CP33 buffer is eligible to be enrolled on 1 side of the field if enrolling CP33 on cropland adjacent to an organic farming operation. The entire perimeter of the field is not required.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP33 Habitat Buffers for Upland Birds (Continued)**

**C Size Requirements**

The minimum average width of a quail and upland bird habitat buffer is 30 feet, with a maximum average width of 120 feet. Buffers will be established to the extent needed to support the targeted species, general resource needs, and participant objectives, but generally should be located around the entire perimeter of the field, or at a minimum, in areas where runoff enters or leaves the field. Within the minimum and maximum widths above, quail and upland bird habitat buffer widths should be designed to conform to minimum field application setback width for manure or chemicals established by State or local regulations. Pivot corners of any size may be enrolled as CP33.

**Note:** The CP33 buffer is eligible to be enrolled on 1 side of the field if enrolling CP33 on cropland adjacent to an organic farming operation. The entire perimeter of the field is not required.

CP33 buffers should be installed on the field edges (around the perimeter) or pivot corners of a cropped field. See Figure 1. Limitations include:

- travel lanes will not be enrolled and **must** be wide enough to allow for normal access of farm machinery to the field
- buffers must not be used as turn rows, roads, or for storage of crops or equipment
- whole fields will not be enrolled:
  - fields less than 5 acres should not be enrolled in this practice
  - infeasible to farm does not apply to CP33

**Note:** Pivot corners may be less than 5 acres.

- alfalfa fields used for pasture or for hay and marginal pastureland do not qualify for enrollment

**Note:** Alfalfa is considered a crop for CP33 purposes only if it is in a rotation according to paragraph 151.

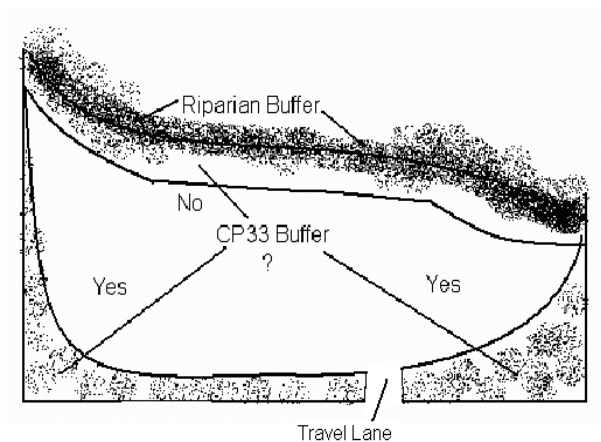
- CP33 buffers must not be ‘stacked’ with other CRP grass practices on the same land ownership unit.

**CP33 Habitat Buffers for Upland Birds (Continued)**

**C Size Requirements (Continued)**

- Individual center pivot ‘corners’ may be enrolled.

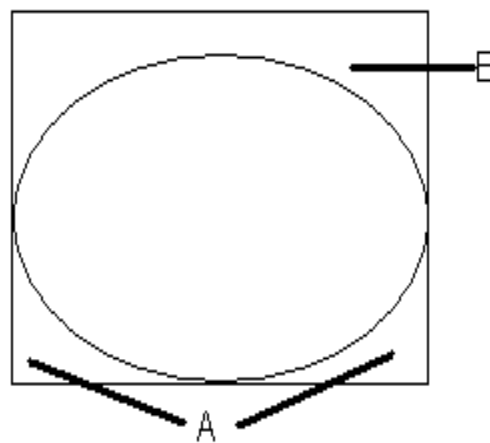
**Examples:**



**Figure 1**

1. If a field already has a riparian buffer, this practice may be installed on the remaining sides of the field, but not adjacent to the established riparian buffer or other CRP practices.
2. If a field already has a native grass filter strip, this practice may be installed on the remaining sides of the field, but not adjacent to the established filter strip. If the existing practice is trees (windbreak, shelterbelt, hedgerow, or riparian buffer), this practice can be considered on a case-by-case basis.

If 2 or more of the corners are connected by a buffer along the edge of the field (Figure 2, B) and if the buffer meets the dimensions set forth in the CP33 practice criteria, then center pivot corners may be enrolled as part of the CP33 buffer. Pivot corners with or without connecting buffers may also be enrolled as CP33 (Figure 2, A).



**Figure 2**

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP33 Habitat Buffers for Upland Birds (Continued)

D Eligibility

To be eligible for C/S, this practice must:

- primarily improve, enhance, or create quail and upland bird habitat to an acceptable level
- prevent degradation of quail and upland bird habitat from recurring after establishment
- be maintained for the CRP-1 period
- be included in the approved conservation plan
- prevent degradation of environmental benefits from recurring after establishment.

E C/S Policy

The following contains C/S policies for this practice.

If the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> <li>• that a soil condition will not allow establishing a natural successional cover within 1 growing season</li> <li>• needed until selected seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> </ul>	authorized using technical practice codes 314, 315, 327, 338, 386, 390, 394, 550, 645, and 647.
grading, leveling, and filling	to control concentrated flow and site preparation  <b>Important:</b> Grading, leveling, and filling does <b>not</b> include shaping or manipulation of a stream bank.	
site preparation	specified in the approved conservation plan	

National CRP Practices (Continued)

CP33 Habitat Buffers for Upland Birds (Continued)

E C/S Policy (Continued)

If the component is...	AND the justification is...	THEN C/S is...
eligible seed or plant stock, including shrubs/trees. C/S for shrubs/trees up to 10 percent of the approved practice.  <b>Important:</b> Native species are encouraged.	specified in the approved conservation plan, best suited for the targeted species	authorized using technical practice codes 327, 338, 386, 390, 394 550, 595, 645, and 647.
buffer boundary marker	specified in the approved conservation plan	
grading, leveling, and filling	to control concentrated flow	
clean tilling	specified in the approved conservation	
herbicide	to maintain vegetative cover	not authorized.
insecticide		
clearing rocks or other obstructions from the area to be seeded		
stream bank stabilization	to enhance production	
mineral or nutrient		



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP33 Habitat Buffers for Upland Birds (Continued)

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded acreage must not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field.
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve wildlife habitat and environmental benefits.
- Trees and shrubs will not exceed 10 percent coverage of the buffers. Shrubs and trees selected **must** provide optimal quail habitat and/or emergency benefits. Shrubs planted for wildlife berries/fruit and trees planted for wildlife fruit/nuts are acceptable if suited to the site.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- The habitat buffer **must** be established and maintained according to the practice standards in NRCS FOTG.
- Buffers must not be used as turn rows, roads, or for storage of crops or equipment.
- **Seeding, if it occurs at all, should occur at much lighter rates than for CRP practices aimed at soil conservation and water quality enhancement.** CP33-enrolled acres should be lightly seeded and may even be allowed to regenerate by natural succession without additional seeding, provided that NRCS or a Technical Service Provider certifies adequate seed source for natural regeneration.
- If natural regeneration fails, the producer is responsible for seeding the buffers to meet the intent of the practice.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP33 Habitat Buffers for Upland Birds (Continued)****F Practice Requirements (Continued)**

- Desirable vegetation may be propagated through light disking, and may be maintained through light disking every two to three years over the life of the contract.
- Spot application of herbicide may be needed to control undesirable plants.
- Native grass, but does not eliminate beneficial introduced legumes, although the inclusion of native forbs/legumes is encouraged. Alfalfa and clover may be part of the seeding mix.

**G Planting Timespan**

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of wildlife habitat, water quality and quantity, and other environmental concerns, including impacts to organic farming operations, are to be evaluated in the planning and establishment of the upland habitat practice.

**I Practice Maintenance**

This practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in NRCS FOTG.

C/S must be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate upland quail and upland bird habitat and environmental benefits during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

**(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)**  
**National CRP Practices (Continued)**

**CP33 Habitat Buffers for Upland Birds (Continued)**

**J Management Activity**

This practice will have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC. For quail and upland bird buffers, the buffers must be disturbed on a rotational basis by light disking, prescribed burning, selective herbicide application, or other prescribed methods as approved to set back vegetative succession and woody encroachment, and to expose food seeds. Mowing is an inadequate means of disturbance for quail habitat, except as need to facilitate prescribed burning or light disking. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP36 Longleaf Pine - Establishment

#### A Purpose

The primary purpose of CP36 is to re-establish longleaf pine stands at densities that benefit wildlife species and protect water quality.

#### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to the development or restoration of longleaf pine that benefits wildlife and protects water quality.

Eligible cropland must meet the requirements in subparagraph 181 A and be located in:

- Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia
- the Longleaf Pine National CRP CPA (Exhibit 18).

CP36 may be enrolled on a continuous basis provided the following conditions are met:

- the offered acreage is on cropland and meets the eligibility requirement in paragraph 151
- the site is within the Longleaf Pine National CRP CPA (Exhibit 18)
- the site is suitable for longleaf pine planting (soils and other site conditions)
- the practice is needed and feasible

**Note:** The suitability of a soil for CP36 establishment may be determined by looking up that soil's "Long Leaf Pine Suitability Indicator" in FSA's Soil Database Management System. The Soil Database Management System may be accessed from FSA's Intranet Application Page.

- the cumulative acres for all CP36 acreage enrolled in the State does **not** exceed the State's allocation (subparagraph 5 A).

**(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)**  
**National CRP Practices (Continued)**

**CP36 Longleaf Pine - Establishment (Continued)**

**C Size Requirements**

This practice will be determined in consultation between NRCS or TSP and the participant.

**D Eligibility**

To be eligible for C/S, this practice must:

- be included in the approved conservation plan
- be maintained for the life of CRP-1
- reduce the loading of nutrients, sediment and other pollutants from incoming waters
- improve surface and ground water quality
- prevent excessive erosion from recurring
- provide waterfowl and other wildlife habitat
- reduce flood flows.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP36 Longleaf Pine - Establishment (Continued)

E C/S Policy

The following shows C/S policies for CP36.

IF the component is...	AND the justification is...	THEN C/S is...
tree seedlings, seedbed preparation, and seeding/planting	to establish approved tree species and improve environmental benefits to less than the soil loss tolerance	authorized using technical practice codes
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	314, 315, 327, 338, 340, 394,
herbicides and insecticides	specified as necessary to establish the approved cover and to control invasive species (such as cogongrass) must be included in the tree planting plan and conservation plan  <b>Note:</b> This does <b>not</b> include herbicides or pesticides used as part of the maintenance of the practice.	490, 548, 550, 612, 645, and 647.
tree thinning (pre-commercial)		authorized using technical practiced code 666.
fencing		not authorized.
temporary cover		
clearing rocks or other obstructions from the area to be seeded		
minerals and nutrients	to maintain vegetative cover, including trees or enhance production	
clean-tilling	for firebreaks, fuelbreaks, or firelanes	
to establish a tree species	for ornamental purposes and Christmas tree production	

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP36 Longleaf Pine - Establishment (Continued)

#### F Practice Requirements

The following are requirements for CP36.

- Plantings **must** be protected from grazing by domestic livestock for the life of CRP-1.
- Chemicals used in performing the practice must **not** include fertilizers and **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- A management activity is required for each practice, if needed.
- The producer **must** control all noxious and invasive plants during the life of CRP-1.

#### G Planting Timespan

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

Planting after CRP-1 is approved by COC or CED must be completed by the end of the next normal planting period unless the producer can provide acceptable documentation that seed or tree stock is **not** available.

**Note:** Herbicide residue related on some former cotton and peanut fields has reduced planting success for some longleaf pine planting.

Based on the recommendations provided by TSP, COC may allow the field to lay fallow during the first year of CRP-1 to reduce herbicide carryover.

TSP may recommend that permanent cover should be established during the first 2 years of CRP-1 according to paragraph 426. A 1-year extension of the 2-year planting requirement may be allowed by COC if there is justification of the need for an extension.

#### H Environmental Concerns

Consider preserving and improving the environment and wildlife concerns when making determinations about CP36 specifications.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP36 Longleaf Pine - Establishment (Continued)**

**I Practice Maintenance**

CP36 must be maintained **without** additional C/S for the life of CRP-1. C/S must be refunded if either of the following applies:

- the producer destroys the cover during the life of CRP-1
- the cover fails to adequately improve environmental benefits during the life of CRP-1 unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

SED must consult with the State Technical Committee about options for required mid-contract management activities. These options may include prescribed burning, selective herbicide application, or other measure as appropriate to set back vegetative succession and woody encroachment. Management activities will be used to maintain proper understory vegetative structure and composition.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP, except in those areas established to trees, the Forest Service or State Forestry Agency will have the technical responsibility.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP36 Longleaf Pine - Establishment (Continued)

#### M Density

The planting density for longleaf pine must be a minimum of 400 trees per acre to a maximum of 600 trees per acre. The exact number of trees will be based on the recommendation by TSP based on the unique site conditions that will provide significant wildlife benefits. Foresters must consider ensuring sufficient ground cover that will provide:

- wildlife benefits
- a fuel source for fire.

State Technical Committees, along with FS and State foresters, must be consulted in developing the site-by-site criteria used to develop planting density requirements.

#### N Understory Regeneration

Natural regeneration may be allowed if **all** the following are met:

- NRCS or TSP determines both of the following:
  - an adequate seed source of approved understory species is present in the soil at the site
  - under normal conditions, the appropriate understory cover will be established within 2 years of CRP-1 effective date
- erosion and runoff will be controlled during the establishment period
- weeds, including noxious weeds, and other nonapproved plant species will be controlled during the establishment period
- COC or CED must **not** approve CRP-1 until all of the requirements are met
- COC will ensure that the producer is fully informed that:
  - no C/S will be paid for natural regeneration
  - if the approved cover is not established within 2 years of the CRP-1 effective date, the producer will be required to plant the approved cover with no C/S
  - as with all CRP-1's, the control of **all** weeds, including noxious weeds, insects, and pests is a CRP participant contracted obligation

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP36 Longleaf Pine - Establishment (Continued)

N Understory Regeneration (Continued)

- the conservation plan signed by the producer requires all of the following:
  - the producer will plant the approved cover at **no** cost to FSA or CCC according to a revised conservation plan if the practice is **not** established through natural regeneration or planting within 2 years of CRP-1 effective date
  - NRCS or TSP must spot check the site at the end of the 2nd year to determine whether the practice is established and meets the standards and specifications for NRCS conservation practice codes
  - weed control.

**Note:** FSA **must** immediately notify COC and the participant:

- the result of the spot check
- that the participant **must** plant the approved cover with **no** C/S according to a revised conservation plan, if applicable.

For understory vegetation, native cover established through natural regeneration may suffice for temporary cover. Technical determination on natural regeneration should be made by the technical agency responsible for development of the conservation plan, or if understory vegetation is to enhance, seeding commercially available native seed may supplement natural regeneration.

STC's **must** develop natural regeneration requirements in consultation with the State Technical Committee. STC's will work with the State Technical Committee to determine which native warm season grasses are appropriate for their State. If natural regeneration does **not** occur in the given 2-year time period, the producer will be **required** to establish native warm season grasses as specified by the State Technical Committee standards.

Wiregrass or other appropriate native warm season grasses providing similar benefits will be established to provide:

- wildlife benefits
- fuel for prescribed burns.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP37 Duck Nesting Habitat

#### A Purpose

This practice is to enhance duck nesting habitat on the most duck-productive areas of Iowa, Minnesota, Montana, North Dakota, and South Dakota to restore the functions and values of wetland ecosystems that have been devoted to agricultural use. The level of restoration of the wetland ecosystem will be determined by the producer in consultation with FSA and NRCS or TSP.

#### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to the development or restoration of duck nesting habitat.

Eligible cropland requirements in subparagraph 181 A **must** be met, in addition:

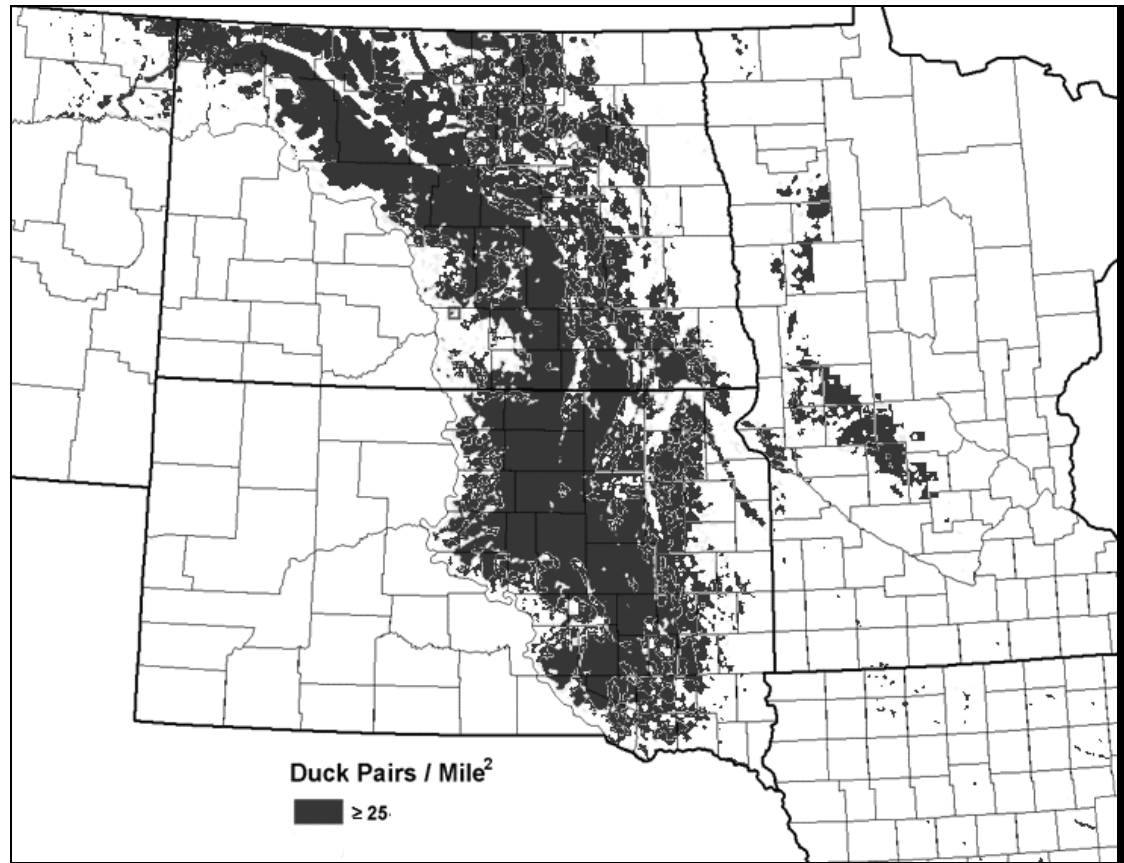
- areas designated by FWS as having dense populations of duck pairs (greater than or equal to 25 breeding pairs per square mile)
- located outside the 100-year floodplain.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP37 Duck Nesting Habitat (Continued)

B Program Policy (Continued)

**Note:** The following map provides general areas that meet the density requirement.



The land **must** be suitable and adapted to the restoration of wetland functions and values. The restoration of wetland hydrology is **only** required to the extent specified by the producer.

\* \* \*

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP37 Duck Nesting Habitat (Continued)

**B Program Policy (Continued)**

Cropland that is associated to noncropped wetlands may be enrolled as part of the buffer for CP37. Noncropped wetland acreage is limited to the designated wetland area as determined by NRCS or TSP. Cropland immediately adjacent to noncropped wetlands that does **not** meet cropping history **must not** be included as part of either of the following:

- wetland acreage used to calculate the buffer acreage
- CRP-1.

The total cropland acreage associated to the noncropped wetland plus the upland buffer acreage associated to the farmed or cropped wetland must **not** exceed a 10:1 buffer to wetland ratio. The noncropped wetland acreage will be used to calculate the total wetland acres when determining the maximum buffer for CP37.

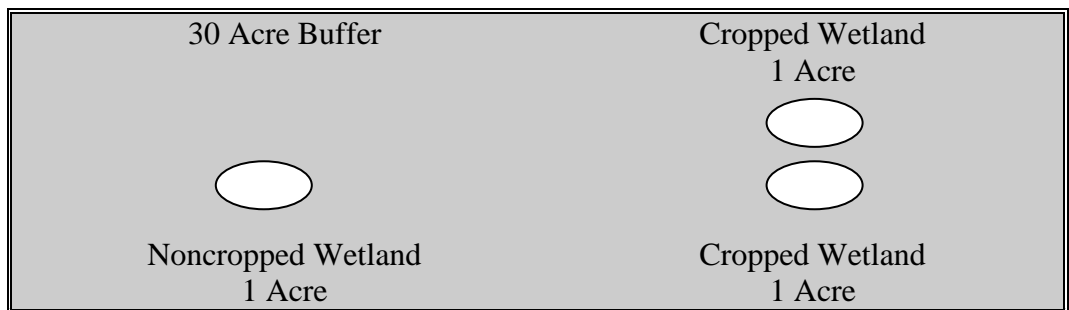
**Note:** Noncropped wetlands are **not** eligible for enrollment into practice CP37.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP37 Duck Nesting Habitat (Continued)

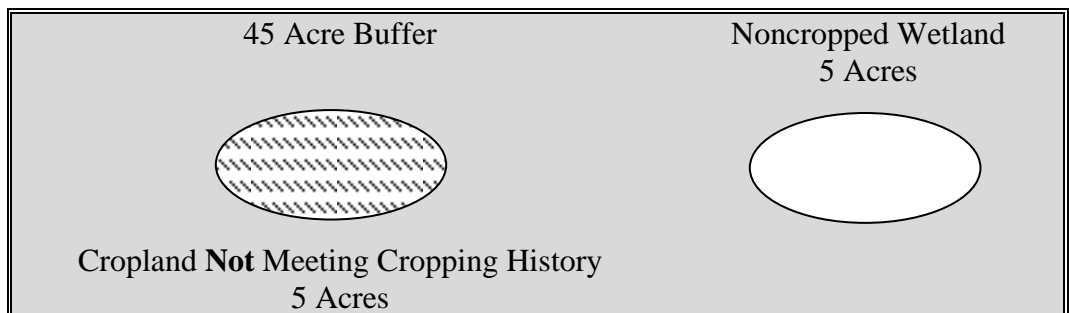
B Program Policy (Continued)

**Example 1:** The offered acreage is located in an area that has a breeding duck potential of greater than 25 breeding pairs per square mile. The offered acreage has 2 acres of cropped wetlands and 1 acre of noncropped wetlands. The maximum amount of upland buffer that may be enrolled is 30 acres (3 acres of wetlands times a 10-acre buffer).



**Example 2:** The offered acreage is located in an area that has a breeding duck potential of greater than 25 breeding pairs per square mile. The offered acreage has 5 acres of noncropped wetlands. Five acres of cropland immediately adjacent to the noncropped wetland does **not** meet the cropping history and is **not** part of the noncropped wetland acreage. The maximum amount of upland buffer that may be enrolled is 45 acres (5 acres of wetland times a 10-acre buffer minus 5 acres for the cropland not meeting cropping history).

**Note:** The cropland **not** meeting cropping history is **not** eligible for enrollment in CP37, but **must** be included as part of the conservation plan.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP37 Duck Nesting Habitat (Continued)**

**C Size Requirements**

The amount of adjacent upland acreage to be enrolled must be determined by FSA and NRCS or TSP. In areas designated by FWS as having greater than or equal to 25 duck pairs per square mile, the buffer to wetland acre ratio **must** be a:

- minimum of 4 to 1
- maximum 10 to 1.

**D Eligibility**

To be eligible for C/S, this practice must:

- be included in the approved conservation plan
- be maintained for the life of CRP-1
- restore the functional capability and values of the wetland ecosystem to a level determined by the participant in consultation with FSA and NRCS or TSP, including the following:
  - preventing degradation of the wetland area and surrounding upland area from recurring
  - increasing sediment trapping efficiencies
  - improving surface and ground water quality
  - preventing excessive erosion from recurring
  - providing waterfowl and other wildlife habitat
  - reducing flood flows.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP37 Duck Nesting Habitat (Continued)**

**E C/S Policy**

The following provides C/S policies for this practice.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop or restore the hydrology of the site	authorized using technical practices codes 314, 315, 327, 338, 340, 394, 512, 550, 587, 612, 644, 645, 647, 657, 658, and 659.
eligible seeding for grassland ecosystem	for soils that are developed under a grassland ecosystem that will not be covered by water anytime during a normal growing season and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishment of permanent native grass species</li> <li>• establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	

National CRP Practices (Continued)

CP37 Duck Nesting Habitat (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...	
breaking tile	restore natural water flow	authorized using technical practices codes 314, 315, 327, 338, 340, 394 512, 550, 587, 612, 644, 645, 647, 657, 658, and 659.	
structures, such as pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS or TSP		
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until the required seeds or plant stock is available</li> <li>• needed because the normal planting period for the permanent cover crop has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of the permanent cover immediately</li> </ul>		
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements		
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover		
mineral or nutrient	substantiated as needed by COC to establish the approved cover		
fencing or roads			not authorized.
clearing rocks or other obstructions from the area to be seeded			
clean tilling of firebreaks, fuelbreaks, or firelanes			
grass species	establishment for ornamental purposes		
herbicides, pesticides, and insecticides	to maintain cover		
mineral or nutrient	to maintain cover or enhance production		

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP37 Duck Nesting Habitat (Continued)

**F Practice Requirements**

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area must **not** be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum work and materials necessary to develop or restore the wetland hydrology and establish an adequate cover to improve environmental benefits.
- The wetland ecosystem must be restored to the extent identified according to subparagraph B.

**Note:** The level of restoration must be determined by the producer in consultation with FSA and NRCS or TSP.

- Chemicals used in establishing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice **must** be established and maintained according to the practice standards in FOTG.
- The hydrology of the wetland **must** be maintained according to the operation and maintenance requirements for the practice standard.
- The practice will have periodic mid-contract management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP37 Duck Nesting Habitat (Continued)**

**G Planting Timespan**

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of wildlife, water quality, and other environmental concerns are to be evaluated in the planning and establishment of this practice.

**I Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S must be refunded if any of the following apply:

- producer destroys the practice during the life of CRP-1
- producer fails to maintain the cover during the life of CRP-1
- the cover fails to provide adequate protection of water quality during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

This practice will have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC. See paragraph 428.

C/S is not authorized for management activities.

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP, except in those areas established to trees, the Forest Service or State Forestry Agency will have the technical responsibility.

**National CRP Practices (Continued)**

**CP38A Buffers**

**A Program Policy**

Apply practices under CP38A to eligible lands where a specified habitat can be restored and maintained, as determined by the applicable State-developed practice standard.

**CP38B Wetlands**

**A Program Policy**

Apply practices under CP38B to eligible lands where a specified habitat can be restored and maintained, as determined by the applicable State-developed practice standard.

**CP38C Trees**

**A Program Policy**

Apply practices under CP38C to eligible lands where a specified habitat can be restored and maintained, as determined by the applicable State-developed practice standard.

**CP38D Longleaf Pine**

**A Program Policy**

Apply practices under CP38D to eligible lands where a specified habitat can be restored and maintained, as determined by the applicable State-developed practice standard.

**CP38E Grass**

**A Program Policy**

Apply practices under CP38E to eligible lands where a specified habitat can be restored and maintained, as determined by the applicable State-developed practice standard.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

### CP39 FWP Constructed Wetland

#### A Purpose

The purpose of this practice is to develop a constructed wetland to treat effluent from surface and subsurface flow from row crop agricultural production. The constructed wetland system is designed to reduce nutrient and sediment loading and provide other water quality benefits while providing wildlife habitat.

#### B Program Policy

Apply this practice to eligible cropland that is suitably located on land in which a minimum of 25 percent of the upstream watershed is comprised of row crop agricultural drained land.

Eligible cropland must meet the requirements in subparagraph 181 A and site suitability will be dependent on:

- soils
- geology of the site (sites may be limited because of karst formation and other geologic features)
- topography (steep slopes or flat topography may present challenges in ensuring sufficient wetland are to provide adequate treatment)
- legal requirements including with drainage districts
- ownership requirements (owner controls the land area of the wetland and associated buffer)
- safety issues (the site does **not** provide a significant risk to public safety or property because of structure failure)
- due diligence investigation.

#### C Size Requirements

The maximum size for the wetland and associated buffers is 40 acres per tract. A buffer is required for the constructed wetland.

The amount of adjacent upland (buffer) acreage to be enrolled must:

- be determined by NRCS
- not be less than the 2:1 ratio
- not exceed the 4:1 ratio.

National CRP Practices (Continued)

CP39 FWP Constructed Wetland (Continued)

**D Eligibility**

To be eligible for C/S, this practice must:

- be included in the approved conservation plan
- be maintained for the life of CRP-1
- reduce the loading of nutrients, sediment and other pollutants from incoming waters
- improve surface and ground water quality
- prevent excessive erosion from recurring
- provide waterfowl and other wildlife habitat
- reduce flood flows.

**E C/S Policy**

The following provides C/S policies for this practice.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop a constructed wetland or restore the hydrology of the site	authorized
eligible seeding for grassland ecosystem	for soils that are developed under a grassland ecosystem that will not be covered by water anytime during a normal growing season and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishment of permanent native grass species</li> <li>• establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	using technical practice codes 327, 338, 340, 394, 512, 550, 587, 612, 638, 644, 645, 656, 657, 658, and 659.

National CRP Practices (Continued)

CP39 FWP Constructed Wetland (Continued)

F C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
eligible seeding for woodland ecosystem	for soils that are developed under a woodland ecosystem, except in areas that will be covered by water during no less than 60 calendar days of the normal growing season, and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishment of hard mast-producing hardwoods adapted for living in wet conditions that will provide multipurpose forest and wildlife benefits</li> <li>• establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annual grasses, legumes, perennial native grass species, and softwoods, not to exceed 50 percent of the total number of trees planted, to serve as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	authorized.
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	
breaking tile	restore natural water flow	
concrete	to construct weirs or channels needed to develop the constructed wetland	
structures, like pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS or TSP	



National CRP Practices (Continued)

CP39 FWP Constructed Wetland (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until the required seeds or plant stock is available</li> <li>• needed because the normal planting period for the permanent cover crop has passed</li> <li>• that a soil condition, like chemical residue, will not allow establishment of the permanent cover immediately</li> </ul>	authorized.
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal damage control devices	<p>approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing</p> <p><b>Note:</b> STC <b>must</b> designate areas where use of such measures is warranted and cost-effective to protect seedlings. See paragraphs 31 and 490.</p>	authorized not to exceed an average cost, as determined by STC.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP39 FWP Constructed Wetland (Continued)**

**E C/S Policy (Continued)**

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
fencing or roads		not authorized.
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelanes		
tree or grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
mineral or nutrient	to maintain cover or enhance production	

**F Practice Requirements**

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum work and materials necessary to develop the constructed wetland or restore the wetland hydrology, and establish an adequate cover to improve environmental \*--benefits. COC may request to DAFP C/S in excess of the minimum work and materials--\* necessary on a case by case basis.
- Chemicals used in establishing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice **must** be established and maintained according to the practice standards in FOTG.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP39 FWP Constructed Wetland (Continued)**

**F Practice Requirements (Continued)**

- The hydrology of the constructed wetland **must** be maintained according to the operation and maintenance requirements for the practice standard.
- A management activity is required for each practice, if needed.

**G Planting Timespan**

Planting of the approved cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of water quality, wildlife, and other environmental concerns are to be evaluated in the planning and establishment of this practice. FSA must conduct a site investigation before approving CPR-1 on a constructed wetland. This investigation is to determine whether potential hazardous materials may be associated with the site. Potential impacts to historic/cultural resources and threatened and endangered species should be evaluated. Appropriate regulatory agencies should be consulted with in this process.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP39 FWP Constructed Wetland (Continued)**

**I Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S must be refunded if any of the following apply:

- producer destroys the practice during the life of CRP-1
- producer fails to maintain the cover during the life of CRP-1
- the cover fails to provide adequate protection of water quality during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP, except in those areas established to trees, the Forest Service or State Forestry Agency will have the technical responsibility.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP40 Farmable Wetlands Program Aquaculture Wetland Restoration

### A Purpose

The purpose of this practice is to restore habitat or the functions and values of wetland ecosystems that have been devoted to commercial pond-raised aquaculture. The level of restoration of the wetland ecosystem must be determined by the producer in consultation with NRCS or TSP.

### B Program Policy

Apply this practice to eligible cropland that is suitably located and adapted to the development or restoration of land devoted to commercial pond-raised aquaculture to do the following:

- restore habitat or the functions and values of the wetland ecosystem
- provide water cover for wildlife habitat

**Note:** The restoration of wetland hydrology is only required to the extent specified by the producer.

Eligible cropland must meet the requirements in subparagraph 181 A.

If the land is developed to provide water cover for wildlife habitat, the water area must be an average depth of 6 to 18 inches. The water area must provide a source of water for wildlife for a majority of the year.

**Note:** Water cover is limited to 20 percent of the total enrolled acreage.

Food plots may be permitted to enhance the wildlife habitat on up to 10 percent of the enrolled land.

All levees must be planted to appropriate vegetative or tree cover if enrolled as part of the CRP contract. Levees used as access roads will not be part of the CRP contract.

Total eligible land for wetland restorations is limited to land that was devoted to commercial pond-raised aquaculture any 1 year, 2002 through 2007.

### C Size Requirements

Land enrolled under CP40 has no size limitation.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP40 Farmable Wetlands Program Aquaculture Wetland Restoration (Continued)

**D Eligibility**

To be eligible for C/S, this practice must:

- be included in the approved conservation plan
- be maintained for the life of CRP-1
- restore the functional capability and values of the wetland ecosystem to a level determined by the participant in consultation with NRCS or TSP, including the following:
  - preventing degradation of the wetland area and surrounding upland area from recurring
  - increasing sediment trapping efficiencies
  - improving surface and ground water quality
  - preventing excessive erosion from recurring
  - providing waterfowl and other wildlife habitat
  - reducing flood flows.

**E C/S Policy**

The following provides C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
earthmoving	to smooth the levee to the extent levees needed to develop the habitat or restore the hydrology of the site or provide cover for wildlife habitat  <b>Note:</b> Levees may be shaped and smoothed to no flatter than a 6:1 slope.	authorized using technical practice codes 327, 338, 340, 394, 512, 550, 587, 612, 638, 644, 645, 657, 658, and 659.

National CRP Practices (Continued)

CP40 Farmable Wetlands Program Aquaculture Wetland Restoration (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
eligible seeding for grassland ecosystem	for soils that are developed under a grassland ecosystem that will not be covered by water anytime during a normal growing season and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishment of permanent native grass species</li> <li>• establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	authorized using technical practice codes 327, 338, 340, 394, 512, 550, 587, 612, 638, 644, 645, 657, 658, and 659.
eligible seeding for woodland ecosystem	for soils that are developed under a woodland ecosystem, except in areas that will be covered by water during no less than 60 calendar days of the normal growing season, and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishment of hard mast-producing hardwoods adapted for living in wet conditions that will provide multipurpose forest and wildlife benefits</li> <li>• establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat</li> <li>• planting annual grasses, legumes, perennial native grass species, and softwoods, not to exceed 50 percent of the total number of trees planted, to serve as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	authorized.

National CRP Practices (Continued)

CP40 Farmable Wetlands Program Aquaculture Wetland Restoration (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	authorized.
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until the required seeds or plant stock is available</li> <li>• needed because the normal planting period for the permanent cover crop has passed</li> <li>• that a soil condition, like chemical residue, will not allow establishment of the permanent cover immediately</li> </ul>	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal damage control devices, except when natural regeneration is selected by the producer.	<p>approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing</p> <p><b>Note:</b> STC <b>must</b> designate areas where use of such measures is warranted and cost-effective to protect seedlings. See paragraphs 31 and 490.</p>	authorized not to exceed an average cost, as determined by STC.



National CRP Practices (Continued)

CP40 Farmable Wetlands Program Aquaculture Wetland Restoration (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
fencing or roads		not authorized.
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelanes		
tree or grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
minerals, nutrient, herbicides, and insecticides	to maintain cover or enhance production	
grading, shaping, filling	for use with natural regeneration	
seed, tree and shrub seedlings, seedbed preparation and seeding		
minerals and nutrients		
temporary supplemental irrigation systems or plastic mulch		
clearing rocks or other obstructions from the area to be seeded		

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area must not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum work and materials necessary to develop or restore the wetland hydrology, and establish an adequate cover to improve environmental benefits.
- The wetland ecosystem must be restored to the extent identified according to subparagraph B.

**Note:** The level of restoration shall be determined by the producer in consultation with NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP40 Farmable Wetlands Program Aquaculture Wetland Restoration (Continued)**

**F Practice Requirements (Continued)**

- Chemicals used in establishing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice **must** be established and maintained according to the practice standards in FOTG.
- The hydrology of the wetland **must** be maintained according to the operation and maintenance requirements for the practice standard.
- A management activity is required for each practice, if needed.

**G Planting Timespan**

Planting or sowing of the approved cover shall be completed within 24 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of water quality, wildlife, and other environmental concerns are to be evaluated in the planning and establishment of this practice.

**I Practice Maintenance**

The practice shall be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S shall be refunded if any of the following apply:

- producer destroys the practice during the life of CRP-1

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP40 Farmable Wetlands Program Aquaculture Wetland Restoration (Continued)**

**I Practice Maintenance (Continued)**

- producer fails to maintain the cover during the life of CRP-1
- the cover fails to provide adequate protection of water quality during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP. Except in those areas established to trees, the Forest Service or State Forestry Agency will have the technical responsibility.

**M Natural Regeneration**

Producers may elect to allow natural regeneration of the aquaculture wetland if **all** of the following are met:

- NRCS or TSP determines both of the following:
  - an adequate seed source of approved tree, shrub, and grass species is present in the soil at the site
  - under normal conditions, the **appropriate cover** will be established within 2 years of CRP-1 effective date

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP40 Farmable Wetlands Program Aquaculture Wetland Restoration (Continued)**

**M Natural Regeneration (Continued)**

- erosion and runoff will be controlled during the establishment period
- weeds, including noxious weeds, and other nonapproved plant species will be controlled during the establishment period
- the conservation plan signed by the producer requires **all** of the following:

- **no** C/S shall be paid for the practice

**Exceptions:** See subparagraph E.

- the producer will plant the approved cover at no cost to FSA or CCC according to a revised conservation plan if the aquaculture wetland is not established through natural regeneration within 2 years of CRP-1 effective date
- conservation practice code 647, Early Successional Habitat Development/Management, is used to identify natural regeneration
- NRCS or TSP shall spot check the site at the end of the second year to determine whether the aquaculture wetland is established and meets the standards **and** specifications for NRCS conservation practice code 391A, Riparian Forest Buffer

**Note:** FSA must immediately notify COC and the participant:

- of the result of the spot check
- that the participant must plant the approved cover with no C/S according to a revised conservation plan, if applicable.

COC or CED shall **not** approve CRP-1 until **all** of the preceding requirements are met. COC shall ensure that the producer is fully informed that:

- no C/S will be paid for natural regeneration

**Exceptions:** See subparagraph E.

- the producer will be required to plant the approved cover with no C/S if the approved cover is not established within 2-years of the CRP-1 effective date.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP41 FWP Flooded Prairie Wetland

### A Purpose

The purpose of this practice is to restore the functions and values of wetlands that have been subject to the natural overflow of a prairie wetland. Hydrology and vegetation **must** be restored to the maximum extent possible, as determined by USDA.

### B Program Policy

Apply this practice to eligible cropland that is suitably located in the Prairie Pothole CPA and adapted to the restoration of wetland functions and values. The restoration of the wetland hydrology and vegetation is required to the maximum extent possible.

For cropland to be eligible to be enrolled in CRP under FWP and be devoted to CP41, all of the following **must** be met:

- cropland meets cropping history requirements of paragraph 246
- the cropland was subject to the natural overflow of a prairie wetland
- an associated buffer (CP28) is offered.

### C Size Requirements

The maximum acceptable size of any one CP41 is 20 contiguous acres. Wetlands greater than 20 acres in size are not eligible for enrollment in CRP under FWP as practice CP41. The total of all wetlands on the tract is limited to 40 acres. Associated buffers (CP28) are required for each CP41 enrolled. The minimum acceptable width of the associated buffer (CP28) is 30 feet. The maximum buffer size may not exceed up to 4 times the size of the eligible wetland. See CP28 Farmable Wetlands Pilot Buffer, for the practice requirements for the associated buffer.

**Examples:** A producer offers a 21-acre wetland. Because the total wetland is greater than 20 acres in size, the entire 21-acre wetland is ineligible for enrollment in CRP under FWP as CP41.

A producer offers a 10-acre wetland, a 14-acre wetland and a 16-acre wetland for enrollment as CP41. Because no wetland is greater than 20 acres in size and the total of all wetlands is 40 acres, all wetlands may be enrolled as CP41. A buffer, not to exceed a 4:1 ratio, must also be enrolled.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP41 FWP Flooded Prairie Wetland (Continued)**

**D Eligibility**

To be eligible for C/S, this practice shall:

- only be enrolled under FWP
- only be enrolled with an eligible associated buffer (CP28)
- meet the cropping history requirements
- be included in the approved conservation plan
- be maintained for the life of CRP-1
- restore the functional capability and values of the wetland.

**E C/S Policy**

The following shows C/S policies for this practice.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop or restore the hydrology of the site	authorized using technical practice codes 327, 338, 340, 394, 512, 550, 587, 612, 638, 644, 645, 657, 658, and 659.
eligible seed and seeding	for soils that are developed under a wetland ecosystem and substantiated as needed by COC for: <ul style="list-style-type: none"> <li>• establishing permanent native grass species</li> <li>• establishing permanent introduced grasses, forbs, and legumes, trees, and native shrub species, where determined necessary to restore the functions and values of the wetland</li> <li>• planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established</li> </ul>	

National CRP Practices (Continued)

CP41 FWP Flooded Prairie Wetland (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	authorized.
structures, such as pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS	
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until the required seeds or plant stock is available</li> <li>• needed because the normal planting period for the permanent cover crop has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of the permanent cover immediately</li> </ul>	
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal control devices	<p>approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing</p> <p><b>Note:</b> STC <b>must</b> designate areas where using such measures is warranted and cost-effective to protect seedlings.</p>	authorized not to exceed an average cost, as determined by STC.

National CRP Practices (Continued)

CP41 FWP Flooded Prairie Wetland (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
fencing or roads		not authorized.
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelines		
tree or grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
mineral or nutrient	to maintain cover or enhance production	

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area shall not be harvested or grazed by domestic livestock for the life of CRP-1.
- Limit C/S to the minimum work and materials necessary to develop or restore the wetland hydrology, and establish an adequate cover to improve environmental benefits.
- The wetland shall be restored to the extent identified according to subparagraph B.
- Chemicals used in establishing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP41 FWP Flooded Prairie Wetland (Continued)**

**F Practice Requirements (Continued)**

- Noxious weeds and other undesirable plants, insects, and pests shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice **must** be established and maintained according to the practice standards in FOTG.
- The hydrology of the wetland **must** be maintained according to the operation and maintenance requirements for the practice standard.

**G Planting Timespan**

Planting of the approved permanent cover must be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Consideration of water quality, wildlife, and other environmental concerns are to be evaluated in the planning and establishment of this practice.

**I Practice Maintenance**

The practice shall be maintained without additional C/S for the life of CRP-1 according to the practice standards in FOTG.

C/S shall be refunded if any of the following apply:

- producer destroys the practice during the life of CRP-1
- producer fails to maintain the cover during the life of CRP-1
- the cover fails to provide adequate protection of water quality during the life of CRP-1, unless the failure is caused by circumstances beyond the producer's control.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP41 FWP Flooded Prairie Wetland (Continued)**

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**L Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP, except in those areas established to trees, the Forest Service or State Forestry Agency will have the technical responsibility.

**M Associated Practice**

This practice is only authorized with the associated practice CP28, Farmable Wetland Pilot Buffer, to ensure that the functions and values of the wetland are maintained for the length of the contract.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP42 Pollinator Habitat

### A Purpose

The purpose of this practice is to establish habitat to support a diversity of pollinator species. Secondary benefits may include increasing conservation benefits associated with organic farming operations.

### B Program Policy

Apply this practice to eligible cropland where pollinator habitat can be established and maintained, as determined by NRCS technical specifications, in a cost-effective manner through enrollment in CRP.

The conservation plan developed for acreage under CRP-1 devoted to CP42 **must** address pollinator habitat needs.

### C Size Requirements

For Continuous CRP signup enrollment:

- acres devoted to CP42 are limited to 10 acres per tract not to exceed 10 percent of the cropland acres of the farm

**Note:** Farm reconstitutions for the purpose of increasing CP42 acres are not authorized.

- block plantings of CP42 are preferred over strips; if planted in strips, each strip must be a minimum of 20 feet wide
- habitat areas of CP42 must be at least 0.50 acres each.

For General CRP signup enrollment:

- block plantings of CP42 are preferred over strips; if planted in strips, each strip must be a minimum of 20 feet wide
- habitat areas of CP42 must be at least 0.50 acres each.

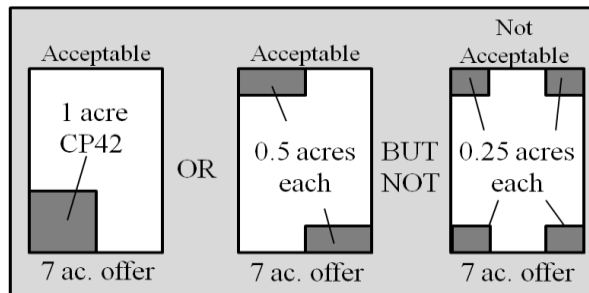
(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP42 Pollinator Habitat (Continued)

C Size Requirements (Continued)

The following is an example of the 0.50-acre minimum requirement, which applies to both Continuous and General CRP signup enrollment.

**Example:** Participant B offers 7 acres, including 1 acre of CP42. Individual habitat areas of CP42 must be no smaller than 0.50 acres.



D Eligibility

To be eligible for C/S, this practice must:

- create pollinator habitat to an acceptable level
- prevent degradation of pollinator habitat from recurring after establishment
- be maintained for the contract period
- be included in the approved conservation plan
- prevent degradation of environmental benefits from recurring after establishment
- control soil erosion to less than the soil loss tolerance.

National CRP Practices (Continued)

CP42 Pollinator Habitat (Continued)

E C/S Policy

The following contains C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
seedbed preparation	substantiated as needed by COC	authorized using technical practice codes 314, 315, 327, 338, 340, 342, 386, 390, 394, 420, 612, 645, and 647.
minerals		
eligible seed or plant stock, including shrubs  <b>Important:</b> Native flowering species are encouraged.	substantiated as needed by COC, and specified in the approved conservation plan to benefit targeted pollinator species	
habitat boundary marker	specified in the approved conservation plan	
seeding, including approved shrubs	substantiated as needed by COC and listed as approved species in the practice specifications	
herbicides	specified as necessary in the approved conservation plan	
insecticides		
brush piles, edge feathering, or similar methods  <b>Important:</b> Limited to woody materials on CP42 acres only.	specified as necessary in the approved conservation plan to provide nesting habitat for pollinators and other environmental benefits	
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications needed until required seeds or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	

National CRP Practices (Continued)

CP42 Pollinator Habitat (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
herbicides	to maintain vegetative cover	not authorized.
insecticides		
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelanes		
fencing or roads		
minerals	to enhance production	

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- This practice may be used with other conservation practices
- Seeding mixes must contain a minimum of 9 species of pollinator-friendly wildflowers, legumes, and/or shrubs. More than 9 species are encouraged. Trees are not an eligible component of CP42 seed mixes.

**Exception:** States with arid areas may submit alternative standards.

- At least 3 species must have their primary onset of blooming during each period of Early, Mid, and Late Season from approximately March through October. Bloom periods of early, mid and late season will be determined by each State based on their growing season and the foraging needs of pollinators. The 3 species need not be in bloom for the entirety of a bloom period.

**Exception:** States with arid areas may submit alternative standards.

- STC's may propose alternatives to species diversity and bloom period standard for arid areas only. Alternative standards must receive DAFP approval.
- Seeding mixes must include no more than 50 percent native grasses based on pure live seeds per square foot. Grass is not required in CP42.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

## CP42 Pollinator Habitat (Continued)

## F Practice Requirements (Continued)

- Seeding rates will be no less than 20 pure live seeds per square foot, including grass and forbs. NRCS will design seeding plans according to practice requirements in the NRCS FOTG and State-developed policies.
- Grasses seeded in this practice must be native. Though wildflower, legume, and/or shrub species planted are encouraged to be native, beneficial introduced flowering plants (e.g., alfalfa and clover) may be part of the seeding mix. Each introduced species is encouraged to make up no more than 10 percent of the pure live seed mixture with a total of introduced flowering plants encouraged to not exceed 20 percent of the pure live seed mixture.
- To provide quality nesting habitat for native bees, non-sod forming bunch grasses are preferred over sod-forming grasses, if including grass in the seeding mix.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- The practice **must** be established and maintained according to the practice standards in NRCS FOTG.
- If included in the approved conservation plan and where allowed by NRCS FOTG, brush piles, downed tree structures, edge feathering, or similar methods may be used to create dead woody material for pollinator nesting habitat. No trees may be enrolled in CP42 Pollinator Habitat. Edge feathering may be included in a conservation plan where a forested edge or treeline owned by the participant abuts CP42 and edge feathering material can be dropped on to CP42. Woody habitat created on CP42 must not exceed 1,500 square feet for every 1 acre of CP42, up to 1 acre in total woody habitat.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP42 Pollinator Habitat (Continued)****F Practice Requirements (Continued)**

- Spot application of herbicide may be needed to control undesirable plants.
- Where practicable, as determined by NRCS or TSP, State-certified seed must be used for CP42.

The practice length for CP42 is 10 years for general or continuous enrollment.

**G Planting Timespan**

Planting or sowing of the approved cover must be completed within 12 months of the effective start date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Preserving and improving pollinator and wildlife habitat, and other environmental concerns, including impacts to organic farming operations, must be considered when making determinations about types of plantings, spacing, and other practice specifications.

**I Practice Maintenance**

The practice must be maintained without additional C/S for the contract period. C/S will be refunded if:

- producer destroys the cover during the contract period
- cover fails to provide adequate pollinator habitat and environmental benefits during the contract period, unless caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

C/S is not authorized for management activities

**K Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.



(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

### CP43 Prairie Strips

#### A Purpose

Establish strips of diverse, dense, herbaceous, predominately native perennial vegetation designed and positioned on the landscape to most effectively address soil erosion and water quality while providing food and cover for wildlife and beneficial insects. The primary purpose of prairie strips is to reduce soil erosion and pollution transport to protect water quality by intercepting surface and subsurface water flow to remove nutrients, sediment, organic matter, pesticides, and other pollutants by deposition, absorption, plant uptake, denitrification, and other processes. The secondary purpose is to provide wildlife and beneficial insect habitat by establishing diverse plant communities.

#### B Program Policy

For cropland to be eligible to be enrolled in CRP CP43 prairie strips, all the requirements in subparagraph 181 A must be met.

NRCS or TSP conservation planner will consider the producers conservation objectives and production system to determine appropriate locations and sizes of prairie strips to reduce soil erosion and reduce the transport of pollutants to water bodies. Prairie strips may be placed:

- around the perimeter or portions of the perimeter of a field
- through the field
- parallel and/or perpendicular to existing grassed waterways if the conservation planner determines that effective filtering will take place in such a location

**\*--Note:** CP43, Prairie Strips, must not be “stacked” with other CRP grass practices on the same land ownership unit.--\*

- in a gradient or level terrace channel, diversion channel or storage area of a water and sediment control basin to intercept water runoff before infiltration or entering an outlet, if determined necessary for filtering.

Pivot corners of any size may be enrolled as prairie strips if needed to reduce soil erosion or provide water filtering.

**Important:** Prairie strips are not eligible to be installed on constructed terraces but may be placed in the channel of a gradient or level terrace. Prairie strips may be used in conjunction with terraces as an overall conservation management system (prairie strip installed between terraces or in a terrace channel) if needed to control erosion and filter runoff on eligible cropland.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

CP43 Prairie Strips (Continued)

**B Program Policy (Continued)**

When designing prairie strips through the field to land greater or equal than 5 percent slope the row grade requirements for sheet and rill erosion control and nutrient transport in NRCS practice standard 332 contour grass strip must be applied.

Design seed mixes to control soil erosion and reduce the transport of pollutants while also incorporating plant diversity for wildlife and beneficial insects. Seed mix criteria:

- include grass and forb species to provide active plant growth and flowering throughout the growing season

**Note:** If possible, 2 flowering species in each growing season and a minimum of 10 flowering plants.

- maximize forb diversity as much as possible
- introduced grass species are not allowed

**Note:** Introduced forb species are only allowed if regional supply is limited or soil erosion and water quality benefits will be compromised with the use of native species.

- design seed mixes to balance grass and forb amounts to provide a stable plant community. Include minimum rates for dominant competitive species. Reference regional or State ecological site descriptions, wildlife habitat planting and beneficial insect guidance to design seed mixes.

Limited machinery traffic is allowed on prairie strips located on the perimeter of a field to replace end rows/turn rows and prairie strips located parallel and immediately adjacent to grass waterways to allow for contour farming that requires equipment traffic through the waterway area. Limitations include:

- machinery traffic is allowed on prairie strips planted as field borders and may only be used for equipment turning during normal field operations and not as travel lanes

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
**National CRP Practices (Continued)**

**CP43 Prairie Strips (Continued)**

**B Program Policy (Continued)**

- prairie strips parallel and adjacent to grass waterways may only be crossed with machinery during normal farming operations and not used as travel lanes

**Note:** In no case will prairie strips be used as travel lanes.

- prairie strips shall not be used for storage of crops or equipment.

**C Size Requirements**

Prairie strips requirements:

- the minimum acceptable width of a prairie strip is 30 feet
- the maximum width of a prairie strip is up to an average width of 120 feet, if needed to accomplish the purpose of the practice
- ~~\*--~~prairie strips may not exceed 25 percent of the cropland area per tract~~--\*~~
- the width of an individual prairie strip may vary to accomplish the purpose of the practice and/or accommodate farming operations.

**D Eligibility**

To be eligible for C/S, this practice must:

- be required by the approved conservation plan
- meet the cropland eligibility requirements in subparagraph 181 A
- improve environmental benefits to an acceptable level
- meet the purpose of the practice
- be maintained for the CRP-1 period
- prevent degradation of environmental benefits from recurring.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

CP43 Prairie Strips (Continued)

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...	
minerals	substantiated as needed by COC  <b>Note:</b> The requirements for this practice, including eligible seed mixtures, nutrients, and minerals <b>must</b> be specified in the conservation plan as designed by the conservation planner.	authorized using technical practice codes, 315, 327, 332, 386, 390, 393, 394, 472, 643, 645, and 647.	
eligible seed			
seedbed preparation			
seeding			
herbicides	specified as necessary in the approved conservation plan		
insecticides			
temporary cover	<ul style="list-style-type: none"> <li>• required in the practice specifications</li> <li>• needed until required seed or plant stock is available</li> <li>• needed because normal planting period for the species has passed</li> <li>• that a soil condition, such as chemical residue, will not allow establishment of cover immediately</li> </ul>		
boundary markers	specified in the approved conservation plan		
herbicides	to maintain vegetative cover		not authorized.
insecticides			
earthmoving	to establish the prairie strip		
clearing rocks or other obstructions from the area to be seeded			
fencing			
minerals	to enhance production		

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP43 Prairie Strips (Continued)**

**F Practice Requirements**

The following are requirements for this practice.

- Limit C/S to the minimum minerals and seed necessary to establish adequate cover to improve environmental benefits.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- A management activity is required for each practice, if needed.

**G Planting Timespan**

Planting or sowing of the approved cover shall be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

**H Environmental Concerns**

Must be for the primary purpose to reduce soil erosion and protect water quality. The secondary purpose is to provide wildlife and beneficial insect habitat by establishing diverse plant communities.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP43 Prairie Strips (Continued)**

**I Practice Maintenance**

The practice shall be maintained without additional C/S for the CRP-1 period. C/S shall be refunded if:

- producer destroys the cover during the CRP-1 period
- cover fails to provide enhancement of environmental benefits during the practice lifespan unless caused by circumstances beyond the producer's control.

**J Management Activity**

A management activity is required for each practice, if needed. See paragraph 428.

\*--C/S is not authorized for management activities.--\*

**K Technical Responsibility**

Technical responsibility for this practice shall be assigned to NRCS or TSP. Conservation plan will include requirements such as seedbed preparation, seeding dates, eligible seed, etc., that are conditions for C/S for the practice.

**National CRP Practices (Continued)****CP87 Permanent Introduced Grasses and Legumes (CP87 Eligible To Be Offered for SU200 and SU201 Only)****A Program Policy**

Apply CP87 to maintain existing permanent introduced grasses and legumes on eligible CRP grassland. Beginning with CRP grassland SU202, CP87 is **no** longer available for new offers.

For offers submitted before SU202, this practice code is used to identify land:

- under CRP-1, if a permanent introduced grasses and legumes eligible for the applicable signup is already established
- not under CRP-1, with a permanent introduced grasses and legumes that was already established for the applicable signup period.

C/S is authorized for offers accepted before SU202:

- water developments as a component of CP87
- fencing as a component of CP87
- access control as a component of CP87.

Technical practice codes 314, 315, 338, 378, 382, 472, 516, 561, 574, 575, 595, and 614 may be used with CP87.

**CP88 Permanent Grasses and Legumes****A Purpose**

The purpose of this practice is to maintain existing vegetative cover of either introduced or native grasses and legumes on eligible grassland.

**B Program Policy**

Apply this practice to maintain existing permanent introduced or native grasses and legumes on eligible CRP grassland. NRCS or TSP determines, based on a site visit, that the grassland is suitable to be hayed or grazed according to the conservation plan of operations.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
 National CRP Practices (Continued)

**CP88 Permanent Grasses and Legumes (Continued)**

**C Size Requirements**

There are no size requirements for CP88.

**D Eligibility**

To be eligible for C/S, this practice must:

- promote common grazing related activities
- prevent degradation of environmental benefits from recurring
- be included and required in the approved conservation plan
- be maintained for the life of CRP-1
- prevent breaking of native sod.

**E C/S Policy**

The following shows C/S policies for this practice.

<b>IF the component is...</b>	<b>AND the justification is...</b>	<b>THEN C/S is...</b>
permanent fence (internal)	internal fencing needed to facilitate a livestock grazing system  <b>Important:</b> A single strand electric fence is not a permanent fence for CRP grassland.	authorized using technical practice codes 314, 315, 338, 378, 382, 472, 516, 561, 574, 575, 595, and 614.
access control	needed to control access to an area to maintain the quantity and quality of natural resources, or seasonal or permanent livestock exclusion  <b>Example:</b> Gates between rotational grazing paddocks.	authorized.
ponds, wells, spring developments, pipelines, and water facilities	substantiated as needed by COC for the purpose of providing a water source for livestock  <b>Note:</b> COC must only approve the minimum number of water sources needed.	



National CRP Practices (Continued)

CP88 Permanent Grasses and Legumes (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
fuel break	to control and reduce the risk of the spread of fire by treating, removing, or modifying vegetation, debris, and detritus	authorized.
trails and walkways	to: <ul style="list-style-type: none"> <li>• provide or improve access to forage, water, working/handling facilities, and/or shelter</li> <li>• improve grazing efficiency and distribution</li> <li>• protect ecologically sensitive, erosive, and/or potentially erosive sites</li> </ul>	
prescribed burning	to improve plant production quantity and/or quality by managing fuel loads to achieve desired conditions	
corrals, feedlots, ornamental fences, holding pens, and cattle guards, boundary fence		not authorized.

E Practice Requirements

The following are requirements for this practice.

- Limit C/S to the minimum level of treatment necessary to support common grazing practices.
- Chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP88 Permanent Grasses and Legumes (Continued)**

**F Practice Requirements (Continued)**

- Noxious weeds and other undesirable plants, insects, and pests must be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- Haying, mowing, or harvesting for seed production must be subject to appropriate restrictions for species identified by STC focus areas.

**G Practice Management**

If the producer destroys the practice during the life of CRP-1 or failure is caused by the producer, if COC terminates, the producer must refund all annual rental payments, C/S payments, interest, and liquidated damages according to paragraph 574.

**H Environmental Concerns**

Consider wildlife and other environmental concerns, especially federally threatened or endangered species and critical habitat, when establishing protective measures.

**I Practice Maintenance**

The practice must be maintained without additional C/S for the life of CRP-1. C/S must be refunded according to paragraph 571 if either of the following applies:

- producer destroys the practice during the life of CRP-1
- failure is **not** caused by circumstances beyond the producer's control.

**J Management Activity**

The practice has no required management activities as required in paragraph 428.

**K Program Development**

Follow this subparagraph to develop the county program.

- County programs must provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**J Technical Responsibility**

Technical responsibility for this practice is assigned to NRCS or TSP.

(Par. 31, 34, 66, 171, 181, 211, 237, 262, 366, 426, 428, 429, 490, 511, 512, 832, Ex. 26)  
National CRP Practices (Continued)

**CP87A Permanent Introduced Grasses and Legumes – Livestock (CP87A Eligible To Be Offered for SU200 and SU201 Only)**

**A Program Policy**

Apply CP87A to maintain existing permanent introduced grasses and legumes – livestock on eligible CRP grassland. Beginning with CRP grassland SU202, CP87A is **no** longer available for new offers.

For offers submitted before SU202, this practice code is used to identify land:

- under CRP-1, if a permanent introduced grasses and legumes – livestock was an eligible small-scale livestock as certified on CRP-2G-1 and is already established
- not under CRP-1, with a permanent introduced grasses and legumes – livestock was an eligible small-scale livestock as certified on CRP-2G-1 and is already established.

C/S is authorized for offers accepted before SU202:

- pollinator habitat as a component of CP87A
- water developments as a component of CP87A
- fencing as a component of CP87A
- access control as a component of CP87A.

Technical practice codes 314, 315, 338, 378, 382, 472, 516, 561, 574, 575, 595, and 614 may be used with CP87A.

**National CRP Practices (Continued)****CP88A Permanent Native Grasses and Legumes – Livestock (CP88A Eligible To Be Offered for SU200 and SU201 Only)****A Program Policy**

Apply CP88A to maintain existing permanent native grasses and legumes – livestock on eligible CRP grassland. Beginning with CRP grassland SU202, CP88A is **no** longer available for new offers.

For offers submitted before SU202, this practice code is used to identify land:

- under CRP-1, a permanent native grasses and legumes with an eligible small-scale livestock as certified on CRP-2G-1.
- not under CRP-1, a permanent introduced grasses and legumes with an eligible small-scale livestock as certified on CRP-2G-1.

C/S is authorized for offers accepted before SU202:

- pollinator habitat as a component of CP88A
- water developments as a component of CP88A
- fencing as a component of CP88A
- access control as a component of CP88A.

Technical practice codes 314, 315, 338, 378, 382, 472, 516, 561, 574, 575, 595, and 614 may be used with CP88A.

## Adjusted Gross Income (AGI) Limitation Waiver Request Worksheet for Conservation Reserve Program

**Note:** Exhibit 16 will be available in a fillable format at <https://inside.fsa.usda.gov/>. CLICK “Employee Forms” and CLICK “Find Current Forms Using Our Form Number Search”. For “Form Number”, ENTER “2-CRP”.

### Adjusted Gross Income (AGI) Limitation Waiver Request Worksheet For Conservation Reserve Program

A person or legal entity that exceeds the AGI requirements of the 2018 Farm Bill will not be eligible to receive payments for certain farm bill programs except when a waiver is authorized by the Administrator on a case-by-case basis if it is determined that environmentally sensitive land of special significance will be protected.

When a producer requests an AGI waiver, the County Committee should have the producer prepare a written request for an AGI waiver addressed to the Administrator. The County Committee will submit the producer’s written request, along with the completed waiver request worksheet package, to the State Committee for review (Note: Federally recognized Tribes are not subject to AGI limitations).

For those requests that meet all the requirements listed in Section 5, the State Committee will forward a complete waiver package through DAFP for the Administrator’s approval. State Committee’s shall provide written notification to all producers of requirements not met with appeal rights or acknowledgement of waivers approved by the Administrator.

Producer Name: \_\_\_\_\_  
State: \_\_\_\_\_ Location (County): \_\_\_\_\_

#### Section 1: Program and length of proposed contract(s)/easements/ contract number

Identify the program and length of producer’s proposed contract (List only one program per waiver request):

Program \_\_\_\_\_ Length of Contract \_\_\_\_\_ Contract Number \_\_\_\_\_

The waiver request must show that use of conservation program funding by an individual addresses at least one of the following categories.

- (1) Critical to the success of a project that benefits **multiple producers** in a community, watershed, or other geographic area, or
- (2) Enables USDA to achieve enduring conservation treatment through a long-term agreement that is greater than 15 years in duration or through a deed restriction on the land. **Note:** Programs with agreements less than 15 years in duration will need to be in a partnership with another type of agreement to meet these criteria.

#### Section 2: National Priority or Emphasis

The conservation practice(s)/activity to be implemented on the producer’s land must benefit one or more of the national priorities or emphasis areas specific to the applicable program.

List the farm bill program the producer intends to participate in and identify the national priorities or emphasis (program specific) that will be addressed. (List all that apply):

Program (e.g. CRP)	National Program Priority or Emphasis (Promotion of at-risk species habitat conservation)
_____	_____
_____	_____

**Adjusted Gross Income (AGI) Limitation Waiver Request Worksheet for Conservation Reserve Program (Continued)**

**Adjusted Gross Income (AGI) Limitation Waiver Request Worksheet  
For Conservation Reserve Program (Continued)**

**Section 3: Federal, Regional, Tribal or State Resource Management Plan or Natural Resource Plans**

The environmentally sensitive land of special significance is clearly identified in an approved federal, regional, Tribal, or state environmental or natural resource plan or report. The planned conservation practice(s) or activity will protect or be an integral component in addressing the federal, regional, tribal, or State plan's objectives: (check all that apply):

- State Wildlife Action Plan/Report Title: \_\_\_\_\_
- State Water Quality Plan, Plan/Report Title: \_\_\_\_\_
- National Air Quality Plan, Plan/Report Title: \_\_\_\_\_
- U.S. Fish and Wildlife Recovery Plan Title: \_\_\_\_\_
- National Fish Habitat Action Plan Title: \_\_\_\_\_
- Nationally accepted Agricultural Water Enhancement Program (AWEP, CCPI or CIG) Project Name: \_\_\_\_\_
- Other federal, regional, state or Tribal plan, or report, Plan/Report Title: \_\_\_\_\_

Briefly provide the justification and a description on how the conservation practice(s)/activity on this land will address the identified resource issues in the national, regional, state, or Tribal plan or report?

**Section 4: Critical Resource**

The conservation practice(s) or activity will be applied to the land that directly impacts a critical resource ad identified in a resource plan identified in section 3 and is within or adjacent to the agricultural operation. Must meet one or more of the following critical resources: (check all that apply):

- Air Quality, nonattainment area \_\_\_\_\_
- Coastal Resources (Coastal zones as identified per the Coastal Zone Management Act of 1972 that have a direct and significant impact on coastal waters)  
Name of coastal resource: \_\_\_\_\_
- Federal or State listed threatened, endangered, candidate species or concern, or at risk species.  
List species: \_\_\_\_\_
- Groundwater recharge area; Name of recharge area \_\_\_\_\_
- Historical or cultural resource; List historical or cultural resource: \_\_\_\_\_  
(Submit a letter from State or Tribal Historical Preservation Officer that supports this conservation practice(s)/activity on the subject land).
- Prime or Unique Farmland
- Water Quality
- Wetlands
- Other critical resource issues, such as climate change and energy conservation: \_\_\_\_\_

Briefly describe how the conservation practice(s)/activity will benefit the identified critical resource(s) (identified in the above list) on the subject land:

# Adjusted Gross Income (AGI) Limitation Waiver Request Worksheet for Conservation Reserve Program (Continued)

## Adjusted Gross Income (AGI) Limitation Waiver Request Worksheet For Conservation Reserve Program *(Continued)*

### Section 5: Package Submission Requirements

Include the following in the submission package: **(all items required):**

- Overview of the conservation practice(s)/activity to be implemented on the environmentally sensitive land, describe the current resource baseline condition and the future condition, include objectives and describe how this project(s) on the producer's land is a critical or integral component in achieving federal, regional, tribal or state plan objectives (i.e., size of the land area under review in relation to the amount of critical areas to be addressed or needing treatment).
- National, regional, state, or Tribal Plan referenced in Section 3. (Provide copy of pertinent information from the plan and appropriate web link, if a web link to document is available on the internet).
- Aerial photograph of the producer's land to be enrolled in the USDA program and surrounding project area. (Identify on the photograph the planned conservation practice(s)/activities).
- Letter of support from federal (other than FSA)/Tribal/State Agency or regional commission within expertise regarding the critical resource (e.g. the project will benefit threatened and endangered species, a letter of support from US Fish and Wildlife Service and/or the State Fish and Wildlife Agency).
- Producer's written request for the AGI waiver.

### Section 6: Certification

#### STC

I have completed a review of this AGI waiver request package and find it to be complete. (If not supported, file for further reference).

Support       Do Not Support, Reason: \_\_\_\_\_

STC: \_\_\_\_\_ Date: \_\_\_\_\_

#### Administrator Approval

Approved       Not Approved, Reason: \_\_\_\_\_

Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Note: Waiver determinations for conservation programs will be based on the year for which the conservation program contract or agreement is approved and the determination will apply for the entire term of the subject agreement or contract.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

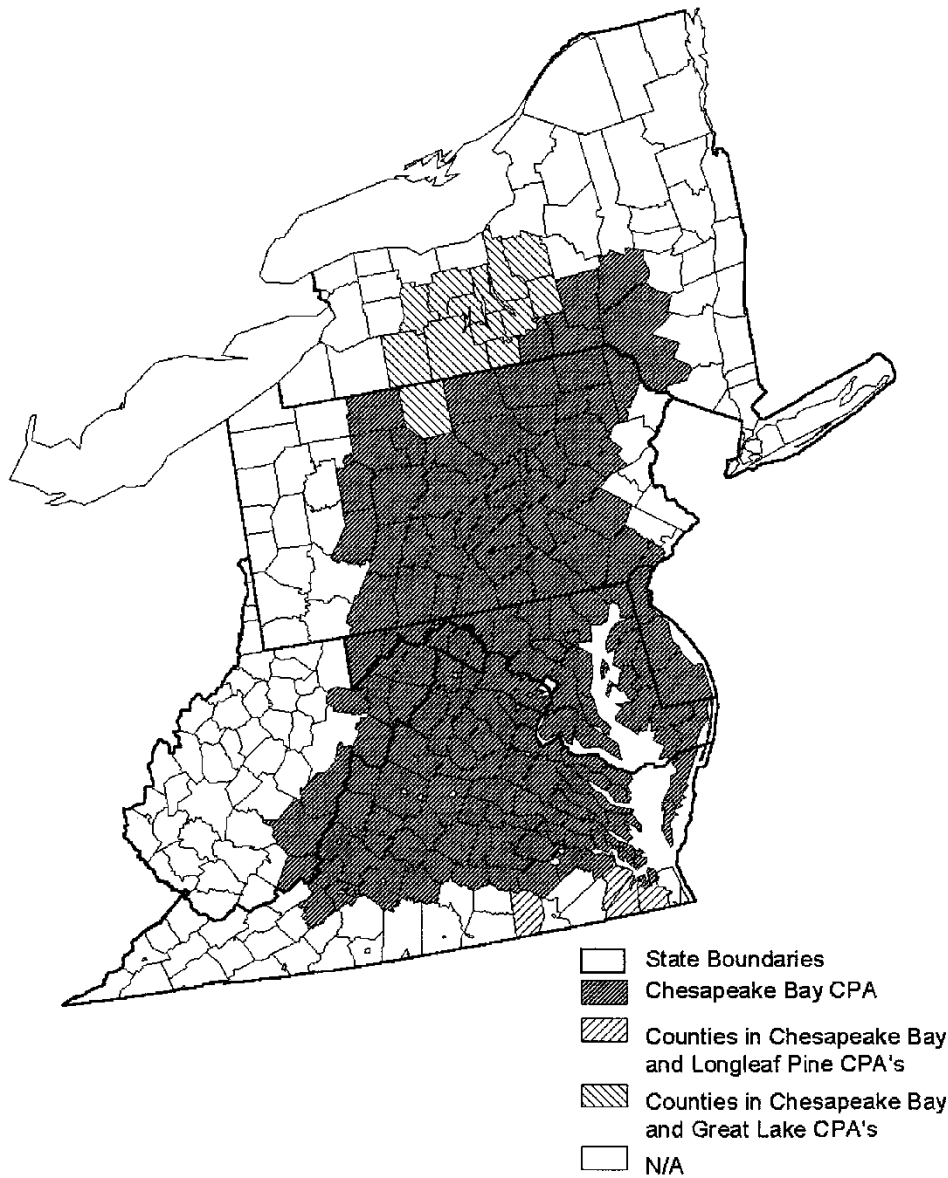
To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.



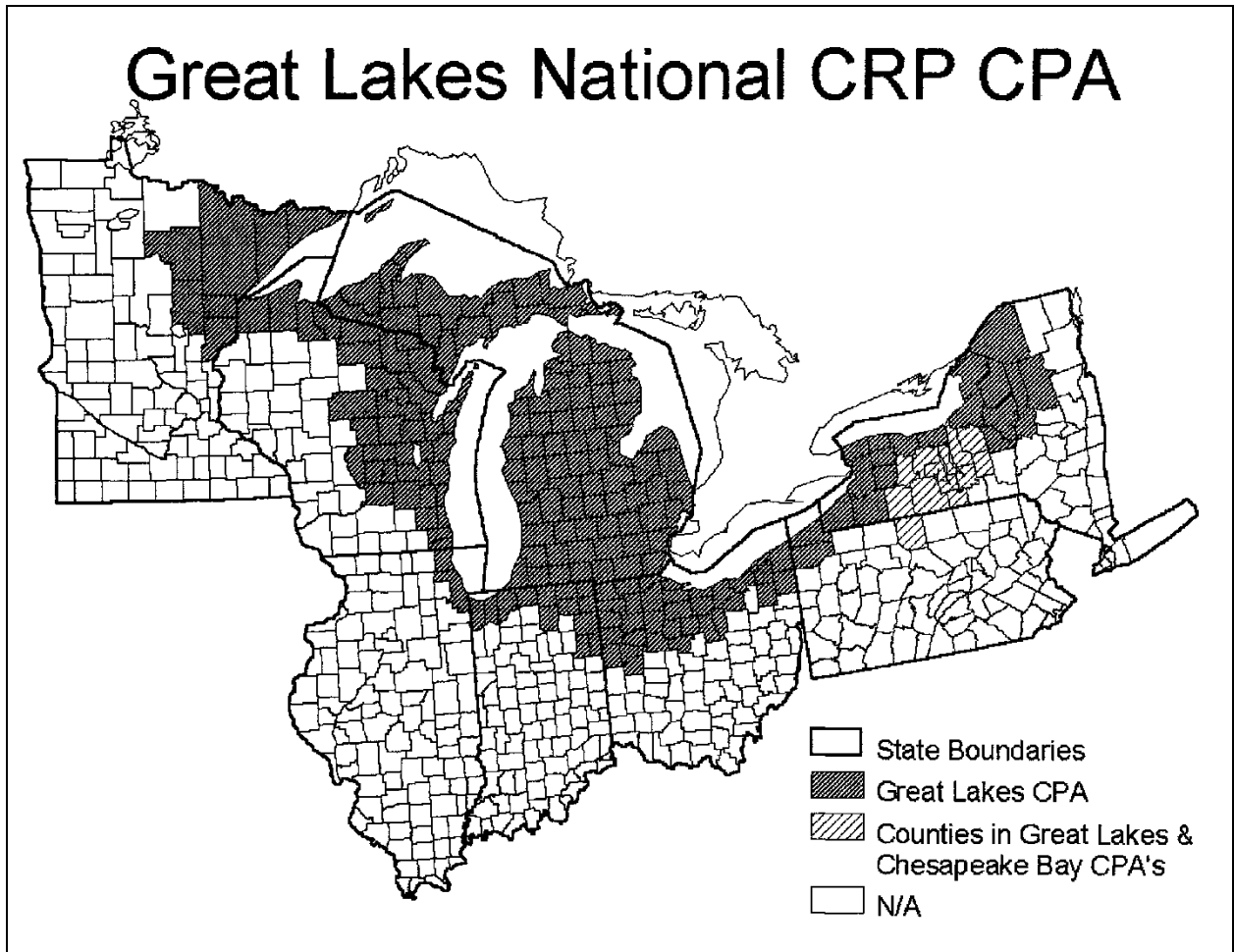


National CPA's

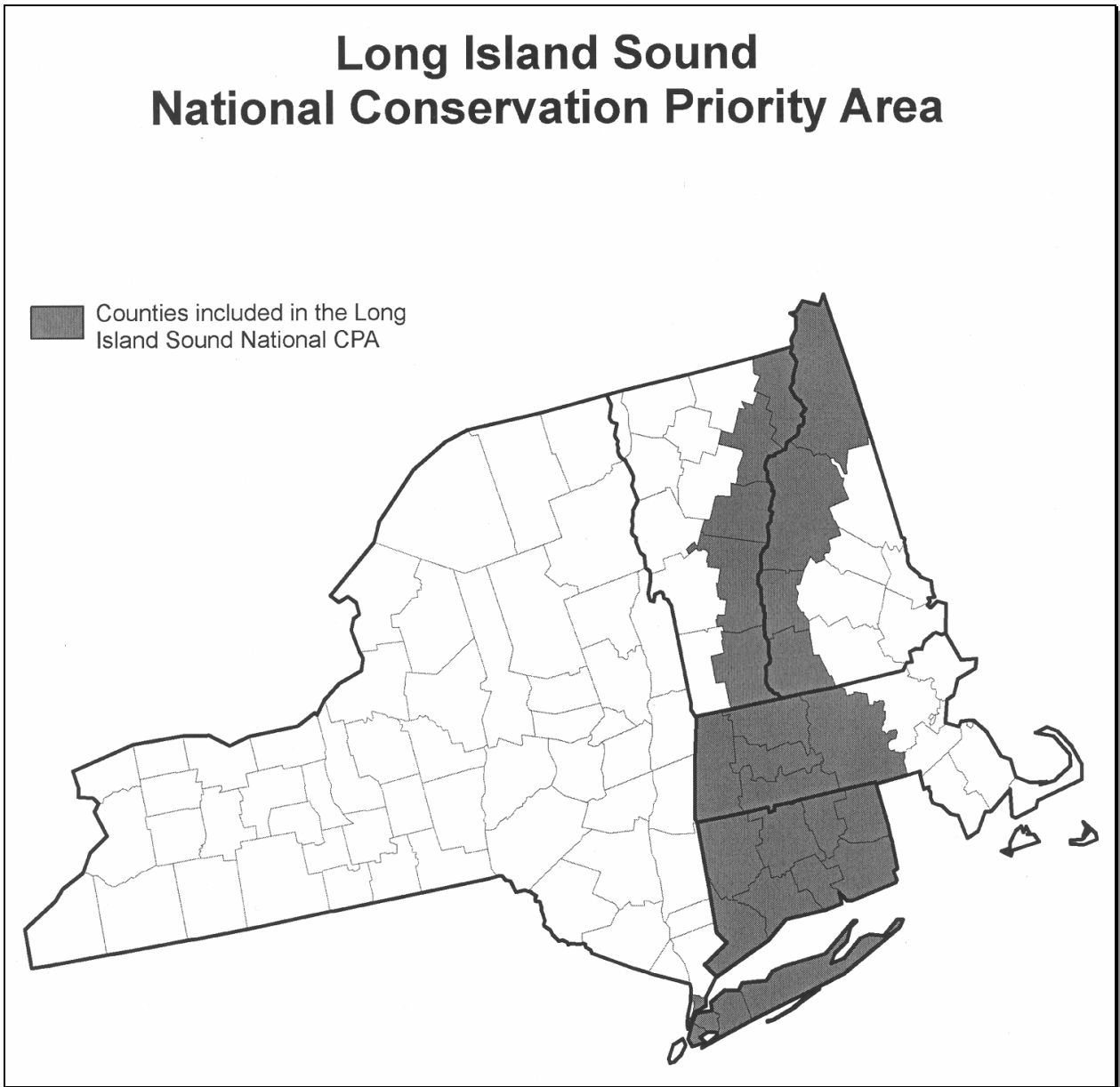
# Chesapeake Bay National CRP CPA



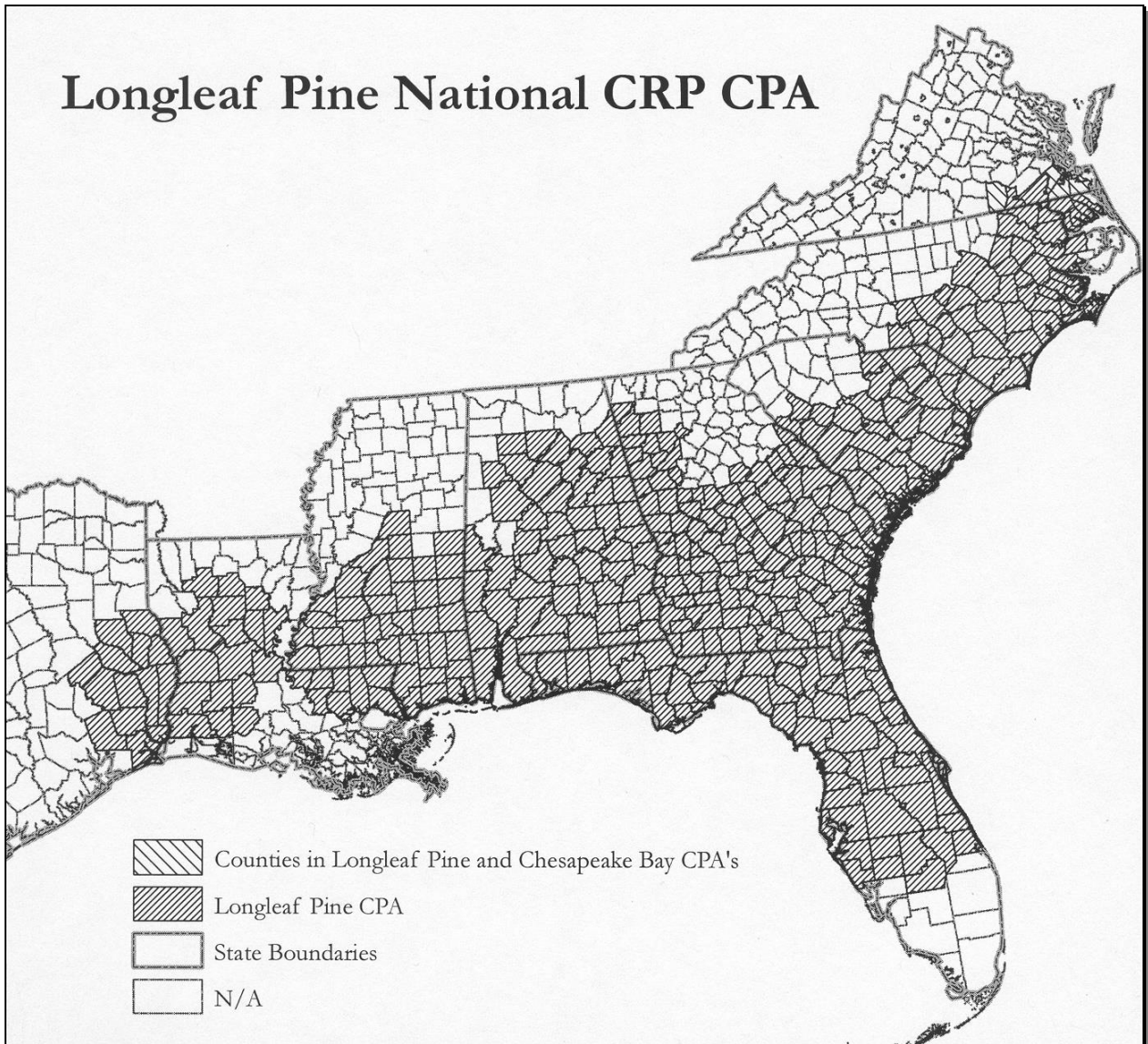
National CPA's (Continued)



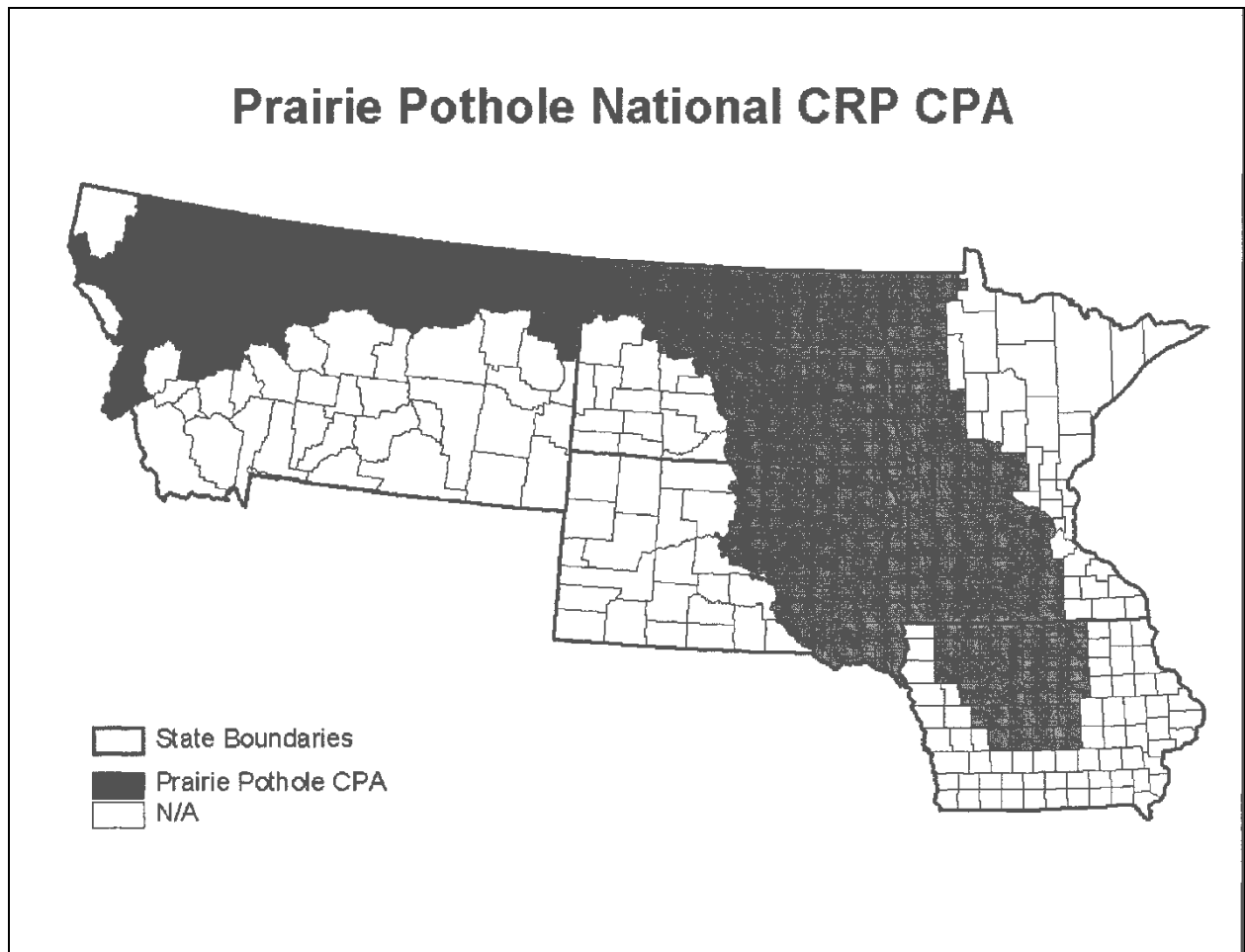
National CPA's (Continued)



National CPA's (Continued)



National CPA's (Continued)





**CRP Signup Periods**

The following provides the number and dates of CRP signup periods by program year.

<b>Signup Number</b>	<b>Date</b>	<b>Program Year</b>
1	3-3-86 through 3-14-86	1986
2	5-5-86 through 5-16-86	1986 and 1987
3	8-4-86 through 8-15-86	1986 and 1987
4	2-9-87 through 2-27-87	1987 and 1988
5	7-20-87 through 7-31-87	1987 and 1988
6	2-1-88 through 2-19-88	1988 and 1989
7	7-18-88 through 8-31-88	1988 and 1989
8	2-6-89 through 2-24-89	1989 and 1990
9	7-17-89 through 8-4-89	1989 and 1990
10	3-4-91 through 3-15-91	1991
11	7-8-91 through 7-19-91	1992
12	6-15-92 through 6-26-92	1993
13	9-11-95 through 9-22-95	1996 and 1997
14 *	9-3-96 through 9-30-97	1997 and 1998
15	3-3-97 through 3-28-97	1998 and 1999 <u>1/</u>
16	10-14-97 through 11-14-97	1998 and 1999 <u>2/ 3/</u>
17 *	10-1-97 through 9-30-98	1998 and 1999
18	10-26-98 through 12-11-98	2000
19 *	10-1-98 through 9-30-99	1999 and 2000
20	1-18-2000 through 2-11-2000	2001
21 *	10-1-99 through 4-6-2000	2000 and 2001
22 *	4-6-2000 through 9-30-2000	2000 and 2001
23 *	10-1-2000 through 9-30-2001	2001 and 2002
24 *	10-1-2001 through 9-30-2002	2002 and 2003
25 *	10-1-2002 through 9-30-2003	2003 and 2004

\* Denotes continuous signup numbers.

1/ Acreage currently enrolled in CRP that expires September 30, 1997, is eligible to be offered for enrollment only with a program year of 1998. See paragraph 151.

2/ Acreage currently enrolled in CRP that expires September 30, 1998, is eligible to be offered for enrollment only with a program year of 1999. See paragraph 151.

3/ Acreage previously enrolled in CRP that expired September 30, 1997, is eligible to be offered for enrollment with a program year of 1998 or 1999. See paragraph 402.

**CRP Signup Periods (Continued)**

<b>Signup Number</b>	<b>Date</b>	<b>Program Year</b>
26	5-5-2003 through 6-13-2003	2004 and 2005
27 *	5-5-2003 through 9-30-2003	2003 and 2004
28 *	10-1-2003 through 9-30-2004	2004 and 2005
29	8-30-2004 through 9-24-2004	2006 and 2007
30 *	10-1-2004 through 9-30-2005	2005 and 2006
31 *	10-1-2005 through 9-30-2006	2006 and 2007
32 **	2-1-2006 through 12-31-2006	2008 through 2011
33	3-27-2006 through 4-28-2006	2007
34 *	7-17-2006 through 10-20-2006	2007 and 2008
35 *	10-1-2006 through 9-30-2007	2007 and 2008
36 *	10-1-2007 through 9-30-2008	2008 and 2009
37 *	10-1-2008 through 9-30-2009	2009 and 2010
38 *	10-1-2009 through 9-30-2010	2010 and 2011
39	8-2-2010 through 8-27-2010	2011
40 *	10-1-2010 through 9-30-2011	2011 and 2012
41	3-14-2011 through 4-15-2011	2012
42 *	10-1-2011 through 9-30-2012	2012 and 2013
43	3-12-2012 through 4-6-2012	2013
44 *	5-13-2013 through 9-30-2013	2013 and 2014
45	5-20-2013 through 6-14-2013	2014
46 *	10-1-2013 through 9-30-2014	2014 and 2015
47 *	10-1-2014 through 9-30-2015	2015 and 2016
48 *	10-1-2015 through 9-30-2016	2016 and 2017
49	12-1-2015 through 2-26-2016	2017
50 *	10-1-2016 through 9-30-2017	2017 and 2018
51 *	10-1-2017 through 9-30-2018	2018 and 2019
52 *	6-3-2019 through 8-23-2019	2020
53 *	12-9-2019 through 9-30-2020	2020 and 2021
54	12-9-2019 through 2-28-2020	2021
200	9-1-2015 through 6-1-2018	2016, 2017, or 2018
201	6-4-2018 through 9-30-2018	2019
202	3-16-2020 through 5-15-2020	2021
*--55	10-1-2020 through 9-30-2021	2021 and 2022
56	1-4-2021 through 2-12-2021	2022
203	3-15-2021 through 4-15-2021	2022--*

\* Denotes continuous signup numbers.

\*\* Denotes REX.

**Note:** See paragraph 171 for continuous signup number, dates, and program year information.



**Completing CRP-1, Conservation Reserve Program Contract**

**A Completing CRP-1**

CRP-1 must be completed for each CRP-2, CRP-2C, or CRP-2G, and practices with different lifespans.

CRP-1 is:

- a computer-generated form
- provided for display purposes only.

**Completing CRP-1, Conservation Reserve Program Contract (Continued)**

**B Example of CRP-1**

The following is an example of a completed CRP-1.

\*--

<b>CRP-1</b> (07-06-20)		<b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation		1. ST. & CO. CODE & ADMIN. LOCATION XX-XXX		Page of 2. SIGN-UP NUMBER 54		
<b>CONSERVATION RESERVE PROGRAM CONTRACT</b>				3. CONTRACT NUMBER		4. ACRES FOR ENROLLMENT 101.3		
				5A. COUNTY FSA OFFICE ADDRESS (Include Zip Code) Anywhere County FSA Office 123 Farmland Road Anywhere, USA XXXXX		6. TRACT NUMBER 2512		7. CONTRACT PERIOD FROM: (MM-DD-YYYY) 10-01-2020 TO: (MM-DD-YYYY) 09-30-2030
5B. COUNTY FSA OFFICE PHONE NUMBER (Include Area Code): XXX-XXX-XXXX				8. SIGNUP TYPE: General				
THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the Contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges receipt of a copy of the Appendix/Appendices for the applicable contract period. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PARTICIPANTS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; and, CRP-2, CRP-2C, CRP-2G, or CRP-2C30, as applicable.								
9A. Rental Rate Per Acre \$ 42.00				10. Identification of CRP Land (See Page 2 for additional space)				
9B. Annual Contract Payment \$ 4254.60		A. Tract No.	B. Field No.	C. Practice No.	D. Acres	E. Total Estimated Cost-Share		
9C. First Year Payment \$		1201	1	CP2	101.2	\$5065.00		
(Item 9C is applicable only when the first year payment is prorated.)								
<b>11. PARTICIPANTS (If more than three individuals are signing, see Page 3.)</b>								
A(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code) Allen Farmer 456 Farmland Road Anywhere, USA XXXXX		(2) SHARE 50 %	(3) SIGNATURE (By)		(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY) 12-18-2019		
B(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code) Annie Farmer 456 Farmland Road Anywhere, USA XXXXX		(2) SHARE 50 %	(3) SIGNATURE (By)		(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY) 12-18-2019		
C(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)		(2) SHARE %	(3) SIGNATURE (By)		(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)		
<b>12. CCC USE ONLY</b>		A. SIGNATURE OF CCC REPRESENTATIVE					B. DATE (MM-DD-YYYY) 06-26-2020	
<p><b>NOTE:</b> The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.</p> <p><b>Paperwork Reduction Act (PRA) Statement:</b> The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b></p> <p>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</p> <p>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</p> <p>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider, employer, and lender.</p>								

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Completing CRP-1, Conservation Reserve Program Contract (Continued)

B Example of CRP-1 (Continued)

\*--

CRP-1 (07-06-20)				Page of
11. PARTICIPANTS (CONTINUED FROM PAGE 1)				
D(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
E(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
F(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
G(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
H(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
I(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
J(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
K(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
L(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
M(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
N(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)
O(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)

--\*

**Completing CRP-1, Conservation Reserve Program Contract (Continued)**

**C Distributing CRP-1**

Distribute CRP-1, after it has been completed and all signatures have been obtained, as follows:

- keep original in files
- provide a copy to the following:
  - owner
  - participant other than owner, if any
  - NRCS.



## \*--CRP Grassland Ranking Factors

### 1 Overview

#### A Ranking Process and Factor Scoring

The national grassland ranking process and offer size will be used to rank and prioritize offers for enrollment into CRP grasslands based on available acres under statutory acreage cap.

Producers **must** be provided a fact sheet describing the CRP grassland ranking factors. FSA shall review the fact sheet with producers to ensure that producers are aware of the scoring process used for CRP grassland ranking. Producers shall sign CRP-2G to certify that they were informed of CRP grassland ranking factors and opportunities to enhance their score.

County Offices will review CRP grassland ranking factor scoring parameters with the producers and encourage the planting of new or maintaining of existing cover types and conservation measures, if appropriate, that will provide higher environmental benefits.

#### B Overview of the CRP Grassland Ranking Factors

The national grassland ranking factors include the following:

- F1, Current and Future Use
- F2, Beginning, Socially Disadvantaged, or Veteran Farmers or Ranchers
- F3, Maximizing Grassland Preservation
- F4, Vegetation Cover
- F5, Environmental Factors
- F6, Small Scale Livestock Initiative
- F7, Cost.

Grassland ranking factors provide a relative ranking of eligible land offered for CRP grasslands, as follows.

$$F1 + F2 + F3 + F4 + F5 + F6 + F7 = \text{National Grassland Ranking Factors Score--*}$$

CRP Grassland Ranking Factors (Continued)

1 Overview (Continued)

C Overview of the CRP Grassland Ranking Factors

The following table illustrates the national grassland ranking factors.

Factor	Maximum Points	Equation/Scoring Parameters																		
F1	30	<p>Current use:</p> <ul style="list-style-type: none"> <li>F1a if over 50 percent of offer is expiring CRP (0 to 20 points)</li> <li>*--F1b if over 50 percent of offer is CP2, CP38E-2, CP10, CP38E-10, CP25, or CP38E-25 (0 or 10 points).--*</li> </ul>																		
F2	10	At least 50 percent of the producers on an offer are beginning, socially disadvantaged, or veteran farmers or ranchers (0 or 10 points).																		
F3	35	<p>F3a if eligible land is at the greatest risk from the threat of conversion to uses other than grassland (0, 2.5, 5, 7.5, or 10 points).</p> <p>F3b if over 50 percent of offer is in the national threat of conversion GIS layer (0 or 20 points).</p> <p>F3c if the offer is for a 15-year contract (0 or 5 points).</p>																		
F4	30	<p>Vegetation cover (0 to 30 points). F4 based on a weighted average of the following criteria.</p> <table border="1" data-bbox="565 1199 1442 1713"> <thead> <tr> <th>Practice</th> <th>Assigned Point Score</th> </tr> </thead> <tbody> <tr> <td colspan="2"><b>Permanent Introduced Grasses and Legumes</b></td> </tr> <tr> <td>Monoculture stand.</td> <td>5</td> </tr> <tr> <td>Existing stand of 2 or more species of an introduced grass species.</td> <td>10</td> </tr> <tr> <td>Existing stand (minimum of 4 species) of at least 3 introduced grasses and at least 1 forb or legume species best suited for wildlife in the area.</td> <td>20</td> </tr> <tr> <td colspan="2"><b>Permanent Native Grasses, Forbs, or Legumes</b></td> </tr> <tr> <td>Monoculture stand.</td> <td>10</td> </tr> <tr> <td>Existing stand (minimum of 3 species) of at least 2 native grass species.</td> <td>20</td> </tr> <tr> <td>Existing stand (minimum of 5 species) of at least 3 native grasses.</td> <td>30</td> </tr> </tbody> </table>	Practice	Assigned Point Score	<b>Permanent Introduced Grasses and Legumes</b>		Monoculture stand.	5	Existing stand of 2 or more species of an introduced grass species.	10	Existing stand (minimum of 4 species) of at least 3 introduced grasses and at least 1 forb or legume species best suited for wildlife in the area.	20	<b>Permanent Native Grasses, Forbs, or Legumes</b>		Monoculture stand.	10	Existing stand (minimum of 3 species) of at least 2 native grass species.	20	Existing stand (minimum of 5 species) of at least 3 native grasses.	30
Practice	Assigned Point Score																			
<b>Permanent Introduced Grasses and Legumes</b>																				
Monoculture stand.	5																			
Existing stand of 2 or more species of an introduced grass species.	10																			
Existing stand (minimum of 4 species) of at least 3 introduced grasses and at least 1 forb or legume species best suited for wildlife in the area.	20																			
<b>Permanent Native Grasses, Forbs, or Legumes</b>																				
Monoculture stand.	10																			
Existing stand (minimum of 3 species) of at least 2 native grass species.	20																			
Existing stand (minimum of 5 species) of at least 3 native grasses.	30																			



**\*--CRP Grassland Ranking Factors (Continued)**

**1 Overview (Continued)**

**C Overview of the CRP Grassland Ranking Factors (Continued)**

Factor	Maximum Points	Equation/Scoring Parameters
F5	30	Environmental factors (0 to 30 points): <ul style="list-style-type: none"> <li>• F5a if over 50 percent of offer is in the current CRP general signup wildlife zone (0 or 15 points)</li> <li>• F5b if over 50 percent of the offer is in the State CRP grassland zone (0 or 15 points).</li> </ul>
F6	10	If the producer certifies that they are eligible for the small scale livestock option on CRP-2G-1 (0 or 10 points).
F7	25	Cost factors (0 to 25) $F7 = F7a + F7b$ not to exceed 25 points where: <ul style="list-style-type: none"> <li>• F7a if the maximum CRP grassland rental rate for a county is \$15 or less, the offer will get 15 points</li> <li>• F7b if the offer is less than the maximum payment rate (0 to 25 points).</li> </ul>

**2 National Ranking Factor F1 for Current Use**

**A Ranking Factor F1 Summary**

The following factor encourages continued usage of the land, and retains most of the environmental benefits of expiring CRP land.

0 to 30 points determined using subfactors in the formula:  $F1a + F1b = F1$

**B Subfactor F1a for Expiring CRP**

This factor encourages owners who continue to maintain and use land that is currently in CRP in an environmentally sustainable way. Keeping these acreages in grass covers will help preserve most of the environmental benefits established under general CRP.--\*

## CRP Grassland Ranking Factors (Continued)

### 2 National Ranking Factor F1 for Current Use (Continued)

#### B Subfactor F1a for Expiring CRP (Continued)

Assign 20 points if over 50 percent of the offered acreage is currently expiring CRP in the last year of CRP-1. If the offer has less than 50 percent of expiring acreage being offered, prorate the 20 points based on the percentage of the offer that is expiring CRP.

**Example:** If 40 percent of the offer is expiring CRP in the last year of CRP-1, then it would receive 16 points ( $20 \times .80$ ). The .80 was determined by dividing 40 by 50 = .80 rounded to the nearest tenth.

#### C Subfactor F1b for Existing CRP Cover

This factor provides additional points depending on the current CRP cover. Assign 10 points \*--if over 50 percent of the offered acreages is currently CP2, CP38E-2, CP10, CP38E-10, CP25, or CP38E-25.--\*

### 3 National Ranking Factor F2 for Beginning, Veteran, and Socially Disadvantaged Farmers and Ranchers

#### A Overview

For this factor, assign 10 points if at least 50 percent of the producers on the offer receiving a share meet 1 of the following definitions as determined by CCC-860.

#### B Beginning Farmer or Rancher

Beginning farmer or rancher means a person or legal entity (for legal entities to be considered a beginning farmer or rancher, all members **must** be related by blood or marriage and all members **must** be beginning farmers or ranchers) for which both of the following are true for the farmer or rancher:

- has **not** operated a farm or ranch for more than 10 years
- materially and substantially participates in the operation.

**\*--CRP Grassland Ranking Factors (Continued)**

**3 National Ranking Factor F2 for Beginning, Veteran, and Socially Disadvantaged Farmers and Ranchers (Continued)**

**C Socially Disadvantaged Farmer or Rancher**

Socially disadvantaged farmer or rancher means a farmer or rancher who is a member of a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities. Groups include the following:

- American Indians or Alaskan Natives
- Asians or Asian Americans
- Blacks or African Americans
- Hispanics or Hispanic Americans
- Native Hawaiians or other Pacific Islanders
- women.

**Note:** See the reverse side of CCC-860 for further information about legal entities.

**D Subfactor F2a Veteran Farmer or Rancher**

Subfactor F2a veteran farmer or rancher means a farmer who has served in the Armed Forces (as defined in 38 U.S.C. 101(10)) and who is a beginning farmer or rancher.

Otherwise, assign 0 points.

**4 National Ranking Factor F3**

**A Ranking Factor F3 Summary**

The following factor encourages continued grassland usage of the land, in areas subject to threat of conversion.

0 to 35 points determined using subfactors in the formula:  $F3a + F3b + F3c = F3$

**B National Ranking Factor F3a for Land Under Threat of Conversion (County)**

For this factor, assign up to 10 points if over 50 percent of the offered acreage is in a county under threat of conversion as determined by DAFP. The offer will receive 0, 2.5, 5, 7.5, or 10 points.--\*

**\*--CRP Grassland Ranking Factors (Continued)**

**4 National Ranking Factor F3 (Continued)**

**C National Ranking Factor F3b for Land Under Threat of Conversion (GIS)**

For this factor, assign up to 20 points if over 50 percent of the offered acreage is within the national threat of conversion GIS layer (0 or 20 points) under threat of conversion as determined by DAFP.

**D National Ranking Factor F3c for Longer Contract Length**

For this factor, assign 5 points if the offer is for a 15-year contract (0 or 5 points).

**5 National Ranking Factor F4**

**A National Ranking Factor F4 for Vegetative Cover**

The F4 score is the sum of the weighted average scores using the following F4 table. To determine the F4 value, calculate the weighted average value for all practices using the F4 table. Round the result to the nearest whole number using the normal rules of rounding.

Evaluate this factor based on the covers on the acres offered. FSA or TSP shall only allow covers that are suitable for the site designated for the offer.

<b>Practice</b>	<b>Assigned Point Score</b>
<b>Permanent Introduced Grasses and Legumes</b>	
Monoculture stand.	5
Existing stand of 2 or more species of an introduced grass species.	10
Existing stand (minimum of 4 species) of at least 3 introduced grasses and at least 1 forb or legume species best suited for wildlife in the area.	20
<b>Permanent Native Grasses, Forbs, or Legumes</b>	
Monoculture stand.	10
Existing stand (minimum of 3 species) of at least 2 native grass species.	20
Existing stand (minimum of 5 species) of at least 3 native grasses.	30

--\*

**\*--CRP Grassland Ranking Factors (Continued)**

**6 National Ranking Factor F5 for Environmental Factors**

**A Summary**

This factor is designed to help producers address acreages that are known to be in areas of designated candidate, threatened, or endangered species or critical habitat.

For this factor, 0 to 30 points determined using subfactors in the formula:  $F5a + F5b = F5$ .

**B Subfactor F5a for Wildlife Priority Zones**

CRP grassland will use the existing State wildlife priority zones identified for CRP general signup. For this factor, assign 15 points if over 50 percent of the offered acreage is within an approved State wildlife priority zone.

**C Subfactor F5b for Offers That Meet the State Priority Enrollment Criteria**

STC submitted geographic areas (whole counties) to address the specific conservation practices and the species of concern or specific habitat restoration; such as tall grass prairie, that would be addressed by CRP grassland practice and/or components to CD for approval.

For this factor, assign 15 points if over 50 percent of the offered acreage is in a State CRP grassland zone. Otherwise, assign 0 points.

**7 Small Scale Livestock Imitative Factor F6**

**A Summary**

For this factor, if the producer certifies that they are eligible for a small scale livestock option on CRP-2G-1, the offer will receive 10 points (0 or 10 points).

**8 National Ranking Factor F7 Cost**

**A Summary**

For this factor, 0 to 25 points determined using subfactors in the formula:  $F7a + F7b = F7$ . F7 **cannot** exceed 25 points.

**B Subfactor F7a - Cost**

If the maximum CRP grassland rental rate for a county is \$15 or less, the offer will get 15 points.--\*

**\*--CRP Grassland Ranking Factors (Continued)**

**8 National Ranking Factor F7 Cost (Continued)**

**C Subfactor F7b - Offer Less Than the Maximum Payment Rate**

Offers below the maximum payment rate (0 to 25 points).

Offers for which the rental rate per acre offered is below the maximum per acre payment rate, on a percentage basis, are awarded points. The formula to calculate the following percentage maximum payment rate is:  $1 - (\text{rental rate per acre offered} / \text{maximum payment rate})$ . The total for F7 **cannot** exceed 25 points.

Points will be awarded for **whole percent** below the maximum payment rate, based on the following. Percentage values are **truncated** to a whole number.

<b>Percent Below Maximum Payment Rate</b>	<b>F7b Points</b>
1	2
2	4
3	6
4	8
5	10
6	12
7	14
8	16
9	18
10	20
11	21
12	22
13	23
14	24
>=15	25

**Examples:** The maximum payment rate for an offer is \$50 per acre. The producer offers a per acre rental rate of \$45. The offer is 10 percent below the maximum payment rate. The offer is awarded 20 points.

The maximum payment rate for an offer is \$15 per acre. The producer offers a per acre rental rate of \$13.25. The offer is 11.67 percent below the maximum payment rate. Eleven percent would equal 21 points. The offer is awarded 10 points (F7A + F7B cannot exceed 25 points).--\*

## **EBI and National Ranking Factors**

### **1 EBI**

#### **A Background**

EBI has been used by USDA to prioritize and rank CRP offers since signup 10.

#### **B EBI Process and Factor Scoring**

The National EBI process will be used to rank and prioritize offers for enrollment into CRP for general signup offers.

Producers must be provided a fact sheet describing EBI. FSA shall review the fact sheet with producers to ensure that producers are aware of the scoring process used for EBI. Producers shall sign CRP-2 to certify that they were informed of EBI and opportunities to enhance their score.

FSA will review EBI scoring parameters with the producers and encourage the planting of new or maintaining of existing cover types and conservation measures, if appropriate, that will provide higher environmental benefits. FSA employees must notify producers that submitting offers with annual rental payments less than the maximum payment rate will result in higher EBI scores.

#### **C Overview of the National EBI**

The National EBI includes 5 environmental ranking factors and a cost factor.

- N1, Wildlife Habitat Cover Benefits
- N2, Water Quality Benefits From Reduced Erosion, Runoff and Leaching
- N3, On-Farm Benefits of Reduced Erosion
- N4, Enduring Benefits
- N5, Air Quality Benefits
- N6, Cost.

EBI provides a relative ranking of estimated environmental benefits and cost for land offered for CRP.

$N1 + N2 + N3 + N4 + N5 + N6 = \text{National EBI Score.}$

**EBI and National Ranking Factors (Continued)**

**1 EBI (Continued)**

**C Overview of the National EBI (Continued)**

The following table illustrates the National ranking factors.

<b>Factor</b>	<b>Maximum Points</b>	<b>Equation/Scoring Parameters</b>
N1	100	Wildlife Habitat Cover Benefits (10 to 100 points) N1 = (N1a +N1b +N1c) where: <ul style="list-style-type: none"> <li>• N1a is the cover subfactor (10 to 50 points)</li> <li>• N1b is Wildlife enhancements (0, 5, or 20 points)</li> <li>• N1c is Wildlife priority zones (0 or 30 points).</li> </ul>
N2	100	Water Quality Benefits From Reduced Erosion, Runoff, and Leaching (0 to 100 points) N2=(N2a +N2b +N2c)where: <ul style="list-style-type: none"> <li>• N2a is the water quality zones subfactor (0 or 30 points)</li> <li>• N2b is the groundwater quality subfactor (0 to 25 points)</li> <li>• N2c is the surface water quality subfactor (0 to 45 points).</li> </ul>
N3	100	On-Farm Benefits of Reduced Erosion (0 to 100 points)
N4	50	Enduring benefits point range (0 to 50 points)
N5	45	Air Quality Benefits (3 to 45 points) N5 = N5a + N5b + N5c + N5d where: <ul style="list-style-type: none"> <li>• N5a is the wind erosion impacts subfactor (0 to 25 points)</li> <li>• N5b is the wind erosion soils list subfactor (0 or 5 points)</li> <li>• N5c is the air quality zone (0 or 5 points)</li> <li>• N5d is carbon sequestration factor (3 to 10 points).</li> </ul>
N6	/1	N6 = N6a + N6b where: <ul style="list-style-type: none"> <li>• N6a is the cost factor</li> <li>• N6b is the offer is less than maximum payment rate (0 to 25 points).</li> </ul>

1/ Points assigned to cost factor will be determined after signup ends and all the offers are evaluated. This factor will be based on the rental rate offered and the maximum payment rate.



## EBI and National Ranking Factors (Continued)

### 2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits

#### A Summary

10 to 100 points determined using subfactors in the formula:

$$N1a + N1b + N1c = N1$$

Wildlife species, both game and nongame, benefit most from the availability of appropriate wildlife habitat. CRP provides the opportunity to develop habitat that will benefit a variety of wildlife species.

**Note:** Producers with existing cover shall be informed that C/S may be available for cover enhancement.

This factor encourages landowners to plant cover on contract acreage that will be beneficial to wildlife. Subfactor N1a assigns a score to the quality of the cover to be applied to the practice.

Existing CRP covers on acreage being offered for re-enrollment may be improved to provide better wildlife habitat and increase the N1a subfactor score for the offer. Subfactor N1a points are awarded based on the weighted average point score associated with the offered acreage by practice point score.

Approved cover is expected to be seeded or planted within 12 months of the effective date of CRP-1. However, TSP may, in developing the conservation plan, permit an additional 12 months, not to exceed 24 continuous months, to seed the approved cover. This flexibility should be permitted to allow the establishment of approved cover in a manner that will not adversely impact the natural resources of the site or surrounding area.

For each practice, the conservation plan shall include:

- management activity or activities to maintain or enhance the plant community diversity and \*--plant vigor, if determined needed by the FSA SED and NRCS State Conservationist--\*
- a schedule of maintenance activities and various maintenance options.

## EBI and National Ranking Factors (Continued)

### 2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)

#### B Subfactor N1a - Cover

Cover and practices beneficial to wildlife (10 to 50 points maximum).

The Wildlife Habitat Cover Benefits Factor (N1a) will provide practice seeding mixes and management options that provide habitat for important and declining species of national, regional, State, or local significance in each State. NRCS State Biologist will work with the NRCS State Plant Materials Specialist, State Wildlife Agency and FWS to revise or develop seeding mixes and management recommendations for the above-mentioned species or groups of species.

Nonaggressive introduced species may be used for up to 2 species in the mixes. The number of seeding mixes developed is up to each State. Special seeding mixes and planting rates may be developed for arid areas and areas of limited native seed availability subject to approval by DAFP.

Seeding mixes should to the maximum extent practicable be comprised of locally collected native “eco-type” (seed mixes native to local area) seed for native seedings.

On the land with existing/expiring CRP acreage, the offer should be ranked on the desired plant community that the producer plans on establishing or maintaining for the site.

**Example 1:** A producer with an existing stand of a monoculture of crested wheatgrass would like to reenroll the entire stand. The producer would like to enhance the stand to 4 species of introduced grasses, including at least 1 forb or legume. The offer would be ranked as a 40-point CP1 stand.

**Example 2:** A producer with an expiring CRP contract that was originally planted to a monoculture of western wheatgrass (native grass) would like to reenroll into CRP. \*--During the CRP contract period of the last 10 years, a number of native grasses, forbs, and legumes have naturally generated into the existing CRP cover stand. The producer believes that the site has evolved into a 50-point CP2 cover stand. The producer offers the site as a 50 points CP2 cover. The offer is ranked as a 50-point CP2 cover. During the conservation planning process, a site visit--\* indicates that only 2 native grasses and 1 forb are in the cover. The producer is required to inter-seed into the stand to achieve the 50-point cover for which the offer was scored.

**EBI and National Ranking Factors (Continued)**

**2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)**

**B Subfactor N1a - Cover (Continued)**

CP/Cover Matrix

Evaluate this subfactor based on the covers expected to become established. FSA or TSP shall only allow those covers that are suitable for the site designated for the offer.

<b>Practice 1/</b>	<b>Assigned Point Score</b>
<b>CP1 Permanent introduced grasses and legumes</b>	
*--Existing monoculture (1 species) stand of an introduced grass.	0
Existing stand of 2 to 3 species or planting new stand of 2 to 3 species of--* an introduced grass species.	10
Existing stand or planting mixture (minimum of 4 species) of at least 3 introduced grasses and at least 1 forb or legume species best suited for wildlife in the area.	40
<b>CP2 Permanent native grasses and legumes</b>	
*--Existing monoculture (1 species) stand of a native grass.	0
Existing stand (minimum 2 to 3 species) or planting new mixed stand--* (minimum of 3 species) of at least 2 native grass species and at least 1 forb, or legume species beneficial to wildlife.	20
Existing stand or planting mixed stand (minimum of 5 species) of at least 3 native grasses and at least 1 shrub, forb, or legume species best suited for wildlife in the area.	50
<b>CP3 Tree planting (general) 2/</b>	
Southern Pines (Softwoods) - Solid stand of pines/softwoods (existing according to State-developed standards or planted at more than 550 trees per acre).	10
Northern Conifers (Softwoods) - Solid stand of conifers/softwoods (existing according to State-developed standards or planted at more than 850 trees per acre).	
Western Pines (Softwoods) - Solid stand of pines/softwoods (existing according to State-developed standards or planted at more than 650 trees per acre).	

**EBI and National Ranking Factors (Continued)**

**2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)**

**B Subfactor N1a - Cover (Continued)**

<b>Practice <u>1</u>/</b>	<b>Assigned Point Score</b>
CP3 Tree planting (general) <u>2</u> / (Continued)	
Southern Pines (Softwoods) - Pines/softwoods existing or planted at a rate of 500 to 550 per acre depending upon the site index (State-developed standards) with 10 to 20 percent openings managed to a CP4D wildlife cover.	50
Northern Conifers (Softwoods) - Conifers/softwoods existing or planted at a rate of 750 to 850 trees per acre depending upon the site index (State-developed standards) with 10 to 20 percent openings managed to a CP4D wildlife cover.	
Western Pines (Softwoods) - Western Pines (softwoods) - Pines/softwoods existing planted at a rate of 550 to 650 per acre depending upon the site index (State-developed standards) with 10 to 20 percent openings managed to a CP4D wildlife cover.	
<p>Opening for Southern and Western Pines are not to be less than a minimum of 2 acres or a maximum of 5 acres in size for fields of 20 acres and larger.</p> <p>For smaller fields will be based upon percentage. Opening in Northern conifers will be one-half to 2 acres in size. Opening may include buffers on the interior of the field. Field edges (borders) may be used if they are irregular in shape and average 30 feet in width.</p> <p>Natural regeneration of native herbaceous or shrubby vegetation with required maintenance may be permitted within open areas if it is consistent with NRCS technical standards and concurred with by State FWS or U.S. FWS Officials.</p> <p>Open areas of native grasses and/or shrub planting best suited for wildlife in the area shall be considered CP3 for EBI scoring and contract purposes.</p>	

EBI and National Ranking Factors (Continued)

2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)

B Subfactor N1a - Cover (Continued)

<b>Practice <u>1</u>/</b>	<b>Assigned Point Score</b>
CP3A Hardwood tree planting <u>2</u> /	
Existing or planting solid stand of nonmast producing hardwood species.	10
Existing or planting solid stand of a single hard mast-producing species.	20
Existing or planting mixed stand of hardwood species best suited for wildlife in the area.	30
Existing or planting mixed Stand (3 or more species) of hardwood species best suited for wildlife in the area.	50
Existing or planting longleaf Pine or Atlantic White Cedar - Planted at rates appropriate for the site index.	50
* * *	* * *

EBI and National Ranking Factors (Continued)

2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)

B Subfactor N1a - Cover (Continued)

Practice <u>1</u> /	Assigned Point Score
CP4D Permanent wildlife habitat * * *	
<p>Existing or planting mixed stand (minimum of 4 species) of grasses, trees, shrubs, forbs, or legumes planted in mixes, blocks, or strips best suited for various wildlife species in the area.</p> <p>A wildlife conservation plan must be developed with the participant.</p>	40
<p>Existing or planting mixed stand (minimum of 5 species) of either of predominately native species including grasses, forbs, legumes, shrubs, or trees planted in mixes, blocks, or strips best suited to providing wildlife habitat.</p> <p><b>Only native grasses are authorized. Introduced grasses are not authorized and shall not be included in cover mixes for 50-point N1a</b></p> <p><b>*--scores for CP4D.--*</b></p> <p>A wildlife conservation plan must be developed with the participant.</p>	50

EBI and National Ranking Factors (Continued)

2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)

B Subfactor N1a - Cover (Continued)

Practice	Assigned Point Score
CP12 Wildlife food plot <u>3/</u>	
Wildlife food plots are small non-C/S plantings in a larger area. Wildlife food plots will never be the predominant cover.	N/A
CP25 Rare and declining habitat restoration <u>4/</u>	
Existing stand or seeding or planting will be best suited for wildlife in the area.	50
Plant species selections will be based upon Ecological Site Description data.	
SAFE Projects for Tree Practices <u>5/</u>	
CP38C-3 Tree Planting	50
CP38C-3A Hardwood Tree Plantings	50
CP38C-25 Rare and Declining Habitat (Primarily Trees)	50
SAFE Projects for Grass Practices <u>5/</u>	
CP38E-1 Introduced grasses and legumes	40
CP38E-2 Native grasses and legumes	50
CP38E-4D Permanent Wildlife Habitat	50
CP38E-12, Wildlife Food Plot <u>3/</u>	N/A
CP38E-25 Rare and Declining Habitat (Primarily Grasses)	50
CP38E-42 Pollinator Habitat	50
CP42 Pollinator habitat	
Existing stand or planting (minimum of .5 acres) of a diverse mix of multiple species suited for pollinators	50

1/ Cover that is existing or will be established must accomplish the purpose of the practice.

2/ State Conservationist may revise FOTG on planting rate to be consistent with CRP.

3/ CP12 and CP38E-12 acreage is not included in the weighted average point score. For example, a 50-acre offer with a 45-acre CP25 planting and a 5-acre food plot calculates the weighted average using only the 45 acres of CP25 planting. If CP38E-12 is an approved practice in the SAFE project area, it may be enrolled in conjunction with an approved SAFE practice.

45 acres x 50 points (CP25 point score) = 2250 points  
2250 points divided by 45 acres = 50 points

4/ Technical practice standards for the selected habitat type must meet applicable standards and be approved by DAFP at least 30 calendar days before the beginning of signup

5/ Approved SAFE projects.

**EBI and National Ranking Factors (Continued)**

**2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)**

**C Subfactor N1b - Cover**

Subfactor N1b - Wildlife Improvement (0 to 20 points maximum).

Producers must be notified that, if accepted in CRP, food plots must be maintained for the term of CRP-1. Producers offering food plots must be notified of the planting and maintenance requirements before the offer is submitted.

Points are based on the following table. Maximum point score is 20 points. The factors are **not** additive.

Producers must be informed before signup that the acreage must be maintained for the life of the contract according to practice standards.

<b>*--Wildlife Enhancement Signup 56--*</b>		<b>Points</b>
At least 51 percent of the acreage offered is located in an approved SAFE project area, and those acres must be devoted to an SAFE approved practice.		20
Establishment of pollinator habitat CP42 or CP38E-42 that remains in the location of CRP-1. The habitat size, shape, and composition must meet the following requirements.		20
<b>Size</b>		
<b>CRP Acreage Offered</b>	<b>Habitat Size Requirement</b>	
Less than 10 acres	At least 1 acre of pollinator habitat. Habitat areas must be at least .5 acre.	
10 acres or greater	At least 10 percent of acreage offered in pollinator habitat. Habitat areas must be at least .5 acre.	



EBI and National Ranking Factors (Continued)

2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)

C Subfactor N1b - Cover (Continued)

*--Wildlife Enhancement Signup 56--*						Points
Annual or permanent food plot (CP12 or CP38E-12) that remains in the same location for the contract length or rotated food plot for which the location changes during CRP-1 length. CP12 food plots must be consistent with NRCS FOTG up to 10 percent of a field, not to exceed 5 acres per field.						5
<b>Example:</b> A producer would like to enroll 200 acres. Field 1 is 120 acres, Field 2 is 45 acres, and Field 3 is 35 acres.						
Field	Size	NRCS FOTG Limit	10 Percent Limit	5 Acres	Limited CP12 or CP38E-12 Acres	
1	120	12	12 acres	5	5.0	
2	45	4.5	4.5 acres	5	4.5	
3	35	3.5	3.5 acres	5	<u>3.5</u>	
<b>Note:</b> CP12 or CP38E-12, the NRCS FOTG standard, is limited by the lessor of either 10 percent of the field size or 5 acres/field for the food plot. The 5 acres of food plot may be either one 5-acre food plot or 2 or more food plots where the cumulative total would be $\leq 5$ acres.						

**Note:** Expiring CRP land with trees loses its cropland status after the expiration of the contract.

**EBI and National Ranking Factors (Continued)**

**2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)**

**D Subfactor N1c - Wildlife Priority Zones**

Location where proposed land may contribute to restoration of habitat of Threatened or Endangered Species or contribute to the restoration of important and declining species of National, Regional, State, or Local Significance. Restoration of rare and declining native habitat (Long Leaf Pine, Tall Grass Prairie, etc.) may also be addressed. (0 or 30 points maximum)

Assign 30 points if at least 51 percent of the offered acreage is within an approved area and the weighted average N1a score is greater than or equal to 40 points.

STC shall submit geographic areas (whole counties or 8-, 10-, or 12-digit HUC) the specific conservation practices and the species of concern or specific habitat restoration, such as tall grass prairie, that would be addressed by the habitat restoration.

Wildlife Priority Zones may be up to 25 percent of the State cropland acres.

**3 National Ranking Factor N2 - Water Quality Benefits From Reduced Erosion, Runoff, and Leaching**

**A Summary**

0 to 100 points determined by adding subfactors using the formula:  $N2 = N2a + N2b + N2c$

CRP can improve water quality by reducing:

- sediment, nutrients, and other pollutants from entering the Nation's water courses and aquifers
- downstream flood damage through the restoration of hydrology
- the leaching of nitrates and pesticides into groundwater.

## EBI and National Ranking Factors (Continued)

### 3 National Ranking Factor N2 - Water Quality Benefits From Reduced Erosion, Runoff, and Leaching (Continued)

#### A Summary (Continued)

Water quality benefits are dependent on the:

- extent to which erosion, runoff, and leaching are reduced
- population that may be affected
- location of the CRP acreage:
  - with respect to water resources
  - within priority water quality areas.

#### B Subfactor N2a - Water Quality Zones

Location where proposed land may contribute to groundwater or surface water quality impairment and to assist in meeting Federal, State, or local water quality laws. (0 or 30 points maximum)

Assign 30 points if at least 51 percent of the offered acreage is within zones recommended by the State Technical Committee and STC and approved by DAFP as high priority water resources.

STC shall:

- consult with the State Technical Committee in developing recommendations
- take into consideration that a goal of EBI is to provide gradation of offers
- prioritize and approve only the highest priority water resources of the State.

Only the highest priority zones shall be approved.

A minimum **of at least 51 percent** of the offered acreage must be within the designated area to ~~be~~ awarded points. Otherwise, assign 0 points. Water quality zones may be up to 25 percent of the State's cropland.--\*

#### C Subfactor N2b - Groundwater Quality

Groundwater quality benefits score (0 to 25 points maximum).

The leach index characterizes the inherent potential for the movement of nutrients and pesticides for a specific soil. The index is based on soil properties, including particle size and organic matter.

**EBI and National Ranking Factors (Continued)**

**3 National Ranking Factor N2 - Water Quality Benefits From Reduced Erosion, Runoff, and Leaching (Continued)**

**C Subfactor N2b - Groundwater Quality (Continued)**

The COLS software determines the weighted average leach index for the 3 predominant soils and looks up the appropriate county specific value. Table values are based on:

- leach index for acres offered
- county pesticide leaching potential
- county nitrogen leaching potential
- population obtaining drinking water from wells in each county.

**Example:** A 110-acre field is offered composed of 2 soil map units. 70 acres have a leach index of 1, and the remaining 40 acres have a leach index of 3. The average leach index is  $(70 \times 1) + (40 \times 3) \div 110 = 1.73$ , which is rounded to the nearest whole number 2. Based on the following sample table, if the acres were located in Barbour County, Alabama, a value of 12 would be entered for subfactor B.

County	*--Ground Water Subfactor for Signup 56--*		
	Leach Index		
	1	2	3
1001 - Autauga	6	13	20
1003 - Baldwin	8	12	16
1005 - Barbour	8	12	16
1007 - Bibb	8	12	20
1009 - Blount	2	8	14

**D Subfactor N2c - Surface Water Quality**

Surface water quality benefits score. (0 to 45 points maximum)

This subfactor evaluates the:

- potential amount of sediment that is delivered to water courses
- population within the watershed that would benefit most directly from improved surface water quality

**EBI and National Ranking Factors (Continued)**

**3 National Ranking Factor N2 - Water Quality Benefits From Reduced Erosion, Runoff, and Leaching (Continued)**

**D Subfactor N2c - Surface Water Quality (Continued)**

- the stream density and estimated sediment loadings that occur because of agriculture.

EPA studies have found that sediment is the primary water quality problem in the majority of rivers and streams.

The COLS software will determine the weighted average RKLS for the 3 predominant soils for the offered acreage. Round RKLS to the nearest whole number using normal rules of rounding. Use the appropriate table value for the watershed in which at least 51 percent of the acreage is physically located.

For example:

	<b>*--Surface Water Subfactor - RKLS for Signup 56--*</b>				
<b>Watershed</b>	< 4	4 ≤ RKLS < 7	7 ≤ RKLS < 11	11 ≤ RKLS < 23	RKLS ≥ 23
01010001	1	5	10	15	21
01010002	1	5	10	15	21
01010003	5	10	15	22	27

**4 National Ranking Factor N3 - On-Farm Benefits of Reduced Erosion**

**A Summary**

On-Farm Benefits of Reduced Erosion. (0 to 100 points maximum)

The score for the weighted average EI for the 3 predominant soils on the land offered is determined by the greater of EI for:

- sheet and rill erosion (based off of RUSLE)
- wind erosion (based off of wind erosion equation).

**Note:** EI must be a whole number. Use normal rules of rounding.

Use the highest EI value (for the 3 predominate soils of the acreage offered) of either sheet and rill or wind erosion (do not add together). Use the table in subparagraph B to award points for the offer based on the highest EI value.

**EBI and National Ranking Factors (Continued)**

**4 National Ranking Factor N3 - On-Farm Benefits of Reduced Erosion (Continued)**

**B EI Chart**

EI (higher of wind or water EI) (0 to 100 points maximum)

<b>EI - Sheet and Rill or Wind</b>	<b>Points</b>
Less than 4	<b>0</b>
4	1
5	2
6	4
7	7
8	11
9	16
10	22
11	29
12	37
13	46
14	56
15	67
16	79
17	92
18	97
19	98
20	99
21 +	100

**EBI and National Ranking Factors (Continued)**

**5 National Ranking Factor N4 - Enduring Benefits**

**A Summary**

Enduring Benefits Beyond CRP-1 Period. (0 to 50 points maximum)

The N4 evaluates the likelihood that the practice established will persist and be maintained beyond the life span of CRP-1 and will provide benefits beyond the contract period

Land established with certain existing vegetation types, such as hardwood trees, softwood trees, or shrubs, is less likely to be returned to crop production after contract expiration. In addition, land re-established to a wetland ecosystem, or rare or declining habitat, is also less likely to return to crop production at the end of the contract period.

The N4 score is the sum of the weighted average scores using the following N4 table. To determine the N4 value, calculate the weighted average value for **all practices** using the N4 table. Round the result to the nearest whole number using the normal rules of rounding.

Use the following table to award N4 points. Score zero points if none of the following practices are offered.

**Note:** The practice selected must be appropriate for the site. Trees should not be selected on sites where trees are not a part of the ecosystem. For example: A tree stand should not be planted on a site where the climax vegetation for the site is range. The vegetation should be consistent with the ecosystem of the site.

**Important:** Food plots (CP12 or CP38E-12) are awarded 0 points.

*--N4 Table - Signup 56--*	Points
New hardwood tree (CP3A), longleaf pines, or Atlantic White Cedar plantings or CP25 where the plant community is existing or will be established to primarily trees. New hardwood tree CP38C-3A, or CP38C-25 where the plant community is existing or will be established to primarily trees.	50
Existing or enhanced stand of hardwood Trees, Longleaf pine, and/or Atlantic White Cedar (CP3A or CP38C-3A)	40
New pine/softwood tree (CP3 or CP38C-3)	30
CP25, CP38E-25, where the plant community is existing or will be established to a primarily grass and/or shrub complex or CP42 or CP38E-42.	25
Existing pine/softwood tree (original contract signed as CP3 or CP38C-3)	20
All other conservation practices not listed (CP1, CP2, * * * CP4D, CP38E-1, CP38-2, CP38E-4D)	0

**EBI and National Ranking Factors (Continued)**

**5 National Ranking Factor N4 - Enduring Benefits (Continued)**

**A Summary (Continued)**

Determine the weighted average value for enduring benefits using the appropriate value in the N4 table times the appropriate acres. Divide the sum by the total **acres on the offer**. Round the result to the nearest whole number using the normal rules of rounding. The result is the N4 score.

**Example:** A 100-acre office is comprised of 50 acres of new hardwood planting (CP3A) and 50 acres of existing pine trees (CP3).

The N4 score is:

50 acres of (CP3A) hardwoods (with a practice status of "N") X 50 points/acre =  
**2,500 points**

50 acres of (CP3) pine (with a practice status of existing) X 20 points/acres =  
**1,000 points**

**3,500 points**

3,500 points ÷ 100 acres = 35 points

N4 score = 35 points.



**EBI and National Ranking Factors (Continued)**

**6 National Ranking Factor N5 - Air Quality Benefits From Reduced Wind Erosion**

**A Summary**

National Ranking Factor N5 - Air Quality Benefits From Reduced Wind Erosion

This factor evaluates air quality improvements from reducing airborne dust and particulate (PM 10) from cropland wind erosion that causes damage to nearby affected population concentrations. In addition, it provides points for the value of CRP land for Carbon Sequestration. (3 to 45 points maximum)

The formula is:  $N5 = N5a + N5b + N5c + N5d$ .

The air quality factor is comprised of 4 components. The first component (N5a) is based on the potential wind erosion, distance weighted population that may be impacted by wind erosion. The potential wind erosion erodibility shall be based on the weighted average value for the climatic factor (C) and soil erosion index (I).

The second component (N5b) is the impact associated with wind erosion of soils that contain material which is likely to be suspended in the air. Acreage offered is comprised of at least 51 percent or more of soils that are either of the following will be awarded 5 points:

- volcanic soils, or soils that are covered with volcanic material
- soils that are formed in organic material.

The third component (N5c) evaluates areas:

- where agriculture significantly impacts air quality (nonattainment of air quality standards)
- that are located within 50 miles of Class 1 air quality areas (National Parks with high quality air standards).

\*--The fourth component (N5d) provides points based on the relative ability to sequester carbon.--\*  
This factor is based on the weighted average for the conservation practices using the N5d table.

**EBI and National Ranking Factors (Continued)**

**6 National Ranking Factor N5 - Air Quality Benefits From Reduced Wind Erosion (Continued)**

**B Wind Erosion Impacts, Subfactor N5a**

This subfactor evaluates wind erosion impacts. (0 to 25 points maximum)

Determine the county in which the majority of the acreage offered is physically located. Determine the weighted CI factor of the acreage offered. Using the revised county air quality table and the weighted CI factor the automated system will calculate the air quality points for factor N5a. These tables will **only** be used if the C value (wind erosion equation) is equal to or greater than 7. Otherwise, a value of 0 is awarded for N5a subfactor.

**Note:** The tables reflect the potential wind erosion, the number of potential people that may be impacted, and the distance population is from the source of wind erosion. Population near the source of the wind erosion is weighted significantly higher than downwind population sources. For example, the impacts of wind erosion on 1 person near the site would equal the impacts of 100 people that are located 100 miles from the site.

For example:

County	Air Quality Factor (weighted CI value)				
	0	1-19	20-39	40-59	60 >
Anders	0	14	18	20	25
Billings	0	14	18	20	25
Johnson	0	8	10	20	25
Weld	0	4	8	18	25

**C WESL, Subfactor N5b**

WESL (0 or 5 points maximum)

WESL is a list that contains map units that have the dominant component of a soil that formed in organic or volcanic material, or a soil covered with volcanic material. These soils have material \*--in the surface layer that can become airborne and have a high potential of being suspended in--\* air during wind events. These soils can significantly contribute to nonattainment of PM10 air quality standards. WESL should be developed for each county that have these map units on the soils legend in FOTG.

Any offer in which at least 51 percent of the offered acres are comprised of soil on WESL shall be provided 5 points for factor N5b.

**EBI and National Ranking Factors (Continued)**

**6 National Ranking Factor N5 - Air Quality Benefits From Reduced Wind Erosion (Continued)**

**D Air Quality Zones, Subfactor N5c**

(0 or 5 points maximum)

The State Technical Committee working with State and EPA air quality representatives shall recommend designated agricultural zones that contribute to the nonattainment of air quality standards to FSA. Air quality zones shall be designated on an entire county or HUC basis. FSA \*--shall prepare a database of designated air quality zone. Air quality zones may be up to 25 percent of the State's cropland and must be located with an approved air quality CPA.--\*

The State Technical Committee may also recommend zones within 50 miles of a Class 1 air designated area in which agricultural crop production could impact air quality standards. Documentation, such as existing monitoring data that agriculture contributes to or has potential to violate existing air quality standards, is required.

**Note:** The State Technical Committee shall consult with the State air quality official for the latest Class 1 designations.

The offer is awarded 5 points if both of the following conditions are met:

- at least 51 percent of the offer must be in the designated zones
- the weighted wind EI must be equal to or greater than 3.0.

**EBI and National Ranking Factors (Continued)**

**6 National Ranking Factor N5 - Air Quality Benefits From Reduced Wind Erosion (Continued)**

**E Carbon Sequestration, Subfactor N5d**

**N5d Carbon Sequestration Factor (3 to 10 points maximum)**

This factor provides a relative index of the projected carbon sequestration benefits of CRP cover types over the expected life of the practice. This is a weighted average for the all practice on the contract using the values in the table.

<b>*--N5d Carbon Sequestration Table for Signup 56--*</b>	
<b>Practice</b>	<b>Point</b>
CP3, CP3A, CP25 (primarily trees), CP38C-3, CP38C-3A, CP38C-25 (primary trees)	10
CP25 (primary grass complex), CP42, CP38E-25 (primarily grasses), CP38E-42	5
CP4D, * * *CP38E-4D	4
CP1, CP2, CP38E-1, CP38E-2	3
CP12, CP38E-12 (must be associated with practices according to Exhibit 11, page 43)	0

**7 National Ranking Factor N6 – Cost**

**A Summary**

The points will be determined using the formula:  $N6 = N6a + N6b$

The cost factor provides weight to assist in optimizing environmental benefits per dollar of CRP rental payments. Greater weight is provided to offers with lower costs.

**B Subfactor N6a - Cost**

The number of points will be determined after signup ends and will be based on the producer rental rate offer.

**Note:** Offers with lower per acre rental rates may increase the probability that the offer will be acceptable.

**EBI and National Ranking Factors (Continued)**

**7 National Ranking Factor N6 - Cost (Continued)**

**C Subfactor N6b - Offer Less Than the Maximum Payment Rate**

Offers below the maximum payment rate (0 to 25 points).

Offers for which the Rental Rate Per Acre Offered is below the maximum per acre payment rate, on a percentage basis, are award points. The formula to calculate the percentage below maximum payment rate is:  $1 - (\text{Rental Rate Per Acre Offered} / \text{maximum payment rate})$ .

Points will be awarded for **whole percent** below the maximum payment rate, based on the following. Percentage values are **truncated** to a whole number.

<b>Percent Below Maximum Payment Rate</b>	<b>N6b Points</b>
1	2
2	4
3	6
4	8
5	10
6	12
7	14
8	16
9	18
10	20
11	21
12	22
13	23
14	24
>=15	25

**Examples:** The maximum payment rate for an offer is \$100 per acre. The producer offers a per acres rental rate of \$90. The offer is 10 percent below the maximum payment rate. The offer is awarded 20 points.

The maximum payment rate for an offer is \$100 per acres. The producer offers a per acres rental rate of \$89.10. The offer is 10.9 percent below the maximum payment rate. The offer is awarded 20 points.



**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract**

The following is an example of CRP-1 Appendix.

This form is available electronically.  
**CRP-1 (Appendix)**  
(12-09-19)

See CRP-1 for Privacy Act Statement.

U. S. DEPARTMENT OF AGRICULTURE  
Commodity Credit Corporation

**APPENDIX TO FORM CRP-1, CONSERVATION RESERVE PROGRAM CONTRACT**

**1. DEFINITIONS**

The following definitions are applicable to the Conservation Reserve Program (CRP) Contract:

- A. **CRP contract or CRP-1** means the CRP documents including not only form CRP-1, but also the applicable CRP-1 appendix, the conservation plan, any addendums, and the terms of any required easement, if applicable, entered into between the Commodity Credit Corporation (CCC) and the participant. Such CRP contract shall set forth the terms and conditions for participation in the CRP and receipt of CRP payments.
- B. All other words and phrases, unless the context of subject matter otherwise requires, shall have the meanings assigned to them in the regulations governing the Conservation Reserve Program which are found at 7 CFR Part 1410.

**2. ELIGIBILITY REQUIREMENTS FOR CONSERVATION RESERVE PROGRAM**

- A. By signing the CRP-1, the participant, except in the case of persons qualifying solely as a tenant, certifies that such participant will control the land subject to the CRP contract for the contract period and, if applicable, any easement period, and shall, upon demand, provide evidence to CCC demonstrating that such participant will control the land for that period.
- B. Except as allowed by law, land otherwise eligible for the CRP shall not be eligible, except as agreed otherwise by CCC, in writing, if the land is subject to a deed or other restriction prohibiting the production of agricultural commodities or where a benefit has or will be obtained from a Federal agency in return for the participant's agreement not to produce such commodities on the land during the same time as the land would be enrolled in the CRP. By offering land for enrollment, the participant certifies as a condition for payment that no such restrictions apply to such land.

**3. RESTRICTIONS ON PAYMENTS TO FOREIGN PERSONS**

- A. Any person who enters into this CRP contract at any time, who is not a citizen of the United States or an alien lawfully admitted into the United States for permanent residence under the Immigration and Nationality Act (8 U.S.C. 1101 et. seq.), shall be ineligible to receive any payments under this CRP contract unless such person meets the requirements of 7 CFR Part 1400, which shall be applicable to this CRP contract.

**4. AGREEMENT**

- A. The participant agrees:
  - (1) That form CRP-2, CRP-2C, or CRP-2G, as applicable, and CRP-1 shall be considered an offer to enter into the CRP on the terms specified on the CRP contract. The offer, until revoked, may be accepted by CCC, provided further that liquidated damages may apply in the case of a revocation as specified elsewhere in this Appendix or 7 CFR Part 1410;
  - (2) To place eligible land into the CRP for a period of 10 years, or as agreed to by CCC for a longer period not to exceed 15 years from the effective date of the CRP contract executed by CCC;

CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)

CRP-1 (Appendix) (12-09-19)

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- (3) To comply with the terms and conditions of this CRP contract, including implementing the conservation plan in accordance with the schedule of dates in such conservation plan;
- (4) To establish and maintain the practices agreed to on the CRP-1 and in the conservation plan;
- (5) Not to harvest or sell, nor otherwise make commercial use of, trees or forage (except where authorized for CRP-Grasslands) or other cover on the land subject to this CRP contract including the shearing or shaping of trees for future use as Christmas trees; however, CCC may, in its discretion and only in writing or by publication intended for a general allowance for land enrolled in CRP in particular States or regions, permit, in certain emergencies, certain commercial uses as specified by CCC, which uses may be conditioned on a reduction in CRP payments otherwise payable under this CRP contract;
- (6) Not to undertake any action on land under the participant's control which tends to defeat the purposes of this CRP contract, as determined by CCC;
- (7) To annually certify crop and land use for the farm with the CCC on the appropriate form, accurately listing all land enrolled in CRP on the farm, not later than the final reporting date determined and announced by the Farm Service Agency or successor agency;
- (8) To control on land subject to this CRP contract all weeds, insects, pests and other undesirable species to the extent necessary to ensure that the establishment and maintenance of the approved cover is adequately protected and to provide such maintenance as necessary to avoid an adverse impact on surrounding land, taking into consideration water quality, wildlife and other factors;
- (9) Not to disturb the approved cover during the primary nesting season, except as approved by CCC;
- (10) To annually file required forms as requested by CCC for payment limitation determinations; provided, that annual rental payments shall be attributed towards the \$50,000 annual payment limitation; further, that for purposes of the annual payment limitation for each participant, incentive payments, except for Practice Incentive Payments and incentive payments to encourage proper tree thinning and other practices to improve the condition of resources, promote forest management, or enhance wildlife, shall be attributed towards the \$50,000 annual payment limitation; provided further, that Signup Incentive Payments shall also be attributed towards such \$50,000 annual payment limitation and shall be attributed to the Fiscal Year in which the participant's CRP contract was approved by CCC;
- (11) To file applicable forms required by CCC for Adjusted Gross Income determinations;
- (12) That it is understood that any payment or portion thereof due any participant will be made by CCC without regard to any question of title under State law, and without regard to any claim or lien which may be asserted by a creditor, except agencies of the U. S. Government; provided further that offsets for debts owed to agencies of the U. S. Government shall be made prior to making any payments to participants or their assignees;
- (13) To perform management activities specified in the conservation plan;
- (14) To carry out thinning and similar conservation practices, as specified in the conservation plan, to enhance the conservation benefits and wildlife habitat resources applicable to the CRP practice, and to promote forest management on land devoted to trees, excluding windbreaks and shelterbelts;
- (15) To comply with noxious weed laws of the applicable State or local jurisdiction on land subject to this CRP contract; and
- (16) **That the participant is jointly and severally liable, if the participant has a share of the annual rental payment greater than zero, with the other participants on this CRP contract, for compliance with the provisions of such CRP contract, and for any refunds or payment adjustments that may be required for violations of any of the terms and conditions of this CRP contract.**



**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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**B. CCC agrees:**

- (1) When CCC determines that cost-sharing is appropriate and in the public interest, to share the cost with owners and operators of installing an eligible CRP practice agreed to on the CRP-1 and in the conservation plan, except that, in no case may the CCC cost exceed an amount equal to 50 percent of the price at which the land placed in the CRP could be sold for use as farmland at the time at which this CRP contract is signed by the participant, unless the CCC otherwise approves in writing such amount, provided further, that such approval must specifically reference the particular land enrolled in the CRP under this CRP contract;
- (2) To pay the agreed-upon annual rental payment, including any related incentive payment if applicable, based upon the shares specified on the CRP-1 for a period of years not in excess of the contract period;
- (3) To pay to the participant, to the extent required by CCC regulations, an interest penalty on any payments not made by the date, as determined by CCC, that the payment is due;
- (4) To make annual rental payments after October 1 of each year of the contract period.
- (5) To make other payments not listed above, as appropriate and applicable.

**5. CONSERVATION PLAN**

**A. Subject to the approval of CCC, the conservation plan will include the following information and requirements:**

- (1) The CRP practice and approved cover to be established on the land subject to this CRP contract.
- (2) A tree planting plan or forest stewardship plan, developed in cooperation with the Forest Service or State Forestry Agency, if trees are to be established as the approved cover on the land subject to this CRP contract.
- (3) A schedule of operations, activities, and completion dates for establishment of the approved cover on the land subject to this CRP contract.
- (4) The level of environmental benefits which must be attained on the land subject to this CRP contract.
- (5) Any other practices required for the establishment and maintenance of the approved cover on the land subject to this CRP contract including control of weeds, insects, pests, and other undesirable species to the extent necessary to ensure that the establishment and maintenance of the approved cover is adequately protected, and such maintenance as necessary to avoid an adverse impact on surrounding land as determined appropriate by CCC, taking into consideration the needs of water quality, wildlife concerns, and other factors.
- (6) The approved cover will not be disturbed during the primary nesting season except as approved by CCC.
- (7) Management activities described in paragraph 6 of this Appendix.

**B. By signing the conservation plan, the participant agrees to implement the CRP practices specified in such conservation plan on the land subject to this CRP contract.**

**6. MANAGEMENT ACTIVITIES**

Except for land enrolled under a CRP-grassland signup, management activities designed to ensure plant diversity and wildlife benefits while ensuring protection of the soil and water resources must be conducted as needed throughout the contract period as specified in the conservation plan. However, the planned management activity is not required to be completed in the case where a natural disaster or adverse weather event occurs that has the same effect of the planned management activity, as determined by CCC. CCC will not provide any cost-share payment for any management activities.

**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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**7. COST-SHARE PAYMENTS**

- A. CCC cost-share payments shall be made available upon a determination by CCC that an eligible practice, or an identifiable unit thereof, has been established in compliance with the conservation plan and with appropriate standards and specifications.
- B. CCC will not make cost-share payments in excess of 50 percent of the actual or average cost of establishing the eligible practice agreed to on the CRP-1 and in the conservation plan, as determined by CCC. It is understood that:
- (1) all cost-share payments from all sources must be reported to CCC, and that a reduction in the CCC cost-share payment may be made if there are other cost-share payments received; provided further that such reductions will be made to the extent required or allowed by the CRP regulations;
  - (2) CCC cost-share payments, including practice incentive payments, made to a participant will not exceed the participant's actual contribution to the eligible costs of installing the practice;
  - (3) CCC will not make cost-share payments with respect to this CRP contract if any other Federal cost-share assistance has been, or is being, made with respect to the land subject to this CRP contract, provided further that participant must refund to CCC all cost-share payments received if other Federal cost-share assistance is received with respect to the land subject to this CRP contract;
  - (4) the amount of the CCC cost-share payments, including practice incentive payments, may not be an amount that, when added to such assistance from other sources, exceeds 100 percent of the actual cost of installing the practice;
  - (5) cost-share payments for eligible seed related to the establishment of approved cover will not exceed 50 percent of the actual cost of the eligible seed mixture; and
  - (6) a practice incentive payment may be made available, in accordance with CRP regulations and policies, to a participant to whom CCC has made a cost-share payment, after a determination by CCC that an eligible CRP practice, or an identifiable unit thereof if approved by CCC, has been installed in compliance with the appropriate standards and specifications; provided further that the practice incentive payment will be considered a cost-share payment.
- C. Except as otherwise provided for in CRP regulations, cost-share assistance may be made available under the CRP only for the installation of an eligible CRP practice agreed to on the CRP-1 and in the conservation plan. In order to receive cost-share assistance, the participant, upon completion of the practice, must file the appropriate form approved by CCC, for approval by CCC.

**8. PROVISIONS RELATING TO TENANTS AND LANDLORDS**

- A. Payments shall not be paid under this CRP contract if CCC determines that:
- (1) The landlord or operator has:
    - (a) when the acreage offered is not enrolled in the CRP at the time of signup:
      - (i) not provided the operator and tenants who have an interest in the acreage being offered at the time of signup an opportunity to participate in the benefits of the CRP; or
      - (ii) reduced the number of tenants on the farm as a result of, or in anticipation of, enrollment in the CRP.
    - (b) when the acreage offered is enrolled in the CRP at the time of signup, not provided tenants with an interest in the CRP contract acreage an opportunity to participate in the benefits of the CRP if:
      - (i) the tenants are otherwise involved in farming other acreage, as determined by CCC, on the farm at the time of signup; or
      - (ii) the tenants have an interest in the acreage being offered on the effective date of the new CRP contract.

**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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(2) The landlord or operator has deprived any tenant of any benefits to which such tenant would otherwise be entitled.

If any conditions identified in 8.A (1) or (2) occur or are discovered after payments have been made, all or any part of such payments, as determined by CCC, must be refunded with interest and no further payments will be made.

**B.** After this CRP contract is approved, the operator or tenant may, with the approval of CCC, be replaced for purposes of this CRP contract and for payments to be made under this CRP contract if such tenant or operator, as determined by CCC:

- (1) terminates their tenancy voluntarily or for some reason other than being forced to terminate their tenancy by the landowner or operator in anticipation of, or because of, participation in the CRP;
- (2) fails to maintain tenancy, as determined by CCC, throughout the contract period;
- (3) files for bankruptcy and the trustee or debtor in possession fails to affirm this CRP contract;
- (4) dies during the contract period and the administrator of the operator or tenant's estate (or a similar person with authority to administer the affairs of the operator or tenant) fails to succeed to this CRP contract within the time required by CCC; or
- (5) was removed for cause, as determined by CCC.

**C.** The removal of an operator or tenant from a CRP contract shall not release the operator or tenant from liabilities for actions arising before such removal.

**9. ERRONEOUS REPRESENTATION AND SCHEME AND DEVICE**

**A.** A participant who is determined to have erroneously represented any fact affecting a determination with respect to this CRP contract or a determination made by CCC pursuant to CRP regulations, adopted any scheme or device which tends to defeat the purposes of this CRP contract, or made any fraudulent representation with respect to this CRP contract will not be entitled to payments or any other benefits made in accordance with this CRP contract and the participant must refund to CCC all payments received by such participant, plus interest and liquidated damages thereon, with respect to this CRP contract. Such liquidated damages will be determined in accordance with paragraph 10 of this Appendix.

**B.** Unless CCC regulations provide otherwise, refunds determined to be due and owing to CCC in accordance with this CRP contract will bear interest at the rate which CCC was required to pay for its borrowings from the United States Treasury on the date of the disbursement by CCC of the monies to be refunded. Interest will accrue from the date of such disbursement by CCC.

**C.** The remedies provided under paragraph 9A of this Appendix shall be applicable in addition to any remedies under criminal and civil fraud statutes, including 18 U.S.C. 287, 371, 641, 1001; 15 U.S.C. 714m; and 31 U.S.C. 3729, or any other remedy available under law.

**10. LIQUIDATED DAMAGES**

It is mutually agreed that in the event this CRP contract is breached by the participant, the CCC will suffer substantial damages which may not be possible to quantify with certainty. Therefore, in addition to the refund of payments received plus interest due for breach of contract prescribed in this CRP contract, the participant agrees to pay an amount equal to the product obtained by multiplying: (1) 25 percent of the rental payment rate per acre on the CRP-1 by, (2) the number of acres on which the breach of contract occurred, as determined by CCC. Such amount shall be due as liquidated damages in addition to such other damages or amounts as may be due, and not as a penalty.

**11. NOTIFICATION OF CHANGES TO TERMS AND CONDITIONS OF THE CONTRACT**

CCC agrees that, if any changes of any terms and conditions of this CRP contract, including changes necessary to reconcile the practices listed on the CRP-1 to those specified in the conservation plan, become necessary prior to the date that this CRP contract is approved on behalf of CCC, CCC will notify the persons signing the CRP-1 of such change and such person will be given 10 days from the date of notification in which to agree to the revised terms and conditions or to withdraw from the offer. The participant agrees to notify the CCC of an intention to withdraw from the offer within 10 days from the date of the issuance of such notice and further agrees that failure to notify the CCC will constitute agreement to the revised terms and conditions.

**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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**12. CORRECTIONS**

CCC reserves the right to correct all errors arising from entering data or computations in this CRP contract.

**13. TERMINATION OF CONTRACT; JOINT LIABILITY**

If a participant fails to carry out the terms and conditions of this CRP contract but CCC determines that such failure does not warrant termination of this CRP contract in whole or in part, CCC may require such participant to refund, with interest, payments received under this CRP contract, or require the participant to accept such adjustments in the subsequent payment as are determined to be appropriate by CCC. Participants that sign this CRP contract with zero percent interest in the annual rental payment shall not be held responsible for contract compliance.

**14. CONTRACT MODIFICATIONS**

A. CCC may modify this CRP contract to add or substitute certain practices when:

- (1) The installed practice failed to adequately control erosion through no fault of the participants;
- (2) The installed practice has deteriorated because of conditions beyond the control of the participants; or
- (3) Another practice will achieve at least the same level of environmental benefits.

B. Concurrence of NRCS and the conservation district may be obtained by CCC when modifications to this CRP contract involve a technical aspect of a participant's conservation plan.

C. CCC may modify this CRP contract at any time by reducing the number of acres enrolled under this CRP contract if CCC determines that doing so is necessary to remain in compliance with any statutorily-set maximum number of acres that can be enrolled in the CRP during any fiscal year(s), in a manner that CCC determines is in the best interest of the CRP. This provision does not apply to acreage enrolled in CRP pursuant to a Conservation Reserve Enhancement Program agreement.

**15. EFFECTIVE DATE AND CHANGES TO CRP CONTRACT**

A. Within the dates established by CCC, the CRP contract must be signed by all required participants.

B. This CRP contract is effective when, as determined by CCC, it has been signed by the participants and an authorized representative of CCC. Except as otherwise determined by CCC, as permitted by regulations or other law, this CRP contract may not be revoked or revised unless by mutual agreement of the participants and an authorized representative of CCC. If, after the effective date of this CRP contract, CCC determines that any portion of the land subject to this CRP contract was erroneously enrolled or otherwise ineligible for enrollment, CCC may terminate this CRP contract in whole or in part. Such termination shall not affect payments already made to the participants as of the time of termination.

C. In the event that a statute is enacted during the period of this CRP contract which would materially change the terms and conditions of this CRP contract, the CCC may require the participants to elect between acceptance of modifications in this CRP contract consistent with the provisions of such statute or termination of this CRP contract.

**16. TRANSFER OF LAND**

A. If a new owner or operator purchases or obtains the right and interest in, or right to occupancy of, the land subject to this CRP contract, such new owner or operator, upon the approval of CCC, may become a participant to this CRP contract with CCC under the same terms and conditions covering such transferred land.

B. With respect to the transferred land, if the new owner or operator becomes a successor to this CRP contract, the new owner or operator shall assume all obligations under this CRP contract of the previous participant, unless otherwise approved by CCC.

CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)

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- C. If the new owner or operator becomes a successor to this CRP contract with CCC:
- (1) Cost-share payments shall be made to the participant who installed the practice; and
  - (2) Annual rental payments to be paid during the fiscal year when the land was transferred shall be divided between the participants, as determined by CCC.
- D. The participant certifies that no person has, or will, obtain an interest in the property that would render the new owner or operator to be ineligible to succeed to this CRP contract under the provisions of this paragraph. The existence or acquisition of such an interest by another person shall be considered a breach of this CRP contract for which the CCC may terminate this CRP contract and enforce the remedies provided in this Appendix.
- E. If a participant transfers all or part of the right and interest in, or right to occupancy of, the land subject to this CRP contract, and the new owner or operator does not become a successor to such contract within 60 days, or such other time as determined appropriate by CCC, of such transfer, such contract will be terminated with respect to the affected portion of such land and the original participant must:
- (1) Forfeit all rights to any future payments with respect to such land;
  - (2) Refund all or part of the payments made with respect to such contract plus interest thereon, as determined by CCC; and
  - (3) Pay liquidated damages to CCC as specified in paragraph 10 of this Appendix.

**17. REGULATIONS TO PREVAIL**

The regulations in 7 CFR Part 1410 for the CRP are incorporated herein. In the event of a conflict between these regulations and the terms of this Appendix, the provisions of the regulations will prevail.

**Paperwork Reduction Act (PRA) Statement:** *The information collection is exempted from the Paperwork Reduction Act as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided.*

*In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.*

*Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.*

*To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.*



**CRP-1 Period**

This exhibit lists the CRP-1 effective date and the corresponding CRP-1 expiration date.

<b>CRP-1 Effective Date</b>	<b>Contract Year</b>	<b>Expiration at 10 Years</b>	<b>Expiration at 15 Years</b>
10-1-85	1986	9-30-95	
10-1-86	1987	9-30-96	
10-1-87	1988	9-30-97	
10-1-88	1989	9-30-98	
10-1-89	1990	9-30-99	
10-1-90	1991	9-30-00	9-30-05
10-1-91	1992	9-30-01	9-30-06
10-1-92	1993	9-30-02	9-30-07
10-1-93	1994	9-30-03	9-30-08
10-1-94	1995	9-30-04	9-30-09
10-1-95	1996	9-30-05	9-30-10
10-1-96	1997	9-30-06	9-30-11
10-1-97	1998	9-30-07	9-30-12
10-1-98	1999	9-30-08	9-30-13
10-1-99	2000	9-30-09	9-30-14
10-1-00	2001	9-30-10	9-30-15
10-1-01	2002	9-30-11	9-30-16
10-1-02	2003	9-30-12	9-30-17
10-1-03	2004	9-30-13	9-30-18
10-1-04	2005	9-30-14	9-30-19
10-1-05	2006	9-30-15	9-30-20
10-1-06	2007	9-30-16	9-30-21
10-1-07	2008	9-30-17	9-30-22
10-1-08	2009	9-30-18	9-30-23
10-1-09	2010	9-30-19	9-30-24
10-1-10	2011	9-30-20	9-30-25
10-1-11	2012	9-30-21	9-30-26
10-1-12	2013	9-30-22	9-30-27
10-1-13	2014	9-30-23	9-30-28
10-1-14	2015	9-30-24	9-30-29
10-1-15	2016	9-30-25	9-30-30
10-1-16	2017	9-30-26	9-30-31
10-1-17	2018	9-30-27	9-30-32
10-1-18	2019	9-30-28	9-30-33
10-1-19	2020	9-30-29	9-30-34
10-1-20	2021	9-30-30	9-30-35
10-1-21	2022	9-30-31	9-30-36
10-1-22	2023	9-30-32	9-30-37
10-1-23	2024	9-30-33	9-30-38









**\*--Terms and Conditions for Non-Emergency Haying (Including for Biomass) and Grazing of CRP Acreage**

The following must be signed by the CRP participant prior to any non-emergency haying or grazing.

**Note:** Exhibit 48 will be available in a fillable format at <https://inside.fsa.usda.gov/>. CLICK “Employee Forms” and CLICK “Find Current Forms Using Our Form Number Search”. For “Form Number”, ENTER “2-CRP”.

**Conservation Reserve Program**

**Terms and Conditions for Non-Emergency Haying (Including for Biomass) and Grazing of CRP Acreage**

I/We hereby request authority for non-emergency haying (including for Biomass) or non-emergency grazing of approved cover on CRP acreage.

I/We agree to:

- (1) obtain a modified conservation plan to include haying/grazing, as determined by the Natural Resources Conservation Service (NRCS) or Technical Service Provider (TSP) and approved by FSA;
- (2) re-establish, at my/our own expense, any cover destroyed or damaged as a result of participating under this authority, regardless of recommendations or determinations made by NRCS or the TSP;
- (3) not hay and graze the same acreage per program year;
- (4) For non-emergency grazing:
  - remove livestock for non-emergency grazing no later the end date of the grazing period as stipulated in the conservation plan
  - not to **graze during the Primary Nesting Season (PNS)** unless a 50 percent reduction in the carrying capacity is applied
  - a payment reduction
- (5) For grazing to control invasive species, **outside the PNS**:
  - remove all livestock from CRP acreage no later than the end date for invasive species grazing treatment as specified in the conservation plan
  - a percent payment reduction
- (6) For non-emergency haying or harvesting of biomass, **outside the PNS**:
  - remove all hay from CRP acreage within 15 days after baling
  - maintain 25 percent of the total CRP contract acres unharvested, in accordance with a conservation plan that provides for wildlife cover and shelter.

Check the payment reduction option applicable to the CRP-1 identified below:

- The participant has requested beginning farmer grazing, outside the PNS (not including grazing to control invasive species) and has certified on FSA-860 to meeting definition of beginning farmer or rancher and **no payment reduction applies.**
- The payment reduction has been paid in advance.
- The FY \_\_\_\_ annual rental payment, scheduled to be made after October 1, will be reduced by the number of acres actually hayed/grazed, times 25 percent of the CRP annual per acre payment rate.

The CRP contract is subject to termination or other penalties as may be authorized by the CRP contract and regulations should there be any violation of this haying/grazing authority of CRP acreage.

If the payment reduction has not been paid in advance, all signatories on CRP-1 must sign these conditions before haying/grazing begins.

CRP-1 Number: \_\_\_\_\_ Tract Number: \_\_\_\_\_ Field Number(s): \_\_\_\_\_  
Acres to be Hayed: \_\_\_\_\_ Acres to be Grazed: \_\_\_\_\_

Participant's Signature(s)	Date	Participant's Signature(s)	Date
_____	_____	_____	_____
_____	_____	_____	_____

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**\*--Completing CRP-42, County Precipitation and Feed and Forage Loss Report**

**A Completing CRP-42 for Emergency Haying or Grazing of CRP Acreage**

County Offices requesting emergency haying or grazing of CRP acreage for non D2 conditions must complete CRP-42 when submitting their request.

County Offices will send the completed CRP-42 in addition to all other supporting documentation to STC for review. STC, or its designee, must review CRP-42 and ensure it is complete and accurate, and use the data provided plus all other supporting information provided to determine if all the eligibility requirements for emergency haying and grazing activities are met.

The following table provides instructions to complete CRP-42 non-drought (D2) requests for emergency haying and grazing of CRP acreage.

<b>Item</b>	<b>Instructions</b>
1	Enter State name.
2	Enter county name.
3	Enter date or dates the disaster occurred. For long-term droughts, enter the month and year the drought began.
4	Place "X" in the appropriate box for the disaster type. For "Other", provide a description of the natural disaster.
5	Place "X" in the appropriate box. For "Other", provide a description of the assistance requested.
6B	Enter monthly total precipitation for the applicable months and the current month to date.  Enter current year total at the bottom of the column.
6C	Enter monthly normal precipitation for the applicable months and the current month to date.  Enter normal total at the bottom of the column.
6D	Enter current year percent of normal, rounded to the nearest whole number, for each month reported.
7A	Enter normal monthly average temperature for each month for which precipitation data is provided.
7B	Enter current year monthly average temperature for each month for which precipitation data is provided.
8	Place "X" in the appropriate box. If answering "Yes", provide an explanation.
9	Place "X" in the appropriate box. If answering "Yes", provide the number of animals being liquidated because of the disaster and the percentage above normal being liquidated.

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**\*--Completing CRP-42, County Precipitation and Feed and Forage Loss Report (Continued)**

**A Completing CRP-42 for Emergency Haying or Grazing of CRP Acreage (Continued)**

Item	Instructions
10	Enter beginning and ending dates of the PNS for the county.
11	Enter each type of pasture and normal grazing crop growing in the county. If none is grown, ENTER "None".
12	Enter the total acres for each type of pasture or normal grazing crops planted and growing in the county in the current year.
13	Enter acres per animal unit established by COC according to LFP.
14	Enter normal grazing days remaining in this program year for each type of pasture and grazing. The grazing period shall not be greater than 120 calendar days.
15	Enter cost per animal unit per day for pasture and normal grazing.
16	Calculate value of normal production. Divide acres grown entered in column 12 by the AC/AU entered in column 13, times the normal grazing days entered in column 14, times the cost per animal unit entered in column 15.
17	Enter percent of loss caused by the disaster for each type of pasture and normal grazing.
18	Calculate value of production loss by multiplying the value of normal production entered in column 16 times the percent of loss entered in column 17.
19	No entry.
20	Enter total acres for each type of alfalfa and other hay growing in the county in the current program year.
21	Enter approved established yield in tons per acre.
22	Enter approved established cost per ton, rounded to the nearest whole dollar.
23	Calculate value of normal production by multiplying the acres grown entered in column 20, times the normal yield entered in column 21, times the cost per ton entered in column 22.
24	Enter percent of loss caused by the disaster for alfalfa each type of hay.
25	Calculate value of production loss by multiplying the value of normal production entered in column 23 times the percent of loss entered in column 24.
26a	Enter total of all entries in columns 16 and 23.
26b	Enter total of all entries in columns 18 and 25.
26c	Calculate weighted average loss by dividing the value of production loss entered in item 26b by the value of normal production entered in item 26a.
27 through 42	Repeat steps 11 through 26 for feed grain crops, small grains normally grazed, and other roughage.
43	Enter date of the COC meeting when emergency haying or grazing was requested.
44	CED must sign and enter the date of the request.
45	For 40 percent loss of forage production, the SED, or designee, must sign and approve/disapprove, all other request will be concurrence/nonconcurrence and enter the action recommended by STC and the date of the recommendation.

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**\*--Completing CRP-42, County Precipitation and Feed and Forage Loss Report (Continued)**

**B Example of CRP-42**

The following is an example of a CRP-42.

This form is available electronically.

<b>CRP-42</b> (09-01-20)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. STATE		
<b>COUNTY PRECIPITATION AND FEED AND FORAGE LOSS REPORT</b>				2. COUNTY		
3. DATE(S) OF DISASTER		4. TYPE AND DESCRIPTION OF NATURAL DISASTER				
		DROUGHT <input type="checkbox"/> EXCESSIVE MOISTURE <input type="checkbox"/> 40% LOSS OF FORAGE PRODUCTION <input checked="" type="checkbox"/> OTHER (List) <input type="checkbox"/>				
5. TYPE OF ASSISTANCE REQUESTED EMERGENCY						
HAYING AND GRAZING OF CRP ACREAGE <input type="checkbox"/> OTHER (List) _____ <input type="checkbox"/>						
6. PRECIPITATION (County Average)				7. TEMPERATURE (Average Monthly)		
A. MONTH	B. CURRENT YEAR TO DATE	C. NORMAL	D. CURRENT YEAR % OF NORMAL	A. NORMAL	B. CURRENT YEAR	
January	+	=				
February	+	=				
March	+	=				
April	+	=				
May	+	=				
June	+	=				
July	+	=				
August	+	=				
September	+	=				
October	+	=				
November	+	=				
December	+	=				
E. Totals (Col. 6B, 6C and 6D)						
8. Has the natural disaster required additional supplemental feeding? If "YES", to what extent?					YES	NO
_____ _____ _____						
9. Is livestock being liquidated and/or culled heavier as a direct result of the natural disaster?  If "YES", provide an estimate of the additional numbers _____ and % above normal _____						
10. Identify the primary nesting and brood rearing season restricted period for haying and grazing as determined by the STC.:						

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA. (Not all bases apply to all programs.) Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-2027, found online at [http://www.asis.usda.gov/complaint\\_filing\\_cust.html](http://www.asis.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410, (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

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\*--Completing CRP-42, County Precipitation and Feed and Forage Loss Report (Continued)

B Example of CRP-42 (Continued)

CRP-42 (09-01-20)								Page 2 of 2	
FEED LOSS ASSESSMENT									
11. PASTURE AND NORMAL GRAZING	12. ACRES GROWN IN DISASTER YEAR	13. AC/AU	14. NORMAL GRAZING (DAYS)	15. COST PER (AU)	16. VALUE NORMAL PRODUCTION (Col. 12 - 13 X 14 X 15)	17. PERCENT OF LOSS	18. VALUE PRODUCTION LOSS (Col. 16 X Col. 17)		
a. Meadow	+	x	x	x \$	= \$	x	%= \$		
b. Tame	+	x	x	x \$	= \$	x	%= \$		
c.	+	x	x	x \$	= \$	x	%= \$		
19. HAY	20. ACRES GROWN IN DISASTER YEAR		21. NORMAL YIELD (TONS)	22. COST PER (TONS)	23. VALUE NORMAL PRODUCTION (Col. 20 X 21 X 22)	24. PERCENT OF LOSS	25. VALUE PRODUCTION LOSS (Col. 23 X Col. 24)		
a. Alfalfa			x	x \$	= \$	x	%= \$		
b. Other Hay			x	x \$	= \$	x	%= \$		
<b>26. SUBTOTALS:</b>					26a. Col. 16 and 23		26b. Col. 18 and 25		
26c. <i>Emergency Haying and Grazing Weighted Average Loss</i> (subtotal Col. 26b + subtotal Col. 26a = _____ %)					\$		\$		
27. FEED GRAIN CROPS	28. ACRES GROWN IN DISASTER YEAR	29. NORMAL YIELD (Bu./Cwt.)	30. COST PER (Bu./Cwt.)	31. VALUE NORMAL PRODUCTION (Col. 28 X 29 X 30)	32. PERCENT OF LOSS	33. VALUE PRODUCTION LOSS (Col. 31 X Col. 32)			
a.		x	x \$	= \$	x	%= \$			
b.		x	x \$	= \$	x	%= \$			
c.		x	x \$	= \$	x	%= \$			
d.		x	x \$	= \$	x	%= \$			
e.		x	x \$	= \$	x	%= \$			
f.		x	x \$	= \$	x	%= \$			
34. OTHER ROUGHAGE	35. ACRES GROWN IN DISASTER YEAR	36. NORMAL YIELD (TONS)	37. COST PER (TONS)	38. VALUE NORMAL PRODUCTION (Col. 35 X 36 X 37)	39. PERCENT OF LOSS	40. VALUE PRODUCTION LOSS (Col. 38 X Col. 39)			
a.		x	x \$	= \$	x	%= \$			
b.		x	x \$	= \$	x	%= \$			
c.		x	x \$	= \$	x	%= \$			
<b>41. TOTALS:</b>					41a. Col. 26a, 31, and 38		41b. Col. 26b, 33, and 40		
					\$		\$		
					42. WEIGHTED AVERAGE LOSS (Total Column 41b ÷ Total Column 41a) %				
<b>COC AND STC CERTIFICATION</b>									
43. Date of COC meeting when determination was made that a natural disaster has occurred and to request authority for Emergency Haying and Grazing of CRP Acreage: _____									
44. I certify that the above data is complete and factual to the best of my ability.					A. SIGNATURE OF CED			B. DATE (MM-DD-YYYY)	
45. SIGNATURE OF SED					A. APPROVED YES <input type="checkbox"/> NO <input type="checkbox"/>			B. DATE (MM-DD-YYYY)	

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**\*--Terms and Conditions for Emergency Haying and Grazing of CRP Acreage**

The following must be signed by the CRP participant prior to any emergency haying and/or grazing.

**Note:** Exhibit 52 will be available in a fillable format at <https://inside.fsa.usda.gov/>. CLICK “Employee Forms” and CLICK “Find Current Forms Using Our Form Number Search”. For “Form Number”, ENTER “2-CRP”.

**Conservation Reserve Program**  
**Producer Request for Emergency Haying and Grazing of CRP Acreage**

The undersigned hereby request authority for emergency haying or grazing of approved cover on CRP acreage.

The undersigned agree to: (1) obtain a modified conservation plan to permit haying and/or grazing from the Natural Resources Conservation Service (NRCS) or an approved Technical Service Provider (TSP); (2) re-establish, at my/our own expense, any cover destroyed or damaged as a result of participating under this authority, regardless of recommendations made by NRCS or a TSP; (3) remove all hay from CRP acreage within 15 days after baling and remove all livestock from CRP acreage no later than 1 day after the end of the emergency grazing period (4) limit haying of CRP acreage to one cutting; (5) **not** hay and graze the same acreage.

The undersigned agree if acreage hayed or grazed is more or less than originally intended, the undersigned will notify FSA at the local county office.

The CRP contract is subject to termination or other appropriate actions as may be authorized by the CRP contract and regulations should there be any violation of this haying or grazing authority of CRP acreage.

CRP-1 Contract Number: \_\_\_\_\_ Farm Number: \_\_\_\_\_  
Tract Number: \_\_\_\_\_ Field Number: \_\_\_\_\_  
Acres Hayed: \_\_\_\_\_  
Acres Grazed: \_\_\_\_\_

Participant's Signature \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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\*--Using CRP-37

The following is an example of CRP-37. Use CRP-37 when requesting to graze certain practices as part of the incidental grazing in a field. File a copy in the producer's CRP folder.

This form is available electronically.

<b>CRP-37</b> (09-01-20)	<b>U. S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation	
<b>REQUEST FOR INCIDENTAL GRAZING</b>		
<b>1. RETURN TO: (County FSA Office Name and Address)</b> Lancaster County USA 6030 Trade Center Capital City, NE 68516	<b>2. CRP Contract Number</b> 217	<b>3. Date (MM-DD-YYYY)</b> 9/1/2020

4. For the 2021 crop year, I (we) request authority to:

Conduct incidental grazing in Field Number(s) 1,4 in conjunction with the gleaning of crop residue or grazing a small grain before harvest beginning 10/15/2020.  
(MM-DD-YYYY)

I (we) understand and agree that:

Only acreage enrolled under practices CP8A, CP15A, CP15B, CP18B, CP18C, CP21, CP21B, CP21S, CP23, CP23A, CP29, CP30, CP33, CP37, CP38A, CP38B (CP38's if allowed by the SAFE agreement,) and CP43 may be grazed under this authority

- All livestock shall be removed from CRP acreage no later than 60 days after the date provided above
- I (we) shall re-establish, at my (our) own expense, any cover destroyed or damaged as a result of participation under this authority, as determined by the Commodity Credit Corporation regardless of recommendations or determinations made by Natural Resources Conservation Service.

5. Only the participant(s) making the request is (are) required to sign.

A. Participant's Signature (By) <i>/s/ James Brown</i>	B. Title/Relationship (Individual Signing in the Representative Capacity)	C. Date (MM-DD-YYYY) 9/1/2020
A. Participant's Signature (By) <i>/s/ Betty Smith</i>	B. Title/Relationship (Individual Signing in the Representative Capacity)	C. Date (MM-DD-YYYY) 9/1/2020
A. Participant's Signature (By)	B. Title/Relationship (Individual Signing in the Representative Capacity)	C. Date (MM-DD-YYYY)
6A. Signature of CCC Representative	6B. Date (MM-DD-YYYY)	6C. County FSA Office Name and Address (Including ZIP Code)
		6D. Telephone Number (Including Area Code)

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.

**Paperwork Reduction Act (PRA) Statement:** The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.**

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