

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Agricultural Resource
Conservation Program
2-CRP (Revision 5)**

Amendment 20

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reason for Amendment

Paragraph 637 has been amended to update policy for destroying CRP cover before CRP-1 expiration.

Page Control Chart		
TC	Text	Exhibit
	18-15 through 18-22	

637 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 CRP-1, 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.

Note: For participants requesting early out provisions, the final year of the contract is the year before the effective year of the early out effective date.

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 primary nesting season
- 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 shall **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
- refund all CRP payments, plus interest and liquated damages on the acreage identified on an aerial photograph, if a fall-seeded crop is not planted in a normal manner, unless the planting was not completed because of weather
- submit requests to start this activity according to this paragraph.

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 primary nesting or brood rearing season.

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637 Destroying CRP Cover Before CRP-1 Expiration (Continued)**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:
 - CP5, CP5A, CP8, CP8A, CP9, CP13, CP13A, CP13B, CP13C, CP13D, CP14, CP16, CP21, CP22, 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 or other permanent waterbody to ensure continued habitat for wildlife
- 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 EPA-designated wellhead protection area
- subject to frequent flooding, as determined by NRCS or TSP.

637 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 acres under contract.

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<p>WHEN participants, in the final year of CRP-1, intend to destroy CRP cover to...</p>	<p>THEN participants...</p>
<p>prepare for spring- or fall-seeded crops from July 1 through September 30</p>	<ul style="list-style-type: none"> • shall submit requests on CRP-1G Addendum at any time during the final year of CRP-1 • are required to meet with NRCS or TSP to obtain an approved conservation plan for: <ul style="list-style-type: none"> • the destruction of the CRP cover when the method of destruction could cause adverse environmental effects, as determined by TSP • conservation compliance, if applicable • may not hay, graze, or otherwise make commercial use of the CRP acreage during the primary nesting season • may not destroy cover during the primary nesting season--* • may plant fall-seeded agricultural commodities in areas where planting these crops normally occurs before October 1, as determined by STC • 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 <p>Note: 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 must pay for a field visit by COC or CED to verify destruction of the cover.</p>

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

C Participants' Responsibilities (Continued)

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<p>WHEN participants, in the final year of CRP-1, intend to destroy CRP cover to...</p>	<p>THEN participants...</p>
<p>prepare for spring- or fall-seeded crops from July 1 through September 30 (Continued)</p>	<ul style="list-style-type: none"> • shall receive a reduced annual rental payment for the period indicated on CRP-1G Addendum, item 3 <p>Note: See subparagraph D.--*</p> <ul style="list-style-type: none"> • shall be in violation of CRP-1 if the participants fail to plant a fall seeded crop in a normal manner. <p>Notes: All signatories to CRP-1 shall be required to sign CRP-1G Addendum before COC or CED approval.</p> <p>CRP participants requesting to destroy CRP cover to prepare land for planting fall-seeded crops shall be informed that failure to plant a fall-seeded crop in a normal manner is a violation of CRP-1 and may result in a refund of all CRP annual rental payments, plus interest, and liquidated damages.</p>

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

D Processing Participants' Requests

County Offices shall process participants' requests for early land preparation according to the following.

Step	Action
1	Accept requests on CRP-1G Addendum. See subparagraph G. 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"> • the destruction of the CRP cover when the method of destruction could cause adverse environmental effects, as determined by NRCS or TSP • conservation compliance, if applicable.
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>Note: 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 shall be earned for the period indicated on CRP-1G Addendum, item 3. Nonpayment period shall begin on the day land preparation commences, but: <ul style="list-style-type: none"> •*--no earlier than July 1 • ends September 30.--* <p>* * *</p> <p>Note: The nonpayment period may be for a portion of a month. The payment reduction shall be based on the number of nonpayment days entered on CRP-1G Addendum, item 3.</p>

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

D Processing Participants' Requests (Continued)

Step	Action
5	Ensure that participants are aware that failure to plant a fall-seeded crop after acreage has been destroyed for such use: <ul style="list-style-type: none"> • is a violation of CRP-1 • may result in a refund of all CRP annual rental payments, plus interest, and liquidated damages.
6	Attach a copy of an aerial photograph to CRP-1G Addendum. Highlight the acreage on which the cover will be destroyed.
7	Provide each participant and NRCS or TSP with a: <ul style="list-style-type: none"> • copy of approved CRP-1G Addendum • a photocopy highlighting the acreage on which the cover will be destroyed.
8	File CRP-1G Addendum and attached photocopy in the CRP-1 folder.
9	Immediately approve requests received on eligible acreage.
10	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.

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

E Example of CRP-1G Addendum

The following is an example of CRP-1G Addendum.

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This form is available electronically.		
CRP-1G Addendum (08-06-14)	U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation	1. ST. & CO. Code
CRP-1 MODIFICATION TO ALLOW EARLY LAND PREPARATION		2. Contract No.
		3. Period of Nonpayment Sept. 30, 20 ____
		4. Acres
		5. Farm No.
<p>6. TERMS TO ALLOW EARLY LAND PREPARATION</p> <p>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.</p> <p>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.</p> <p>By signing this contract modification, the participant(s) agrees:</p> <ul style="list-style-type: none"> To meet with the Natural Resource Conservation Service (NRCS) or assigned Technical Service Provider to develop a conservation plan for land preparation. To not destroy the cover established pursuant to the CRP practices provisions of the contract, during the primary nesting season. 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. 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 30th, as specified in Item 3, above. 		
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)
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>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 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.</p> <p>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.</p>		
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