

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

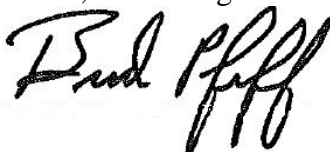
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**Agricultural Resource  
Conservation Program  
2-CRP (Revision 5)**

**Amendment 22**

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



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**Amendment Transmittal**

**A Reasons for Amendment**

Subparagraph 4 A has been amended to provide updated references for handbooks and web sites for User Guides.

Subparagraph 31 A has been amended to provide that STC shall establish the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law in consultation with the State Technical Committee. Paragraphs throughout this handbook have been updated to reflect this language.

Paragraph 66 has been amended to:

- remove CP35 EFCRP practices
- include practices CP87 and CP88 for CRP grasslands
- provide that CP42 may be enrolled in CRP grasslands for a 15-year contract length
- incorporate HELI practices
- update the maximum maintenance incentive rates for CP21, CP22, CP29, and CP30.

Paragraph 81 has been amended to:

- change references from WRP to ACEP-WRE
- include practices CP87 and CP88 that are cropland with regard to acreage included in the 25 percent cropland limitation.

Paragraph 82 has been amended to update AD-894 to change references from WRP to ACEP-WRE.

Subparagraph 83 B has been amended to update AD-893 to change references from WRP to ACEP-WRE.

## **Amendment Transmittal (Continued)**

### **A Reasons for Amendment (Continued)**

Subparagraph 101 B has been amended to clarify groupings for SRR's may be groupings of 6 to 10 rates that are established based on similar productivity levels.

Subparagraph 103 C has been added to provide the rental rate establishment for CRP grasslands.

Subparagraph 126 F has been amended to clarify that land ownership shall be determined according to 10-CM, paragraph 22. Once that ownership is determined, County Offices shall determine CRP ownership eligibility.

Paragraph 131 has been amended to:

- provide AGI policy for CRP signup 46
- provide policy for CRP-1's approved beginning October 1, 2014
- update the AGI table for AGI certification forms to file.

Paragraph 151 has been amended to:

- update the cropping history years to 2008 through 2013 to reflect the statutory change
- remove references to WRP, GRP, and WHIP and include language for ACEP-WRE and ACEP-ALE, as applicable.

Subparagraph 181 I has been added to provide eligibility requirements for CRP grasslands.

Subparagraph 182 B has been amended to add new criteria for infeasible to farm to allow producers to enroll land in CRP under infeasible-to-farm criteria if more than 75 percent of the field is enrolled as certain continuous signup practices other than a filter strip or riparian buffer.

Paragraph 196 has been amended to:

- provide references for the CRP grasslands per acre maximum payment rate
- update the maintenance rates for CP21, CP22, CP29, and CP30.

Paragraph 211 has been amended to:

- update references for digital imagery
- include references for CRP-2G for CRP grasslands
- provide that the total enrollment of cropland in certain programs and all base acres on the farm, including generic base acres, must not exceed the DCP cropland acreage on the farm, except to the extent there is an established double-crop history.

Subparagraph 212 B has been amended to provide an updated CRP-2C for continuous signup offers.

## Amendment Transmittal (Continued)

### A Reasons for Amendment (Continued)

Subparagraphs 213 E through G and 214 A have been amended to update dates.

Paragraph 215 has been amended to include references to CRP grasslands.

Subparagraph 238 A has been amended to provide the statutory change in the FWP acreage limitation from 1 million to 750,000.

Paragraph 240 has been amended to:

- correct that CP27 and CP28 include cropland that is planted or considered planted to an agricultural commodity during any 3 of the previous 10 crop years

**Note:** The reference to COC-approved prevented planted was removed.

- update the cropping history to 2008 through 2013 for any planted alfalfa, planted other multi-year grasses and legumes, and any summerfallow.

Paragraph 242 has been amended to provide the statutory change in the eligible land criteria for CP39. Land eligible to be enrolled as CP39 is land that receives surface and subsurface flow from row crop agriculture production designed to provide nitrogen removal and other wetland functions.

Part 9 has been amended to reflect the new CRP grassland provisions.

Paragraph 332 has been amended to include references for:

- ACEP-WRE signups
- CRP grassland practices CP87 and CP88 when processing offers for land physically located in a county that has reached or exceeded the 25 percent cropland limitation
- digital imagery.

Subparagraph 333 B has been amended to update CRP-2 to reflect new cropping history.

Subparagraph 339 C has been amended to provide that all general signup erroneous and omitted offers must be processed by COB 2 weeks after the end of signup, with the exception of offers determined eligible through the appeals process.

Subparagraph 367 F has been amended to provide that for construction of wind turbines, FSA shall ensure that turbines are cited using USFWS land-based wind energy guidelines.

Paragraph 401 has been amended to provide approval requirements if base acres and CRP acres exceed the effective DCP cropland.

## **Amendment Transmittal (Continued)**

### **A Reasons for Amendment (Continued)**

Paragraph 402 has been amended to provide that for general signup 49, the effective date of CRP-1 shall be October 1, 2016, for:

- new land
- acreage currently enrolled in CRP at the time of signup that expires on September 30, 2016, and is re-enrolled during signup 49.

Subparagraph 428 A has been amended to add that management activities are not required for CRP grasslands practice CP87 or CP88.

Subparagraph 462 F has been added to provide policy for incentive payments for tree thinning.

Subparagraph 510 B has been amended to add that ineligible costs for computing C/S earned include:

- personal mileage
- seed and/or materials in excess of the NRCS- or TSP-recommended and COC- or CED-approved amounts
- items or activity not required to meet the minimum practice standards.

Paragraph 511 has been amended to provide an inflationary increase in the C/S limitations that:

- all water developments per contract shall not exceed \$4,000
- all water facilities per contract shall not exceed \$2,700
- all pipelines shall not exceed \$2,700
- all livestock crossings per contract shall not exceed \$2,000.

Paragraph 512 has been amended to remove the \$50 per acre per year limitation for management activities. C/S for management activities is limited to 50 percent of the 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.

Subparagraph 546 A has been amended to provide that “pen and ink” changes are authorized if the only change to CRP-1 is the farm number change because of a reconstitution. At least one CRP participant must initial and date the pen and ink change.

Subparagraph 546 J has been amended to update the applicable date for CRP-1 Appendix.

Paragraphs 554, 571, and 575 have been amended to change references from WRP, FRPP, and GRP to ACEP-ALE and ACEP-WRE.

## **Amendment Transmittal (Continued)**

### **A Reasons for Amendment (Continued)**

Subparagraph 574 A has been amended to provide clarification that 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.

Subparagraph 576 A has been amended to provide that:

- COC authority for waiver of refunds decreased from \$10,000 to \$5,000
- STC authority for waiver of refunds decreased from \$50,000 to \$25,000
- extenuating circumstances must exist to warrant a waiver of refunds.

Subparagraph 576 B has been amended to provide that waivers in excess of \$5,000 must be submitted to STC or SED, as applicable. If a producer is requesting a waiver of refunds for more than 1 contract and any 1 contract refund is in excess of the \$5,000 COC authority, no waiver of any contract may be provided by COC. Waivers for all contracts must be submitted to STC.

Subparagraph 576 C has been added to provide criteria for COC's and STC's to consider when CRP participants request a waiver of refunds.

Subparagraph 576 D has been amended to provide that if a producer is requesting a waiver of refunds for more than 1 contract and any contract refund is in excess of the \$25,000 STC authority, no waiver of any contract may be provided by STC. If any contract refund is in excess of the \$25,000 STC authority, all contracts must be submitted to DAFP for authority to waive refunds.

Paragraph 601 has been amended to remove the NRCS-LTP-03 as a current form to use for status reviews.

Paragraph 602 has been amended to:

- change the reference from System 36 to CARS
- update CRP-817U.

Paragraph 627 has been amended to provide policy for a new tree thinning incentive payment for tree thinning and prescribed burning for CP3, CP3A, CP4D, CP11, CP22, CP31, CP36, and CP38.

Paragraph 630 has been amended to change references from WRP, FRPP, and GRP to ACEP-ALE and ACEP-WRE, as applicable.

## Amendment Transmittal (Continued)

### A Reasons for Amendment (Continued)

Paragraph 637.5 has been added to provide new policy for completing conservation and land improvements on land enrolled in CRP during the last year of CRP-1. Certain activities may be completed during the last year of CRP-1 with a payment reduction of 8.3 percent per month for each month or portion of a month for which the activity occurs.

**Note:** Land under a contract where the participant completes a conservation and land improvement activity is not eligible to re-enroll in CRP for 5 years after the expiration date of the contract.

Paragraph 664 has been amended to provide that managed harvesting is authorized no more frequently than 1 out of every 3 years and no less frequently than 1 out of every 5 years.

Paragraph 665 has been withdrawn and moved to Exhibit 51.5.

Paragraph 666 has been amended to clarify that the payment reduction may be no less than 25 percent for managed harvesting. This is a statutory requirement. Requests to reduce this payment reduction will not be considered. DAFP may determine that the payment reduction should be greater than 25 percent based on certain environmental conditions.

Paragraph 667 has been amended to provide that spot checks shall be completed within 10 calendar days of when the producer reports the managed harvesting.

Subparagraph 668 A has been amended to clarify that participants must report the number of acres harvested within 10 calendar days of the end of the managed harvesting period.

Subparagraph 682 A has been amended to provide that spot checks shall be completed within 10 calendar days of when the producer reports the managed grazing.

Subparagraph 683 A has been amended to provide that participants must report the number of acres grazed within 10 calendar days of the end of the managed grazing period.

Subparagraph 693 A has been amended to provide that CRP participants shall not be assessed a payment reduction for emergency haying or grazing conducted after February 6, 2014.

Paragraph 694 has been amended to provide that no standard payment reduction shall be assessed for producers who conduct emergency haying or grazing after February 6, 2014, for program year 2014 and later.

Subparagraph 695 A has been amended to provide that spot checks shall be completed within 10 calendar days of when the producer reports the emergency haying and grazing.

Subparagraph 696 A has been amended to provide that participants must report the number of acres hayed or grazed within 10 calendar days of the end of the emergency haying or grazing period.

## **Amendment Transmittal (Continued)**

### **A Reasons for Amendment (Continued)**

Subparagraph 716 A has been amended to provide that routine grazing is authorized no more frequently than 1 out of every 2 years (every other year).

Paragraph 717 has been amended to provide that the payment reduction for routine grazing shall be no less than 25 percent unless grazed by livestock of a beginning farmer or rancher. Acreage grazed by livestock of a beginning farmer or rancher under routine grazing provisions shall not be assessed a payment reduction. The required reduction for routine grazing for CRP participants who are not beginning farmers or ranchers is 25 percent.

Subparagraph 718 A has been amended to provide that spot checks shall be completed within 10 calendar days of when the producer reports the routine grazing.

Subparagraph 741 A has been amended to provide that a payment reduction of 25 percent shall be assessed for prescribed grazing. DAFP may assess a payment reduction greater than 25 percent based on certain environmental conditions.

Paragraph 742 has been amended to reflect the changes in practices, frequency, and payment reduction amounts for all types of haying and grazing.

Subparagraph 771 D has been amended to provide clarification about CREP and SAFE project areas and the policy concerning overlapping between those project areas.

Subparagraph 772 A has been amended to provide that State partner contributions may not include any payments to be made under existing State programs or projects in the project area that are scheduled to be paid at reduced levels upon approval of a CREP project.

Subparagraph 774 B has been amended to provide that land for which State, local, Tribal or other laws, regulations, ordinances, or other restrictions require any resource conserving or environmental protection measure or practice is not eligible for CREP.

Paragraph 779 has been added to provide policy for CREP enrollment and suspending and terminating CREP projects.

Subparagraph 833 A has been amended to include CP42 as an applicable practice for SAFE.

## **Amendment Transmittal (Continued)**

### **A Reasons for Amendment (Continued)**

Exhibit 5 has been amended to:

- update the following forms:
  - CRP-23
  - CRP-24
  - CRP-25
  - CRP-26
  - CRP-35
  - CRP-36
  
- add CRP-27 and CRP-28.

Exhibit 6 has been amended to update CCC-674 to include new language for Paperwork Reduction, Privacy Act, and EEO/Civil Rights.

Exhibit 9 has been amended to provide the updated Memorandum of Agreement between NRCS, FSA, and CCC.

Exhibit 11 has been amended to:

- clarify that tree thinning (pre-commercial) is authorized for C/S using technical practice code 666 for certain practices
- include pivot corners as eligible for practice CP33
- remove all CP35 EFCRP practices
- update the purpose of practice CP39
- provide that CP42 may be included in CRP grasslands along with CP87 or CP88
- include practices CP87 and CP88.

Exhibit 16 has been withdrawn. The AGI waiver provision for lands of special significance no longer applies.

Exhibit 20 has been amended to provide the signup dates for continuous signup 48 and general signup 49.

Exhibit 21 has been amended to update CRP-1.

Exhibit 24 has been added to provide the CRP grassland ranking criteria.



**Amendment Transmittal (Continued)**

**A Reasons for Amendment (Continued)**

Exhibit 26 has been amended to reflect the change in tables from signup 45 to signup 49. No other changes were made to EBI.

Exhibit 29 has been amended to update CRP-1 Appendix.

Exhibit 32 has been amended to provide additional CRP-1 effective dates and corresponding CRP-1 expiration dates.

Exhibit 41 has been amended to update FSA-18.

Exhibit 43 has been amended to update CRP-20.

Exhibit 51.5 has been added to provide managed haying and grazing PNS dates and frequencies.

Exhibit 54 has been amended to update CRP-37.

<b>Page Control Chart</b>		
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4 Related Handbooks, Manuals, and Forms

A Related Handbooks and Manuals

The following provides handbooks and manuals related to CRP.

Handbook or Manual	Purpose
1-APP	Appeals.
*--1-ARCPLC	Agriculture Risk Coverage and Price Loss Coverage Program.--*
1-AS	Supplementing CRP provisions.
3-AS	Clearing forms.
25-AS	Records management.
1-CM	*--Common management and operating provisions.
3-CM	Farm, tract, and crop data.
8-CM	Common land unit.
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.
4-CP	Payment reductions and violations.
6-CP	Highly erodible land conservation and wetland conservation provisions.
7-CP	Finality rule and misaction/misinformation.
***	***
1-EQ	Environmental Quality Programs.
1-FI	Making CRP payments.
3-FI	Handling receipts and deposits.
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.  ***

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

## A Related Handbooks and Manuals (Continued)

Handbook or Manual	Purpose
2-IC	Internal review and control.
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. 1)	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.--*
DM 9500-1	CRES procedures.
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.
General Manual 190, Part 401	National Environmental Policy Act.
General Manual 300, Part 405	Conservation planning assistance.
General Manual 450, Part 407	Quality assurance.
Field Office Technical Guides	Technical criteria.

The following provides web sites for guides related to CRP.

Web Site	Guide
<a href="http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/Continuous/CRP%20Software%20User%20Guide%20ver%201.0.pdf">http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/Continuous/CRP%20Software%20User%20Guide%20ver%201.0.pdf</a>	Continuous CRP Offer Guide
<a href="http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/SAFE/DRAFT_SAFE_User_Guide_Version1.pdf">http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/SAFE/DRAFT_SAFE_User_Guide_Version1.pdf</a>	SAFE User Guide
<a href="http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/GIS/TERRA_V_2_0_15_User%20Guide.pdf">http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/GIS/TERRA_V_2_0_15_User%20Guide.pdf</a>	TERRA User Guide
<a href="http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/GIS/TERRA_COLS_Downloader_User_Guide.pdf">http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/GIS/TERRA_COLS_Downloader_User_Guide.pdf</a>	TERRA/COLS Downloader Guide
*-- <a href="http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepdsto.htm">http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepdsto.htm</a>	Conservation Payments County User Guide
<a href="http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepdsto.htm">http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepdsto.htm</a>	Conservation Payments State User Guide
<a href="http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/ECP/CostShareUserGuideV_1%202_5A9D.pdf">http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepd/ECP/CostShareUserGuideV_1%202_5A9D.pdf</a>	Cost Share System (CSS) User Guide
<a href="https://sharepoint.fsa.usda.net/states/cepd/userguides/CEPD%20User%20Guides/Conservation%20Contract%20Maintenance%20System%20User%20Guide_V2_1.pdf">https://sharepoint.fsa.usda.net/states/cepd/userguides/CEPD%20User%20Guides/Conservation%20Contract%20Maintenance%20System%20User%20Guide_V2_1.pdf</a>	CCMS User Guide--*

## Section 2 FSA Administrative Responsibilities

## 31 STC Administrative Responsibilities

## A STC Responsibility

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

- direct the administration of CRP
- document actions taken in minutes or other written records
- approve State research projects
- determine whether meritorious relief is applicable on a case-by-case basis

**Note:** All cases submitted to DAFP for relief shall 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, conservation plans,--\* land deeds, etc.
- all documentation used by COC and STC during review
- narrative of the case in chronological order.
- 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, CP23, CP27, CP28, CP30, CP39, CP40, or CP41

**Notes:** Incomplete case files may delay response.

See paragraph 491 and Exhibit 11.

- \*--establish the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law in consultation with the State Technical Committee. See subparagraph 664 A.

**Note:** Establishment of the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law shall 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 CEPD 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.

**C Retaining Easement Forms**

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



## Part 3 CRP Practices

## 66 National Practices

## A National Practices and Titles

The following provides the national practices.

Practice	Title
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), Noneasement
CP4D	Permanent Wildlife Habitat Noneasement
CP5A	Field Windbreak Establishment, Noneasement
CP8A	Grass Waterways, Noneasement
CP9	Shallow Water Areas for Wildlife
CP10	*--Vegetative Cover - Grass - Already Established <u>1</u> /
CP11	Vegetative Cover - Trees - Already Established <u>1</u> /--*
CP12	Wildlife Food Plot
CP15A	Establishment of Permanent Vegetative Cover (Contour Grass Strips), Noneasement
CP15B	Establishment of Permanent Vegetative Cover (Contour Grass Strips), on Terraces
CP16A	Shelterbelt Establishment, Noneasement
CP17A	Living Snow Fences, Noneasement
CP18B	Establishment of Permanent Vegetation to Reduce Salinity, Noneasement
CP18C	Establishment of Permanent Salt Tolerant Vegetative Cover, Noneasement
CP21	Filter Strips
CP22	Riparian Buffer
CP23	Wetland Restoration
CP23A	Wetland Restoration, Non-Floodplain
CP24	Cross Wind Trap Strips
CP25	Rare and Declining Habitat

\*--1/ Only eligible for enrollment before March 14, 2011.--\*

## 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
*--CP87	Permanent Introduced Grasses and Legumes
CP88	Permanent Native Grasses and Legumes--*

**Notes:** See Exhibit 11.

For SAFE practices, the title is determined by each State.

66 National Practices (Continued)

**\*--B CRP Practices for General Signup**

The following provides eligible practices and CRP-1 length for general signup.--\*

Practice	CRP-1 Length
CP1	10
CP2	10
CP3	10
CP3A	10 to 15 <u>1/</u>
CP4B	10 to 15 <u>1/</u>
CP4D	10
CP12 <u>2/</u>	10 to 15
CP25	10 to 15 <u>1/</u>
CP42	10

1/ Producer shall elect 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.

**C CRP Practices for Continuous Signup**

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

Practice	CRP-1 Length
*--CP1 <u>2/ 4/</u>	10
CP2 <u>2/ 4/</u>	10
CP3 <u>2/ 4/</u>	10
CP3A <u>2/ 4/</u>	10 to 15 <u>1/</u>
CP4B <u>2/</u>	10 to 15 <u>1/</u>
CP4D <u>2/ 4/--*</u>	10
CP5A	10 to 15 <u>1/</u>
CP8A	10
CP9	10
CP10 <u>3/</u>	10
CP15A	10
CP15B	10
CP16A	10 to 15 <u>1/</u>
CP17A	10 to 15 <u>1/</u>
CP18B	10
CP18C	10

66 National Practices (Continued)

C CRP Practices for Continuous Signup (Continued)

Practice	CRP-1 Length
CP21	10 to 15 <u>1/</u>
CP22	10 to 15 <u>1/</u>
CP23	10 to 15 <u>1/</u>
CP23A	10 to 15 <u>1/</u>
CP24	10
*-CP25 <u>4/</u>	10--*
CP27	10 to 15 <u>1/</u>
CP28	10 to 15 <u>1/</u>
CP29	10 to 15 <u>1/</u>
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>
CP38	Determined based on agreement.
CP39	10 to 15 <u>1/</u>
CP40	10 to 15 <u>1/</u>
CP41	10 to 15 <u>1/</u>
*-CP42 <u>5/</u>	10 or 15 <u>6/</u>
CP87	15
CP88	15--*

1/ Producer shall elect a contract period between 10 and 15 years.

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

\* \* \*

3/ Practice eligible within approved wellhead protection areas only and only eligible for enrollment before March 14, 2011.

\*-4/ Practices eligible for HELI for 10 years only.

5/ Practice eligible for CRP grasslands.

6/ Fifteen years eligible for CP42 for CRP grasslands only.--\*

66 National Practices (Continued)

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

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

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
CP1, Establishment of Permanent Introduced Grasses and Legumes	Wellhead *--HELI	X	10	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP2, Establishment of Permanent Native Grass	Wellhead HELI	X	10	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP3, Tree Planting	Wellhead HELI	X	10	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP3A, Hardwood Tree Planting	Wellhead HELI	X	10-15 HELI-10	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP4B, Permanent Wildlife Habitat Corridors - Noneasement	Wellhead	X	10-15	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP4D, Permanent Wildlife Habitat - Noneasement	Wellhead HELI--*	X	10	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP5A, Field Windbreak Establishment - Noneasement	X		10-15	Y (\$10)	Y	Y (20 percent)	\$2
CP8A, Grass Waterway - Noneasement	X		10	Y (\$10)	Y	Y (20 percent)	

1/ PIP is authorized for practices enrolled under wellhead protection criteria.

**Note:** For CREP, the incentive rates are established according to the terms of each CREP agreement.

66 National Practices (Continued)

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

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
CP9, Shallow Water Areas for Wildlife	X		10	N	Y	N	
CP10, <u>3/</u> Vegetative Cover, Grass Already Established	Wellhead	X	10	N	N <u>1/</u>	Y (10 percent) for wellhead only	
CP11, <u>3/</u> Vegetative Cover, Trees Already Established		X	10	N	N	N	
CP12, Wildlife Food Plot		X	10-15	N	N	N	
CP15A, Establishment of Permanent Vegetative Cover - Contour Grass Strip	X		10	N	Y	N	
CP15B, Establishment of Permanent Vegetative Cover - Contour Grass Strip on Terraces	X		10	N	N	N	
CP16A, Shelterbelt Establishment	X		10-15	Y *--(\$10)--*	Y	N	\$2

1/ PIP is authorized for practices enrolled under wellhead protection criteria.

3/ Only eligible for enrollment before March 14, 2011.--\*

## 66 National Practices (Continued)

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

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
CP17A, Living Snow Fences - Noneasement	X		10-15	Y (\$10)	Y	N	\$2
CP18B, Establishment of Permanent Vegetation to Reduce Salinity - Noneasement	X		10	N	Y	N	
CP18C, Establishment of Permanent Salt Tolerant Vegetative Cover - Noneasement	X		10	N	Y	N	
CP21, Filter Strip	X		10-15	Y (\$10)	Y	Y (20 percent)	*--\$0, \$5, \$10
CP22, Riparian Buffer	X		10-15	Y (\$10)	Y	Y (20 percent)	\$2, \$5, \$10--*
CP23, <u>2/</u> Wetland Restoration	X		10-15	Y (\$15)	Y	Y (20 percent)	
CP23A, <u>2/</u> Wetland Restoration, Non-Floodplain	X		10-15	Y (\$15)	Y	Y (20 percent)	

2/ Incentives apply for contracts approved after November 3, 2008.

**Note:** Payments for CREP CRP-1 participants must adhere to the written CREP agreements. Changes made in PIP/SIP/WRI for CRP's general and continuous signup do not automatically apply to CREP's unless those agreements indicate that these payments shall be made "according to 2-CRP" or "consistent with National CRP directives" or similarly worded reference. CREP agreements which include specific payment provisions such as "25% WRI hydrology restoration payments shall be paid for practices CP23 and CP23A" must be adhered to as written.

## 66 National Practices (Continued)

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

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
CP24, Establishment of Permanent Vegetative Cover as Cross Wind Trap Strips	X		10	N	Y	N	
CP25, Rare and Declining Habitat	*--HELI	X	10-15 HELI-10--*	N	N	N	
CP27, Farmable Wetlands Pilot Wetland	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP28, Farmable Wetlands Pilot Buffer	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP29, Marginal Pastureland Wildlife Buffer	X		10-15	Y (\$10)	Y	Y (20 percent)	*--\$0, \$5, \$10
CP30, Marginal Pastureland Wetland Buffer	X		10-15	Y (\$10)	Y	Y (20 percent)	\$0, \$5, \$10--*
CP31, <u>2/</u> Bottomland Timber Establishment on Wetlands	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP33, Habitat Buffers for Upland Birds	X		10	Y (\$15)	Y	N	

2/ Incentives apply for contracts approved after November 3, 2008.



## 66 National Practices (Continued)

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

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
***	***		***	***	***	***	
CP36, Longleaf Pine - Establishment	X		10-15	Y (\$10)	Y	N	
CP37, <u>2/</u> Duck Nesting Habitat	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP38A, SAFE - Buffers	X		10-15	Y (\$10)	Y	N	
CP38B, SAFE - Wetlands	X		10-15	Y (\$10)	Y	N	
CP38C, SAFE - Trees	X		10-15	Y (\$10)	Y	N	
CP38D, SAFE - Longleaf Pine	X		10-15	Y (\$10)	Y	N	
CP38E, SAFE - Grass	X		10-15	Y (\$10)	Y	N	
CP39, FWP Constructed Wetland	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP40, FWP Aquaculture Wetland Restoration	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP41, FWP Flooded Prairie Wetlands	X		10-15	Y (\$10)	Y	Y	
CP42, Pollinator Habitat		X	10	N	N	N	
CP42, Pollinator Habitat	X		10	Y (\$15)	N	N	
*--CP42, Pollinator Habitat	X <u>3/</u>		15	N	N	N	
CP87, Permanent Introduced Grasses and Legumes	X		15	N	N	N	
CP88, Permanent Native Grasses and Legumes	X		15	N	N	N	

2/ Incentives apply for contracts approved after November 3, 2008.

3/ CRP grasslands enrollment only.--\*

67-80 (Reserved)



## Part 4 Total County Cropland

### 81 Cropland Limitation

#### \*--A All CRP/ACEP-WRE and CRP General Signup

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 continuous and CRP grassland, ACEP-WRE, CREP, and FWP.--\*

The following are 2 types of waivers to this limit.

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

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

- The Secretary may authorize a waiver to exclude acres enrolled under continuous CRP from total CRP enrollment if local county government concurs with the request to exclude the acres. See subparagraphs K and L

#### B Total Cropland

A county's total cropland acreage is based on the cropland **physically** located within the county boundaries. See 3-CM, paragraph 24 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 Farm Records Database.

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 continue to be based on the subcounty area.

## 81 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 applicable cropland limits, and included in cropland limit reports, includes the following:

- CRP active cropland acreage on contracts projected to be active October 1 of the current year and all later years, according to the \* \* \* web-based contract management applications, such as SAFE
- CRP useful easement acreage under active easement periods but under expired CRP-1 contracts
- \*--ACEP-WRE cropland acreage as reported by NRCS and recorded by County Office--\* staff.

**D Acreage Not Subject to the Applicable Cropland Limits**

Acreage **not subject** to the applicable cropland limits 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 in ACEP-WRE 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--\*
- CRP marginal pasture land
- \*--CRP grasslands noncropland--\*
- CRP land enrolled in field wind breaks (CP5) and shelterbelts (CP16)
- CRP cropland acreage on active contracts scheduled to expire September 30 of the current year.

**81 Cropland Limitation (Continued)****\*--E Reserving Acreage for Continuous and ACEP-WRE Signups**

When authorized by notice, COC's may reserve acreage for continuous, ACEP-WRE, CREP, and FWP signups. COC's that reserve acreage for continuous, ACEP-WRE, CREP, and FWP signups have 2 total county cropland limits; the county's:

- 25 percent cropland limit for all CRP/ACEP-WRE acreage that shall continue to apply to all ACEP-WRE cropland, except subclass W and CRP cropland enrolled, except for--\* counties that obtain future waivers to exceed this 25 percent level
- limit for general signup acreage.

**F County Report of Cropland and CRP Enrollment**

The National Office and Kansas City will maintain a report that provides a county's total cropland, total acres enrolled in CRP, and acres that are available for enrollment in CRP.

This report takes into consideration acres subject to the applicable cropland limits, acreage \*--not subject to the applicable cropland limits, acres reserved for continuous and ACEP-WRE signups, and any existing waivers.

The report will be based on cropland data from the web-based Farm Records Databases, CRP acres from the web-based contract management applications (i.e., SAFE), and other source of information on acres reserved from continuous and ACEP-WRE signups and any existing--\* waivers.

The report will be updated monthly or as necessary.

**G Counties Exceeding Maximum Acreage**

When the current enrolled acreage exceeds the limitation and a waiver has not been approved, County Offices shall:

- announce the CRP signup period
- notify all producers that only offers for continuous signup for marginal pastureland \*--practices CP22, CP29, or CP30, and CRP grassland practices CP87 and CP88 that are not on cropland and land physically located in a county that has not reached or exceeded--\* the 25 percent limitation will be processed.

**Notes:** See subparagraph A and paragraph 336.

COC shall immediately reject all offers for acreage physically located in the county and inform the producer using CRP-26.

## 81 Cropland Limitation (Continued)

**H Requesting Waivers to 25 Percent Limit**

\*--For CRP, if the current accepted cropland ACEP-WRE and CRP cropland acreage in a--\* county has either exceeded 25 percent limitation or is within the smaller of 1,000 acres or 1 percent of 25 percent of the total cropland for CRP general signup set by the COC according to subparagraph 81 A in the county:

- COC may:
  - with STC concurrence, determine to have signup for continuous signup for marginal \*--pastureland practices CP22, CP29, and CP30, or CP87 and CP88 that are not on cropland--\*
  - request a waiver of the cropland limitation from STC
- COC shall:
  - 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 **must:**

- be approved by DAFP before the applicable signup begins
- are authorized only for the upcoming signup and do not apply to future signups

81 Cropland Limitation (Continued)

H Requesting Waivers to 25 Percent Limit (Continued)

\*--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 shall distribute AD-893's to at least a 10 percent random sampling of agricultural producers and groups listed on AD-894, items 26 and 27.

I What to Include With Waiver Request

County Offices shall 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
- copies of all AD-893's.

**Note:** County Offices shall:

- distribute AD-893 to at least 10 percent random sampling of the agricultural producers and groups listed on AD-894, items 26 and 27
- summarize and keep returned AD-893's on file for 10 years.

## 81 Cropland Limitation (Continued)

**J STC Waiver Review and Determination**

STC shall:

- 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 25 percent cropland limitation requirement and the effect of a waiver on producers and businesses in the county

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

- thoroughly document 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 shall deny request.

**Important:** Counties with no or minimal cropland with an EI of 15 or greater are **not** eligible for a waiver of the 25 percent cropland limitation.

- obtain NRCS concurrence on all waiver determinations
- if all requirements are met and STC recommends a waiver be approved, submit request and recommendation to CEPD for determination
- if all requirements are **not** met or STC does not recommend a waiver be approved, deny request and notify CEPD that the:
  - request was denied and include the reason for denial
  - county will only process offers for land physically located in a county that has **not** reached or exceeded the 25 percent cropland limitation or continuous signup offers  
\*--for marginal pastureland practices CP22, CP29, or CP30, and CRP grassland practices CP87 and CP88 that are not on cropland.--\*



**81 Cropland Limitation (Continued)****K Requesting Waivers to Exclude Continuous Signup Acres**

COC's may, with concurrence from local county governments, approve a waiver to exclude **all** continuous signup acres from the total acres enrolled in CRP when calculating the 25 percent, including CREP and FWP.

Waivers to exclude all continuous signup acres must be approved by COC and submitted to CEPD, by memorandum.

If approved, the waiver applies to **all** continuous signup acres. Waiver requests to exclude only a portion of continuous signup acres, either by program (for example, CREP or FWP) or by practice (for example CP 23, SAFE) will **not** be considered.

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

**L County Government Concurrence**

COC's must obtain concurrence in writing, from local county government before approving a waiver according to subparagraph K.

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

82 Completing AD-894

A How to Complete AD-894

Complete AD-894 according to the following.

Item	Instructions	
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 (10 percent of the total cropland in the county).	
7	Complete items 7 through 10 as follows.	
	Line	Instructions
	A	Enter total acres approved for CRP.
	B	Enter total easement acres, excluding 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 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 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 10 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> (10-22-15)		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
<b>CP5 and CP16 acres approved after March 31, 1991 are not to be included in CRP easement acres.</b>				
<b>NOTE:</b> When completed, the AD-894 will contain protected data. To address this, the program owner could add the following advisory statement to the form: "Completed form contains information that protected from unauthorized use/unauthorized disclosure by Federal statutes to include the Privacy Act (5 U.S.C. 552a - as amended) and the Freedom of Information Act (5 U.S.C. § 552 - as amended). USDA disclosure of the completed form is restricted to only the individual(s) to whom the information on the form pertains and to authorized personnel who have (1) the appropriate access clearances/permissions and (2) a demonstrated business need to know 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 (10% of Item 4): 14,311.9	
		7. Approved	8. Offered	9. Cropland
<b>CRP</b>	A. Total	34,220.1	1,880.5	36,100.6
	B. Easement	359.4		359.4
<b>ACEP/WRE</b>	C. Total			
	D. Cropland	550.4		550.4
<b>TOTAL</b>		11. (Item 7A plus Item 7D) 34,770.5	12. (Item 8A or Item 8D as applicable) 1,880.5	13. (Item 9A plus Item 9D) 36,651.0
15. % of Cropland Accepted (Item 11 divided by Item 4) 24.2948 %		16. % of Cropland Offered (Item 12 divided by Item 4) 1.3139 %		17. % of Cropland Waiver Requested (Item 13 divided by Item 4 minus 25%) 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 10%) %
21. COC Recommendation to STC for Acceptance. (Do not exceed amount necessary to cover current enrollment period.)			A. ACRES 1,880.5	B. PERCENT 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 %	0
	b. Feed/Seed/Fertilizer Dealers	1	2 %	0
	c. Oil/Gas Suppliers		%	
	d. Implement Dealers	2	2 %	0
	e. Other:	1	2 %	0
27. Random Sample of Nonagriculture-Related Businesses	a. Grocery		%	
	b. Auto Sales/Service		%	
	c. Other:	1	2 %	0
The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).				
If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a> , or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a> . USDA is an equal opportunity provider and employer.				

--\*

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 shall enter recommendations as follows.	
	<b>Item</b>	<b>Instructions</b>
	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 shall sign and date AD-893.	

83 Completing AD-893 (Continued)

B Example of AD-893

The following is an example of AD-893.

\*--

<p><b>This form is available electronically.</b></p> <p><b>AD-893</b> (10-22-15)</p> <p><b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency</p> <p align="center"><b>RECOMMENDATION OF PERCENT OF CROPLAND TO BE ENROLLED IN CRP/ACEP-WRE</b></p>		<p>1. DATE (MM-DD-YYYY) 08-15-2015</p> <p>2. COUNTY OFFICE ADDRESS Lebanon County FSA Office 1600 Cumberland Ave. Lebanon, PA 17042</p> <p>3. COUNTY OFFICE TELEPHONE NO. (Area Code) (717) 272-3900</p>																																				
<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, 7 CFR Part 1491, 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.), and the Agricultural Act of 2014 (Pub. L. 113-79). 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.</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 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.</i></p> <p>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 10% 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.</p>																																						
<p><b>PART A – TO BE COMPLETED BY FSA</b></p> <table border="1"> <thead> <tr> <th></th> <th>ACRES</th> </tr> </thead> <tbody> <tr> <td>4. Enter the total cropland in the county.</td> <td>143,119.1</td> </tr> <tr> <td>5. Enter twenty-five percent of the cropland (Item 4 times 25%).</td> <td>35,779.8</td> </tr> <tr> <td>6. Enter ten percent of the cropland (Item 4 times 10%).</td> <td>14,311.9</td> </tr> <tr> <td>7. Enter the current enrollment in CRP excluding CP5 and CP16 (current accepted acreage-not including this signup).</td> <td>34,220.1</td> </tr> <tr> <td>8. Enter the current enrollment in ACEP-WRE and CRP easements excluding CP5 and CP16 (current accepted acreage-not including this signup).</td> <td>909.8</td> </tr> </tbody> </table>				ACRES	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 ten percent of the cropland (Item 4 times 10%).	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																								
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<p><b>PART B - TO BE COMPLETED BY RESPONDENT</b></p> <p>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  <b>PERCENT</b></p> <table border="1"> <thead> <tr> <th></th> <th>PERCENT</th> </tr> </thead> <tbody> <tr> <td>10A. I recommend that the limit on cropland enrolled in the Conservation Reserve Program for our county be set at</td> <td>27 %</td> </tr> <tr> <td>10B. I recommend that the limit on cropland enrolled in the ACEP-WRE for our county be set at</td> <td>%</td> </tr> <tr> <td>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 percent? _____ %</td> <td></td> </tr> </tbody> </table>			PERCENT	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 percent? _____ %		<p><b>RETURN THIS FORM BY:</b> October 1, 2015</p>																												
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<p>11. I belong to the following groups (please mark all that apply):</p> <table border="0"> <tr> <td>County Commissioner</td> <td><input type="checkbox"/></td> <td>Local:</td> <td></td> <td></td> <td></td> </tr> <tr> <td>FSA County Committee Member</td> <td><input type="checkbox"/></td> <td>NRCS</td> <td><input type="checkbox"/></td> <td>Other Agriculture-Related Business</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>FSA Community Committee Member</td> <td><input type="checkbox"/></td> <td>Conservation District</td> <td><input type="checkbox"/></td> <td>Grocery</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Agricultural Banker/Lender</td> <td><input type="checkbox"/></td> <td>NIFA</td> <td><input type="checkbox"/></td> <td>Auto Sales</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Feed/Seed/Fertilizer Dealer</td> <td><input type="checkbox"/></td> <td>FS</td> <td><input type="checkbox"/></td> <td>Other Business Not Directly Related to Agriculture</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Agricultural Oil/Gas Supplier</td> <td><input type="checkbox"/></td> <td>Implement Dealer</td> <td><input type="checkbox"/></td> <td>Other:</td> <td><input type="checkbox"/></td> </tr> </table>			County Commissioner	<input type="checkbox"/>	Local:				FSA County Committee Member	<input type="checkbox"/>	NRCS	<input type="checkbox"/>	Other Agriculture-Related Business	<input checked="" type="checkbox"/>	FSA Community Committee Member	<input type="checkbox"/>	Conservation District	<input type="checkbox"/>	Grocery	<input type="checkbox"/>	Agricultural Banker/Lender	<input type="checkbox"/>	NIFA	<input type="checkbox"/>	Auto Sales	<input type="checkbox"/>	Feed/Seed/Fertilizer Dealer	<input type="checkbox"/>	FS	<input type="checkbox"/>	Other Business Not Directly Related to Agriculture	<input type="checkbox"/>	Agricultural Oil/Gas Supplier	<input type="checkbox"/>	Implement Dealer	<input type="checkbox"/>	Other:	<input type="checkbox"/>
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<p>12. COMMENTS ON RECOMMENDATIONS (if any):</p>																																						
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																																			
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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, the County Office shall 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 separate maximum payment rate will be calculated for each offer based on:

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

The maximum weighted average SRR for general signup offers is \$240 per acre. There is no limitation for the calculated maximum payment rate for continuous signup offers, including CREP and FWP.

**B SRR Tables**

The 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 6 to 10 groupings--\* rates are established based on similar productivity levels. Therefore, one SRR may be used for more than 1 soil. However, each soil grouping will have only one SRR.

SRR's are:

- based on the relative productivity of the soil type and the pre-established dryland cash rental rate estimate for the county
- maintained by State Offices using the CRP Soils Database Management System.

**102 Reviewing and Adjusting Soil Map Unit Symbols and SRR's****A Symbol and SRR Adjustments**

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.

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.

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 Jean Agapoff by e-mail at [jean.agapoff@ca.usda.gov](mailto:jean.agapoff@ca.usda.gov).

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

**B Soil Map Unit Symbol Update Responsibilities**

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.

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 Intranet Soils Data

\*--Management System at <https://intranet-apps.fsa.usda.gov/soilDbMgnt/SoilWelcome.do>.--\*

## 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 shall be set at levels that reflect the average cash rental rates per acre for **nonirrigated** cropland for the production of the predominant annually tilled crops for each soil map unit **\*--area within a soil survey area within a county during the past year adjusted for inflation.--\***

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 1 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 Pastureland (Riparian Buffers)**

Maximum payment rates for marginal pastureland offers are calculated using marginal pastureland rental rates. These rates shall be set for CP22, CP29, and CP30 at levels that reflect the average cash rental values of **nonirrigated** riparian area grazing land during the **\*--past year adjusted for inflation.--\***

The grazing productivity of riparian corridor acreage in arid regions is typically higher and more variable than that of adjacent whole field grazing acreage. For this reason, Western U.S. counties’ marginal pastureland rents are usually higher than average grazing rental rates, and separate rates based on permanent/seasonal riparian sites have been established. These rates were established through a previously released CRP notice.

The basis for these rates shall 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 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

There should be general consistency of rates across all county and State geopolitical boundaries.

**\*--C Rental Rate Establishment for CRP Grasslands**

A CRP grasslands rental rate has been established for each county to reflect the market rental value for land suitable for CRP grasslands.

Grassland rental rates are based on not more than 75 percent of the estimated grazing value of the land. Rental rates are provided at **<https://connections.usda.gov/communities/community/FSACEPD/CRPgrassland>**.

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

**104 Updating Soil Map Unit Symbols and Posting and Using Rental Rates**

**A Rental Rate Posting and Use**

Approved rental rates shall be:

- \*--used uniformly 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. County Offices shall **not** post and maintain rates for land in surrounding counties.

**105-125 (Reserved)**



126 Eligible Person (Continued)

**D Eligibility Criteria for Beginning or SDA Farmers or Ranchers**

A beginning or SDA farmer or rancher that has an approved 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 shall 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 shall 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 shall 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.

\* \* \*

**126 Eligible Person (Continued)**

**G Date Operatorship Commences**

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



**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 4-PL to determine which business types are required to file AGI certifications.

\*--

Original Contract Approved →	Before May 13, 2002				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
	No		Yes					
Rex Extended	No		Yes					
Contract Extended in 2009	No	Yes	No	Yes				
AGI Rule and AGI Limitation Amount	Not Subject to AGI Provisions	4-PL \$1 mil nonfarm	1-PL \$2.5 mil	4-PL \$1 mil nonfarm	1-PL \$2.5 mil	4-PL \$1 mil nonfarm	Not subject to AGI Provisions	5-PL \$900,000
Required Form		CCC-931	CCC-526 or CCC-526C	CCC-931	CCC-526 or CCC-526C	CCC-931 or CCC-931C		CCC-941

**Note:** For CRP continuous contracts approved between May 13, 2002, and September 30, 2002, that were effective for program year 2002, AGI provisions are **not** applicable. See subparagraph A for additional information. 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 the table in subparagraph F to determine which AGI certification form should--\* be filed.

<b>IF the contract is revised because...</b>	<b>AND the new producer has...</b>	<b>AND the producer is...</b>	<b>THEN an AGI certification is...</b>
a new producer was added to the contact	0 percent share		not required.
	has a share greater than 0 percent	<ul style="list-style-type: none"> <li>• an individual</li> <li>• entity without members</li> </ul>	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.

## Section 2 Land Eligibility Requirements

## 151 Eligible Land Criteria

## A Cropland Cropping History Eligibility Criteria

Eligible cropland, including cropland offered under CREP, includes cropland that is both of the following:

- planted or considered planted to an agricultural commodity during 4 of the 6 crop years \*--from 2008 through 2013

**Notes:** The applicable crop years 2008 through 2013 are fixed by statute.--\*

Acreage for which the producer received a crop insurance indemnity payment for prevented planting 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 2008 through 2013, 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 2008 through 2013 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, 2003. His CRP-1 expires September 30, 2013. John Smith earned and maintained cropping history credit for CRP purposes from 2003 through 2013.--\*

Acreage planted in an unworkmanlike manner, as determined by COC, shall 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 shall be based on whether the cropland could be planted to an agricultural commodity in a normal manner during a normal cropping season.

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:** Land 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.	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	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 <u>1/</u>	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

1/ The cover continues to be maintained as though enrolled in CRP from 2014 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 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>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>Land currently enrolled in the 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, 2015. The acreage may be offered for enrollment during FY 2015.--*</p>
CPA's	<p>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 unless the producer submitting the offer has a lease for the CRP-1 period

**Note:** Federal entities are ineligible to receive CRP payments and cannot become a successor-in-interest to CRP-1.

- land on which a Federal agency restricts the use in a mortgage or an easement
- land under other easements, or other legal restrictions, that require a resource-conserving cover be maintained throughout any part of the proposed contract period

## 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-ALE, 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 shall 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.

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

Persons determined eligible for CRP according to Part 6 may request to enroll certain acreage in the program at any time within the total county cropland limit requirements according to Part 4. This provision provides producers and landowners with management flexibility when planning conservation enhancements to their farming operations. The practices available during continuous signup generally provide high environmental benefits to large areas when compared to the acreage on which the practice is implemented.

Unlike a standard CRP signup where producers submit offers indicating the amount they are willing to accept to enroll acreage in the program, the continuous signup process does not have a competitive evaluation process.

The National Office shall provide State and County Offices:

- program information sheets for producers
- program provisions and procedures
- other information as requested.

The purpose of continuous signup is to enroll:

- small, environmentally sensitive acreages
- target acreage.

171 Overview (Continued)

**B Signup Numbers and Program Year**

Signup numbers change at the beginning of each FY under the continuous signup provisions. 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, 2014. COC or CED approves CRP-1 on September 22, 2014. CRP-1 is effective October 1, 2014. The program year on CRP-1 is 2015.--\*

**C CRP Continuous Signup Activities**

The following provides an overview of certain activities and paragraph references to assist County Offices with continuous signup offers.

Continuous Signup Activity	Reference
Producer initiates CRP-2C, indicates acreage and practice(s) offered, *--and identifies acreage on digital imagery.--*	Paragraph 211
COC or CED determines whether all of the following are met: <ul style="list-style-type: none"> <li>• producer eligibility requirements</li> <li>• basic land and practice eligibility criteria</li> <li>• program policy and practice requirements provided in Exhibit 11.</li> </ul> COC determines county cropland limit eligibility according to Part 4. If basic eligibility criteria are met, County Office provides CRP-2C and photocopy of acreage offered to NRCS or TSP.	Paragraphs 171 and 211 and Exhibit 11
NRCS or TSP, based on a site visit, determines: <ul style="list-style-type: none"> <li>• suitability of practice for acreage offered</li> <li>• need and feasibility of practice to solve resource concern and reports determination to COC.</li> </ul> NRCS or TSP returns CRP-2C to FSA with all applicable items completed.	Paragraphs 171, 211, and 212

171 Overview (Continued)

C CRP Continuous Signup Activities (Continued)

Continuous Signup Activity	Reference
County Office determines 3 predominant soil types for eligible acreage offered, including acreage enrolled under infeasible-to-farm criteria using TERRA.	TERRA User Guide
County Office calculates maximum payment rate on CRP-2C.	Paragraphs 171, 196, and 212
County Office completes paid-for measurement service, if applicable, for the acreage offered.	Paragraph 401
County Office completes CRP-1 and notifies producer of acceptability or rejection of offer.	Paragraphs 214, 215, and Exhibit 21
Conservation plan developed by NRCS or TSP.	Paragraph 366
Conservation plan approved by the conservation district, if applicable.	Paragraph 366
Final approval of conservation plan by COC or CED.	Paragraph 366
CRP-1 is approved by COC or CED and producer is notified of approval.	Paragraphs 214 and 401
* * *	* * *

172-180 (Reserved)

## Section 1 Continuous 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 signup.

•\*--COC or CED determines that the:--\*

- producer eligibility requirements in Part 6, Section 1, are met
- acreage offered is cropland

**Important:** See 3-CM for the definition of cropland.

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

\*--**Note:** COC determines county cropland limit eligibility criteria in Part 4 is met.--\*

## 181 Eligibility Requirements (Continued)

**F Expiring Continuous Signup Land Eligibility (Continued)**

The following are eligible land examples for expiring CRP when the offer is submitted for enrollment into CREP before expiration.

**Example 1:** An expiring continuous signup CRP-1 with practice CP21, Filter Strips, is offered as practice CP21 under a contract to be enrolled into CREP. The average width of the practice is 120 feet. NRCS or TSP determines the practice should be an average width of 160 feet to meet current CREP practice standards. The participant may enroll the practice and additional adjacent new land provided the average width enrolled is 160 feet according to an approved conservation plan of operations. Cost share and a practice incentive payment may be paid for the additional land required to meet the current 2-CRP practice standard for CRP-1's for the CREP.

**Note:** If NRCS or TSP determine that a width less than the 160 feet is needed, then **only** the lesser width would be eligible for enrollment/re-enrollment.

**Example 2:** Participant offers expiring CRP acreage as an eligible CREP practice. The practice is in compliance and is determined as meeting current practice standards. The participant 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 the conservation plan; however, since the existing practice and vegetative cover meet the CREP agreement 2-CRP standards, no additional cost share expense is necessary and COC or CED will **not** approve cost share payments or practice incentive payments.

**G Lands Ineligible for Re-Enrollment Under Continuous CRP**

Lands ineligible for re-enrollment are:

- land not currently enrolled and not necessary to meet current practice standards for the existing practice according to Exhibit 11
- expiring land permanently inundated with water according to subparagraph 151 D.

**Note:** Land permanently inundated with water is land that is reasonably expected to be under water through the CRP-1 period.

**Exception:** Practices that include water as part of the practice, as applicable, are eligible, such as CP3A, CP9, CP23, CP23A, CP27, CP30, CP31, CP37, \*--CP39, CP40, and CP41.--\*





**181 Eligibility Requirements (Continued)****G Lands Ineligible for Re-Enrollment Under Continuous CRP (Continued)**

Land under expiring CRP contract that is **ineligible** for CREP enrollment includes:

- land under expiring CRP-1's for which there are provisions in the CREP agreement that exclude expiring CRP-1 acreage for enrollment
- land under expiring CRP-1 which does **not** meet the basic land, producer, and practice eligibility requirements as provided for in the CREP agreement
- cropland acres that are subject to an easement, or designated to be subject to an easement that prohibits crop production at any time during the proposed new CRP-1 period
- marginal pastureland acres that are subject to an easement, or designated to be subject to an easement that requires a resource-conserving cover be maintained during any of the proposed new CREP CRP-1 period
- land permanently inundated with water according to this subparagraph.

**H Acreage Ineligible To Be Enrolled**

See subparagraphs 151 C and D for ineligible acreage.

**\*--I Eligibility Requirements for CRP Grasslands**

The following are not eligible to be enrolled in CRP grasslands:

- forestland
- woodland.

The following cropland or noncropland is eligible for CRP grasslands:

- any existing native or introduced grass cover that contain forbs or shrubland, including improved rangeland and pastureland, for which grazing is the predominant use
- be located in an area historically dominated by grasslands
- be able to provide 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.

**Note:** For submitting offers for CRP grasslands, go to Part 9.--\*

**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.

Producers may enroll up to 25 percent of the enrolled cropland acreage of a filter strip or riparian buffer 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.

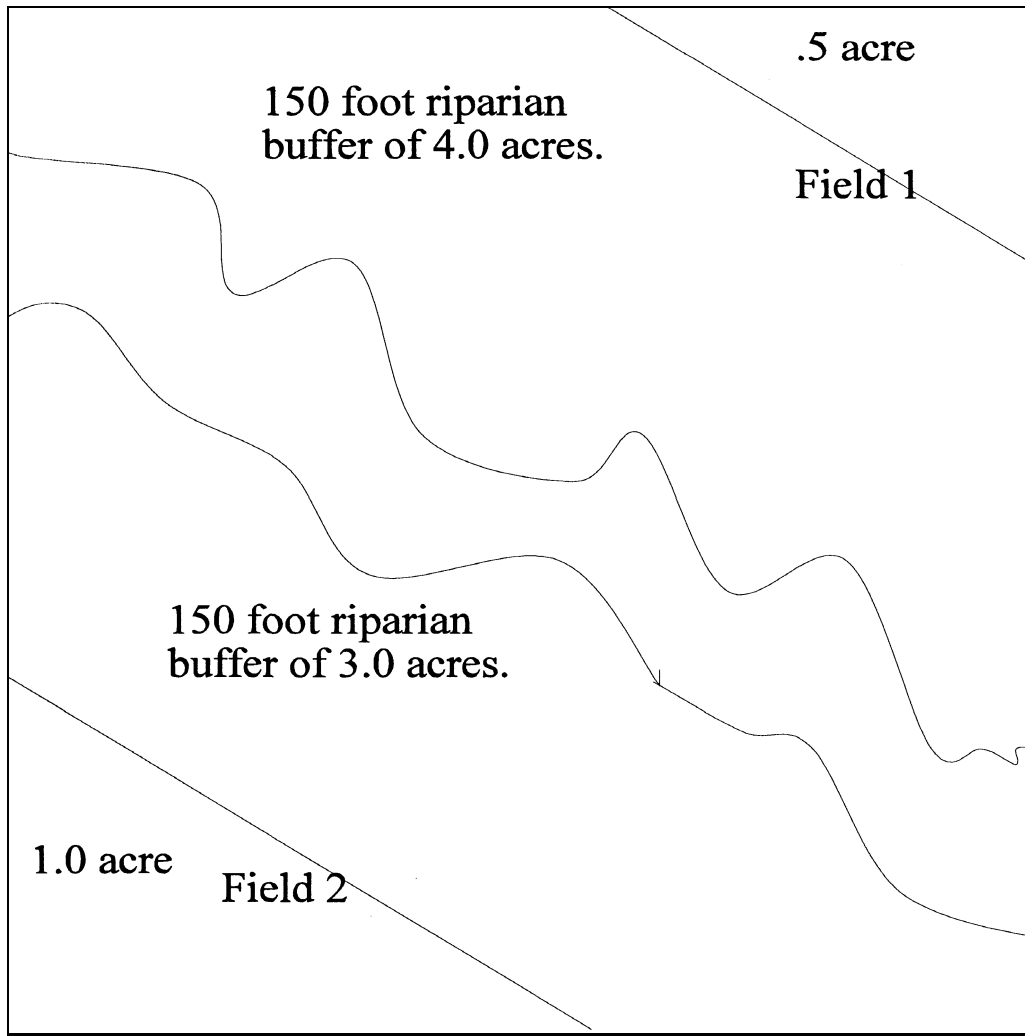
**Note:** COC is authorized to enroll only up to 25 percent of the filter strip or riparian buffer as infeasible to farm acreage. Producers may request a waiver to enroll infeasible to farm acreage in excess of 25 percent. Waivers should be submitted to DAFP.

**Example:** Producer enrolls a 4.0-acre riparian buffer in Field No. 1 and a 3.0-acre riparian buffer in Field No. 2. Field No. 2 has 1.0 acre remaining. The producer enrolled more than 50 percent of each field. The remaining portion of Field No. 1 not enrolled as a buffer is .5. The infeasible-to-farm amount is 25 percent of the enrolled riparian buffer (4.0 acres x .25 = 1.0 acre). Therefore, the producer could enroll the remaining portion if that portion of the field is 1.0 or less. The .5 remaining portion of Field No. 1 is eligible to be enrolled in CRP using infeasible-to-farm criteria.

182 Infeasible to Farm (Continued)

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

The remaining portion of Field 2 not enrolled as a buffer is 1.0 acre. The infeasible-to-farm amount is 25 percent of the enrolled riparian buffer (3.0 acres x .25 = .8 acre). The producer could enroll the remaining portion if that portion of the field is .8 or less. Therefore, the 1.0 acre portion remaining in field No. 2 is limited to .8 acre to be enrolled in CRP using infeasible-to-farm criteria.



182 Infeasible to Farm (Continued)

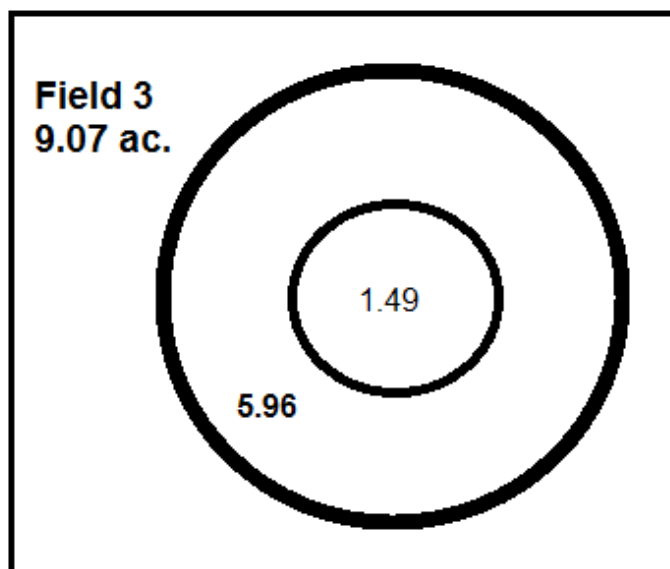
**B Infeasible-to-Farm Policy (Continued)**

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

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

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

Field No. 3 is 9.07 acres. The producer offers 7.45 acres of CP23A, Wetland Restoration. The offered acres are equal to 82.14 percent of the total field. Therefore, the producer may enroll the remaining 1.23 acres under the infeasible-to-farm criteria.



--\*

**182 Infeasible to Farm (Continued)**

**C Payment Rate**

Cropland enrolled as a filter strip or riparian buffer under infeasible-to-farm criteria shall be calculated according to paragraph 196.

**Note:** Continuous signup incentives do not apply.

**183-195 (Reserved)**



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

## 196 Annual Payments

## A Per Acre Maximum Payment Rate

Before CRP-1 is completed, the County Office shall calculate and 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.

The per acre maximum payment rate shall be determined for:

- cropland, using all of the following:
  - the most current SRR's for the 3 predominant soils on the eligible acreage offered

**Note:** For infeasible-to-farm acreage, the most current SRR for the 3 predominant soils on the infeasible-to-farm acreage.

- an incentive (10 percent or 20 percent depending on the practice) of the per acre weighted average SRR, if applicable, established according to subparagraph B

**Exception:** Continuous signup incentives do not apply to land enrolled using infeasible-to-farm criteria.

- a maintenance incentive rate established according to subparagraph C

## 196 Annual Payments (Continued)

## A Per Acre Maximum Payment Rate (Continued)

- marginal pastureland, using all of the following:
  - the applicable marginal pastureland rental rate for the county regardless of soil type
 

**Important:** For counties that have 2 marginal pastureland rental rates established, the marginal pastureland rate will be determined based on the type of stream (perennial or seasonal) or eligible permanent water body adjacent to the land offered. See subparagraph 181 E and Exhibit 2 for perennial and seasonal streams.
  - an incentive of 20 percent of the applicable marginal pastureland rental rate
 

**Exception:** Land previously enrolled in CRP under WBP eligibility criteria is **not** eligible for a 20 percent incentive.
  - a maintenance incentive rate established according to subparagraph C
- \*--CRP grasslands, using the applicable CRP grassland rental rate for the county regardless of soil type.--\*

See subparagraph D for calculating the per acre maximum payment rate.



196 Annual Payments (Continued)

**C Per Acre Maintenance Rates for Continuous Signup Practices (Continued)**

STC’s, upon State Technical Committee recommendation and with NRCS consultation, shall establish a per acre maintenance rate:

- not to exceed \$2 per acre for new CP5A, CP16A, and CP17A

**Note:** The revised maintenance incentive applies to all new offers except for CREP. CREP related maintenance incentives are governed by approved CREP agreements.

- according to the following for the following \* \* \* practices.

<b>IF the practice is...</b>	<b>AND it includes...</b>	<b>THEN the maintenance rate shall not exceed...</b>
CP21, 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	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.--*

**Note:** The maintenance incentive applies to all new offers except for CREP. CREP related maintenance incentives are governed by approved CREP agreements.

STC’s shall ensure that the basis for the maintenance rates is clearly documented in the STC minutes.

## 196 Annual Payments (Continued)

**C Per Acre Maintenance Rates for Continuous Signup Practices (Continued)**

COC shall ensure that conservation plans include:

- 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 life of CRP-1.

**D Calculating Per Acre Maximum Payment Rates**

The formula to calculate the per acre maximum payment rate for continuous signup offers for:

- cropland is:

(weighted average SRR per acre) + (additional incentive (10 or 20 percent as appropriate) of weighted average SRR per acre) + (applicable maintenance rate per acre)

**Note:** The applicable incentive percentage is based on the practice offered. See subparagraph B.

- marginal pastureland is:

(applicable marginal pastureland rental rate per acre) + (additional incentive (20 percent) of applicable marginal pastureland rental rate per acre) + (applicable maintenance rate per acre).

**Important:** County Offices shall complete separate CRP-2C's and CRP-1's for marginal pastureland. See paragraphs 211 and 212.

**Exception:** Continuous signup incentives do not apply to land enrolled using infeasible-to-farm criteria.

**Note:** Infeasible-to-farm does **not** apply to marginal pastureland.

**197 One-Time Payments (Continued)****A CRP-SIP (Continued)**

CRP-SIP shall be:

- a one-time payment only
- rounded to the nearest whole dollar, see paragraph 462
- subject to the prompt payment provisions, see paragraph 462
- divided among participants according to the shares on CRP-1
- 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
- based on a 10-year contract only.

**Note:** The revision to SIP applies to all new offers except for CREP. CREP-related \* \* \* incentives are governed by approved CREP agreements.

CRP-SIP is a separate payment from all of the following:

- annual rental payment
- C/S payment
- PIP
- CP23 one-time incentive payment for CRP-1's approved before November 3, 2008.

## 197 One-Time Payments (Continued)

**B PIP**

PIP is a one-time incentive payment made to participants that enroll land in CRP to be devoted to continuous signup practices **after all** of the following are met:

- CRP-1 is approved
- AD-1026 has been completed and signed
- participant signs AD-245, page 2, and reports completion of practice
- technical agency or producer certifies performance on AD-862
- all necessary documents to calculate total C/S amount are obtained
- certification of compliance with 1-PL or 4-PL, as applicable.

PIP is:

- authorized for re-enrolled continuous signup practices only if new C/S is approved
- **not** authorized for infeasible to farm acres.

**Important:** PIP's shall **not** be made until **all** eligibility determinations have been made according to 1-PL or 4-PL, as applicable.

PIP is a one-time incentive payment:

- \*--applicable to all continuous signup practices, except CP15B and CP42, including re-enrolled continuous signup practices where C/S is authorized--\*

**Notes:** See subparagraph 66 D for eligible practices for continuous signup.

CREP related incentives are governed by approved CREP agreements.

- equal to 40 percent of the total **eligible** cost of practice installation.

**Important:** Do **not** include ineligible costs when calculating PIP.

**Note:** Partial PIP payments are not authorized.

### Section 3 Processing Continuous Signup Offers

#### 211 Continuous Signup Process Information

##### A Receiving Continuous Signup Offers

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

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

\*--Offers **must** be submitted by tract. See 3-CM for a definition of a tract.--\*

Producers shall:

- indicate the acreage and practice to be enroll in CRP
- \*--identify the acreage offered on digital imagery
- indicate the per acre rental rate offered
- submit offers for CRP grasslands using CRP-2G according to Part 9.--\*

##### B Separate Offers

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

- each CRP-2C completed
- practices with different lifespans.

**Example:** Producer offers 5 acres to be devoted to a filter strip with a 10-year lifespan and 3 acres to be devoted to a riparian buffer with a 13-year lifespan 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 Signup Process Information (Continued)

## C Informing Producers

County Offices shall inform producers:

- CRP-1 (Exhibit 21) is a binding contract
- changes are not allowed on the preprinted portion of CRP-1, CRP-1 Appendix, CRP-2C, \*--or CRP-2G
- any changes to the data entered on CRP-1, CRP-1 Continuation, CRP-2C, CRP-2G, 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 total of the following **must not** exceed the DCP cropland acreage on a farm, **except** to the extent there is an established double-cropping history on the farm as follows:
  - all base acres on the farm, including generic base acres
  - any cropland acreage enrolled in:
    - CRP
    - EWP
    - WBP
    - WRP
  - any cropland acreage on the farm enrolled in any **Federal** conservation program for which payments are made in exchange for **not** producing an agricultural commodity

**Notes:** Enrollment in State conservation programs has no impact on ARC, PLC, or CTAP payments.

Base acres can only be reduced on CCC-505. If the farm is **not** over based, but the tract is out of balance, CCC-517 may be used to redistribute the base.--\*

See subparagraph 401 B.

- of provisions regarding CRP-1 effective date.

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

## 212 Completing CRP-2C for Continuous Signup

### \*--A About CRP-2C--\*

CRP-2C shall be completed for all acreage on which producers want to submit a request for enrollment. The document is used by FSA and NRCS or TSP to:

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

**Notes:** See paragraph 333 for completing CRP-2 for general CRP signups.

Offers containing both MPL and cropland with the same practice lifespans may be completed using one CRP-2C and CRP-1.

\*--Before completing CRP-2C, the County Office shall ensure that the base limitation is not exceeded. See subparagraph 401 B and 1-ARCPLC, paragraph 21.--\*

To be eligible to be enrolled in CRP, MPL **must** be devoted to a riparian buffer devoted (planted or natural regeneration) to trees, wildlife habitat buffer, or wetland buffer. See paragraph 181.

**Important:** Land that meets the definition of cropland shall **not** be enrolled in CRP as MPL. See 3-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 signup offers
- provided for display purposes only.--\*

\* \* \*

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

B Example of CRP-2C

The following is an example of CRP-2C.

\*--

Page 1 of 5						
This form is available electronically. (See Page 2 for Privacy Act and Paperwork Reduction Act Statements.)						
<b>CRP-2C</b> (10-22-15) U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency  <b>CONSERVATION RESERVE PROGRAM</b> <b>WORKSHEET</b> (For Continuous Signup)			1. Tract Number 106	2. Program Year 2016		
			3A. Sign Up Number 46	3B. Effective Date (MM-DD-YYYY) 10/01/2015		
4A. Farm Number 55	4B. Name and Address of Producer (Zip Code) Earl and Evelyn Laudenschlager 26 S. 6 <sup>th</sup> Street Quakertown, PA 18951		4D. County FSA Office Address (Zip Code) Lebanon County FSA office 1600 Cumberland St. Lebanon, PA 17042			
		4C. Telephone Number (Include Area Code) (717) 234-1772	4E. County FSA Office Phone No. (Include Area Code) (717) 234-1842			
5A. State & County Code Admin. Location 42-075	5B. State & County Code Physical Location 42-075		6. Contract Number	7. Acres for Enrollment 100.2		
8. Is Cost-Share Requested? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	9. Rental Rate Per Acre Offered \$		10. Signup Type (Check one): Continuous <input checked="" type="checkbox"/> CREP <input type="checkbox"/> FWP <input type="checkbox"/>			
11. Practices (See Page 3 for additional space)					12. HUC Number:	
A. Field No.	B. Practices	C. Acres	D. Estimated Total C/S	E. Length	13. Land Eligibility Category by Acres: (Enter the amount eligible for each criteria.)	
1A	CP2	50.2	\$1,100	10	Marginal Pastureland	
1B	CP1	50.0	\$1,000	10	CREP Acres	
					Wellhead Protection Acres	
					Expiring CRP	
					Infeasible to Farm	
					Other Cropland	
					HEL EI ≥ 20	
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	17157	1L157	122B	100.2	x \$ 42.00	= \$ 4,208
(2) Secondary					x \$	= \$
(3) Tertiary					x \$	= \$
<b>TOTALS</b>				100.2		\$ 4,208
15. Weighted Average Soil Rental Rate (Col. 14F total divided by Col. 14D total) \$ 42.00				16. Total Incentive (if applicable) (Item 15 times 14D times applicable incentive percentage) \$		
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>						\$
18. Weighted Average Soil Rental Rate Plus Total Incentive (14F + 16 + 17F) divided by (14D + 17D) \$ 42.00			<b>CONTRACT TOTALS</b>			
			19. Weighted Average Maintenance Rate for Contract \$ 2.00	20. Maximum Payment Rate (Item 18 + Item 19) \$ 44.00		

--\*



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

B Example of CRP-2C (Continued)

\*--

CRP-2C (10-22-15)												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>2008</u>	D. <u>2009</u>	E. <u>2010</u>	F. <u>2011</u>	G. <u>2012</u>	H. <u>2013</u>	I. _____	
100	1A	Corn	50.2	50.2	Corn	Corn	Soybean	Corn	Corn	Soybean		
100	1B	Corn	50.0	50.0	Corn	Soybeans	Corn	Corn	Soybean	Corn		
<b>25. TOTAL ▶</b>												
<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)			
1st <i>Earl F. Laudenschlager</i>									8/17/2015			
1st <i>Evelyn L. Laudenschlager</i>									7/17/2015			

--\*



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

B Example of CRP-2C (Continued)

\*--

CRP-2C (10-22-15)			Page 4 of 5									
<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. Eligible Acres	C.	D.	E.	F.	G.	H.	I.	
			<b>25. TOTAL ▶</b>									

--\*

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

B Example of CRP-2C (Continued)

\*--

<b>CRP-2C</b> (10-22-15)	Page 5 of 5
<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.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). 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.</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 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.</i></p>	
<p><i>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).</i></p> <p><i>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</i></p>	

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## 213 CRP-1 Period for Continuous Signup

### A Overview

The duration of CRP-1 may vary for each CRP-1. The CRP-1 period shall be not less than 10 nor more than 15 FY's. See subparagraph 66 C for continuous signup practices and associated CRP-1 length.

**Important:** CRP payments shall 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 date of CRP-1's under continuous signup provisions shall be the first day of the month following the month COC or CED approves CRP-1.

**Exception:** The producer may defer the effective date of CRP-1 up to 6 months. However, the effective date shall 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 shall be rejected.**

Because the producer may defer CRP-1 effective date up to 6 months, all crops **must** be removed from the accepted acreage before the effective date of CRP-1.

**Notes:** Unless CRP-1 is effective on October 1, of any year, the first year's annual payment shall be prorated and paid through special processing. See paragraph 198.

Grazing is prohibited beginning the later of the following:

- the effective date of CRP-1
- 10 calendar days after COC or CED approves CRP-1.



**213 CRP-1 Period for Continuous 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 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 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 date other than October 1 of the year the **\*--existing CRP-1 expires. The CRP-1 effective dates for re-enrolled land is not authorized.--\***

**D Expiration Date of CRP-1**

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

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

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

\*--CRP-1 was approved by COC or CED on July 22, 2014. The effective date shall be August 1, 2014, and the expiration date shall be September 30, 2024. The producer may elect to defer the effective date up to 6 months.

Using this same example, a 6-month deferment would result in an effective date of February 1, 2015, and the expiration date for CRP-1 shall be September 30, 2025.

Assuming an effective date of August 1, 2014, the producer would receive CRP payments for 10 years and 2 months if all eligibility requirements were met. Assuming an effective date of February 1, 2015, the producer would receive CRP payments for 10 years and 8 months.--\*

**Note:** Each payment, including the first year prorated payment, will be paid after October 1 of each applicable year. See paragraph 198.



**213 CRP-1 Period for Continuous Signup (Continued)****F Example 2 of 10-Year CRP-1**

\*--On July 2, 2014, producer offers land currently enrolled in CRP for enrollment through continuous signup. The existing CRP-1 expires September 30, 2014, and all other eligibility requirements are met. CRP-1 for acreage offered was approved by COC or CED on July 12, 2014. The effective date shall be October 1, 2014. The effective date shall **not** be deferred.

The expiration date shall be September 30, 2024.

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

Producer offers land not currently enrolled in CRP for enrollment through continuous signup. CRP-1 was approved by COC or CED on February 22, 2015. The effective date shall be March 1, 2015, unless the producer chooses to defer the effective date. The producer may elect to defer the effective date up to 6 months.

A 6-month deferment would result in an effective date of September 1, 2015.

The producer shall not receive CRP payments for more than 15 years; therefore, the expiration date for CRP-1 shall be September 30, 2029. Assuming an effective date of March 1, 2015, the producer would receive CRP payments for 14 years and 7 months. Assuming an effective date of September 1, 2015, the producer would receive CRP--\* payments for 14 years and 1 month.

**Note:** See paragraph 198 for first year prorated annual rental payments.

**214 Completing CRP-1 for Continuous Signup****A Completing CRP-1**

All item numbers, except item number 3, **must** be completed before producer signs 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.**

**Notes:** Complete CRP-1 for continuous signup according to Exhibit 21.

See paragraph 215 for notifying producers.

Unlike a general CRP signup where CRP-1 effective date is known at the time the producer completes CRP-1 and CRP-2, the continuous signup CRP-1 effective date cannot be accurately determined at the time the producer completes CRP-2C.

**Exception:** The continuous signup CRP-1 effective date is known at the time the producer completes CRP-2C when the land offered is currently enrolled in CRP. See paragraph 215.

Because continuous signup CRP-1 effective date may not be known at the time the producer completes CRP-1 and CRP-2C and there is no penalty for withdrawing or modifying a continuous signup offer.

## 214 Completing CRP-1 for Continuous Signup (Continued)

## A Completing CRP-1 (Continued)

The following provides an example of land offered for enrollment under continuous signup with the producer not signing CRP-1 until all documents and information required are obtained. **The following is an example for demonstration purposes only.**

\*--Note: For CRP-1 for CRP grasslands, see Part 9.

Date	Action
February 23, 2015	Producer initiates CRP-2C to enroll land in CRP under continuous signup on February 23, 2015. The land is not currently enrolled in CRP and the producer wants CRP-1 to be effective as soon as possible.
March 2, 2015	COC or CED determines all applicable eligibility requirements according to paragraph 181 have been met and submits CRP-2C to NRCS or TSP with copy of digital imagery.
March 13, 2015	NRCS or TSP completes a site visit, determines the land is suitable for the practice offered, and the practice is needed and feasible to solve the resource concern.
March 16, 2015	NRCS or TSP completes the applicable items on CRP-2C and returns it to COC.
March 17, 2015	County Office calculates maximum payment rate and notifies producer using CRP-23 that CRP-1 and CRP-2C is completed and ready for--* producer signature.

214 Completing CRP-1 for Continuous Signup (Continued)

A Completing CRP-1 (Continued)

Date	Action
*--April 3, 2015	<p>County Office provides producer CRP-1 Appendix and informs producer:</p> <ul style="list-style-type: none"> <li>• the offer is acceptable</li> <li>• starting the practice before CRP-1 approval is at the producers own risk</li> <li>• of all the requirements needed for CRP-1 approval, such as:                             <ul style="list-style-type: none"> <li>• working with NRCS or TSP to obtain a conservation plan</li> <li>• completing a measurement service, see paragraph 401</li> <li>• signed landlord/tenant certification statement.</li> </ul> </li> </ul> <p><b>Note:</b> See subparagraph 555 E for applicable CRP-1 Appendix.</p>
May 18, 2015	<p>County Office:</p> <ul style="list-style-type: none"> <li>• receives all required information and forms to approve CRP-1</li> <li>• completes second party review of all eligibility requirements and maximum payment rate calculations.</li> </ul>
May 26, 2015	COC or CED approves CRP-1 with an effective date of June 1, 2015.
May 27, 2015	County Office notifies producer using CRP-24 of contract approval--* and effective date.

## 215 Notifying Producers With Continuous Signup Offers

### A Unacceptable Offers

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

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

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

\*--Note: For CRP grasslands, see Part 9.--\*

### B Acceptable Offers

If CRP-2C is returned from NRCS or TSP and all eligibility requirements are met, COC or CED shall 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 shall be rejected.

If producer completes CRP-1 and CRP-2C with an acceptable per acre rental rate offered amount and signs CRP-1 and CRP-2, County Office shall 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 producers 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 measurement service
  - signed landlord/tenant certification statement.

**Notes:** See subparagraph 555 E for applicable CRP-1 Appendix.

\*--For CRP grasslands, see Part 9.--\*

**215 Notifying Producers With Continuous Signup Offers (Continued)**

**B Acceptable Offers (Continued)**

**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.**

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

**Note:** See paragraph 213.

When CRP-1 is approved, COC shall use CRP-24 to notify producer of approval and CRP-1 effective date. See Exhibit 5.

**Note:** See paragraph 401 for CRP-1 approval requirements.

**216-236 (Reserved)**

**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 signup basis until the earlier of the following:

- FWP national acreage limitation of 750,000 is reached--\***
- State acreage allocation is reached
- CRP statutory authority is reached.

**B State Acreage Allocations**

**\*--State acreage allocations are located at  
<https://sharepoint.fsa.usda.net/states/cepd/autogis/default.aspx>--\***

**\* \* \***

## 238 FWP Acreage Limitations (Continued)

**C 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 shall:

- announce the FWP signup
- notify all producers that only offers for continuous signup marginal pastureland practices, CP22, 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 signup practices.

**Note:** COC shall immediately reject all offers for acreage physically located in the county, except continuous signup marginal pastureland practices CP22, 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 shall 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 both of the following:

- planted \* \* \* or considered planted to an agricultural commodity during any 3 of the previous 10 crop years

**Notes:** Acreage for which a producer received a crop insurance indemnity payment for prevented planting shall 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.

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

- \*--during 2008 through 2013, any planted alfalfa, planted other multi-year--\* grasses and legumes, and any summerfallow
- any rotation of planted alfalfa, planted other multi-year grasses and legumes, and any summerfallow in rotation

**Note:** Rotation **must not** exceed 12 consecutive years.

- any land previously enrolled in CRP where grass cover continues to be maintained as though enrolled in CRP.
- physically and legally capable of being planted in a normal manner to an agricultural commodity in a normal manner during a normal cropping season.

**Note:** COC's or CED'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.

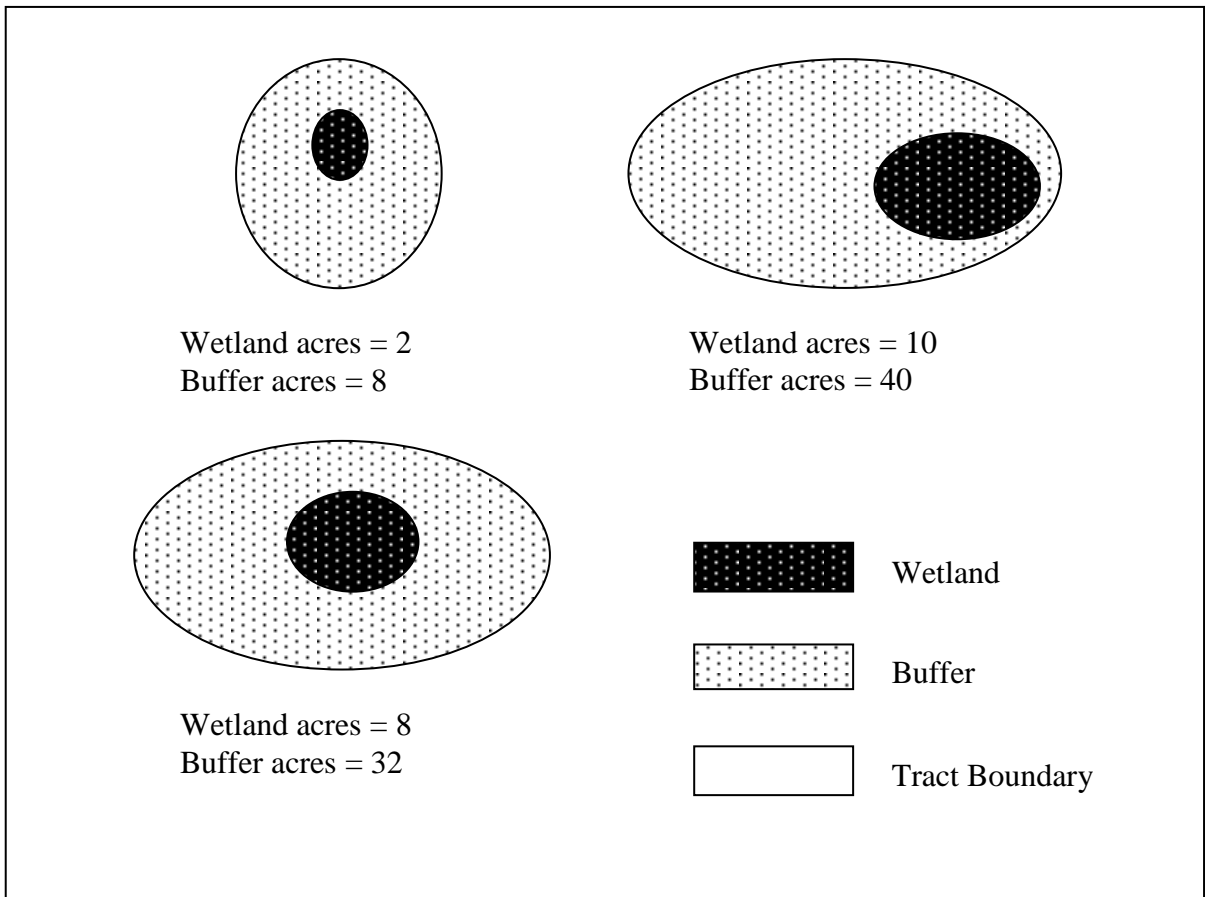
**Acreage permanently under water is ineligible to be offered for enrollment in FWP \*--unless land is eligible for enrollment under CP27, CP40, or CP41.--\***

241 Acreage Limitations and Practice Eligibility for CP27 and CP28 (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 subparagraph 242 A, 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.

**248 Processing Offers**

**A CRP-1's and CRP-2C's**

County Offices shall 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 Signup Number**

For acreage enrolled in CRP under FWP, County Offices shall use the current continuous signup number.

**Note:** Continuous 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:

- calculated SRR
- 20 percent of the calculated SRR
- applicable maintenance incentive rate, according to subparagraph 196 C.

**Note:** The revised maintenance incentive applies to all new offers except for CREP. CREP related maintenance incentives are governed by approved CREP agreements.

**B Cost-Share 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.--\*

- 20 percent of the weighted average SRR.

**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 the nesting seasons of bird species that are in significant decline or are protected under Federal or State law.

CRP grasslands were authorized to enroll grasslands into CRP using a continuous signup with batching periods for offer evaluation.

During signup, offers will be evaluated on the basis of:

- current and future use
- other factors
- maximizing grassland preservation
- vegetative cover
- environmental factors.

Offers will be ranked at the National Office using a national ranking process. Offers selected will be those that provide the greatest benefits as related to these 5 factors.

The National Office shall provide State and County Offices with the following:

- program information sheets for producers
- program provisions and procedures
- other information as requested.

**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 range and pasturelands. 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 also receive an ARC or PLC payment.--\*

**\*--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**

Practices CP42, CP87, and CP88 are authorized for continuous CRP grassland enrollment. Practices must be determined suitable for the site conditions by the technical agency to be authorized or enrolled.

**Notes:** See Exhibit 11 for practice writeups for CP42, CP87, and CP88.

CP42 is authorized only along with CP87 or CP88.

**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 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
- is expiring GRP.

The following is **not** eligible to be enrolled in CRP grasslands:

- forestland
- woodland.

**264 Contract Duration and Program Year****A Contract Duration and Effective Date**

The CRP-1 period for CRP grasslands must be 14 to 15 years in duration.

The effective date of CRP-1 will follow the same rules as other continuous CRP signups.

**B Program Year**

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

**C Continuous Signup Number**

CRP grasslands shall use signup number 200.--\*

## \*--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.

<b>Step</b>	<b>Action</b>
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 practices 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 when available.
5	Provide measurement services to determine acres to be offered. Paid-for measurement service shall be completed for acreage offered <b>before</b> CRP-1 is approved. See paragraph 401.  <b>Note:</b> See 2-CP, paragraph 460 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 shall be entered into the CRP grasslands software. CRP grasslands have an acreage limitation, and CRP grasslands software ensures acreage limitation control, accountability, and program performance data. Data must be loaded in a timely manner.

**Note:** There is no manual forms process for FSA's portions of the CRP grasslands forms.

**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 offers to:

- make eligibility determinations
- obtain ranking data and statistics on acreage offered for CRP grasslands according to Exhibit 24.

Items 1 through 11 G must be completed before the producer's signature, title, and date in items 15A, 15B, and 15C.

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
- available on the FFAS Employee Forms/Publications Online Website at <http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>.--\*

**\*--267 Completing CRP-2G (Continued)**

**B Example of CRP-2G**

The following is an example of CRP-2G.

This form is available electronically.		(See Page 2 for Privacy Act and Paperwork Reduction Act Statements.)		
<b>CRP-2G</b> (10-22-15)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		1. Farm Number
				2. Tract Number
				3. Program Year
<b>CONSERVATION RESERVE PROGRAM WORKSHEET</b> <b>(For Continuous CRP Grassland Signup)</b>		4A. Sign Up Number		4B. Effective Date (MM-DD-YYYY)
5A. Name and Address of Producer (Zip Code):		5B. Telephone Number (Include Area Code):		
6A. State & County Code Admin. Location		6B. State & County Code Physical Location		7. Contract Number
8A. Acres for Enrollment		8B. Cropland Acres		9. Rental Rate Per Acre Offered \$
10. Cover/Practices:				
A. Field Number	B. Practices	C. Acres	D. Estimated Total C/S	E. Length
11. 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 or GRP contract? <input type="checkbox"/> YES <input type="checkbox"/> NO If "YES", please enter the earliest CRP or GRP expiration date: _____				
C. Is the land offered currently part of a livestock grazing operation? <input type="checkbox"/> YES <input type="checkbox"/> NO				
D. Producer Classification: <input type="checkbox"/> Beginning Farmer/Rancher <input type="checkbox"/> Veteran <input type="checkbox"/> Underserved <input type="checkbox"/> N/A				
E. Is the land offered under threat of conversion? <input type="checkbox"/> YES <input type="checkbox"/> NO				
F. Is the land offered in a State Wildlife zone? <input type="checkbox"/> YES <input type="checkbox"/> NO Is the land offered in a state CRP grassland zone? <input type="checkbox"/> YES <input type="checkbox"/> NO Does the producer agree to implement a Wildlife focused conservation plan of operation? <input type="checkbox"/> YES <input type="checkbox"/> NO				
G. Does the producer agree to plant at least 10 percent of the acreage to Pollinator Habitat? <input type="checkbox"/> YES <input type="checkbox"/> NO				
				12. TOTAL:
13. Remarks				

--\*

\*--267 Completing CRP-2G (Continued)

B Example of CRP-2G (Continued)

<p><b>CRP-2G</b> (10-22-15) <span style="float: right;">Page 2 of 3</span></p> <p><b>14. CERTIFICATION:</b></p> <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, if applicable, are true and correct; (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; and (6) If I checked a box in Item 11D other than "N/A," I affirm that I am either: a beginning farmer, rancher, or veteran; or, a socially disadvantaged farmer, rancher, or veteran, as defined in the regulations at 7 CFR Part 1410.2 I understand that an inaccurate certification could result in a payment reduction or loss of program benefits.</i></p>		
<p>14A. Signature (By)</p>	<p>14B. Title/Relationship of the Individual if Signing in a Representative Capacity</p>	<p>14C. DATE (MM-DD-YYYY)</p>
<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 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 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><i>This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F, Administration).</i></p> <p><b>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.</b></p> <p><i>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).</i></p> <p><i>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</i></p>		

--\*

\*--267 Completing CRP-2G (Continued)

**B Example of CRP-2G (Continued)**

CRP-2G (10-22-15)		Page 3 of 3		
CONTINUATION OF ITEM 10 - Existing Cover/Practices				
A. Field Number	B. Practices	C. Acres	D. Estimated Total C/S	E. Length

--\*

**\*--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 be kept for consideration under the next ranking period.

**B Provisional Offers**

Provisional offers may be submitted on acreages where the current cover is currently **not** grass, **but** the producer agrees to establish an approved grass cover at their own expense.

Provisional offers **must**:

- **not** include any expiring CRP or GRP
- **not** include any C/S for grass cover establishment
- meet all other eligibility requirements at the time of the offer.

If a provisional offer meets all other CRP grassland eligibility requirements, it will be ranked using the intended eligible grass cover for ranking purposes. If the offer is selected for approval, the grass cover **must** be established within 1 year of offer approval, and **before** conservation plan development and CRP-1 approval.

**C Submitting Offers for National Office Ranking**

County Offices **must** ensure that all offers are submitted no later than COB at the end of the announced ranking period.--\*

**\*--269 Notifying Producers****A Eligibility Review**

COC or CED shall:

- 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, advise the producer that offer:

- was not acceptable
- will be retained until the next ranking period, unless the producer withdraws the offer.

**C Procedure for Notifying Producers**

COC or CED shall notify producers, using CRP-23, CRP-24, and CRP-27 (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 shall notate the producer's notification and include the notation in the producer's CRP folder.

- that if they have a provisional offer, they must notify the County Office when the grass cover is established so a conservation plan can be completed before CRP-1 approval--\*



**\*--269 Notifying Producers (Continued)****D Offer Acceptable and Clearly Eligible (Continued)**

- that a conservation plan must be developed by NRCS or TSP and approved by the Conservation District before CRP-1 can be approved by COC

**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 CPO development and contract
- **not** acceptable based on the national batching period acceptable score, do either of the following:
  - allow the offer to be ranked in the next batching period
  - allow the producer to voluntarily withdraw the offer without liquidated damages.

**270 Payments and Payment Limitation****A CRP Grassland Payments**

CRP grassland practices are not eligible for SIP and PIP incentive payments. 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.

**Note:** C/S is ineligible for grass establishment on provisional offers.--\*

**\*--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 the nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law, as determined by the Secretary in consultation with the State Technical Committee
- fire presuppression, fire-related rehabilitation, and construction of fire breaks
- grazing-related activities, such as fencing and livestock watering facilities.--\*

**272-285 (Reserved)**

**Part 10 General Signup and Offer Process**

**286 Overview**

**A General Information About Signup and Offer Process**

Signup periods will be announced by DAFP. The National Office shall 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 Activities Flow Chart**

The following is a flow chart that describes activities related to CRP signup.

Step	Activities Occurring During and After Signup and Before Offers Are Ranked
<b>County Offices Action</b>	
1	Provide EBI, General Signup Fact Sheets, and CRP-1 Appendix.
2	Identify acreage to be offered on map.
3	Determine producer eligibility.
4	Determine land eligibility.
5	Determine 3 predominant soil types on the acreage offered using TERRA.
6	Enter offer data in COLS.
7	Producer signs and dates COLS-generated CRP-1 and CRP-2.
8	County Office submits offer through COLS.
<b>State Office Action</b>	
9	Review offer detail and summary reports on CEPD’s State Office Information *--Center Intranet at <a href="http://fsaintranet.sc.egov.usda.gov//ffas/dafp/cepdsto.htm">http://fsaintranet.sc.egov.usda.gov//ffas/dafp/cepdsto.htm</a> --*
10	Review the “State Office CRP Oversight Map” information available on CEPD’s State Office Information Center Intranet.
11	Contact County Offices, if necessary, to facilitate changes in offer records when errors are detected.

286 Overview (Continued)

**B CRP Activities Flow Chart (Continued)**

<b>Step</b>	<b>Activities Occurring During and After Signup and Before Offers Are Ranked</b>
<b>Activities Occurring After Records Are Reviewed</b>	
12	Return questionable records to County Office for review and possible correction.
13	Access and review validation reports, if applicable, from CEPD’s State Office Information Center Intranet and correct offers, if necessary.
14	Counties will identify erroneous or omitted offers and correct in COLS, if necessary.
<b>Action After Selection Process</b>	
15	Final results of acceptable and rejected offers will be published and distributed in a CRP notice and CEPD’s web site.
16	County Offices shall conduct final eligibility review.
17	Producers will be notified of acceptable or rejected offers by County Office.
18	County Office shall complete a * * * measurement service for acceptable offers. *--See paragraph 401 for exceptions and using TERRA.--*
19	Conservation plan of operations will be developed by NRCS or TSP, if applicable.
20	Conservation plan of operations will be approved by the Conservation District.
21	Final approval of conservation plan of operation by COC or CED.
22	CRP-1 is approved by COC or CED.

287-292 (Reserved)

332 Submitting Offers (Continued)

**B 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 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 signup marginal pastureland criteria (CP22, 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.

**C Cropland Eligibility Determinations**

County Offices shall assist producers with cropland eligibility determinations on CRP-2. To determine cropland eligibility for CRP-1, use CRP-2.

**Note:** County Offices shall 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 each \*--year’s digital imagery--\*
  - 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)

**C Cropland Eligibility Determinations (Continued)**

- COC or CED shall 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 when there is no FSA-578 on file for the applicable year being used to determine cropping history for eligibility. The late-filed fee shall be calculated according to 2-CP.

**D Maximum Payment Rate Determination**

County Offices shall assist producers by calculating the maximum payment rates, including multiple scenarios if requested, according to subparagraph 101 A.

**E Separate Offers**

Each producer, depending upon the eligibility determination and the practices selected, shall submit only 1 offer per tract per program year per general signup.

**Notes:** The definition of a tract in 2-CM shall be used for offers being submitted by tract for CRP purposes.

Multi-tracts shall not be used for submitting CRP offers. Offers must be submitted on a tract basis.

If a producer submits multiple offers, some of which are not determined acceptable, the producer may withdraw any or all acceptable offers. Liquidated damages will apply according to paragraph 577.

**Note:** Acceptable offers on different tract numbers shall **not** be combined under 1 tract number.

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

- each CRP-2 completed
- practices with different lifespans.

**Example:** Producer offers 5 acres of CP1 with a 10-year lifespan and 20 acres of CP3A with a 15-year lifespan on the same tract. Only one CRP-2 is completed for the offer. Separate CRP-1's **must** be completed for each practice.

**332 Submitting Offers (Continued)**

**F 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.

**G 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 shall 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 signup.

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

- each CRP-2
- practices with different lifespans. 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									
This form is available electronically.					(See Page 3 for Privacy Act and Public Burden Statements)				
<b>CRP-2</b> (10-22-15)					U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency				
<b>CONSERVATION RESERVE PROGRAM</b> <b>WORKSHEET</b> (For General Signup)					1. Tract Number 52		2. Program Year 2016		
					3A. Sign Up Number 45		3B. Effective Date (MM-DD-YYYY) 10-01-2015		
4A. Farm Number  124			4B. Name and Address of Producer (Zip Code): Marlin Hitz 4218 Horseshoe Pike Lebanon, PA 17042			4D. County FSA Office Address (Zip Code): Lebanon County FSA Office 1600 Cumberland Ave. Lebanon, PA 17042			
					4C. Telephone Number (Include Area Code) (717) 867-1234		4E. County FSA Office Phone No. (Include Area Code) (717) 234-1801		
5A. State & County Code Admin. Location 42-075		5B. State & County Code Physical Location 42-075		6. Contract Number 114		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. Practices	C. Practice Status	D. Acres	E. Estimated Total C/S (\$)	F. Length	G. N1A Point Value	El 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	
46		62		100		32		25	
						N1a		N1b	
						16		0	
14. N2 Subfactors:				15. N5 Subfactors:					
N2a		N2b		N2c		N5a		N5b	
30		10		22		14		0	
16. N6 Subfactors:						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)				
\$ 40.94					\$ 40.94				
<input type="checkbox"/> ORIGINAL - COUNTY FSA OFFICE COPY <input type="checkbox"/> FSA PENDING COPY									

--\*

333 Completing CRP-2 (Continued)

B Example of CRP-2 (Continued)

\*--

CRP-2 (10-22-15)			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. 2008	D. 2009	E. 2010	F. 2011	G. 2012	H. 2013
52	1A	Corn	50.0	50.0	Soybn	Soybn	Corn	Corn	Corn	Corn
52	1B	CRP	2.3	2.3	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 thinning existing trees and creating and maintaining open areas of approved herbaceous cover may enhance the acceptability of the offer; (3) I have been informed that if my offer to thin existing trees is accepted, the thinning must be completed within three years of the effective date of the contract regardless of market conditions or size of the tree; (4) I have been informed of the estimated cost of establishing the cover offered; (5) I have been informed that offering a per acre rental payment less than the calculated annual maximum payment rate may enhance the acceptability of the offer; (6) 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; (7) I have been informed that if my offer is accepted, then contract management activities, as applicable, are required to be performed on all practices; (8) 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; (9) To the best of my knowledge and belief the acreage of crops and land listed herein, if applicable, are true and correct; and (10) 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)		

--\*

333 Completing CRP-2 (Continued)

B Example of CRP-2 (Continued)

\*--

CRP-2 (10-22-15)							Page	of
10. PRACTICES (Continued from Page 1):								
A. Field No.	B. Practices	C. Practice Status	D. Acres	E. Estimated Total C/S (\$)	F. Length	G. N1A Point Value		

--\*

333 Completing CRP-2 (Continued)

B Example of CRP-2 (Continued)

\*--

CRP-2 (10-22-15)			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. 2008	D. 2009	E. 2010	F. 2011	G. 2012	H. 2013
25. TOTALS ►										

--\*

333 Completing CRP-2 (Continued)

B Example of CRP-2 (Continued)

\*--

<b>CRP-2</b> (10-22-15)	Page of
<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 7 CFR Part 1410, 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.), and the Agricultural Act of 2014 (Pub. L. 113-79). 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>This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F, Administration). 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>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).</p> <p>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</p>	

--\*



**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 27, acknowledging acceptance of offer as originally submitted

**Note:** No modifications to the original offer are authorized. Successor can not modify or revise the original offer.

- successor meets all other eligibility requirements before CRP-1 is approved.

Successor shall be liable for any liquidated damages.

**D Notify Eligible Successors**

COC shall 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 signup offer not successfully loaded and/or submitted by COB on the last day of the announced general signup period or COB 1 week after the last day of the announced general 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 shall 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 shall 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 shall 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 shall follow paragraph 638.

**\*--Note:** All general signup erroneous and omitted offers must be processed by **COB 2 weeks after the end of signup**, with the exception of offers determined eligible through--\* the appeals process.

### 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, then the producer must agree to accept the lower of either 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, then 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, then the producer may withdraw the offer without liquidated damages.

## 340 Processing Offers

### A Reviewing Offers

\*--COC or CED shall ensure that:--\*

- producers have submitted offers for CRP-1 by tract and year
- CRP-2 was signed by 1 eligible producer
- CRP-1 was signed
- CRP-1 signers have an interest in designated acres
- CRP-1's contain at least 1 eligible signature

**Note:** Notify producers that they have 30 calendar days from the date of notification informing them that 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 shall ensure all offers are submitted COB on the end of signup for review and evaluation by the National Office.

See COLS User Guide 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.

**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 quality 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.

A conservation plan may contain only information related specifically to CRP, or it may be a part of an overall total resource management system in which numerous conservation programs may be used to meet the natural resource needs.

**B Original Plan Development**

An approved conservation plan is required before CRP-1 can be approved. NRCS or TSP **must** complete a field visit, if necessary, 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
- maps.

The approved conservation plan shall 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)**

NRCS or TSP shall 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 when construction activities are planned
- is reviewed and approved by the Conservation District

**Exception:** CED may approve the plan without the Conservation District signature only if the Conservation District refuses to review the plan. In those rare instances, CED shall document in the COC minutes Conservation District refusal to review the plan, including reasons why the Conservation District refused to review the plan.

**Note:** The Conservation District may assist the producer in planning and implementing conservation management practices and management systems.

- \*--ensures that the CRP cover will not be disturbed during the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law, as determined by STC in consultation--\* with the State Technical Committee

**Note:** See paragraph 427.

- for CP22 when the producer elects natural regeneration, provides **all** of the following:
  - **no** C/S shall be paid for the practice

**Exceptions:** See Exhibit 11.

**366 Developing Approved Conservation Plan (Continued)****C Application of Practices**

The approved conservation plan shall 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**

Persons 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:

- the easements, permits, or rights-of-way
- other permission necessary to perform and maintain practices.

COC or agency technician need not verify the producer's statement about the existence of permits, easements, right-of-way, etc., with the issuing authority.

- NRCS policy may be more restrictive in some States.
- If a practice meets specifications, approved C/S shall be paid even if it is later found that the producer did not have the necessary authorities.

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 or incorporate CRP needs and practices into an existing 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
- prohibits harvesting or grazing of CRP acreage for the life of CRP-1
  - Exception:** Managed or emergency haying or grazing.
- has suitable planned cover for the soil types enrolled
- includes practices required for the establishment of permanent cover
- 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
- encourages the best method for maintenance of the approved cover, such as prescribed burning or other options
- contains required management activities
- meets the specific environmental objectives of CPA if applicable
- is technically adequate for achieving CRP objectives
- \*--ensures that the CRP cover will not be disturbed during the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law, as determined by FSA STC in--\* consultation with the State Technical Committee

**Note:** See paragraph 427.

- includes engineering plans.

**367 Conservation Planning (Continued)**

**C Conservation Plan Map**

The conservation plan map shall show the number, field boundaries, easements, and acres, as identified by FSA. The land use shall be identified as “Cropland-CRP-Cover type.”

**D Additional Material to Include in the Conservation Plan**

In addition to the material outlined in the National Planning Procedures Handbook, the conservation plan shall include information or job sheets on the following:

- vegetative or cover establishment
- herbicides, insecticide, or mechanical weed control.

**E Planning Policy**

Technical references and conservation planning policy include:

- National Planning Procedures Handbook
- FOTG, Sections III and V
- GM 180 Part 409.

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>• shall use NRCS-CPA-52 completed 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>• a completed NRCS-CPA-52, after the field visit portion if necessary, of the conservation planning process is completed</li> <li>• any related documentation to support conclusions made about potential impacts on environmental resources and special issues identified in the completed NRCS-CPA-52</li> <li>• FSA completed NRCS-CPA-52, Sections P, Q, and R <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>
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 shall:</p> <ul style="list-style-type: none"> <li>• complete FSA-850, in addition to complying with the requirements of paragraph 635</li> <li>• include FSA-850, with appropriate supporting documentation and consultation records as part of the producer's CRP file.</li> </ul>
Construction of Wind Turbines	<p>FSA shall complete an environmental review, using FSA-850 to ensure that any potential impacts on NRCS-CPA-52 do <b>not</b> adversely impact any listed threatened and endangered species, which will then be forwarded to SEC for <b>*--approval before COC or CED approves the wind turbines. FSA shall ensure that turbines are cited using USFWS land-based wind energy guidelines.--*</b></p>



## Part 12 Approving CRP-1's

## 401 Approving and Numbering CRP-1's

## A Requirements Before Approval

Before approving CRP-1's, County Offices shall:

- ensure that a separate CRP-1 is completed for:
    - each CRP-2 or CRP-2C
    - practices with different lifespans
- 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 460 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)

- complete a second party review of all eligibility requirements and maximum payment rate calculations
- \*--ensure that 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-931 **must** be filed to ensure that CRP participants are aware of payment eligibility for new CRP contracts or revised CRP contracts where there is a succession. This does **not** require that a prospective CRP participant be eligible for payments, **only** that CCC-931 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)

**B Approving Contracts**

Approve CRP-1's if:

- offer is included on the list of acceptable offers

**Note:** This is not applicable to continuous signup contracts.

- for continuous 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
- \*--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 effective DCP cropland on the farm.

If the total 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 shall designate which of the following to reduce:

- CRP acres being offered
- ARC/PLC acreage.--\*

**Important:** Land transitioned under TIP CRP-1R is not subject to DCP base reduction.

**Notes:** Reduction of CRP acres offered shall be completed before the end of the applicable signup period.

The reduction of applicable acres shall 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 shall 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, or CCC-920.

## 401 Approving and Numbering CRP-1's (Continued)

**B Approving Contracts (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 460 for fees.

- all acreage eligibility determinations have been made.

401 Approving and Numbering CRP-1's (Continued)

**C COC Responsibilities**

COC, or designee, shall:

- 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 signup contracts.

**D Approval Responsibilities**

An STC or DAFP representative shall review certain CRP-1's before approval. The following shows required reviews, persons responsible for review, and persons responsible for approval or disapproval.

CRP-1's for...	MUST be reviewed by...	BEFORE approval or disapproval by...
<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 or 4-PL, as applicable.

**401 Approving and Numbering CRP-1's (Continued)**

**D Approval Responsibilities (Continued)**

Persons making the required reviews shall ensure that all:

- eligibility requirements are met
- required entries on CRP-1, CRP-2, and CRP-2C are completed.

SED or STC, as applicable, shall 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 shall 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 2015 CRP-1's will end on September 30, 2024.--\*

See Exhibit 20 for signup periods and program years.

**C Effective Date**

\*--For general signup 49, the effective date of CRP-1 shall be October 1, 2016, for either of--\* the following:

- new land
- acreage that is currently enrolled in CRP at the time of signup that expires on \*--September 30, 2016, and is re-enrolled during signup 49.--\*

**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 shall notify producers of this policy.

See paragraph 213 for effective dates and grazing restrictions of CRP-1's approved under continuous signup provisions.

**403-425 (Reserved)**





**426 Establishing Approved Cover (Continued)****B When to Start CRP Practice**

Producers shall 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
- where practicable, as determined by NRCS or TSP, State-certified seed shall be used for CRP

**Note:** Starting a practice before final approval of CRP-1 is at the producer's own risk.

- **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, 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 adverse economic hardship on the participant.

**\*--Example:** Jane Smith's signup 47 CRP-1 for 100 acres was approved with an effective date of October 1, 2015. The approved permanent cover is required to be seeded by October 1, 2016, according to Exhibit 11. The next normal planting date for the approved permanent cover begins in May 2016 and ends in June 2016. 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, 2017) 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 shall 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 (Continued)**

\*--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.

**Notes:** See paragraph 429 for modifying approved conservation plans.

Neither COC or STC may approve extensions to seed or install the approved cover beyond the 2 additional 12-month extensions provided in this subparagraph.

**\*--Important:** In **no** case shall 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 shall 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 contract will be able to achieve the environmental benefits for which it was scored on EBI and accepted for enrollment in CRP
- copy of the participant's request for additional time to seed the approved permanent cover
- copy of COC and STC minutes thoroughly documenting and justification supporting the request

## 426 Establishing Approved Cover (Continued)

**D Additional Months to Establish Permanent Covers Authorized (Continued)**

- copy of all applicable forms and documents, such as CRP-1's, CRP-2's, \*--digital imagery, conservation plan, and job sheets--\*
- all documentation used by COC or CED and STC during review of the subject case
- narrative of the case in chronological order.

**E Temporary Covers**

If the approved cover cannot be seeded within 12 months of the effective date of CRP-1, a suitable temporary cover shall 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 shall be established at the participant's own expense if C/S was declined by the participant when the offer was submitted.

Viable native or tame 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.

C/S earned shall be computed based on the average cost of carrying out the practice, as determined by COC or CED according to Part 15.

## 427 Maintaining Approved Cover

### A Practice Maintenance

CRP cover maintenance is the participant's responsibility. Participants shall maintain practices, according to the conservation plan and this paragraph, without additional C/S assistance. The maximum payment rate calculation considers the cost of maintenance, if applicable, for the participant throughout the CRP-1 period.

NRCS or TSP shall 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 cover shall be included in the conservation plan and agreed to by the participant. Maintenance practices shall meet CRP and participant objectives. NRCS or TSP, in consultation with COC or CED, shall determine when maintenance practices can be rescheduled. For CRP-1's where maintenance was not scheduled, the conservation plan shall be modified to include appropriate maintenance.

Except as provided in paragraph 492, participants shall 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 shall assess appropriate payment reductions or terminate CRP-1, as applicable, according to paragraph 571 and 4-CP.
- 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 an NRCS or TSP final status review or after the CRP participant certifies completion of the practice, all CRP maintenance activity, such as mowing, burning, and spraying, is conducted outside the primary nesting season of birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law for wildlife and according to the conservation plan, except that spot treatment of the acreage may be allowed during the primary nesting season of birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law 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 shall 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, CRP participant certification of completing the practice will be considered the end of the maintenance period.

When spot treatment is determined necessary, COC or CED shall 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:** Beyond the primary nesting season, 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 shall be:

- included in the contract support document
- installed according to NRCS Firebreak Standard 394.

Barren firebreaks shall only be allowed in high risk areas, such as transportation corridors, rural communities, and adjacent farmsteads. The designated conservationist shall 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 shall 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 shall 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 contracts effective beginning with signup 26 are required to perform at least 1 management activity as part of their approved conservation plan. This management activity shall 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 contracts with a 10 year contract length, or before the end of year 9 for contracts with a 15 year contract length. In no case should the 1 required \*--management activity occur during the last 3 years of the CRP contract. Management is not required for CP87 or CP88.--\*

**Notes:** Additional management activities may occur up to year:

- 8 for 10-year contracts
- 13 for 15-year contracts.

Thinning may be used as a management activity in any year provided no cost-share is paid.

Failure to perform planned management activities can result in contract violation. See paragraph 603 for noncompliance.

NRCS or TSP shall work with participants to plan appropriate management activities, such as, light disking, inter-seeding, tree thinning, and other components applicable to the practice that will create plant diversity for the benefit of wildlife and enhancement of the permanent cover.

The participant may receive up to 50 percent C/S for the management practices. See paragraph 512 and Exhibit 11 for C/S provisions.

### B Voluntary Management

\*--For all CRP-1's before signup 26 and CRP-1's modified to include tree thinning and associated forest management activities, management activities can be voluntarily performed, with 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.

**Note:** Tree thinning is considered a voluntary management activity on all CRP-1's for all--\* signups.



**462 Making CRP Payments (Continued)****\*--F CRP Tree Thinning Incentive**

Incentive payments authorized to encourage tree thinning, prescribed burning, and other eligible customary forestry activities that improve resource condition may be made at any time during the CRP contract following the implementation of an approved component practice described in paragraph 627 consistent with the CRP conservation plan and CRP-1.

Regional incentive rates have been established based on average cost to implement the practice.

**Note:** Actual incentive payment made to a CRP participant must not exceed 150 percent of the actual cost to install the practice.

Tree thinning incentive payments are limited to those CRP contracts where trees have been established and the use of tree thinning and prescribed burning component practices are integrated to enhance habitat for savannah or early successional species and promote healthy forests.--\*

**G Prompt Payment**

CRP participants who are issued CRP payments more than 30 calendar days after payments are authorized shall receive interest under the Prompt Payment Act according to 61-FI. See 50-FI for prompt payment interest rates.

**H Authorized Payments for 2012 and Prior Years**

The Conservation Payment software for 2012 and prior year CRP and related payments was disabled on September 5, 2013. Any outstanding payments for 2012 or a prior year must be issued through the authorized payment process. See Exhibit 35.7 for additional information for handling authorized payments.

**463 Dividing Payments Among Participants for Successor-in-Interest CRP-1's****A CRP Rental Payments**

Earned CRP annual rental payments **shall** 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 shall 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

## 463 Dividing Payments Among Participants for Successor-in-Interest CRP-1's (Continued)

**B Dividing CRP Payments Among Predecessor and Successor Participants (Continued)**

- 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 shall 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 555 for succession-in-interest provisions.

CRP participants shall be responsible for either:

- refunding any payments that may become due if CRP-1 is not assumed
- ensuring that the successor-in-interest agrees to and signs, if applicable, the version of CRP-1 Appendix in effect when the preceding CRP-1 was signed.

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, shall be collected from the original owner. Issue applicable payments to new owner.

If a successor terminates CRP-1 and the predecessor has earned part of the annual rental payment, the successor shall be 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,  
\*--select all participants for special payment processing according to the CCMS User Guide.--\*

## 491 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 shall **not** approve CRP-1 that includes C/S.

## 492 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:

- COC or CED determines it is necessary for successful establishment of the cover and it is included as part of the approved conservation plan
- it is applied within the first 12 months after planting or seeding the cover

**Exception:** See subparagraph B.

- \*--it will not disturb the cover during the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law.--\*

**Note:** This is in addition to any application that may have been applied when the cover was initially installed.

## 492 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, CP23, CP25, CP27, or CP28** 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:
  - COC or CED 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 the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law.--\*

**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.

**508 Certification on AD-862 by Technical Agency****A Technical Agency Certification**

\*--The technical agency's certification on 10 percent of AD-862's or FSA-848's, as applicable, is required.--\*

County Offices shall:

- determine the total number of practices that **must** be certified by NRCS based on the total number of practices on CRP-1's approved in the previous FY
- \*--notify the technical agency when AD-245, page 2, or FSA-848, as applicable, is filed by the participant
- provide digital imagery and current slides, if available, to TSP for its use in--\* determining acreage performed
- **not** inspect any practice for verification
- accept the technical agency certification of the extent performed for approving payments to participants.

**B Priority Practice Selection**

Certain practices have greater technical complexity. These practices shall have priority when selecting the 10 percent of practice certifications completed by NRCS. For the following practices, NRCS or TSP, as applicable, shall certify practice performance on AD-862, \*--or FSA-848B, as applicable, 10 percent, before certifying practice performance for any--\* other CRP practices:

- CP8A
- CP9
- CP18B
- CP18C
- CP21, when a structure, water facility, water development, or pipeline is included
- CP22, when a structure, water facility, water development, or pipeline is included
- CP23
- CP23A
- CP26
- CP27
- CP28

**508 Certification on AD-862 by Technical Agency (Continued)****B Priority Practice Selection (Continued)**

- CP29, when a structure, water facility, water development, or pipeline is included
- CP30
- CP31
- CP37
- CP39
- CP40
- CP41.

If NRCS and TSP certifies practice performance on AD-862 for practices listed in this subparagraph, and the 10 percent requirement has not been reached, all other CRP practices may be used to fulfill the 10 percent requirement.

**C Items To Be Reported by Technical Agency**

The technical agency shall report the following on AD-862:

- a certification showing items and extent that meet specifications, including tree thinning
- any items of performance that do not meet specifications and explain the reasons for the failure.

**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 or filterstrip.

- 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
- \*--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 Amounts

\*--Exhibit 11 provides that certain components for practices CP21, CP22, CP29, CP30, CP87, and CP88 are eligible for C/S. The following limitations for C/S eligibility apply:

- C/S for the total of all water developments per contract shall not exceed \$4,000
- C/S for the total of all water facilities per contract shall not exceed \$2,700
- C/S for the total of all pipelines shall not exceed \$2,700
- C/S for all livestock crossings per contract shall not exceed \$2,000--\*
- C/S per foot of fencing shall not exceed the STC- or COC-established cost for a 4-strand barbed wire fence.

**Important:** C/S is available for the lowest cost option that provides a dependable water source needed to address the resource concerns.

Multiple offers and multiple contracts to avoid C/S limitations are **not** authorized.

**Example:** A producer would like to install 3 water tanks, including applicable gravel apron and fencing. Each tank, including gravel apron, and fencing cost is estimated to \*--cost \$2,100 each. Because the maximum of \$2,700 is eligible for C/S, the producer could receive a maximum payment of \$2,700. To avoid the C/S--\* limitation, the producer submits 2 separate offers on a portion of the acreage.

COC's or CED's shall **not** approve multiple CRP contracts for the same tract if COC determines the multiple contracts are to avoid the C/S limitation.

### B Water Developments

Water developments are any of the following:

- spring
- dug, bored, or drilled well
- pond.



## 511 C/S Policy for Water Development and Water Facilities (Continued)

**B Water Developments (Continued)**

Producers may receive C/S if all of the following are met:

- \*--total C/S for all water developments on a contract shall not exceed \$4,000 per contract--\*
- 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 or riparian 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. The maximum C/S for both springs may not \*--exceed \$4,000 for the contract.--\*

## 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 or riparian buffer contract acres are either of the following:

- up to 750 feet from the outer edge of the filter strip or riparian buffer based on COC or CED approval
- up to 1,500 feet from the outer edge of the filter strip or riparian buffer based on STC approval.

**Note:** Water developments in excess of 1,500 feet from the outer edge of the filter strip or riparian buffer **must** be submitted to CEPD 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.

Producers may receive C/S for water facilities if all of the following are met:

- \*--total C/S payments for water facilities do not exceed \$2,700 per CRP contract--\*
- technical authority (NRCS, FS, TSP) determines, based on the specific site conditions, that water facilities are needed to provide water for livestock

**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 or riparian buffer. C/S for all livestock crossings is limited to \$2,000 per contract.--\*

**J CEPD Waiver Request**

Requests for waivers, according to subparagraphs C and E, forwarded to CEPD should include a minimum of the following:

- \*--digital imagery of the site--\*
- location of the filter strip or riparian 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 Amount**

Paragraph 428 and Exhibit 11 provide that certain management activities are required for all practices. 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.

**519 Making CRP C/S Payments (Continued)**

**A C/S Payments (Continued)**

- not be issued to Federal entities
- be recorded on AD-245
- be spot-checked according to subparagraph 497 J.

**Note:** See 58-FI. Make partial payments according to 1-CONSV and paragraph 520. Record partial and final performance according to 1-CONSV.

**B Approval Responsibilities for C/S Payments**

STC or DAFP representative shall review certain AD-245’s before approval. The following shows required reviews, persons responsible for review, and persons responsible for approval or disapproval.

<b>AD-245’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 or 4-PL, as applicable.

Persons making the required reviews shall ensure that all:

- eligibility requirements are met
- required entries on CRP-1 and CRP-2 are completed.

SED or STC, as applicable, shall not approve CRP-1’s 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 AD-245
- COC or CED and NRCS or TSP determine that the completed components are a reasonable attainment toward completing the practice
- the participant agrees to complete the practice on FSA-18, which **must** be filed with AD-245.

**Note:** See Exhibit 41 for instructions on completing FSA-18.

\*--NRCS, TSP, or participant **must** certify performance before any payment is made.--\*

**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
- **\*--Note:** Pen and ink changes are authorized if the only change to CRP-1 is the farm number change because of a reconstitution. At least one CRP participant must initial and date the pen and ink change.--\*
- change of participants
- change in producer's shares
- part of the land under CRP-1 is terminated by the producer 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 shall be applicable to all CRP-1 signups.

546 Revisions to CRP-1's (Continued)

**A When to Revise CRP-1's (Continued)**

COC or CED shall not approve requests to revise CRP-1's to increase the number of participants when the original number of participants were not eligible to receive the full value of CRP-1.

**Example:** Joe historically owned and operated acreage that was offered and accepted for CRP. The acreage accepted supports a \$150,000 annual rental payment. Joe is limited to \$50,000 by the annual payment limitation. Joe requests to revise CRP-1 to add Steve and Tim as tenants to CRP-1, each receiving \$50,000. COC or CED shall not approve these revisions; however, if Joe sold CRP acreage through an arms-length transaction to Steve and Tim, COC or CED could approve CRP-1 for Steve and Tim as successor's-in-interest, providing Joe did not maintain a reversionary interest in the acreage and all other eligibility requirements are met.

**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>
<b>more</b> eligible acres than originally approved	<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>
<b>less</b> eligible acres than originally approved	<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 (Exhibit 29), if applicable</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.</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 shall be reviewed by RA. COC shall 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 shall:

- 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	Assign an alpha suffix to CRP-1 number.
2	Transfer original CRP-1 data to revised CRP-1. See Exhibit 21. <ul style="list-style-type: none"> <li>• Change items affected by revisions.</li> <li>• Leave rental rate and expiration date the same.</li> <li>• Have participants sign revised CRP-1.</li> </ul>
3	Have participants sign and date CRP-1 Appendix, if applicable.
4	Enter "VOID" on original CRP-1.
5	Provide copy of revised CRP-1 and CRP-1 Appendix, if applicable, to all participants. <p><b>Note:</b> 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. See subparagraph 546 H.</p>
6	Revise automated CRP-1.

## 546 Revisions to CRP-1's (Continued)

**J Applicability of CRP-1 Appendix for CRP Offers (Continued)**

<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>
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	October 22, 2015.--*
general signup 49	2017	

**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:

- subparagraph 630 A for conservation easements placed on CRP land
- paragraph 555 for succession-in-interest
- subparagraphs 550 B and C for other revisions
- paragraph 551 for land acquired by a Federal agency
- paragraph 552 for separate person determination for husband and wife
- 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.

**550 Other Revisions**

**A Revision Because of New Aerial Imagery**

If new aerial imagery or digitizing new photography (certified CLU’s or GIS measurement) results in a change in the approved CRP acreage or official cropland for the farm, follow the \*--CCMS User Guide 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 shall take the following action.

<b>Step</b>	<b>Action</b>
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 3-CM for procedure on adjusting farm and cropland acreage.

**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, unless this operator signs a written statement relinquishing rights to CRP.

**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 CRP-1 will be continued with eligible CRP participants, do the following:

- use CRP-20 (Exhibit 43) 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 (Exhibit 44) 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.

553 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 the contract 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 to 1-CRP.</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 1-CRP</li> <li>• revise through pay limit system using the inheritance adjustment. See 3-PL (Rev. 1).</li> </ul>

**\*--554 Transferring Land From CRP to ACEP-ALE, 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.

When issuing CRP annual rental payments, the amount shall be prorated from October 1 to the filing date of the easement for ACEP-ALE, ACEP-WRE, HFRP, or EWP Floodplain Easement.

**Notes:** Do not cancel CRP-1 until all ACEP-ALE, ACEP-WRE, HFRP, or EWP Floodplain Easement documents are approved and filed. See the CCMS User Guide to cancel CRP-1.

Refunds of C/S payments shall not be required when terminating CRP to enroll in ACEP-ALE, ACEP-WRE, HFRP, or EWP Floodplain Easement. Refund of--\* CRP-SIP and CRP-PIP is required.

Land terminated from CRP is no longer included in the 25 percent cropland limitation or 10 percent easement limitation.

**\*--Important:** The same land cannot be enrolled in CRP and ACEP-ALE (FRPP) at the same time.

**B Transferring Portion of CRP Acreage**

If only a portion of the land subject to CRP-1 is accepted into ACEP-ALE, ACEP-WRE, HFRP, or EWP Floodplain Easement, terminate only that portion of CRP-1 that is affected by enrollment into ACEP-ALE, ACEP-WRE, HFRP, or EWP Floodplain Easement as follows.

Step	Action
1	Revise CRP-1 into separate contracts using suffix number according to 1-CRP.
2	After revising CRP-1, terminate CRP-1 for the acres transferring to ACEP-ALE, ACEP-WRE, HFRP, or EWP Floodplain Easement.--*



## Section 2 Terminations, Foreclosures, Receiverships, and Bankruptcies

## 571 Terminations

## A Policy for Terminating All Land Under CRP-1

COC shall 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 shall terminate all land (100 acres) under CRP-1.

**Note:** See subparagraph 603 E.

- ~~all~~ land under CRP-1 is transferred to ACEP-ALE, ACEP-WRE, HFRP, or EWP--\* Floodplain Easement according to paragraph 554
- CRP practice or practices failed on **all** land under CRP-1 according to subparagraph 493 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
- NRCS determines continuous signup practice cannot function on its own when a partial termination is requested.

**Note:** See paragraph 573 for terminating CRP-1's.

## 571 Terminations (Continued)

**B Policy for Terminating Part of the Land Under CRP-1**

COC shall 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
  - COC could not determine that a good faith effort was made according to paragraph 603
- Note:** See paragraph 603 to determine whether all or part of the land under CRP-1 will be terminated.
- ~~part~~ of the land under CRP-1 is transferred to ACEP-ALE, ACEP-WRE, HFRP, or ~~EWP Floodplain Easement~~ according to paragraph 554
  - CRP practice or practices failed on **part** of the land under CRP-1 according to subparagraph 493 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
  - **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 196 was enrolled in 1997 and was scheduled to expire September 30, 2007, but was re-enrolled under REX with an effective date of October 1, 2007. CRP-1 does **not** have to be in effect for 2 years to request a partial termination.

## 573 Terminating CRP-1

### A How to Terminate CRP-1

COC shall 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 shall initial and date.

- cancel automated CRP-1

**\*--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.--\*

- 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 shall 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
- CP23, one-time WRI payment, plus interest
- liquidated damages, if applicable, according to paragraph 577.

**\*--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 shall 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 shall be conducted on all refund calculations.

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
  - participants when CRP-1 is being terminated to enroll the acreage in a State conservation program, ACEP-ALE, ACEP-WRE, EWP Floodplain Easement, or HFRP\*

**Exception:** Refunds of SIP and PIP 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 shall be terminated, based on provisions in subparagraph 493 B

**Note:** COC or CED shall 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 waive refunds when the following apply:

- a request to waive refunds is received from participants, in writing

**Note:** It is the producer's responsibility to request a waiver of refunds.

- \*--the total amount of refunds for any 1 contract, 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.

### B COC Waivers of Refunds

COC shall:

- determine whether criteria exists to warrant a waiver of refunds

**Note:** See subparagraph C.

- ensure that participants are provided appeal rights
- document requests for waivers in COC minutes
- 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 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 1 contract and any contract refund is in excess of the \$5,000 COC authority, no waiver of any contract may be provided by COC. Waivers for all contracts must be submitted to STC.--\*

## 576 Requests for Waiver of Refunds (Continued)

### B COC Waivers of Refunds (Continued)

**\*--Example:** The CRP participant has a haying and grazing violation on three CRP contracts, and requests a waiver of refunds on all contracts. Contract 1 calculated refund is \$2,360. Contract 2 calculated refund is \$15,400. Contract 3 calculated refund is \$18,000.

COC may not waive refunds for any contract even though Contract 1 is within the \$5,000 COC authority. All contracts must be submitted to STC for a determination.

**Note:** If any of the contracts is in excess of the \$25,000 STC authority, all contracts must be submitted to DAFP for authority to waive refunds.

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 contract. 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 producer 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 producers who continue to comply with CRP and to taxpayers
- does approving a waiver treat all similarly situation producers 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 the contract 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.--\*

## 576 Requests for Waiver of Refunds (Continued)

**\*--C Criteria for Waivers of Refunds (Continued)**

- whether the participant provided all required information timely without any misrepresentation, concealment, or intention to evade any program compliance provision
- 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 shall:

- ensure that participants are provided appeal rights
- document requests for waivers in STC minutes
- provide 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 577.

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 1 contract and any contract is in excess of the \$25,000 STC authority, no waiver of any contract may be provided by STC. Waivers for all contracts must be submitted to DAFP.--\*



## 576 Requests for Waiver of Refunds (Continued)

**E SED Waivers of Refunds for Equitable Relief**

SED's:

- 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 (all annual rental payments and C/S payments, plus interest applicable to both, and liquidated damages or TIP liquidated damages) is equal to or less than \$20,000, according to equitable relief provisions in 7-CP

**Example:** The total refund amount calculated according to paragraph 574 is \$23,000. The producer 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.

- shall document requests for waivers of refunds
- shall 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 shall 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.
- all documentation used by COC and STC during review
- narrative of the case in chronological order.

**Note:** Incomplete case files may delay response.

- shall not submit requests for waivers of refunds to DAFP if STC does not recommend approval.



576 Requests for Waiver of Refunds (Continued)

**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 contract 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.

<b>FY _____ Refunds Waiver Report</b>					
<b>State and County Code</b>	<b>CRP Participant Name</b>	<b>CRP Contract Number</b>	<b>Calculated Refund Amount</b>	<b>Amount Waived</b>	<b>Reason Waived</b>
<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**

**Before CRP-1 is approved**, assess liquidated damages when the producer withdraws any offers after the offer is determined acceptable.

**Exception:** Liquidated damages shall not be assessed before CRP-1 is approved when the producer withdraws any request for CRP participation under the continuous signup provisions.

**After CRP-1 is approved**, COC shall 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 participant is adversely affected by a person determination or by being determined not “actively engaged” according to 1-PL or 4-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

**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 of the payment are responsible for compliance.

**B Annual Status Review**

NRCS or TSP will complete a status review with the participant and a COC representative, if available, on up to 10 percent of all CRP-1's before the end of each FY until all practices in the plan are applied and the approved cover is established. The 10 percent required will be based on the total number of CRP-1's approved in the previous FY. Vegetative and tree cover establishments are reported to FSA by a status review labeled "Final."

**Note:** FSA and NRCS or TSP shall work together to prioritize and select the contracts and practices on which to complete an annual status review.

The State Forestry Agency will provide NRCS or TSP with 2 listings by name and CRP-1 number for contracts having tree plantings that:

- do not have adequate tree cover established or require replanting
- have established adequate tree cover and have not been reported as established
- have not been thinned according to the conservation plan.

**Note:** Certain participants agreed to thin tree stands to receive additional environmental benefits index points when the acreage was offered for enrollment.

NRCS or TSP will provide a copy of this list to FSA indicating "Final Status Review" for these CRP-1's.

**601 General Provisions (Continued)****B Annual Status Review (Continued)**

Progress of the practice establishment shall be documented, including:

- implementation of the approved conservation plan, including tree thinning, if applicable
- condition of installed practices
- need for revisions
- additional assistance.

NRCS or TSP shall use NRCS-LTP-013, or its related electronic form, for required status reviews.

\* \* \*

NRCS or TSP will provide COC signed copies of the annual status reviews and the following information, if applicable:

- the reason why the practices have not been established
- 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.

**601 General Provisions (Continued)****C FSA County Office Action**

FSA County Offices shall:

- file the annual status review copies in CRP folders
- follow up on noncompliance cases
- conduct annual spot checks according to 2-CP **after** NRCS or TSP certifies on a final status review that the practice is established
- conduct annual spot checks on at least 10 percent of CRP-1's, including CREP, approved for:
  - \*--spot treatment during the primary nesting season of birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law according to paragraph 427--\*
- early land preparation according to paragraph 637.

If NRCS or TSP certifies that a practice has not been established in the final performance review, COC shall determine necessary action. Action may include, but is not limited to:

- terminating CRP-1 according to paragraph 571
- determining that erosion is being controlled adequately with existing cover according to subparagraph 603 D
- participant working with NRCS or TSP to establish an approved cover.

**602 Certifying Compliance****A Certification of Compliance**

**Before** CRP annual rental payments are issued, a certification of compliance shall 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 shall not develop substitute forms for FSA-578 or CRP-817U.

**A current** AD-1026 and applicable payment limitation forms shall be on file for all participants earning CRP benefits before CRP annual rental payments are issued.

At least 15 calendar days before the end of the reporting period, COC shall notify each CRP participant to file FSA-578 or return CRP-817U.



602 Certifying Compliance (Continued)

**B Completing CRP-817U**

County Offices shall complete CRP-817U according to the following.

Step	Action
1	Enter FSN 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 6-CP and 2-PL.--*</li> </ul> </li> </ul>

602 Certifying Compliance (Continued)

C Example of CRP-817U

The following is an example of CRP-817U.

\*--

<p><b>CRP-817U</b> (10-22-15)</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.</p> <p style="text-align: center;"><i>(Return date)</i></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 (HELC) 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> <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 Food Security Act of 1985 (16 U.S.C. 3831 et seq.), 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 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).</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). 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</i></p> <p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 725-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).</small></p> <p><small>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_SReq_cust.html">http://www.ascr.usda.gov/complaint_SReq_cust.html</a> or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 895-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</small></p>		

--\*

## 603 Noncompliance

### A Noncompliance Cases

Notify participant in writing of noncompliance issue according to 4-CP.

Noncompliance cases shall be handled promptly before CRP payments are made for the year.

COC shall 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 shall consider a producer to be out of compliance if:

- the approved 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 the \*--primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law--\*
- 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 cover has not been maintained according to the conservation plan

**603 Noncompliance (Continued)****B Examples of Noncompliance (Continued)**

- the producer has not performed required management activities according to the conservation plan
- other undesirable weeds, plants, insects, or pests, as determined by COC, are not controlled on the designated acreage
- a satisfactory 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 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 493 B.

## 604 Payment Reductions

### A Assessment of Payment Reduction

The participant shall be assessed payment reductions as follows:

- according to 4-CP for maintenance defaults and unauthorized haying or grazing

**Notes:** To ensure equity in payment reduction for unauthorized grazing only, COC may:

- pre-establish payment reduction rates
- prorate the payment reduction based on the days, weeks, or months the violation occurred.

See subparagraph 603 E if producer refuses to remove livestock or destroy hay.

- for unauthorized planting or harvesting of a crop, such as annually tilled crops, pine straw, etc., acres in default times current market value times the lesser of the following:
  - established yield for the crop times 2
  - actual yield for the crop times 2

**Note:** See subparagraph E if producer refuses to destroy unauthorized crop.

- for unauthorized treatment, such as mowing, spraying, and burning, during the primary \*--nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law, an amount equal to the annual--\* rental payment for the acreage in violation.

Standard payment reductions shall not exceed the annual rental payments for CRP-1 on which the violation occurred.

When the violation results in termination of acres in violation, participants shall refund payments, according to paragraph 571.

**605 Request for Waiver of Payment Reductions****A Waiver or Reduction of Standard Payment Reduction**

COC shall:

- 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 shall 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 shall:

- 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 shall 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.

**Part 18 Permissive and Restrictive Uses of CRP Acres****\*--626 Harvesting and Grazing Restrictions--\*****A CRP-1 Harvesting Restrictions**

No crops of any kind may be harvested from the designated CRP acreage during the CRP-1 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:** This exception does not include pine straw. See Part 19 for managed haying provisions.

Conservation plan shall **not** be modified for this purpose.

**\*--B CRP-1 Grazing Restrictions**

Except as authorized in Part 19, CRP acreage shall not be grazed during the CRP-1 period.

**Exception:** Free roaming wildlife may graze CRP acreage.--\*

**627 Customary Forestry Activities****A CRP-1 Customary Forestry Activities on CRP Acreage**

Activities consistent with customary forestry practice, such as pruning, thinning, or timber stand improvement, are allowed.

\*--C/S is authorized when there is an out-of-pocket expense to the CRP participant.

In addition, incentives are authorized to encourage owners or operators of CRP land established to trees and currently under CRP contract to thin and conduct other forestry practices, such as prescribed burning, or disking, chemical woody/herbaceous plant control, and mechanical woody plant control, when prescribed burning is not a suitable alternative, to improve resource condition.

Improving resource condition includes customary forestry activities that:

- enhance wildlife habitat
- protect water quality
- conserve soil
- sequester carbon
- sustain forest health
- reduce risk of wildfire, insects, and disease.

**B Additional Tree Thinning Incentive Payments for Certain Customary Forestry Practices**

Incentives for tree thinning and prescribed burning are limited to CP3, CP3A, CP4D, CP11, CP22, CP31, CP36, CP38A, CP38C, CP38D, and CP38E program practice contracts. Payment of tree thinning incentives is conditional upon integrated use of tree thinning and other authorized customary forestry practices as described and included in CRP conservation plans. The purpose of the tree thinning and prescribed burning is primarily to enhance wildlife habitat especially for savannah or early successional species.

**Note:** For example, to promote pine savannah conditions in the South, CRP pine tree densities should be thinned and maintained between 40 and 70 square feet of basal area per acre and prescribed burning done every 2 years.--\*

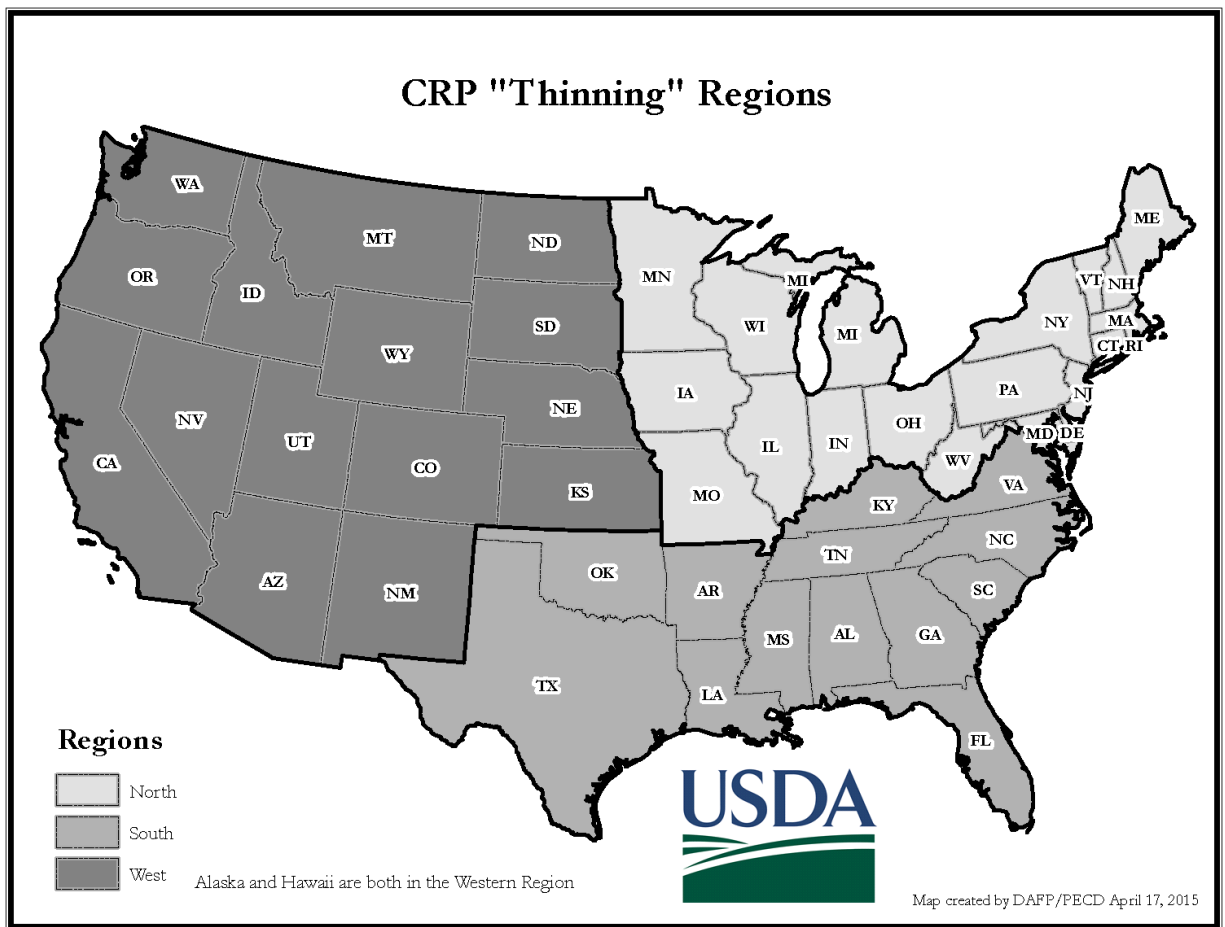


627 Customary Forestry Activities (Continued)

**\*--B Additional Tree Thinning Incentive Payments for Certain Customary Forestry Practices (Continued)**

Incentive rates for tree thinning incentives for the following customary forestry component practices have been set regionally.

Component Practice	North	South	West
Thinning	\$150/acre	\$150/acre	\$200/acre
Prescribed Burning	\$50/acre	\$25/acre	\$400/acre
Disking	\$50/acre	\$25/acre	\$50/acre
Chemical Woody/Herbaceous Plant Control	\$50/acre	\$100/acre	\$250/acre
Mechanical Woody Plant Control	\$250/acre	\$125/acre	\$250/acre



North, South, and West corresponding to USDA FS regions and regional affiliations of the National Association of State Foresters.--\*

## 627 Customary Forestry Activities (Continued)

**\*--B Additional Tree Thinning Incentive Payments for Certain Customary Forestry Practices (Continued)**

Subject to COC or CED approval, CRP participants may make commercial use of forest refuse resulting from customary forestry activities if the participant agrees to:--\*

- protect the area from erosion by establishing an adequate cover best suited for wildlife in the area
- perform prescribed burn or otherwise treat the forest refuse from thinning or other customary forestry activities on CRP acreage to improve resource condition of the land and enhance wildlife habitat and reduce the spread of insects and disease.

**Example:** CRP acreage, including open areas established for wildlife, shall not be used to dump, pile, or leave forest refuse resulting from forestry activity or creation of open areas.

Customary forestry activities, such as pruning, thinning, or timber improvement may be \*--conducted anytime, including during the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law. The removal or harvest of pine straw is prohibited at all times.--\*

**628 Using CRP Acres as Turn Rows****A Using CRP Acres as Turn Rows or Crossing Areas**

Limited use of field margins and areas within a field enrolled in CRP is authorized during the \*--primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law only if this activity is--\* conducted as part of the planting, cultivating, or harvesting of a crop in an adjoining field. Use of this acreage shall 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
- terraces.

CRP acreage shall 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 acres 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 acres under water.

Ponds are eligible cover on CRP if they are installed according to subparagraph 429 A.

**630 Policy When Easement Placed on CRP Land****A When Easements Are Placed on CRP Land**

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 provisions
- Agency certifies, in writing, that the:
  - Agency was aware of the existence of CRP-1 at the time the participant agreed to encumber the land
  - participant will be able to comply with 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 and contract extension in CRP.

\*--See paragraph 554 for transferring land from CRP to ACEP-ALE, ACEP-WRE, HFRP, and EWP Floodplain Easements.

The same land cannot be enrolled in CRP and ACEP-ALE (FRPP) at the same time.--\*

## 633 Recreational Hunting and Commercial Shooting Preserves on CRP Acreage (Continued)

**B Commercial Shooting Preserves (Continued)**

- \*--be conducted outside the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law--\*
- 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 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 primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law.--\*

**Note:** The location of this mowing should be changed from year to year.

Until a final status review has been completed by NRCS, TSP, or self certified by the producer, COC or CED, in consultation with NRCS, may allow participants to spray and mow the acreage under contract at any time, if this 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 life \*--of CRP-1, except during the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law, 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 shall 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**

Consistent with the soil, water, and wildlife goals of CRP, beehives may be stored on CRP acreage.

**635 Applying Waste Products on CRP Land****A Application Requirements for Sludge and Agriculture By-Products**

COC's may permit the application of sludge or an agricultural by-product on land 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 shall 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 area or field 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 Land (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 shall 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 acres.

**C Application Restrictions**

The amount applied shall 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 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 shall not be disturbed during the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law, as determined by STC in consultation with the--\* State Technical Committee.



**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

\* \* \*

- 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.



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

C Participants' Responsibilities (Continued)

<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 (Continued)</p>	<ul style="list-style-type: none"> <li>• shall receive a reduced annual rental payment for the period indicated on CRP-1G Addendum, item 3.</li> </ul> <p><b>Note:</b> See subparagraph D.</p> <p>* * *</p> <p><b>Notes:</b> All signatories to CRP-1 shall be required to sign CRP-1G Addendum before COC or CED approval.</p> <p>* * *</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"> <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 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"> <li>•*--no earlier than July 1</li> <li>• ends September 30.--*</li> </ul> <p>* * *</p> <p><b>Note:</b> 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	Attach a copy of an aerial photograph to CRP-1G Addendum. Highlight the acreage on which the cover will be destroyed.
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 photocopy 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.

637 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> (08-06-14)	U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation	
	1. ST. & CO. Code	2. Contract No.
	3. Period of Nonpayment Sept. 30, 20 ____	4. Acres
<b>CRP-1 MODIFICATION TO ALLOW EARLY LAND PREPARATION</b>		
<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)	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):
<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 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.  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). <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b>		
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).                   If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</small>		

--\*

**\*--637.5 Conservation or Land Improvements During the Last Year of CRP-1****A General Policy for Conservation and Land Improvement**

Beginning on October 1 of the last FY of the contract, the owner or operator may make conservation or land improvements for economic use that facilitate maintaining protection of enrolled land after expiration of the contract. 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 contract 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 year of CRP-1:

- 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 year of CRP-1 will **not** be permitted during the established primary nesting season of birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law.

Conservation and land improvements in the last year of CRP-1 do not include planting a commodity crop.

CRP C/S assistance is **not** authorized for activities implemented under this paragraph.--\*

**\*--637.5 Conservation or Land Improvements During the Last Year of CRP-1 (Continued)****C Prohibition on Re-Enrollment**

All land under a contract 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 the contract.

**D Payment Reduction**

A payment reduction for conservation and land improvements in the last year of CRP-1 is required. This reduction is determined as 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 contract expiration.

**Note:** The reduction must not exceed the CRP annual rental payment for the FY.

**Example:** A CRP participant has a 40-acre CRP contract. The rental rate is \$40 per acre. The annual rental payment is \$1,600. During the last year of CRP-1, 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, 2016. A total of 9.0 acres are affected. A reduction of 8.3 percent applies for 9 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  $9$  (acres) equals  $\$149.40$ . Round to whole dollars. The rental payment of  $\$1,600$  will be reduced by  $\$149$ .--\*



**638 Erroneous Eligibility Determinations****A Erroneous Land Eligibility**

Land enrolled that is ineligible shall be terminated according to paragraph 571 from CRP-1. 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 shall:

- not assess liquidated damages
- not require refund of C/S if participant agrees to maintain the practice for the practice's lifespan

**Note:** The practice lifespan equals the length of the approved CRP-1.

- 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 shall not terminate CRP-1.

**639 Wind Turbines****A Policy**

COC **must** authorize the installation of windmills, wind turbines, wind-monitoring towers, or other wind-powered generation equipment on CRP acreage on a case-by-case basis consistent with the statute. COC may approve up to 5.0 acres per contract of wind turbines on CRP acreage provided the environmental impacts have been considered according to ~~subparagraph 367 F~~, and the installation does not occur during the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved according to Federal or State law, as determined by FSA STC in consultation under the ~~State Technical Committee~~. For authority over 5 acres, COC shall submit a request in writing to CEPD through the State Office according to subparagraph 31 A. The 5.0-acre per contract threshold is a cumulative figure that is calculated by totaling the square footage of land area devoted to the footprint of the wind generating device and any firebreak installed around the footprint.

Access roads, transformers, and other ancillary equipment will not be considered in calculating the 5.0-acre per contract threshold. A refund shall apply for acreage terminated for access roads, transformers, and other ancillary equipment. See subparagraph 639 B.

Each request shall be documented in the COC minutes and for cases over 5.0 acres, forwarded to CEPD through the State Office, with a copy of the completed FSA-850 signed by SEC included with the request **before** final approval.

~~Note: More restrictive requirements may apply within the lessor prairie chicken action area.~~

**B Payment Reductions and Refunds**

The payment reduction for installation of wind turbines, wind mills, wind-monitoring towers, or other wind-powered generation equipment is determined to be de minimus.

A refund applies to access roads, transformers, and other ancillary equipment terminated from CRP-1.

**640-662 (Reserved)**

## Part 19 Haying and Grazing of CRP Acres

### Section 1 Managed Harvesting and Managed Harvesting of Biomass

#### 663 Acreage Eligibility

##### A Eligible Acreage

Acreage eligible for managed harvesting includes acreage devoted to practices CP1, CP2, CP4B, CP4D, CP10, CP18B, CP18C, and CP38 if included in the approved SAFE proposal. Acreage shall become eligible 12 months after the cover is fully established.

##### B Ineligible Acreage

Acreage ineligible for managed harvesting includes acreage devoted to:

- useful life easements
- land within 120 feet of a stream or other permanent waterbody
- any practices not listed in subparagraph A.

#### 664 Managed Harvesting Provisions

##### A General Provisions

Managed harvesting, including harvest for biomass, is authorized no more frequently than \*--1 out of every 3 years, and no less frequently than 1 out of every 5 years, after the cover is fully established.

STC **must** consult with the State Technical Committee:

- to determine birds that are economically significant, in significant decline, or conserved according to Federal or State law
- to determine appropriate beginning and ending dates for the primary nesting season--\*
- for establishing the frequency of managed harvesting period.

**Note:** In certain circumstances, States may restrict the amount of acreage that may be harvested as recommended by the State Technical Committee. For example, after consulting with the State Technical Committee, a State establishes that 50 percent of the acreage must be left unharvested for wildlife. States shall report any additional restrictions to CED.

## 664 Managed Harvesting Provisions (Continued)

## A General Provisions (Continued)

\*--If STC's do not establish primary nesting season and harvesting dates and frequency as--\* recommended by the State Technical Committee, STC **must**:

- submit the dates to CEPD for approval
- include justification to support the dates not recommended by the State Technical Committee
- notify Director, CEPD, each time the primary nesting or brood rearing season or frequency is changed in consultation with the State Technical Committee.

If any State Office wishes to change the primary nesting season beginning or ending date for managed harvesting or frequency, an EA must be completed at their own cost. After completion of EA and issuance of a "Finding of No Significant Impact", the request may be forwarded to CEPD for approval.

\* \* \*

Managed harvesting is authorized for a single period up to 120 calendar days after the end of the primary nesting season. The length of time established shall be included in the locally approved harvesting plan, which is a part of the conservation plan. The primary purpose of this plan **must** be to maintain vegetative cover, minimize soil erosion, protect water quality, and protect wildlife habitat quality.

COC's shall not authorize participants to select their own managed harvesting periods or establish harvesting "windows" greater than the number of calendar days authorized.

Managed harvesting is not authorized during the primary nesting \* \* \* season. Requests for waiver will **not** be granted.

\*--**Note:** See Exhibit 51.5 for historical and current PNS dates and frequencies.--\*

665 (Withdrawn--Amend. 22)

666 Payment Reductions

A Reduction Rates

\*--The Agricultural Act of 2014 provides that the payment reduction for managed harvesting shall be no less than 25 percent. The payment reduction may be greater than 25 percent based on certain environmental conditions as determined by DAFP. Requests to reduce the standard payment reduction will **not** be approved.

For each applicable year the CRP participant harvested eligible CRP acreage, the CRP 1 annual rental payment shall be reduced by the number of acres actually harvested, times the CRP per acre annual rental payment, times 25 percent or greater as determined by DAFP.--\*

**Notes:** The required reduction may be prepaid by participants approved for harvesting and recorded according to 3-FI.

After the annual rental payment scheduled to be made after October 1 of the applicable year is made, producers **must** pay any required reduction according to 3-FI.

667 Compliance

**A Required Spot Checks**

To ensure that CRP cover is not damaged, wildlife and associated habitat is protected, and participants are complying with harvesting plans, COC’s shall spot-check at least 10 percent of the contracts approved for managed harvesting. Spot checks shall be completed within \*--10 calendar days of when the producer reports the managed harvesting.

**B Maintenance Defaults**

Maintenance defaults may include, but are not limited to, participants who:

- obtained a modified haying and grazing plan from NRCS or TSP but did **not** request haying or grazing from FSA have conducted **unauthorized haying and grazing** and are out of compliance
- reported that they hayed or grazed more acres than they requested and were approved for, have conducted **unauthorized haying and grazing** on additional acres and are out of compliance
- hayed and grazed fields other than the fields that they requested and were approved for, have conducted **unauthorized haying and grazing** and are out of compliance.--\*

When unauthorized haying is discovered, see paragraph 603, and use the provisions in the following.

<b>IF the maintenance default is on...</b>	<b>THEN...</b>
less than the reported acreage	compute managed harvesting payment reduction on the determined acreage.
greater than the reported acreage and COC determines the participant made a good faith effort to comply	compute managed harvesting payment reduction on the reported acreage and assess a payment reduction on the acreage in excess of the reported acreage according to paragraph 603.
greater than the reported acreage and COC determines the participant did not make a good faith effort to comply	terminate CRP-1 according to paragraph 571.

**668 Reporting Requirements****A Producer Reports**

\*--Participants **must** report the number of acres harvested within 10 calendar days of the end of the managed harvesting period.

**B County Office Report**

As part of the annual Haying and Grazing Summary Report, County Offices shall report to the State Office by a date determined by STC, the number of CRP:

- contracts where harvesting under managed provisions actually occurred
- acres actually harvested under managed provisions.

**C STC Report**

STC's or designees shall report to James Michaels, CEPD by e-mail at **james.michaels@wdc.usda.gov** by the date announced in the annual Haying and Grazing Summary Report request, the number of:

- CRP-1's harvested under managed provisions
- CRP acres harvested under managed provisions.--\*

**Note:** Negative reports are required.

**669 Managed Grazing****A Authority for Managed Grazing**

The Food Security Act of 1985, as amended, removed authority for managed grazing.

**B CRP Contracts With Existing Managed Grazing Plans**

Existing managed grazing plans in CPO are part of the CRP contract and are effective for the life of the CRP contract. CRP participants wishing to switch from managed grazing to routine grazing must modify their existing CPO to permit routine grazing. Managed grazing only applies to CRP contracts approved before July 28, 2010.

**670-678 (Reserved)**





## Section 2 Managed Grazing for CRP Contracts Approved Before July 28, 2010

### 679 Acreage Eligibility

#### A Eligible Acreage

Acreage eligible for managed grazing includes acreage devoted to practices CP1, CP2, CP4B, CP4D, CP10, CP18B, and CP18C. Acreage shall become eligible 12 months after the cover is fully established.

#### B Ineligible Acreage

Acreage ineligible for managed grazing includes acreage devoted to:

- useful life easements
- land within 120 feet of a stream or other permanent waterbody
- any practices not listed in subparagraph A.

### 680 Managed Grazing Provisions

#### A General Provisions

STC **must** consult with the State Technical Committee:

- \*--to determine birds that are economically significant, in significant decline, or conserved according to Federal or State law
- to determine appropriate beginning and ending dates for the primary nesting season--\*
- for establishing the duration and frequency of managed \* \* \* grazing periods.

**680 Managed Grazing Provisions (Continued)****A General Provisions (Continued)**

If STC's do not establish nesting and brood rearing season and grazing dates and frequency as recommended by the State Technical Committee, STC **must**:

- submit the dates to CEPD for approval
- include justification to support the dates not recommended by the State Technical Committee
- notify Director, CEPD, each time the primary nesting or brood rearing season is changed in consultation with the State Technical Committee.

If any State Office wishes to change the primary nesting season beginning or ending date for managed grazing, an EA must be completed at their own cost. After completion of the EA and issuance of a "Finding of No Significant Impact", the request may be forwarded to CEPD for approval.

Managed grazing is authorized for a single period up to 120 calendar days not to exceed September 30; or for two 60-calendar-day periods not to exceed September 30. The length of time established shall be included in the locally approved Prescribed Grazing Plan, which is a part of the conservation plan. The primary purpose of this plan **must** be to maintain vegetative cover, minimize soil erosion, protect water quality, and protect wildlife habitat quality.

COC's shall not authorize participants to select their own managed grazing periods or establish "windows" greater than the number of calendar days authorized.

**Example:** COC shall not establish a managed grazing window that allows participant A to conduct managed grazing July 1 through August 31 and allow participant B to conduct managed grazing July 15 through September 13. In this example, the July 1 grazing start date selected by participant A and the September 13 ending date selected by participant B exceeds the 60-calendar-day grazing period.

Managed grazing is not authorized during the primary nesting and brood rearing season. Requests for waiver will **not** be granted.

## 680 Managed Grazing Provisions (Continued)

## A General Provisions (Continued)

Before grazing, CRP participants:

- shall request approval to graze eligible acreage
- obtain a modified conservation plan to include grazing requirements, as determined by NRCS or TSP

**Notes:** The grazing plan **must** be site specific and reflect the local wildlife needs and concerns.

Managed grazing may be incorporated into the conservation plan for new contracts.

\* \* \*

- shall not graze any acreage hayed or grazed under managed or emergency provisions during the period established by STC in consultation with the State Technical Committee or established by the NWF Settlement Agreement

**Exception:** For emergency haying and grazing, see paragraph 693.

- shall not graze during the primary nesting \* \* \* season
- shall be assessed a payment reduction based on the number of acres actually grazed times \*--the CRP annual rental payment times 25 percent or greater, as applicable

**Note:** The payment reduction may be greater than 25 percent based on certain environmental conditions as determined by DAFP.

- shall remove livestock from all CRP fields within 1 day of the end of the managed grazing period--\*
- who do not own or lease livestock, may rent or lease the grazing privilege to an eligible livestock producer.

**Note:** CRP participants who rent or lease the grazing privilege to an eligible livestock producer shall:

- inform the County Office of the producer's name
- \*--identify the acreage to be grazed on digital imagery.--\*

680 Managed Grazing Provisions (Continued)

**A General Provisions (Continued)**

Eligible livestock producers who are renting or leasing eligible acreage from a CRP participant, before any grazing occurs, shall:

- sign a statement that he or she will not sublease CRP acreage
- receive notification of approval, in writing, from COC or CED.

**Note:** A copy of the notification shall be given to the CRP participant.

Participants who graze CRP acreage without approval or fail to follow these provisions will be subject to the noncompliance provisions in paragraph 667.

\*--See Exhibit 51.5 for historical and current PNS dates and frequencies.--\*

**B Participant Provisions**

CRP participants shall:

- file a request to graze CRP acreage before grazing begins
- take the following actions.

Step	Action
1	Identify the acreage to be grazed on a GIS-generated map.
2	Obtain a modified conservation plan to include grazing requirements, as determined by NRCS or TSP. The grazing plan <b>must</b> be site specific and reflect the local wildlife needs and concerns.
3	Record intended use on CRP-117. See Exhibit 47.
4	Sign agreement in Exhibit 48.  <b>Note:</b> All participants are required to sign the agreement before grazing begins.
5	Receive notification of approval in writing from COC or CED.  Livestock producers who rent or lease acreage from the CRP participant shall:  <ul style="list-style-type: none"> <li>• sign a statement agreeing not to sublease the CRP acreage</li> <li>• receive notification of approval from COC or CED.</li> </ul> <p><b>Note:</b> A copy of the notification <b>must</b> be given to the CRP participant.</p>
6	Require CRP participants, who grazed CRP acres or rented or leased grazing privileges, to report the number of acres actually grazed, 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 managed haying or grazing.
8	Be assessed a payment reduction according to paragraph 681.
9	*--CRP participants <b>must</b> remove all livestock from all fields within 1 day of the end of the managed grazing period.--*
10	Grazing shall not be conducted after a date determined by STC.

681 Payment Reductions

A Reduction Rates

For each applicable year the CRP participant grazed eligible CRP acreage, the CRP 1 annual rental payment shall be reduced by the number of acres actually grazed, times the CRP per acre annual rental payment, times 25 percent.

**Notes:** The required reduction may be prepaid by participants approved for grazing and recorded according to 3-FI.

After the annual rental payment scheduled to be made after October 1 of the applicable year is made, producers **must** pay any required reduction according to 3-FI.

682 Compliance

**A Required Spot Checks**

To ensure that CRP cover is not damaged, wildlife and associated habitat is protected, and participants are complying with grazing plans, COC's shall spot-check at least 10 percent of the contracts approved for managed grazing. Spot checks shall be completed within

\*--10 calendar days of when the producer reports the managed grazing.

**B Maintenance Defaults**

Maintenance defaults may include, but are not limited to, participants who:

- obtained a modified haying and grazing plan from NRCS or TSP but did **not** request haying or grazing from FSA have conducted **unauthorized haying and grazing** and are out of compliance
- reported that they hayed or grazed more acres than they requested and were approved for, have conducted **unauthorized haying and grazing** on additional acres and are out of compliance
- hayed and grazed fields other than the fields that they requested and were approved for, have conducted **unauthorized haying and grazing** and are out of compliance.--\*

When unauthorized grazing is discovered, follow paragraph 603, and use the provisions in the following.

<b>IF the maintenance default is on...</b>	<b>THEN...</b>
less than the reported acreage	compute managed grazing payment reduction on the determined acreage.
greater than the reported acreage and COC determines the participant made a good faith effort to comply	compute managed grazing payment reduction on the reported acreage and assess a payment reduction on the acreage in excess of the reported acreage according to paragraph 603.
greater than the reported acreage and COC determines the participant did not make a good faith effort to comply	terminate CRP-1 according to paragraph 571.

**683 Reporting Requirements**

**A Producer Reports**

\*--Participants **must** report the number of acres grazed within 10 calendar days of the end of the managed grazing period.

**B County Office Report**

As part of the annual Haying and Grazing Summary Report, County Offices shall report to the State Office by a date determined by STC, the number of CRP:

- contracts where grazing under managed provisions actually occurred
- acres actually grazed under managed provisions.

**C STC Report**

STC's or designees shall report to James Michaels, CEPD by e-mail at **james.michaels@wdc.usda.gov** by the date announced in the annual Haying and Grazing Summary Report request, the number of:--\*

\* \* \*

- CRP-1's grazed under managed provisions
- CRP acres grazed under managed provisions.

**Note:** Negative reports are required.

**684-690 (Reserved)**





### Section 3 Emergency Haying and Grazing

#### 691 County Eligibility

##### A Authorization

Emergency haying and grazing of CRP acreage is not:

- intended to be a convenience; rather emergency haying and grazing is generally intended for periods of drought or excessive moisture of such magnitude that livestock producers nationally or across wide-ranging areas are faced with culling of herds or livestock losses
- generally authorized for situations where livestock producers suffer inconveniences in forage availability or prices, because of less than ideal production or over-utilization of acreage not under CRP contract.

Emergency authorization shall be from DAFP or STC determination according to this Section.

##### B DAFP Authorizations

COC's may request emergency haying or grazing for all or part of a county with STC concurrence through CEPD.

CEPD shall make determinations on a county-by-county basis.

##### \*--C Applying for DAFP Authorization--\*

County eligibility is based on COC submitting evidence that the county is suffering from a 40 percent or greater loss in normal hay and pasture production, and either of the following conditions exists for:

- drought conditions, precipitation levels indicate an average of 40 percent or greater loss of normal precipitation for the 4 most recent months, plus the days in the current month before the date of request
- excessive moisture conditions, precipitation levels indicate an average of 140 percent or greater increase in normal precipitation during the 4 most recent consecutive months, plus the days in the current month before the date of request.

## 691 County Eligibility (Continued)

**\*--C Applying for DAFP Authorization (Continued)--\***

Emergency haying or grazing shall be confined to the acreage physically located within the boundary of the eligible county, regardless of where the headquarters for the farm is located.

**Note:** An entire field, which is partially located in an ineligible county, may be hayed or grazed as part of an eligible county.

COC shall submit requests for authorization for emergency haying or grazing of CRP acreage to CEPD, through the State Office. Requests shall include at a minimum the following:

- CRP-42 that was completed according to Exhibit 51
- detailed narrative written description of disaster conditions in the county
- copy of COC minutes and narrative recommendation
- explanation of livestock emergency and justification of need for emergency measures.

When COC is requesting authorization for emergency haying or grazing in only a part of the county, the County Office shall 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 should be outlined by township boundaries, roads, highways, streams, or other identifiable landmarks.

- detailed written description of disaster conditions in the county.

**Note:** If the request for part of a county is approved, the part of the county not covered by the request shall not be eligible for haying or grazing of CRP.

**691 County Eligibility (Continued)****\*--C Applying for DAFP Authorization (Continued)--\***

COC shall ensure that an eligible livestock producer, to whom the acreage is rented or leased, is located in an approved county or part of a county, as applicable.

All requests and CEPD determinations, and STC determinations, as applicable, shall be recorded in the COC minutes.

COC shall clearly document in the COC minutes the following:

- justification for the request to release CRP 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.

STC, or designee, shall thoroughly review COC requests for completeness and make a recommendation before submitting requests to CEPD. Failure to submit complete requests with STC, or designee, recommendation will delay the CEPD response.

After CEPD approves COC's request, COC shall notify all participants in the county or part of the county, as applicable, of the authorization to hay or graze CRP acreage by the fastest means possible.

**Note:** Unless otherwise indicated, all emergency haying authorizations shall end August 31, and all emergency grazing authorizations shall end September 30.

691 County Eligibility (Continued)

**D STC Determinations**

COC’s may request emergency haying or grazing for all or part of a county to STC using the U.S. Drought Monitor.

STC shall:

- make determinations on a county-by-county basis
- report approvals to CEPD by COB each day.

**Note:** STC approval notification shall be in the following format.

County Name	Date Grazing Approved	Date Haying Approved

STC shall **not** approve counties for emergency haying or grazing based on the U.S. Drought Monitor during the primary nesting and brood rearing season.

STC shall **not** take action to approve counties for emergency haying or grazing based on the U.S. Drought Monitor during the primary nesting and brood rearing season to be effective after the primary nesting season ends.

**Exception:** STC may take action during the last week of the primary nesting season using the most recent data available from the U.S. Drought Monitor.

STC approvals of emergency haying shall end no later than August 31, and approvals of emergency grazing shall end no later than September 30.

**E County Eligibility Criteria for STC Determination**

For emergency haying and grazing, county eligibility is based on COC submitting evidence that the county is designated as level “D2 Drought-Severe” according to the U.S. Drought Monitor.

The U.S. Drought Monitor is available on the internet at  
 \*--<http://droughtmonitor.unl.edu>--\*

691 County Eligibility (Continued)

**H Haying and Grazing Timeframes**

The following are haying and grazing timeframes:

- STC designation for emergency grazing may be for up to 90 calendar days, not to exceed September 30
- STC may authorize one 30-calendar-day extension, not to exceed September 30
- STC designation for emergency haying may be for up to 60 calendar days, not to exceed August 31
- STC may **not** authorize emergency haying extensions.

\* \* \*

## 692 Acreage Eligibility

### A Eligible Acreage

Acreage eligible for emergency haying or grazing includes acreage devoted to practices CP1, CP2, CP4B, CP4D, CP10, CP18B, CP18C, and CP38 if included in the approved SAFE proposal.

**Note:** DAFP may authorized certain additional practices if emergency conditions are determined to warrant such release.--\*

### B Ineligible Acreage

Acreage ineligible for emergency haying or grazing includes acreage devoted to:

- useful life easements
- land within 120 feet of a stream or other permanent waterbody
- any practice **not** listed in subparagraph A.

## 693 Emergency Haying and Grazing Provisions

### A General Provisions

Emergency haying or grazing shall be confined to the acreage physically located within the boundary of the eligible county, regardless of where the headquarters for the farm is located.

**Note:** An entire CRP field, which is partially located in an ineligible county, may be hayed or grazed as part of an eligible county.

Before haying or grazing, CRP participants:

- shall request approval to hay or graze eligible acreage
- obtain a modified conservation plan to include haying or grazing requirements, as determined by NRCS or TSP

**Note:** The haying or grazing plan **must** be site specific and reflect the local wildlife needs and concerns.

- shall leave at least 25 percent of each field or contiguous CRP fields ungrazed for wildlife, or graze not more than 75 percent of the stocking rate determined by NRCS or TSP
- shall leave at least 50 percent of each field or contiguous CRP fields unhayed for wildlife

## 693 Emergency Haying and Grazing Provisions (Continued)

## A General Provisions (Continued)

- shall not hay or graze the same acreage
- shall not sell the hay
- shall limit haying to 1 cutting
- shall not hay or graze during the primary nesting \* \* \* season

**Note:** For States listed in the NWF Settlement Agreement, the haying and grazing dates \*--in Exhibit 51.5 apply.

- shall **not** be assessed a payment reduction for emergency haying or grazing conducted **after February 6, 2014**
- shall remove all hay from all CRP fields within 15 calendar days of the end of the emergency haying period
- shall remove all livestock from all CRP fields no later than 1 day after the end of the emergency grazing period--\*
- who do not own or lease livestock, may rent or lease the haying or grazing privilege to an eligible livestock producer.

CRP participants who rent or lease the haying or grazing privilege to an eligible livestock producer shall:

- \*--identify the acreage to be hayed or grazed on digital imagery--\*
- inform the County Office of the producer's name.

Eligible livestock producers who are renting or leasing eligible acreage from a CRP participant, before any haying or grazing occurs, shall:

- sign a statement that he or she will not sublease CRP acreage
- receive notification of approval, in writing, from COC or CED.

**Note:** A copy of the notification shall be given to the CRP participant.

Participants who hay or graze CRP acreage without approval, or fail to follow these provisions, will be subject to the noncompliance provisions according to paragraph 695.

693 Emergency Haying and Grazing Provisions (Continued)

**B Participant Provisions**

CRP participants shall:

- file a request to hay or graze CRP acreage before haying or grazing begins
- take the following actions.

Step	Action
1	*--Identify the acreage to be hayed or grazed on digital imagery.--*
2	Obtain a modified conservation plan to include haying or grazing requirements, as determined by NRCS or TSP. The haying or grazing plan <b>must</b> be site specific and reflect the local wildlife needs and concerns.
3	Record intended 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	Leave at least 50 percent of each field or contiguous CRP fields unhayed for wildlife.  Leave at least 25 percent of each field or contiguous fields ungrazed for wildlife, or graze no more than 75 percent of the stocking rate determined by NRCS or TSP.
6	Receive notification of approval in writing from COC or CED.  Livestock producers who rent or lease acreage from the CRP participant shall: <ul style="list-style-type: none"> <li>• sign a statement agreeing not to sublease the CRP acreage</li> <li>• receive notification of approval from COC or CED.</li> </ul> <b>Note:</b> A copy of the notification <b>must</b> be given to the CRP participant.
7	Require CRP participants, who hayed or grazed CRP acres or rented or leased haying or grazing privileges, to report the number of acres actually hayed or grazed, and sign and date CRP-118. See Exhibit 49.
8	Re-establish the CRP cover, at their own expense, if the cover fails as a result of emergency haying or grazing.
9	Haying shall be limited to 1 cutting.
*--10	Haying shall not be conducted after August 31. Grazing shall not be conducted after September 30.
11	CRP participants <b>must</b> remove all hay from all fields within 15 calendar days of the end of the emergency haying period.
12	CRP participants <b>must</b> remove all livestock from all fields no later than 1 day after the end of the emergency grazing period.--*



**694 Payment Reductions**

**A Reduction Rates**

The Agricultural Act of 2014 was signed into law on February 7, 2014. \* \* \* Section 2004 provides that emergency haying and grazing may be conducted without any reduction in the annual rental payment.

No standard payment reduction for conducting emergency haying and grazing shall be assessed for producers who conduct emergency haying or grazing after February 6, 2014.

\* \* \*

\* \* \*

695 Compliance

**A Required Spot Checks**

To ensure that CRP cover is not damaged, wildlife and associated habitat is protected, and participants are complying with haying and grazing plans, COC’s shall spot-check at least 10 percent of the contracts approved for emergency haying and grazing. Spot checks shall be \*--completed within 10 calendar days of when the producer reports the emergency haying and grazing.

**B Maintenance Defaults**

Maintenance defaults may include, but are not limited to, participants who:

- obtained a modified haying and grazing plan from NRCS or TSP but did **not** request haying or grazing from FSA have conducted **unauthorized haying and grazing** and are out of compliance
- reported that they hayed or grazed more acres than they requested and were approved for, have conducted **unauthorized haying and grazing** on additional acres and are out of compliance
- hayed and grazed fields other than the fields that they requested and were approved for, have conducted **unauthorized haying and grazing** and are out of compliance.--\*

When unauthorized haying or grazing is discovered, follow paragraph 603, and use the provisions in the following.

<b>IF the maintenance default is on...</b>	<b>THEN...</b>
less than the reported acreage	compute emergency haying or grazing payment reduction on the determined acreage.
greater than the reported acreage and COC determines the participant made a good faith effort to comply	compute emergency haying and grazing payment reduction on the reported acreage and assess a payment reduction on the acreage in excess of the reported acreage according to paragraph 603.
greater than the reported acreage and COC determines the participant did not make a good faith effort to comply	terminate CRP-1 according to paragraph 571.

**696 Reporting Requirements**

**A Producer 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.

**B County Office Report**

As part of the annual Haying and Grazing Summary Report, County Offices shall report to the State Office by a date determined by STC, the number of CRP:

- contracts where haying or grazing under emergency authority actually occurred
- acres actually hayed or grazed under emergency authority.

**C STC Report**

STC's or designees shall report to James Michaels, CEPD by e-mail at **james.michaels@wdc.usda.gov** by the date announced in the annual Haying and Grazing Summary Report request, the number of:--\*

\* \* \*

- CRP-1's hayed or grazed under emergency authority
- CRP acres hayed or grazed under emergency authority.

**Note:** Negative reports are required.

**697-713 (Reserved)**



**Section 4 Routine Grazing Provisions**

**\*--714 Authority**

**A Authority for Routine Grazing**

The Food Security Act of 1985, as amended, provides authority for routine grazing.--\*

**715 Acreage Eligibility**

**A Eligible Acreage**

Acreage eligible for routine grazing includes acreage devoted to practices CP1, CP2, CP4B, CP4D, CP10, CP18B, CP18C, and CP38 if included in the approved SAFE proposal. Acreage shall become eligible 12 months after the cover is fully established.

**B Ineligible Acreage**

Acreage ineligible for routine grazing includes acreage devoted to:

- useful life easements
- land within 120 feet of a stream or other permanent waterbody
- any practices not listed in subparagraph A.

## 716 Routine Grazing Provisions

## A General Provisions

\* \* \*

STC shall consult with the State Technical Committee to determine routine grazing frequency and duration. States must set frequency and duration for routine grazing for new contracts. \* \* \*

Routine grazing, as authorized, consists of the following 3 activities:

- routine grazing
- routine - permissive grazing
- routine - incidental grazing.

\*--Routine grazing is authorized no more frequently than 1 out of every 2 years (every other year).

STC **must** consult with the State Technical Committee to:

- determine birds that are economically significant, in significant decline, or conserved according to Federal or State law
- determine appropriate beginning and ending dates for the primary nesting season
- establish the duration and frequency of routine grazing periods.

**Notes:** STC shall establish only 1 primary nesting season for managed harvesting, emergency haying and grazing, and routine grazing.

STC shall establish only 1 haying and grazing duration for managed harvesting, emergency haying and grazing, and routine grazing.

No changes are authorized to routine permissive grazing or routine incidental grazing.--\*

## 716 Routine Grazing Provisions (Continued)

## A General Provisions (Continued)

NRCS or TSP shall use NRCS technical practice standard No. 528, Prescribed Grazing, in developing the Routine Grazing Plan. The length of time and frequency established shall be included in the locally approved Prescribed Grazing Plan, which is a part of the conservation plan. The primary purpose of this plan **must** be to maintain vegetative cover, minimize soil erosion, protect water quality, and protect wildlife habitat quality.

Routine grazing is not authorized during the primary nesting \* \* \* season. Requests for waiver will **not** be granted.

Before grazing, CRP participants:

- shall request approval to graze eligible acreage
- obtain a modified conservation plan to include routine grazing requirements, as determined by NRCS or TSP

**Notes:** The routine grazing plan **must** be site specific and reflect the local wildlife needs and concerns.

Routine grazing may be incorporated into the conservation plan for new contracts.

- shall not hay or graze the same acreage
- shall not graze any acreage hayed or grazed under managed or emergency provisions during the period established by STC in consultation with the State Technical Committee

**Exception:** For emergency haying and grazing, see paragraph 693.

- shall not graze during the primary nesting \* \* \* season
- \*--shall remove all livestock from all fields within 1 day of the end of the routine grazing period--\*

716 Routine Grazing Provisions (Continued)

A General Provisions (Continued)

- shall be assessed a payment reduction based on the number of acres actually grazed times the CRP annual rental payment times 25 percent, as applicable
- who do not own or lease livestock, may rent or lease the grazing privilege to an eligible livestock producer.

**Note:** CRP participants who rent or lease the grazing privilege to an eligible livestock producer shall:

- inform the County Office of the producer's name
- identify the acreage to be grazed on an aerial photocopy.

Eligible livestock producers who are renting or leasing eligible acreage from a CRP participant, before grazing occurs, shall:

- sign a statement that he or she will not sublease CRP acreage
- \*--receive notification of approval, in writing, from COC or CED.--\*

**Note:** A copy of the notification shall be given to the CRP participant.

Participants who graze CRP acreage without approval or fail to follow these provisions will be subject to the noncompliance provisions in paragraph 667.



716 Routine Grazing Provisions (Continued)

**B Participant Provisions**

CRP participants shall:

- file a request to graze CRP acreage before grazing begins
- take the following actions.

Step	Action
1	*--Identify the acreage to be grazed on digital imagery.--*
2	Obtain a modified conservation plan to include routine grazing requirements, as determined by NRCS or TSP. The routine grazing plan <b>must</b> be site specific and reflect the local wildlife needs and concerns.
3	Record intended use on CRP-117. See Exhibit 47.
4	Sign agreement in Exhibit 48.  <b>Note:</b> All participants are required to sign the agreement before routine grazing begins.
5	Receive notification of approval in writing from COC or CED.  Livestock producers who rent or lease acreage from the CRP participant shall: <ul style="list-style-type: none"> <li>• sign a statement agreeing not to sublease the CRP acreage</li> <li>• receive notification of approval from COC or CED.</li> </ul> <b>Note:</b> A copy of the notification <b>must</b> be given to the CRP participant.
6	Require CRP participants, who grazed CRP acres or rented or leased grazing privileges, to report the number of acres actually grazed, 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 routine grazing.
8	*--Be assessed a payment reduction according to paragraph 717.
9	CRP participants <b>must</b> remove livestock from all fields within 1 day of the end of the routine grazing period.--*
10	Routine grazing shall not be conducted during the primary nesting season.

**717 Payment Reductions****A Reduction Rates**

\*--The Agricultural Act of 2014 provides that the payment reduction for routine grazing shall be no less than 25 percent unless grazed by livestock of a beginning farmer or rancher. Acreage grazed by livestock of a beginning farmer or rancher under routine grazing provisions shall **not** be assessed a payment reduction.

The payment reduction may be greater than 25 percent based on certain environmental conditions as determined by DAFP.

For each applicable year the CRP participant grazed eligible CRP acreage, the CRP annual rental payment shall be reduced by the number of acres actually grazed, times the CRP per acre annual rental payment, times 25 percent or greater if the CRP participant is **not** a beginning farmer or rancher.--\*

**Notes:** The required reduction may be prepaid by participants approved for routine grazing and recorded according to 3-FI.

After the annual rental payment scheduled to be made after October 1 of the applicable year is made, producers **must** pay any required reduction according to 3-FI.

718 Compliance

**A Required Spot Checks**

To ensure that CRP cover is not damaged, wildlife and associated habitat is protected, and participants are complying with haying and grazing plans, COC’s shall spot-check at least 10 percent of the contracts approved for routine grazing. Spot checks shall be completed \*--within 10 calendar days of when the producer reports the routine grazing.

**B Maintenance Defaults**

Maintenance defaults may include, but are not limited to, participants who:

- obtained a modified haying and grazing plan from NRCS or TSP but did **not** request haying or grazing from FSA have conducted **unauthorized haying and grazing** and are out of compliance
- reported that they hayed or grazed more acres than they requested and were approved for, have conducted **unauthorized haying and grazing** on additional acres and are out of compliance
- hayed and grazed fields other than the fields that they requested and were approved for, have conducted **unauthorized haying and grazing** and are out of compliance.--\*

When unauthorized grazing is discovered, follow paragraph 603, and use the provisions in the following.

<b>IF the maintenance default is on...</b>	<b>THEN...</b>
less than the reported acreage	compute routine grazing payment reduction on the determined acreage.
greater than the reported acreage and COC determines the participant made a good faith effort to comply	compute routine grazing payment reduction on the reported acreage and assess a payment reduction on the acreage in excess of the reported acreage according to paragraph 603.
greater than the reported acreage and COC determines the participant did not make a good faith effort to comply	terminate CRP-1 according to paragraph 571.

**719 Reporting Requirements**

**A Producer Reports**

\*--Participants **must** report the number of acres routine grazed by October 10.

**B County Office Report**

As part of the annual Haying and Grazing Summary Report, County Offices shall report to the State Office by a date determined by STC, the number of CRP:

- contracts where routine grazing actually occurred
- acres actually grazed.

**C STC Report**

STC's or designees shall report to James Michaels, CEPD by e-mail at **james.michaels@wdc.usda.gov** by the date announced in the annual Haying and Grazing Summary Report request, the number of:--\*

\* \* \*

- CRP-1's grazed under routine grazing
- CRP acres grazed under routine grazing.

**Note:** Negative reports are required.

## 720 Routine Incidental Grazing

### A Incidental Grazing

Subject to COC or CED approval, CP8A, \* \* \* CP15A, CP21, and CP33 may be grazed only if all of the following requirements are met:

- 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, or during the dormant period of a small grain intended for harvest
- grazing shall not occur during the primary nesting \* \* \* season, as determined by STC in consultation with the State Technical Committee, for States affected by the NFW \*--Settlement Agreement (Exhibit 51.5)--\*

**Note:** See paragraph 427.

- all livestock shall be removed from CRP acreage no later than 2 months 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 participant agree in writing to:
  - \*--accept a 25 percent or greater payment reduction for the acreage being grazed--\*

**Note:** The required reduction may be prepaid by participants and recorded according to 3-FI.

- 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.

If the acreage to be grazed is separated from the surrounding cropland by a fence, the acreage shall not be grazed.

**Example:** John Brown requests to graze a filter strip enrolled in CRP as part of the gleaning of the corn crop residue in the field. There is a fence between the field with the corn residue and the filter strip. COC shall not approve Mr. Brown's request.

**721 Routine Permissive Grazing****A Routine Permissive Grazing Gleaning**

COC'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 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 effective date of CRP-1
- the gleaning of the crop residue will not delay the establishment of the approved cover
- producer agrees, in writing, to:
  - provide adequate cover to prevent soil erosion
  - pay for a field visit to determine if gleaning will be authorized
  - remove all livestock no later than 2 months after gleaning begins.

**B Example**

Jim has an approved offer that will become effective October 1; the:

- acreage is planted to corn
- approved practice **cannot** be established until the following spring.

COC may authorize Jim to allow livestock to glean the acreage after October 1 (the effective date of the contract), provided the conditions in subparagraph A are met.

**722-740 (Reserved)**

## Section 5 Prescribed Grazing Provisions

## 741 Prescribed Grazing

## A Prescribed Grazing

Prescribed grazing is authorized where kudzu or other invasive species have infested CRP acreage:

- according to NRCS technical practice standard No. 528, Prescribed Grazing
- not to exceed 30 calendar days between May 1 and September 1
- for not more than a total of 3 consecutive years during the life of CRP-1.

Requests to graze kudzu or other invasive species **must** be in writing before COC may authorize grazing on the CRP acreage.

**Note:** Requests **must** identify the invasive species and dates acreage will be grazed.

\*--A payment reduction of 25 percent shall be assessed for prescribed grazing. DAFP may assess a payment reduction greater than 25 percent based on certain environmental conditions.--\*

## B County Office Action

COC shall consult FS or other natural resources agency before approving requests to graze kudzu or other invasive species invested acreage.

**Note:** Conservation plan shall not be modified by NRCS for this purpose.

Applicable County Offices:

- shall inform producers of the kudzu and other invasive species grazing provisions
- \*--shall reduce the annual rental payment for prescribed grazing by 25 percent--\*
- may approved subsequent requests by the same CRP participant

**Note:** COC shall approve each request.

- shall spot check CRP-1's approved for kudzu or other invasive species grazing to ensure that livestock are not grazing more acreage or longer than authorized.

742 Summary of Haying and Grazing

A Summary of Each Type of Haying and Grazing

The following provides a summary of each type of haying and grazing and the applicable policy and payment reduction.

<b>Haying and Grazing Provisions Table</b>		
<b>Type/Provisions Activity/For</b>	<b>Components</b>	<b>Percent Payment Reduction</b>
Managed Harvesting for Hay	<ul style="list-style-type: none"> <li>• Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E. If included in the approved SAFE proposal.</li> <li>•*--No more frequently than 1 in 3 years. See Exhibit 51.5.</li> <li>• No less frequently than 1 in 5 years.--*</li> <li>• Emergency haying or grazing restarts the clock.</li> <li>• Not authorized during the primary nesting season.</li> <li>• Up to 120 calendar days after the end of the primary nesting season.</li> <li>• Request approval before harvesting eligible acreage.</li> <li>• Spot-check 10 percent of contracts approved.</li> </ul>	*--25 or greater (statutory)--*
Managed Harvesting for Biomass	<ul style="list-style-type: none"> <li>• Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E. If included in the approved SAFE proposal.</li> <li>•*--No more frequently than 1 in 3 years. See Exhibit 51.5.</li> <li>• No less frequently than 1 in 5 years.--*</li> <li>• Emergency haying or grazing restarts the clock.</li> <li>• Not authorized during the primary nesting season.</li> <li>• Up to 120 calendar days after the end of the primary nesting season.</li> <li>• Request approval before harvesting eligible acreage.</li> <li>• Spot-check 10 percent of contracts approved.</li> </ul>	*--25 or greater (statutory)--*



742 Summary of Haying and Grazing (Continued)

A Summary of Each Type of Haying and Grazing (Continued)

Haying and Grazing Provisions Table		
Type/Provisions Activity/For	Components	Percent Payment Reduction
Managed Grazing for Contracts Approved Before July 28, 2010	<ul style="list-style-type: none"> <li>• Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E, if included in the approved SAFE proposal.</li> <li>• *--No more frequently than 1 in 3 years. See Exhibit 51.5.--*</li> <li>• Emergency haying or grazing restart the clock.</li> <li>• Not authorized during the primary nesting season.</li> <li>• Up to 120 calendar days after the end of the primary nesting season.</li> <li>• Request approval before grazing eligible acreage.</li> <li>• Spot-check 10 percent of contracts approved.</li> </ul>	25
Emergency Haying	<ul style="list-style-type: none"> <li>• *--Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E. If included in the approved SAFE proposal.</li> <li>• Shall leave 50 percent of field or contiguous fields unhayed.</li> <li>• Shall not sell the hay.</li> <li>• Authority ends August 31.</li> <li>• Request approval before haying eligible acreage.</li> <li>• Spot-check 10 percent of contracts approved.</li> </ul>	0--*
Emergency Grazing	<ul style="list-style-type: none"> <li>• *--Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E. If included in the approved SAFE proposal.</li> <li>• May graze 75 percent of field or contiguous fields, or graze entire field or contiguous fields at no more than 75 percent of the stocking rate.</li> <li>• Authority ends September 30.</li> <li>• Request approval before grazing eligible acreage.</li> <li>• Spot-check 10 percent of contracts approved.</li> </ul>	0--*

742 Summary of Haying and Grazing (Continued)

A Summary of Each Type of Haying and Grazing (Continued)

Haying and Grazing Provisions Table		
Type/Provisions Activity/For	Components	Percent Payment Reduction
Routine Grazing	<ul style="list-style-type: none"> <li>• Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E, if included in the approved SAFE proposal.</li> <li><b>Note:</b> CP10 is only eligible for contracts approved before March 14, 2011.</li> <li>•*--No more frequently than every other year. See--* subparagraph 716 A.</li> <li>• Emergency haying or grazing restarts the clock.</li> <li>• Not authorized during the primary nesting season.</li> <li>• Request approval before grazing eligible acreage.</li> <li>• Spot-check 10 percent of contracts approved.</li> </ul>	*--25 or greater, or 0 for beginning farmer or rancher (statutory)--*
Routine Grazing - Incidental	<ul style="list-style-type: none"> <li>• Acreage devoted to practice CP8A, CP13C, CP15A, CP21, or CP33.</li> <li>• Incidental to gleaning crop residue in the surrounding field or before harvest of a small grain.</li> <li>• Not authorized during the primary nesting season.</li> <li>• Authorized up to 60 calendar days after the start of incidental grazing.</li> <li>• Request approval before grazing eligible acreage.</li> <li>• Spot-check 10 percent of contracts approved.</li> </ul>	*--25 or greater, or 0 for beginning farmer or rancher (statutory)--*

742 Summary of Haying and Grazing (Continued)

A Summary of Each Type of Haying and Grazing (Continued)

Haying and Grazing Provisions Table		
Type/Provisions Activity/For	Components	Percent Payment Reduction
Routine Grazing - Permissive	<ul style="list-style-type: none"> <li>• Acreage is in the first year of the CRP contract.</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 effective date of the CRP contract.</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> <li>• Spot-check 10 percent of contracts approved.</li> </ul>	*--25 or greater, or 0 for beginning farmer or rancher (statutory)--*
Prescribed Grazing	<ul style="list-style-type: none"> <li>• Authorized where Kudzu or other invasive species has infested CRP acreage.</li> <li>• Must be grazed according to NRCS technical practice standard 528, Prescribed Grazing.</li> <li>• Not to exceed 30 calendar days between May 1 and September 1.</li> <li>• Authorized for no more than 3 consecutive years during the life of the CRP contract.</li> <li>• Request approval before grazing eligible acreage.</li> <li>• Spot-check 10 percent of contracts approved.</li> </ul>	*--25 or greater, or 0 for beginning farmer or rancher (statutory)--*

743-770 (Reserved)



## 771 General CREP Information (Continued)

**\*--D CREP and SAFE**

CREP and SAFE project areas cannot overlap if they:

- have the same or similar objectives, goals, or targets
- result in addressing the same or similar conservation or environmental resource issue(s).

CREP and SAFE project areas may overlap if:

- each project has distinctly different objectives, goals, or targets
- each project addresses a distinctly different conservation or environmental resource need or issue
- the practices under each project are limited to those that are designed to address the conservation or environmental resource need targeted by the project
- approved by CRP and CREP program managers, and any other required approval.

**Example:** A State has an existing SAFE project that targets Lesser Prairie Chickens in counties A, B, and C. A CREP proposal for Lesser Prairie Chickens that includes counties A, B, and C will not be approved, even if other environmental issues, such as water quality, may be a secondary objective. However, the State may submit a CREP proposal for which the primary objective, goals and purpose is targeted water quality in counties A, B, and C, and includes only practices designed for water quality purposes.--\*



772 CREP Proposal Overview

A New CREP Project Development Stages

\*--The implementation of a new CREP program typically has the following 7 general stages.--\*

Stage	Development
1	<p>State CREP partners identify natural resource concerns, identify a solid State funding commitment, and draft a written CREP proposal for submission to the Program Manager.</p> <p style="text-align: center;">* * *</p>
2	<p>Program Manager and National CREP Review Team will review the proposal and provide written comments to State CREP partners. Subsequent negotiation with State CREP partners may also be conducted to resolve outstanding issues.</p>
3	<p>State CREP partners will develop a Draft CREP Agreement outlining the legal provisions of the proposed State CREP Program and submit to the Program Manager. The Program Manager, National CREP Review Team, and USDA-OGC will review the draft agreement and provide all necessary agreement wording changes back to the State CREP partners.</p> <p><b>Note:</b> In most cases, CREP agreement drafts are updated through cycles of review and refinement between State CREP partners and National CREP Review Team/OGC negotiations.</p>
4	<p>After full agreement and consensus is achieved among State CREP partners and between State CREP partners and the Program Manager, a Final CREP Agreement is prepared by State CREP partners and submitted to the Program Manager for USDA-OGC approval.</p>
*--5	<p>The FSA State Office, in consultation with State CREP partners, must:</p> <ul style="list-style-type: none"> <li>• submit a CREP project area shapefile for the new CREP project area</li> </ul> <p style="padding-left: 40px;"><b>Note:</b> A separate shapefile must be submitted to CEPD for each project area.</p> <ul style="list-style-type: none"> <li>• consult CEPD to ensure that the shapefile format is consistent with all CREP shapefiles.--*</li> </ul>
6	<p>After the final agreement is signed by the Secretary of Agriculture and the Governor, the FSA State Office drafts and submits a State supplement to 2-CRP to the Program Manager for approval.</p>
7	<p>The State and County FSA Offices, PAS, and State CREP partners conduct outreach/promotional activities, issue local press releases and fact sheets, conduct training, and announce CREP program signup.</p>

## 772 CREP Proposal Overview (Continued)

## A New CREP Project Development Stages (Continued)

CREP proposals **must**:

- address a recognized resource conservation concern of State and national significance, and demonstrate the ability to achieve substantial environmental benefits in a cost-effective manner
- present clear program goals with measurable natural resource/environmental protection \*--targets reflecting the anticipated level of benefits the program will achieve annually and when fully enrolled

**Example:** The project may include a reduction in nitrogen loading to rivers and streams by 200,000 pounds annually from current level and 2 million pounds from--\* the current level when enrollment goals are reached.

- provide for a substantial financial commitment by State CREP partners

**Notes:** This commitment shall be not less than 20 percent of the total project cost. In addition, not less than 10 percent of the total project cost (1/2 of this 20 percent) **must** be provided by State CREP partners in the form of either of the following:

- direct new payments to program participants
- new funding for a CREP project.

Total cost of the CREP project is the sum of all Federal and State direct payments to participants plus all approved State In-Kind contributions.

State partners may use funds from other Federal sources towards the required 20 percent partner contributions provided that the Federal dollars are **not**:

- cost-share for practice establishment
- derived from USDA.

**Notes:** Funds from other Federal sources **cannot** be used to meet required 20 percent State partner contributions unless written approval is obtained from the Federal source and submitted to the CREP Program Manager.

\*--State partner contributions may not include any payments to be made under existing State programs or projects in the project area that are scheduled to be paid at reduced levels upon approval of a CREP project.--\*



774 **Project Requirements (Continued)****B Land Eligibility**

Only cropland and marginal pastureland may be eligible for enrollment in a CREP in accordance with the provisions of this handbook and the CRP regulations at 7 CFR Part 1410.6. Cropland and marginal pastureland shall meet all 3-CM and 2-CRP provisions. No other land is eligible for CREP.

**Note:** CREP cropland contract acres are subject to the total county cropland limit eligibility provided in Part 4.

General signup practices, as specified in the CREP agreement, may be eligible to be enrolled into continuous CREP, provided all other eligibility requirements are met according to paragraphs 151 and 181, if the land being offered is within the CREP project area, and 1 of the following are met:

- land offered is either within a national or State CPA
- land offered has EI of greater than 8.

**Exception:** General signup practices may be eligible to be enrolled within CREP without requiring the cropland to be within a national or State CPA, or EI greater than 8 provided that CREP is specifically targeted for water savings.

\*--Land for which State, local, Tribal or other laws, regulations, ordinances, or other restrictions require any resource conserving or environmental protection measure or practice is not eligible for CREP.--\*

**C Ownership Eligibility**

Ownership requirements for eligible cropland and marginal pastureland under CREP are the same as for CRP.

**D Number of Requests and Maximum Project Size**

States or Tribal governments may submit 1 or multiple CREP project proposals, but the limitation for CREP allocations per project shall not exceed 100,000 acres for each State. Project size should be based on the land area needed to address the specified objectives in a cost-effective manner. This acreage limitation may be waived based on unique site conditions, program performance, and acreage availability. Any condition for renegotiation of the agreement to waive the 100,000-acre limitation will be specified in the Agreement. CREP Proposals should provide acreage targets by practice, and targets or limits by any applicable geographic and/or other targeted criteria.

774 **Project Requirements (Continued)****E Conservation Practices**

Conservation practices authorized for CREP **must** be consistent with practices authorized for CRP in Exhibit 11 and meet NRCS FOTG standards.

CREP proposals may do either of the following:

- limit the approved practices to 1 or 2 specific practices
- permit a justified variety of CRP practices.

A proposal may request a modification of an existing CRP practice. If such a modification is proposed, sufficient justification and supporting material, and technical details to support the need for the modification **must** be provided in the CREP Proposal. The modification will only be approved if it is technically feasible and necessary to accomplish program objectives.

FWP and/or SAFE practices are **not** eligible for enrollment under CREP.

**\*--Note:** See subparagraph 771 D for overlapping CREP and SAFE projects.--\*

**F Statute and Regulations**

State CREP programs **must** be fully consistent with the statute and regulations governing CRP.

**Note:** Statutory authority to enroll lands under CRP/CREP follows the statutory authority to enroll lands under CRP subject to the provisions of the CREP agreement and the availability of acres and funds.

**Example:** CCC has no authority to approve any of the following:

- paying C/S in excess of 50 percent
- exceeding the \$50,000 payment limitation
- exempting the AGI provisions.

**Exception:** See paragraph 131.

**G Project Duration**

The duration of contracts to be offered under CREP shall be a minimum of 10 years, but not to exceed 15 years.

## 777 CREP Proposal Outline (Continued)

**D Section 2 - Existing Conditions**

Provide a discussion of existing conditions that includes all of the following:

- why the project area is of State or national significance based on the criteria in this paragraph
- a detailed map outlining the geographic area of the proposal
- a description of the various human activities and land uses within the project boundary, such as cropland, range land, forest, urban, etc., including a summary of all land uses within the watershed/project area
- \*--a description of farm demographics for each county within the project boundary, including number of farms, types of farms, average size of farm by type, average net cash return per acre, etc.--\*
- a brief description of relevant environmental factors, including the following:
  - precipitation
  - soil
  - important geological features
  - vegetation patterns
  - wildlife
  - water resources
  - air quality
  - Federally listed endangered and threatened species.

**E Section 3 - Agriculture-Related Environmental Impacts**

This analysis **must** include the following:

- magnitude of agriculture-related environmental impacts
- past and projected future trends in agricultural impacts
- nature of any health-related agricultural impacts
- past, ongoing, and projected future efforts to address agricultural impacts through State and Federal programs, including the number of acres in the project area currently under \*--ACEP-WRE, CRP, and EQIP.--\*

## 777 CREP Proposal Outline (Continued)

**F Section 4 - Project Objectives**

CREP proposals shall include specific and measurable project objectives as well as documentation for the derivation of the objectives.

**Example:** Implementation of the project will reduce sediment loading by 2,000 tons per year resulting in a saving of \$2 million per year in reduced dredging costs.

**G Section 5 - Project Description**

The project description **must** address each of the following:

- CRP conservation cropland/marginal pastureland practices to be adopted
- number of acres targeted by practice proposed to be contracted in the CREP agreement
- length of time for project implementation
- an analysis of the likelihood that project objectives will be met
- interagency coordination method that includes how producer eligibility determinations will be made, which agency or agencies will provide technical assistance, how the application process will be coordinated among agencies, and how contract compliance will be monitored
- a flow chart of the application process.

**778 FSA CREP Responsibilities****A Partnership**

SED is responsible for:

- developing partnerships to assist in ensuring that CREP objectives are achieved
- ensuring that all appropriate parties are informed of CREP activities
- developing and implementing an outreach program
- ensuring that the integrity of the FSA data is used to manage CREP.

**Notes:** Data integrity requires that all data be entered into the appropriate data platform on a timely and accurate basis.

To ensure that all FSA and State obligations are fully met, the data **must** be loaded in a timely manner.

**B Annual Performance Report**

Each agreement will require that the State provide an annual performance report. The date of the performance report will be specified in each agreement. The report is a tool to determine program accomplishments and program changes to ensure that the program goals are achieved in a cost-effective manner. The annual performance report **must** include, at a minimum, the annual FY performance for the following:

- acres enrolled by practice
- acres of easement or long-term contract
- acres enrolled by county
- cumulative performance for the following:
  - acres enrolled by practice
  - acres of easement or long-term contract
  - acres enrolled by county

**778 FSA CREP Responsibilities (Continued)****B Annual Performance Report (Continued)**

- financial report listing by Federal FY and cumulative expenditures for both Federal and State/private entities as follows:
  - annual rent
  - C/S
  - lump-sum incentive payment
  - in-kind technical assistance cost (State/private only)
  - monitoring and evaluation costs (State only)
- progress in meeting program goals, describing:
  - progress at meeting the goals and objective of the proposals
  - monitoring and evaluation program and results of their evaluation
  - success stories
  - partnership effort.

Reports **must** be submitted to CEPD, attention CREP Program Manager, no later than 15 calendar days from the due date specified in the agreement.

**C FSA Quality Control**

SED shall ensure that program implementation is consistent with the statute, regulations at 7 CFR Part 1410, agreements, and procedures of this handbook.

This may require periodic COR reviews, spot checks, and reviews by FSA State Offices. If deficiencies are found, SED shall ensure that appropriate corrective actions are taken.

**\*--779 CREP Enrollment and Suspending and Terminating CREP Projects****A CREP Enrollment Within Projects**

COC shall continue to approve eligible offers for enrollment in CREP projects until any of the following occurs:

- the project's total acreage enrollment reaches the enrollment ceiling established in the CREP agreement
- statutory authority for COC's to enter into new CRP-1's expires
- a written directive is issued by the State or National Office requiring contract approvals to cease for a CREP project.

**B CREP Enrollment Ceilings**

Unless otherwise provided for in approved CREP agreements, COC shall continue to enroll eligible offers on a first-come/first-approved basis limited by a project's total enrollment ceiling.

State Offices must closely monitor total CREP acreage enrollment levels for each project to ensure that the enrollment ceilings are not exceeded. State Offices must:

- notify COC's when the total acreage enrollment levels are near a project's enrollment ceiling

**Note:** State Office should establish protocols to control approval of contracts when enrollment levels are near the project's enrollment ceiling. These protocols must ensure the total enrollment ceiling is not exceeded.

- publish a State CRP directive to cease new enrollment for a project when:
  - directed by the National Office
  - the project's total acreage enrollment reaches the enrollment ceiling established in the CREP Agreement.--\*

**\*--779 CREP Enrollment and Suspending and Terminating CREP Projects (Continued)**

**C Suspended and Terminated CREP Projects**

Once a CREP Agreement has been suspended or terminated:

- no acreage, whether new acres or acres under an expiring CRP-1, can be enrolled under the CREP
- no CRP-1's can be approved, including for offers submitted before the date of the suspension or termination.

Land in the last year of a CREP CRP-1 may be eligible for enrollment under continuous CRP signup provisions, provided all eligibility requirements are met. Only the continuous CRP signup incentives applicable to re-enrolled land will apply, provided the land and producer meet all eligibility requirements for these incentives.--\*

**780-800 (Reserved)**



833 SAFE Proposals (Continued)

**A Proposal Development (Continued)**

Proposals shall be based on the existing CRP framework and CRP practices. All proposals must be limited to the following SAFE practices and the applicable CRP practices.

SAFE Practice	Practice Type	Applicable CRP Practices
CP38A	Buffers	CP8A, CP21, CP22
CP38B	Wetlands	CP9, CP23, CP23A, CP27, CP28, CP37
CP38C	Trees	CP3, CP3A, CP16, CP17, CP25, CP32, CP31 * * *
CP38D	Longleaf Pine	CP3A, CP36
CP38E	Grass	CP1, CP2, CP4D, CP8, CP12, CP15's, CP18's, CP24, *--CP25, CP33, CP42--*

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 B.

**Example:** SAFE practices intended to restore habitat for the benefit of Sharp-Tailed Grouse in Idaho may incorporate CP2 (Native Grass Restoration) and CP4D (Permanent Wildlife Habitat, Noneasement) as best suited for the project and these practices may be used under CP38E (Grass) without changes.

**B Practice Modifications**

CRP practices provided in this handbook may be modified by imposing additional requirements within 2-CRP practice standard guidelines. Rationale for CRP practice modifications shall be:

- part of the SAFE proposal
- supported by scientifically-defensible information or expert judgment.

These changes apply only within the approved SAFE practice geographic area.

**Note:** Practice requirements may not be relaxed.

**Example:** 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 (Native Grass Restoration) by the seeding rates or frequency of disturbance.

**\*--833 SAFE Proposals (Continued)****C State Proposal Review**

All SAFE proposals shall be submitted to the FSA State Office. After a review for completeness, the FSA State Office will request the State Technical Committee to review and report recommendations to FSA STC. FSA STC shall review all proposals and, then forward their recommendations to CEPD.

**D CEPD Approval**

CEPD will review all new SAFE proposals for completeness and conformity to the format provided in Exhibit 63. SAFE proposals that are incomplete will be rejected and returned to the State Office for resubmission.

Complete SAFE proposals will be sorted into 2 groups as follows:

- proposals providing benefits to rare, threatened, endangered, and species of special concern
- proposals providing significant social or economic value to the community, such as game birds.

Proposals within each group will be prioritized and ranked by CEPD based on factors including:

- targeted species
- quality of habitat enhancement for targeted species
- size and scope of project area
- available acres
- cost
- effectiveness of monitoring and evaluation plan.--\*

**Reports, Forms, Abbreviations, and Redelegations of Authority**

**Reports**

The following lists the required report of this handbook.

<b>Reports Control Number</b>	<b>Title</b>	<b>Reporting Period</b>	<b>Submission Date</b>	<b>Negative Reports</b>	<b>Reference</b>
CEP-58R	Status of CRP Research Project Report	Annually	State Offices submit to Director, CEPD by end of FY	Not required	636

**Forms**

The following lists all forms referenced in this handbook.

<b>Number</b>	<b>Title</b>	<b>Display Reference</b>	<b>Reference</b>
AD-245	Request for Cost Shares		Text, Ex. 2, 41
AD-862	Conservation Reporting and Evaluation System		Text, Ex. 11
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		Text, Ex. 35.5, 35.7, 56, 60
CCC-36	Assignment of Payment		465
CCC-37	Joint Payment Authorization		465
CCC-502	Farm Operating Plan		35, 519, Ex. 35.7, 60
CCC-505	Voluntary Permanent CAB/Contract Acreage Reduction		401
CCC-526	Payment Eligibility Average Adjusted Gross Income Certification		35, 131, Ex. 60
CCC-674	Certification for Contracts, Grants, Loans, and Cooperative Agreements	Ex. 6	6
CCC-770 CRP1	CRP Contract Approval Checklist	Ex. 35	7
CCC-770-CRP2	CRP Cost Share Payment Checklist	Ex. 35	7
CCC-770-CRP3	CRP Annual Rental Payment Checklist	Ex. 35	7, 462
CCC-770-CRP4	CRP PIP, CP23, CP23A, CP37 and SIP Payment Checklist	Ex. 35	7
CCC-901	Members Information 2009 and Subsequent Years		35, 519

## Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

## Forms (Continued)

Number	Title	Display Reference	Reference
CCC-902	Farm Operating Plan for Payment Eligibility 2009 and Subsequent Program Years		Ex. 35.5, 35.7, 56
CCC-920	Grassland Reserve Program Contract		401
CCC-926 <u>1/</u>	Average Adjusted Gross Income (AGI) Statement		35, 131, Ex. 35.5, 56
CCC-931	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		35, 131, 401, Ex. 35.5, 56
CCC-933	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information (For the 2013 crop, program, and fiscal years only)		35, 131, 401
CCC-941	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information - Agricultural Act of 2014		131, 401, Ex. 35.5, 56
CRP-1	Conservation Reserve Program Contract	Ex. 21, 31	Text and Exhibits
CRP-1 Appendix	Appendix to Form CRP-1, Conservation Reserve Program Contract	Ex. 29	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	637	35
CRP-1L	Emergency Forestry Conservation Reserve Program Contract		Ex. 11
CRP-1R	Conservation Reserve Program Transition Incentives Program Contract	810	Text, Ex. 60-62
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-2F	Emergency Forestry Conservation Reserve Program Worksheet		81
CRP-2G	Conservation Reserve Program Worksheet (For Continuous CRP Grassland Signup)	267	104, 211, 265, 266, 268, 269, Ex. 21, 24

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-20	Notice of Conservation Reserve Program (CRP) Contract Termination	Ex. 43	551
CRP-23	Notice Regarding Accepted CRP Offers	Ex. 5	214, 215, 269, 341
CRP-24	Notice of Contract Approval	Ex. 5	214, 269
CRP-25	Notice of CRP Waiver of Ownership	Ex. 5	129
CRP-26	Notice of Unacceptable Offer	Ex. 5	Text
CRP-27	Notice Regarding Acceptable CRP Grassland Offers	Ex. 5	269
CRP-28	Notice of Unacceptable Offer	Ex. 5	
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	720
CRP-42	County Precipitation and Feed and Forage Loss Report	Ex. 51	691
CRP-117	Request to Participate in Special Haying and Grazing of CRP Acreage	Ex. 47	664, 680, 693, 716
CRP-118	Certification of Participation in Haying and Grazing of CRP Acreage	Ex. 49	664, 680, 693, 716
CRP-817U	Certification of Compliance for CRP	602	
FSA-18	Applicant's Agreement to Complete an Uncompleted Practice	Ex. 41	520
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		468
FSA-570	Waiver of Eligibility for Emergency Assistance		132
FSA-578	Report of Acreage		Text
FSA-695	Conservation Annual Payment Statement	Ex. 36	464
FSA-848	Cost-Share Request		508, Ex. 5
FSA-848B	Cost-Share Performance Certification and Payment		508, Ex. 5
FSA-850	Environmental Evaluation Checklist		367, 635, 639
IRS-1042	U.S. Annual Return of Income Tax To Be Paid at Source		466
IRS-1042S	U.S. Annual Information		466

**Reports, Forms, Abbreviations, and Delegations of Authority (Continued)**

**Forms (Continued)**

<b>Number</b>	<b>Title</b>	<b>Display Reference</b>	<b>Reference</b>
NRCS-CPA-06	Conservation Assistance Notes		369
NRCS-CPA-52	Environmental Evaluation Worksheet		367
NRCS-CPA-1155	Conservation Plan/Schedule of Operations		369, 546
NRCS-CPA-1156	Revision of Conservation Plan/Schedule of Operations		369
NRCS-LTP-013	Status Review		369, 601
SF-424-1	Application for Federal Assistance (Non-Construction)		52
SF-LLL	Disclosure of Lobbying Activities	Ex. 6	6
SF-LLL-A	Disclosure of Lobbying Activities Continuation Sheet	Ex. 6	
Tool Kit Plan	Conservation Plan		Text

## Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

## Abbreviations Not Listed in 1-CM

The following lists approved abbreviations not listed in 1-CM.

<b>Approved Abbreviation</b>	<b>Term</b>	<b>Reference</b>
ACEP-ALE	Agricultural Conservation Easement Program - Agricultural Land Easement	151, 554, 571, 575, 630
ACEP-WRE	Agricultural Conservation Easement Program - Wetland Reserve Easement	81-83, 332, 554, 571, 575, 630, 777
ARC	Agriculture Risk Coverage	401, Ex. 5
CARS	Crop Acreage Reporting System	602
CIB	cumulative impact bonus	Ex. 2, 35.5, 56, 57, 60
CCMS	Conservation Contract Maintenance System	4, 463, 550, 554
COLS	Conservation Online System	4, 81, 127, 212, 265, 286, 332, 339, 340
CP	conservation practice	Text, Ex. 11, 26
CPO	Conservation Plan of Operation	269, 669, 804
CSP	Conservation Stewardship Program	151, 804, 806
EA	environmental assessment	Text
EBI	environmental benefits index	Text, Ex. 26
EFCRP	Emergency Forestry Conservation Reserve Program	546, Ex. 2, 11, 35.5, 35.7, 56, 60
EI	erodibility index	81, 151, 774, Ex. 2, 11, 26
ESA	Endangered Species Act	366, 367
FID	Feature ID field	181
FONSI	Finding of No Significant Impact	772, Ex. 51.5
FOTG	Field Office Technical Guide	Text, Ex. 11, 26
FRPP	Farm and Ranch Lands Protection Program	554, 630
FWP	Farmable Wetlands Pilot Program	Text, Ex. 11
HELI	highly erodible land initiative	66
HFRP	Healthy Forest Restoration Program	554, 575, 630
HUC	hydrologic unit code	Ex. 24, 26
NGO	Non-Government Organization	771, 772, 775
NHPA	National Historic Preservation Act	366, 367
NOAA	National Oceanic and Atmospheric Administration	367
NWF	National Wildlife Federation	Ex. 51.5
OLP	online payment	Ex. 35.7
PIP	practice incentive payment	Text, Ex. 11, 35.7
PLC	Price Loss Coverage	401, Ex. 5
PLS	pure live seed	426, 491
PNS	primary nesting season	664, 680, Ex. 51.5
RA	regional attorney	Text
REX	re-enrollments and extensions	335, 546, 571, Ex. 20, 60

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Abbreviations Not Listed in 1-CM (Continued)

Approved Abbreviation	Term	Reference
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. 35.5, 56, 60, 63
SEC	State Environmental Coordinator	367, 639, 692
SHPO	State Historic Preservation Officer	367, 772, 776
SIP	signup incentive payment	Text, Ex. 35.7
SRC	State Resource Conservationist	Ex. 11
RTCP	Reimbursement Transportation Cost Program	Ex. 35.5, 56, 60
TERRA	Tool for Environmental Resource Results Assessment	4, 171, 181, 265, 286, 401
THPO	Tribal Historic Preservation Officer	367
TIP	Transition Incentive Program	401, 576, 577, Part 21, Ex. 35.5, 35.7, 56, 60-62
TIPA	Transition Incentive Program Agreement	126, 401, 463, 577
TSP	Technical Service Provider	Text, Ex. 2, 11, 26
USLE	Universal Soil Loss Equation	151
WEQ	Wind Erosion Equation	52, 151
WESL	Wind Erosion Soils List	Ex. 26
WHIP	Wildlife Habitat Incentive Program	181
WRI	wetland restoration incentive	Text, Ex. 11, 35.5, 35.6, 56, 60

Redelegations of Authority

The following table lists redelegations of authority in this handbook.

Redelegation	Reference
STC may delegate an official representative to sign documents.	31
COC may delegate to CED the responsibility to approve requests for haying and grazing.	664, 680, 693, 716, 720, 721, 741



**Definitions of Terms Used in This Handbook (Continued)**

**Infeasible to Farm**

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

**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.

**Loss of Merchantable Timber (for EFCRP purposes)**

Loss of merchantable timber is defined as the difference between the pre-hurricane economic value of eligible land on the acreage offered for enrollment in EFCRP and the post-hurricane economic value of the entire acreage offered using the spring 2006 Timber Mart-South prices.

**Merchantable Timber**

Merchantable timber is timber on private nonindustrial forest land on which the average tree has a trunk diameter of at least 6 inches measured at least 4 ½ feet above the ground.

**Non-C/S Payment**

A non-C/S payment is any CRP payment that is not a C/S payment.

**Participant**

A participant is an owner or operator who has entered into CRP-1.

**Perennial Stream**

Perennial stream is a stream that contains water throughout the year. An on-site field visit may be required to make the determination.

**Definitions of Terms Used in This Handbook (Continued)**

\* \* \*

**Recharge Area**

A recharge area is the area that contributes ground water and salts to the high water table in the discharge area or saline seep. The saline seep cannot be controlled without lowering the ground water in the recharge area. Recharge areas for seeps less than 5 acres shall not exceed a ratio of 10 acres of recharge area per 1 acre of saline seep.

**Retention**

Retention is the likelihood that the practice established will persist and be maintained beyond the lifespan of CRP-1 and will provide benefits beyond the contract period.

**Retired or Retiring Owner or Operator**

A retired or retiring owner or operator is an owner or operator of land enrolled in a CRP contract who has ended active labor in farming operations as a producer of agricultural crops or expects to do so within 5 years of the CRP contract modification.

**Riparian Buffer**

Riparian buffer is a strip of vegetation 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.


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.

\*--

	<b>United States Department of Agriculture</b>	Farm and Foreign Agricultural Services	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 REGARDING ACCEPTABLE CRP OFFERS**

Date: (MM-DD-YYYY) xxxxxxxxxx

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 and assess liquidated damages. Liquidated damages will also be assessed if you decide not to participate. Damages will equal 25 percent of your offer rate times the number of acres offered for CRP.

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** (10-22-15)

USDA is an Equal Opportunity Provider and Employer

--\*

**Letters Notifying Producers of Offer and Eligibility Status (Continued)****B Using CRP-23**

Because continuous signup offers and standard 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 standard 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
    - liquidated damages will be assessed if they decide not to participate
    - 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 assessment of liquidated damages.

Letters Notifying Producers of Offer and Eligibility Status (Continued)

C Example of CRP-24

The following is an example of CRP-24.

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	United States Department of Agriculture	Farm and Foreign Agricultural Services	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 CONTRACT APPROVAL**

Date (MM-DD-YYYY)    <Date>

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 and Employer

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**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.

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	United States Department of Agriculture	Farm and Foreign Agricultural Services	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 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 and Employer

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**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.

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	<b>United States Department of Agriculture</b>	Farm and Foreign Agricultural Services	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

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 sign-up 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 sign-up.

Sincerely,

\_\_\_\_\_  
County Executive Director

Enclosures

**CRP-26** (10-22-15)


USDA is an Equal Opportunity Provider and Employer

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Letters Notifying Producers of Offer and Eligibility Status (Continued)

\*--I Example of CRP-27

This is an example of CRP-27.

	United States Department of Agriculture	Farm and Foreign Agricultural Services	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 REGARDING ACCEPTABLE CRP GRASSLAND 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 by the National Office.

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 the offer. Your offer cannot be approved by the County Committee without an approved conservation plan.

**Provisional offers have one year from the date of this letter to establish the grass cover at your expense. Notify the \_\_\_\_\_ county office as soon as the grass is established so we can continue to process your offer.**

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.

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 grasslands so that NRCS or TSP may begin plan development. If I do not hear from you within the 30-day period, I will reject your offer and assess liquidated damages. Liquidated damages will also be assessed if you decide not to participate. Damages will equal 25 percent of your offer rate times the acres offered for CRP Grasslands.

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 CRP-1 can be approved. Please contact the \_\_\_\_\_ County FSA office for more information.

Sincerely,

\_\_\_\_\_  
County Executive Director

Enclosures

**CRP-27** (10-22-15)


USDA is an Equal Opportunity Provider and Employer

--\*

Letters Notifying Producers of Offer and Eligibility Status (Continued)

\*--J Example of CRP-28

This is an example of CRP-28.

	<b>United States Department of Agriculture</b>	Farm and Foreign Agricultural Services	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
	<b>NOTICE OF UNACCEPTABLE OFFER</b>			
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:				
<input type="checkbox"/> Grassland Ranking Score Too Low <input type="checkbox"/> Land Determined Ineligible <input type="checkbox"/> County Cropland Limitation Has Been Reached <input type="checkbox"/> Existing Restrictive Easement <input type="checkbox"/> 1-Year Ownership/Operatorship Eligibility Not Met <input type="checkbox"/> Landowner/Tenant Provision Not Met <input type="checkbox"/> Other				
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.				
If your offer was determined not acceptable due to the ranking criteria "Grassland Ranking Score Too Low" then it may be acceptable in the next batching period.				
FSA will automatically consider the offer for the next ranking period if "Grassland Ranking Score Too Low" was the only criteria not met. If you do not want the offer considered for the next ranking period please contact your county FSA office.				
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 batching periods.				
Sincerely,				
_____ County Executive Director				
Enclosures				
<b>CRP-28</b> (10-22-15)				
USDA is an Equal Opportunity Provider and Employer				


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Letters Notifying Producers of Offer and Eligibility Status (Continued)

K Example of CRP-35

This is an example of CRP-35.

\*--

 <p><b>United States Department of Agriculture</b></p>	<p>Farm and Foreign Agricultural Services</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 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

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**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**L 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)

M Example of CRP-36

This is an example of CRP-36.

\*--

 <p><b>United States Department of Agriculture</b></p>	<p>Farm and Foreign Agricultural Services</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

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**Letters Notifying Producers of Offer and Eligibility Status (Continued)**

**N 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.

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<p>This form is available electronically.</p> <p><b>CCC-674</b> (09-06-12)</p>	<p>U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation</p>	<p>Form Approved - OMB No. 0348-0046</p>
<p><b>CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS</b></p>		
<p>NAME AND ADDRESS OF RECIPIENT</p>		
		<p>TRANSACTION DOCUMENT (<i>Loan No., Contract No., CCC-6 No(s), Check No., etc.</i>)</p>
		<p>PROGRAM YEAR</p>
<p><i>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:</i></p> <p><i>A. If they <u>have not or will not use monies received for lobbying purposes</u>, CCC-674.</i></p> <p><i>B. If they <u>have or will use monies received for lobbying purposes</u>, SF-LLL.</i></p>		
<p><b>CERTIFICATION</b></p>		
<p>The undersigned certifies, to the best of his or her knowledge and belief, that:</p> <ol style="list-style-type: none"> <li>(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.</li> <li>(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.</li> <li>(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.</li> </ol> <p>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.</p>		
<p>_____ RECIPIENT SIGNATURE</p>	<p>_____ DATE</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 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. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b></p> <p>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</p>		

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Forms for Complying With Lobbying Disclosure Requirements (Continued)

B Example of SF-LLL

The following is an example of SF-LLL.

<b>DISCLOSURE OF LOBBYING ACTIVITIES</b>		Approved by OMB 0348-0046
Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 (See reverse for public burden disclosure.)		
<b>1. Type of Federal Action:</b> <input 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	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Congressional District, if known: _____	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>  Congressional District, if known: _____	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$ _____	
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>	<b>b. Individuals Performing Services</b> <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
<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 the 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.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

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.

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<p style="text-align:center"><b>Memorandum of Agreement (MOA)</b></p> <p style="text-align:center"><b>Between</b></p> <p style="text-align:center"><b>Natural Resources Conservation Service (NRCS),</b></p> <p style="text-align:center"><b>Farm Service Agency (FSA),</b></p> <p style="text-align:center"><b>And</b></p> <p style="text-align:center"><b>Commodity Credit Corporation (CCC)</b></p> <p style="text-align:center"><b>For Implementation of the Conservation Reserve Program (CRP)</b></p> <p style="text-align:center"><b>Through September 30, 2018</b></p> <p><b>I. Purpose</b></p> <p>The purpose of this MOA is to provide for the implementation, cooperation, expectations, and responsibilities between NRCS, FSA, and CCC in carrying out the CRP.</p> <p><b>II. General Provisions</b></p> <p>Technical assistance is needed for the implementation of CRP. FSA, acting on behalf of the CCC, has determined that NRCS has personnel with expertise who can provide the technical assistance needed for the implementation of CRP.</p> <p><b>III. Authority</b></p> <p>CRP is authorized by section 1231 of Title XII of the Food Security Act of 1985, as amended (1985 Act). Other authorities may also apply to this MOA.</p> <p><b>IV. Responsibilities</b></p> <p>NRCS, FSA, and CCC agree, subject to the availability of funds, that:</p> <p>A. NRCS will:</p> <ol style="list-style-type: none"><li>1. As directed by FSA, provide technical assistance both directly or through NRCS approved Technical Service Providers (TSP) and assure all technical work done will meet NRCS technical requirements, including the National Planning Procedures Handbook for conservation planning and the Field Office Technical Guide (FOTG) requirements for conservation practices and systems.</li></ol>
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MOU/Memorandums of Agreement (Continued)

C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)

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2. In accordance with the NRCS estimated technical assistance cost formula based on activity-based costs, carry out the following tasks for the implementation of CRP, including new general and continuous enrollments, grasslands enrollments, re-enrollments and extensions for general signup, and re- enrollments for continuous signup:
  - a. Determine certain practice eligibility for the Continuous CRP (CCRP), Conservation Reserve Enhancement Program (CREP), CRP-grasslands, and the Farmable Wetlands Program (FWP);
  - b. Carry out conservation planning, including wildlife focused CRP grassland conservation plan of operations;
  - c. Carry out conservation practice design systems implementation and certification of at least 10 percent of all practices; and
  - d. Provide policy and program support.
3. Provide sufficient information regarding NRCS' estimated technical assistance charges for FSA to validate NRCS tasks and costs. This includes, at a minimum, providing to FSA the estimated per hour (salary and benefits) labor costs and the actual time expenditures per task. NRCS will provide separately the overhead cost associated with CRP.
4. Provide FSA with NRCS CRP technical assistance cost estimates, as necessary, due to program changes according to the technical assistance cost formula developed by NRCS.
5. Comply with the following: the 1985 Act, the regulations at 7 CFR part 1410, the procedures in 2-CRP Handbook, other signed joint agency letters; and all laws pertaining to CRP.
6. Be responsible for completing and providing to FSA, a copy of NRCS form CPA-052, Environmental Evaluation (EE) in planning worksheet(s), or State modified version of the CPA-052, to document the potential environmental impacts associated with the proposed CRP contract and

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MOU/Memorandums of Agreement (Continued)

C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)

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associated conservation practices and for recommending further action by FSA, the lead agency, to complete FSA's regulatory responsibilities.

8. 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, 401.11, Cultural Resources administrative responsibilities.
9. Revise (by making pen and ink changes) and sign conservation plans when the land is sold and the CRP contract is succeeded to, for those plans where NRCS provided the original technical assistance. NRCS will also make revisions to conservation plans originally developed by TSPs, and charges will be based on the estimated technical assistance cost formula.
10. Revise, as appropriate (by making pen and ink changes), and sign conservation plans where NRCS provided the original technical assistance, when the performance is different than the conservation plan but meets FOTG specifications, with NRCS being willing to certify compliance. NRCS will also make revisions, as appropriate, to conservation plans originally developed by TSPs and based on the estimated technical assistance cost formula. Revise conservation plans, as appropriate (by making pen and ink changes), according to NRCS FOTG and sign the conservation plan when contracts are modified or extended.
11. Conduct annual status reviews on at least 10 percent of all CRP contracts as requested by FSA, which shall include any reviews specifically requested by the County Committee; this 10 percent may include CRP contracts that involved TSPs
12. Conduct practice certifications on at least 10 percent of all practice applications (Form AD-862 or FSA-848B as applicable) for all CRP practices nationwide for which NRCS has technical responsibility for the assigned practices identified in the conservation plan; this 10 percent may include practice applications that involved TSPs. Provide FSA applicable verification of the technical assistance work on Forms CRP-2 and AD-862 or FSA-848B as applicable.
13. Provide engineering services related to the constructed wetland practice

MOU/Memorandums of Agreement (Continued)

C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)

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under the FWP or State CREP. Subject to available funding, the charge per contract for technical services will be \$30,000.

14. Provide technical and planning assistance for the Transition Incentives Program. NRCS will be charge on a per contract basis to perform associated workload tasks, subject to available funding, will be based on estimates provided in the technical assistance cost formula developed by NRCS.
15. For initiatives, such as the Highly Erodible Lands Initiative (HELI) EI>20 or other future mutually agreed upon efforts that involve conservation practices with considerable technical assistance support, NRCS will base charges on estimates provided in the technical assistance cost formula developed by NRCS.
16. At the State level, conduct quality control reviews and assist FSA in providing training to ensure high levels of customer service throughout CRP.

B. FSA has overall program authority and responsibility and will:

1. Administer all CRP contracts, including compliance determinations.
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 SHPO, THPO, 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 in regards to 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 according to

MOU/Memorandums of Agreement (Continued)

C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)

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regulations at 36 CFR part 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 by FSA.
5. Make the final determination of finding of effects in regard to the potential impacts to the environment, and effect 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. Inform NRCS of anticipated general, grasslands, continuous, CREP, and FWP signups and the targeted enrollment acres at least 6-12 months in advance of each signup, or as practicable.
7. Provide to NRCS, within 30 calendar days prior to the end of the fiscal year.

C. NRCS, FSA, and CCC agree to:

1. Cooperate at all levels to ensure consistent implementation of CRP policies and 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. 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.
3. Maintain current agreements on streamlining technical assistance (such as producer self-certification of non-engineering practices) and continue to pursue further streamlining efforts to gain greater efficiencies, reduce workload, and minimize costs of delivering CRP without loss of conservation benefits while ensuring the conservation technical assistance is a prudent expenditure of government resources.
4. Review the actual CRP enrollment estimates to date and update the Cost of Programs model accordingly, no more than 60 days prior to budget

MOU/Memorandums of Agreement (Continued)

C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)

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mid-session review.

V. MISCELLANEOUS PROVISIONS

- A. All funding commitments of all parties in this MOA are subject to the availability of funds. In the event that 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 September 30, 2018. 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.
- C. CCC, FSA, or NRCS, will not sign or transfer any rights or obligations under this Agreement without prior written approval of the other party.
- D. CCC, 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 FSA and CCC, and with the NRCS Chief 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.

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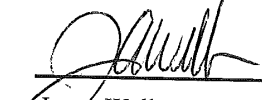
MOU/Memorandums of Agreement (Continued)

C Memorandum of Agreement Between NRCS, FSA, and CCC (Continued)

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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.


NATURAL RESOURCES  
CONSERVATION SERVICE

  
\_\_\_\_\_  
Jason Weller  
Chief, NRCS, and  
Vice President, CCC

9/29/15

Date

FARM SERVICE AGENCY/  
COMMODITY CREDIT CORPORATION

  
\_\_\_\_\_  
Val Dolcini  
Administrator, FSA, and  
Executive Vice President, CCC

9/29/15  
Date

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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...
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 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.
- The practice shall have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC.

F 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.

**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 shall be maintained without additional C/S for the life of CRP-1. C/S shall 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**

This practice shall 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 authorized for management activities.

**J Program Development**

Follow this subparagraph to develop the county program.

- County practice shall 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 shall be assigned to FS. If an FS representative is not available, this responsibility may be redelegated to NRCS or TSP.

**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 shall 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 shall be limited to a 10-year contract.

**C Eligibility**

To be eligible for C/S, this practice shall:

- 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.

\* \* \*

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 insecticides	specified as necessary in the approved tree planting plan to establish the cover	
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 491.	authorized not to exceed an average cost, as determined by STC.

**Note:** C/S does not apply for existing cover with no enhancements.

National CRP Practices (Continued)

CP4D Permanent Wildlife Habitat, Noneasement (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, 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	to enhance production	

**Note:** C/S does not apply for existing cover with no enhancements.

**National CRP Practices (Continued)****CP4D Permanent Wildlife Habitat, Noneasement (Continued)****E 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 shall not be harvested or grazed by domestic livestock for the life of CRP-1.

**Exceptions:** Managed haying and grazing or 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 shall 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.
- The practice shall have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC.

**F 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.

**G Environmental Concerns**

Consider preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications.



National CRP Practices (Continued)

CP11 Vegetative Cover - Trees - Already Established (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 shall be assigned to FS. If an FS representative is not available, this responsibility may be redelegated to NRCS or TSP.

**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 Objectives**

This practice shall:

- 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.

National CRP Practices (Continued)

CP21 Filter Strips (Continued)

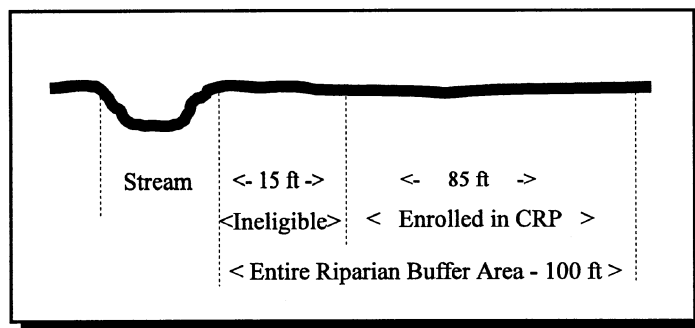
C Size Requirements (Continued)

**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 shall 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 shall not be enrolled in CRP.** However, if the eligible land is enrolled in CRP as a filter strip, the ineligible land **shall 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)

CP21 Filter Strips (Continued)

D C/S Eligibility

To be eligible for C/S, this practice shall:

- be required by the approved conservation plan
- meet the cropland history criteria
- improve environmental benefits to an acceptable level
- reduce additional sediment or pollutants that are being delivered to areas identified in subparagraph B
- be maintained for the contract payment 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	<p><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.</p>	<p>authorized using technical practice codes 314, 315, 327, *--342, 378,--* 382, 386, 390, 393, 410, 516, 574, 614, 642, and 645.</p>
site preparation		
eligible seed and seeding		
herbicide	<p>specified as necessary in the approved conservation plan</p>	
insecticide		

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, *--378, 382,--* 390, 391, 410, 441, 516, 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.	
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 shall 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 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 shall 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 491.	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		

**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 shall 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.
- Acreage shall reduce nutrients, sediment, organic matter, pesticides, and other pollutants that are being delivered to the areas identified in subparagraph B.
- 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 shall be controlled.
- The riparian buffer **must** be established and maintained according to the practice standards in FOTG.
- The practice shall have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC.

**G Planting Timespan**

Planting or sowing of the approved cover shall 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.



## 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 determine the documentation needed to support an additional average width for water quality purposes consistent with FOTG standards. The documentation **must** be in the case file.

**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 shall 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 shall not be enrolled in CRP.** However, if the eligible land is enrolled in CRP as a wildlife habitat buffer, the ineligible land **shall 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.

National CRP Practices (Continued)

CP29 Marginal Pastureland Wildlife Habitat Buffer (Continued)

**D C/S Eligibility**

To be eligible for C/S, this practice shall:

- be required by the approved conservation plan
- meet the marginal pastureland criteria
- improve environmental benefits to an acceptable level
- reduce additional sediment or pollutants that are being delivered to areas identified in subparagraph B
- be maintained for the contract payment 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, *-378, 382, -* 386, 390, 512, 516, 550, 574, 578, 612, 614, and 645.
site preparation		
eligible seed and seeding		
herbicide	specified as necessary in the approved conservation plan	
insecticide		

National CRP Practices (Continued)

CP30 Marginal Pastureland Wetland Buffer (Continued)

D C/S Eligibility

To be eligible for C/S, this practice shall:

- be required by the approved conservation plan
- meet the marginal pastureland eligibility criteria
- improve environmental benefits to an acceptable level
- reduce additional sediment or pollutants that are being delivered to areas identified in subparagraph B
- be maintained for the contract payment 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	authorized using technical practice codes 314, 315, *--338, 342, 378,--*
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.	382, 386, 390, 512, 516, 550, 574, 578, 612, 614, 644, 645, 647, 657, and 658.
herbicide	specified as necessary in the approved conservation plan	
insecticide		
earthmoving	to restore the hydrology of the site	

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 constructed outside of the wetland buffer	<p>providing a water source for livestock away from the wetland buffer 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 buffer strip</p> <p><b>Note:</b> See paragraph 511.</p> <p><b>Important:</b> A single strand electric fence shall not be considered a permanent fence for CRP.</p>	
water gaps, bridges, or other livestock crossing facilities on small streams	<p>specified as necessary to prevent sedimentation and pollution in the stream and included in the conservation plan.</p> <p><b>Note:</b> See paragraph 511 I.</p>	
construction of structures where concentrated flow continues to degrade water quality	to meet the requirements of the conservation plan	
tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by designated technician and COC to prevent damage from wildlife browsing.	authorized not to exceed an average cost determined by STC.

National CRP Practices (Continued)

CP31 Bottomland Timber Establishment on Wetlands (Continued)

D 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	

**National CRP Practices (Continued)****CP31 Bottomland Timber Establishment on Wetlands (Continued)****E 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 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 uses, directions on the label, and other Federal and State policies and requirements.

**F Planting**

Planting after CRP-1 is approved by COC shall 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.

**G 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.

## 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.

\*--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.

## B Total Acres Enrolled

Total acres enrolled shall not exceed 500,000 acres:

- nationwide
- for the practice.

Allocations of acreage by State shall **not** be exceeded.

**National CRP Practices (Continued)****CP33 Habitat Buffers for Upland Birds (Continued)****C Monitoring Plans**

A monitoring and evaluation plan **must** be developed in consultation with the State Technical Committee, including FWS, State Fish and Game agencies, and other interested quail parties. The plan **must** provide the ability to establish baseline data on quail populations and estimate increased quail population and impact on other populations as a result of this practice, including the following:

- verification that suitable Northern Bobwhite quail cover is established
- verification that appropriate cover management practices are implemented on a timely basis
- States **must** control acreage within their allocation
- implementing a Statewide sampling process that will provide reliable estimates of the number of quail per acre (or some other appropriate measure):
  - before this practice is implemented (baseline)
  - resulting from the established CRP cover.

Monitoring and evaluation plans **must** be in place before signup for this practice may begin.

States are not authorized to enroll acres in this practice unless an approved monitoring plan is in place. A monitoring protocol developed by Dr. Wes Burger of Mississippi State University in collaboration with the Southeast Quail Working Group at the request of FSA is recommended. Other technically adequate plans are acceptable.

**D Eligible Land**

This practice is limited to the following:

- cropland otherwise eligible according to paragraph 151
- \*--cropland around field edges or pivot corners suitable for quail and upland birds.--\*



## National CRP Practices (Continued)

## CP33 Habitat Buffers for Upland Birds (Continued)

## E 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.

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 shall not be enrolled and **must** be wide enough to allow for normal access of farm machinery to the field
- buffers shall not be used as turn rows, roads, or for storage of crops or equipment
- whole fields shall 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 shall not be ‘stacked’ with other CRP grass practices on the same land ownership unit.

National CRP Practices (Continued)

CP33 Habitat Buffers for Upland Birds (Continued)

E Size Requirements (Continued)

•\*--Individual center pivot 'corners' may be enrolled.--\*

Examples:

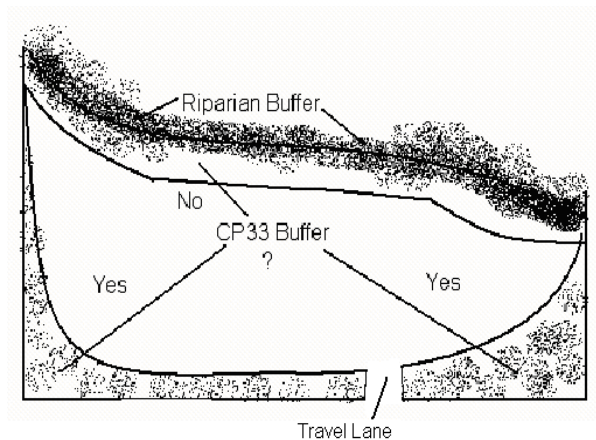


Figure 1

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).--\*

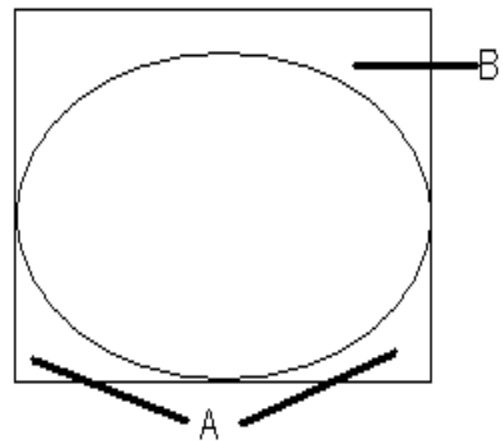


Figure 2

**National CRP Practices (Continued)**

**CP33 Habitat Buffers for Upland Birds (Continued)**

**N Management Activity**

This practice shall 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 shall 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 authorized for management activities.

**O Technical Responsibility**

NRCS or TSP shall have technical responsibility for this practice.

\* \* \*



**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 Cropland Eligibility**

Apply CP36 to otherwise eligible cropland that is located in:

- Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia
- the Longleaf Pine National CRP CPA (see 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 (see 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 (see subparagraph 5 A).

**National CRP Practices (Continued)**

**CP36 Longleaf Pine - Establishment (Continued)**

**C State Acreage Allocation**

\*--Allocations are provided to States by the National Office.--\*

**D Payment Eligibility**

The payment rate shall be the weighted average SRR for the 3 predominant soils of the offered acreage and the appropriate maintenance rate.

CRP-SIP's and PIP's are available for CP36. A one-time:

- up-front CRP-SIP will be issued after CRP-1 is approved and eligibility criteria is met
- CRP-PIP, equal to 40 percent of the eligible installation costs for certain practices on continuous CRP land, will be issued after CP36 is installed, eligible costs are verified, and other payment eligibility criteria are met.

**Note:** CRP-PIP is in addition to the up to 50 percent C/S for eligible practice components.

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, 340, 394, 490,
herbicides and insecticides	specified as necessary to establish the approved cover and to control invasives (such as cogongrass) 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.	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	

**National CRP Practices (Continued)****CP36 Longleaf Pine - Establishment (Continued)****F 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 shall **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.
- The practice shall have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC.
- The producer **must** control all noxious and invasive plants during the life of CRP-1.

**G Planting**

Planting after CRP-1 is approved by COC shall 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.

**H Planting Timeframe**

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.

**I Environmental Concerns**

Consider preserving and improving the environment and wildlife concerns when making determinations about CP36 specifications.



National CRP Practices (Continued)

CP37 Duck Nesting Habitat (Continued)

F State Allocations

\*--Allocations are provided to States by the National Office.--\*

G 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 using technical practices codes 314, 315, 327, 340, 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)

G 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, 340, 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		

**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 on land in which a minimum of 25 percent of the upstream watershed is comprised of row crop agricultural drained land. The site shall be suitable for the construction of a cropped wetland. Site suitability will be dependant on:

- soils
- geology of the site (sites may be limited due to 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 shall:

- 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 Authorized Payments**

Payments, including annual rental, CRP-SIP, PIP, 20 percent SRR incentive and C/S are authorized for CP39.

**E C/S Eligibility**

To be eligible for C/S, this practice shall:

- 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.

**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 a constructed wetland or restore the hydrology of the site	authorized using technical practice codes
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>	327, 338, 340, 512, 550, 587, 612, 638, 644, 645, 656, 657, 658, and 659.

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.

**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.

**\*--Note:** CP42 may be enrolled as CRP grassland along with CP87 or CP88.--\*

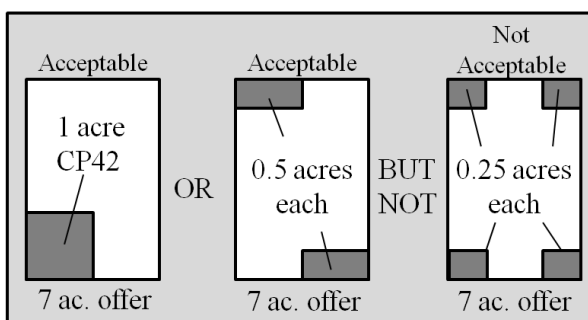
The conservation plan developed for acreage under CRP-1 devoted to CP42 **must** address pollinator habitat needs.

**C Size Requirements**

- Producers may use CP42 on all offered acreage.
- If not planted in whole fields, 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 0.5 acres each.

**Example 1:** Participant A offers 40 acres, with all acreage in CP42. This offer is eligible.

**Example 2:** Participant B offers 7 acres, including 1 acre of CP42. Individual habitat areas of CP42 must be no smaller than 0.5 acres.



**National CRP Practices (Continued)**

**\*--CP42 Pollinator Habitat (Continued)**

**D Eligibility**

To be eligible for C/S, this practice shall:

- create pollinator habitat to an acceptable level
- prevent degradation of pollinator 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
- improve environmental benefits 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 minerals	substantiated as needed by COC	authorized using technical practice codes 314, 315, 327, *--338, 340, 342, 382 (for CRP grasslands only), 386, 390,--* 394, 550, 643, 645, and 647.
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	
*--fencing	for exclusion from CRP grasslands acreage only--*	

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	<b>not</b> 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 shall 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 shall have their primary onset of blooming during each period of April through June 15, June 15 through July, and August through October. The 3 species need not be in bloom for the entirety of a bloom period.

**Exception:** States with arid areas may submit alternative standards.

- State Committees may propose alternatives to species diversity and bloom period standard for arid areas only. Alternative standards must receive DAFP approval.
- Seeding mixes shall include no more than 25 percent grasses based on pure live seeds per square foot. Grass is not required in CP42.
- Where allowed by NRCS FOTG, total seed mixes, including grass seeds, must be 15-30 pure live seeds per square foot. Seeding rates may be higher where required by NRCS FOTG.--\*



## National CRP Practices (Continued)

## \*--CP42 Pollinator Habitat (Continued)

## F Practice Requirements (Continued)

- 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, nonsod 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 shall 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 shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- Spot application of herbicide may be needed to control undesirable plants.
- The seeded area shall not be harvested or grazed by domestic livestock for the life of CRP-1.
- Where practicable, as determined by NRCS or TSP, State-certified seed shall be used for CP42.
- The practice shall have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC.--\*

**National CRP Practices (Continued)****CP42 Pollinator Habitat (Continued)****G Practice Length**

The practice length for CP42 is:

- \*--10 years for general or continuous enrollment
- 15 years for CRP grasslands only.--\*

**H 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.

**I Environmental Concerns**

Consider preserving and improving pollinator and wildlife habitat, and other environmental concerns when making determinations about types of plantings, spacing, and other practice specifications.

**J 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 adequate pollinator habitat and environmental benefits during the practice lifespan, unless caused by circumstances beyond the producer's control.

**K Management Activity**

This practice shall have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC. The practice shall be disturbed on a rotational basis by light disking, prescribed burning, selective herbicide application, or other prescribed methods as approved by STC. Management methods shall enhance or maintain flowering plant diversity, set back vegetative succession and woody encroachment, and expose soil for pollinator nesting sites. Mowing is generally an inadequate means of disturbance for pollinator habitat, except as needed to remove annual weeds during establishment, or to facilitate prescribed burning or light disking. See paragraph 428.

C/S is authorized for management activities.

**L Technical Responsibility**

Technical responsibility for this practice shall be assigned to NRCS or TSP.

National CRP Practices (Continued)

\*--CP87 Permanent Introduced Grasses and Legumes

**A Purpose**

The purpose of this practice is to maintain existing vegetative cover of introduced grasses and legumes on eligible land.

**B Program Policy**

Apply CP87 to maintain existing permanent introduced 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.

**C Eligibility**

To be eligible for C/S, this practice shall:

- 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.

**D 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 and boundary)	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.

--\*

National CRP Practices (Continued)

\*--CP87 Permanent Introduced Grasses and Legumes (Continued)

D C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
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 shall only approve the minimum number of water sources needed.	authorized.
fuel break	to control and reduce the risk of the spread of fire by treating, removing, or modifying vegetation, debris, and detritus	
brush management	to: <ul style="list-style-type: none"> <li>• create the desire quality or enhance stream flow</li> <li>• improve forage accessibility, quality, and quantity for livestock and wildlife</li> <li>• manage fuel loads to achieve desired conditions</li> </ul>	
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 as mid-contract management by managing fuel loads to achieve desired conditions	
corrals, feedlots, ornamental fences, holding pens, and cattle guards		<b>not</b> 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.--\*

**National CRP Practices (Continued)****\*--CP87 Permanent Introduced Grasses and Legumes (Continued)****E Practice Requirements (Continued)**

- 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 shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- Haying, mowing, or harvesting for seed production shall be subject to appropriate restrictions for species identified by STC focus areas.

**F 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.

**G Environmental Concerns**

Consider wildlife and other environmental concerns, especially Federally threatened or endangered species and critical habitat, when establishing protective measures.

**H Practice Maintenance**

The practice shall be maintained without additional C/S for the life of CRP-1. C/S shall be refunded 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.

**I Program Development**

Follow this subparagraph to develop the county program.

- County programs shall provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**J Technical Responsibility**

Technical responsibility for this practice shall be assigned to NRCS or TSP.--\*

National CRP Practices (Continued)

\*--CP88 Permanent Native Grasses and Legumes

**A Purpose**

The purpose of this practice is to maintain existing vegetative cover of native grasses and legumes on eligible grassland.

**B Program Policy**

Apply this practice to maintain existing permanent 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.

**C Eligibility**

To be eligible for C/S, this practice shall:

- 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.

**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...
permanent fence (internal and boundary)	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.

--\*

National CRP Practices (Continued)

\*--CP88 Permanent Native Grasses and Legumes (Continued)

D C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
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 shall only approve the minimum number of water sources needed.	authorized.
fuel break	to control and reduce the risk of the spread of fire by treating, removing, or modifying vegetation, debris, and detritus	
brush management	to: <ul style="list-style-type: none"> <li>• create the desire quality or enhance stream flow</li> <li>• improve forage accessibility, quality, and quantity for livestock and wildlife</li> <li>• manage fuel loads to achieve desired conditions</li> </ul>	
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 as mid-contract management by managing fuel loads to achieve desired conditions	
corrals, feedlots, ornamental fences, holding pens, and cattle guards		<b>not authorized.</b>

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.--\*

**National CRP Practices (Continued)****\*--CP88 Permanent Native Grasses and Legumes (Continued)****E Practice Requirements (Continued)**

- 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 shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- Haying, mowing, or harvesting for seed production shall be subject to appropriate restrictions for species identified by STC focus areas.

**F 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.

**G Environmental Concerns**

Consider wildlife and other environmental concerns, especially federally threatened or endangered species and critical habitat, when establishing protective measures.

**H Practice Maintenance**

The practice shall be maintained without additional C/S for the life of CRP-1. C/S shall 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.

**I Program Development**

Follow this subparagraph to develop the county program.

- County programs shall provide the requirements that are conditions for C/S.
- STC may establish these requirements.

**J Technical Responsibility**

Technical responsibility for this practice shall be assigned to NRCS or TSP.--\*



**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

\* 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>
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
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
200	9-1-2015 through 9-30-2018	2016, 2017, or 2018--*

\* 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.

\*--

This form is available electronically. <b>CRP-1</b> U.S. DEPARTMENT OF AGRICULTURE (10-22-15) Commodity Credit Corporation		1. ST. & CO. CODE & ADMIN. LOCATION 42-075		2. SIGN-UP NUMBER 45	
<b>CONSERVATION RESERVE PROGRAM CONTRACT</b>		3. CONTRACT NUMBER		4. ACRES FOR ENROLLMENT 101.3	
7A. COUNTY OFFICE ADDRESS (Include Zip Code) Lebanon County FSA Office 1600 Cumberland Ave. Lebanon, PA 17042		5. FARM NUMBER 2512		6. TRACT NUMBER(S) 1201	
7B. TELEPHONE NUMBER (Include Area Code): (717) 234-1888		8. OFFER (Select one) GENERAL <input checked="" type="checkbox"/> ENVIRONMENTAL PRIORITY <input type="checkbox"/>		9. CONTRACT PERIOD FROM: (MM-DD-YYYY) TO: (MM-DD-YYYY) 10/1/2015 9/30/2025	
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 that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. <b>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 PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; CRP-2; CRP-2C; or CRP-2G.</b>					
10A. Rental Rate Per Acre \$ 42.00		11. Identification of CRP Land (See Page 2 for additional space)			
10B. Annual Contract Payment \$ 4,254.60		A. Tract No.	B. Field No.	C. Practice No.	D. Acres
10C. First Year Payment \$		1201	1	CP2	101.2
(Item 10C applicable only to continuous signup when the first year payment is prorated.)					E. Total Estimated Cost-Share \$5,065
<b>12. PARTICIPANTS (If more than three individuals are signing, see Page 3.)</b>					
A(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code): Amos Zuck 123 Zuck Lane Lebanon, PA 17042		(2) SHARE 25 %	(3) SIGNATURE		(4) DATE (MM-DD-YYYY) 8/15/2015
B(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code): Evelyn Zuck 123 Zuck Lane Lebanon, PA 17042		(2) SHARE 25 %	(3) SIGNATURE		(4) DATE (MM-DD-YYYY) 8/15/2015
C(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code): Jacob Zuck 123 Zuck Lane Lebanon, PA 17042		(2) SHARE 25 %	(3) SIGNATURE		(4) DATE (MM-DD-YYYY) 8/15/2015
<b>13. CCC USE ONLY</b>		A. SIGNATURE OF CCC REPRESENTATIVE			B. DATE (MM-DD-YYYY) 8/30/2015
<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 7 CFR Part 1410, 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.), and the Agricultural Act of 2014 (Pub. L. 113-79). 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.  This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F, Administration). 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>					
The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).					
If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a> , or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a> . USDA is an equal opportunity provider and employer.					
<input type="checkbox"/> Original – County Office Copy		<input type="checkbox"/> Owner's Copy		<input type="checkbox"/> Operator's Copy	

\*--



Completing CRP-1, Conservation Reserve Program Contract (Continued)

B Example of CRP-1 (Continued)

\*--

CRP-1 (10-22-15)			Page of
<b>12. PARTICIPANTS (CONTINUED FROM PAGE 1)</b>			
A(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code): Esther Zuck 123 Zuck Lane Lebanon, PA 17042	(2) SHARE  25 %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)  8/25/2015
B(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
C(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
A(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
B(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
C(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
A(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
B(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
C(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
A(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
B(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
C(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE  %	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
<input type="checkbox"/> Original – County Office Copy <input type="checkbox"/> Owner's Copy <input type="checkbox"/> Operator's Copy			

--\*

**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, Underserved, or Veteran Farmers or Ranchers
- F3, Maximizing Grassland Preservation
- F4, Vegetation Cover
- F5, Environmental Factors
- F6, Pollinator Factor.

Grassland ranking factors provide a relative ranking of eligible land offered for CRP grasslands, as follows:

$$F1 + F2 + F3 + F4 + F5 + F6 = \text{National Grassland Ranking Factors Score.}$$

**C Overview of the CRP Grassland Ranking Factors**

The following table illustrates the national grassland ranking factors.

Factor	Maximum Points	Equation/Scoring Parameters
F1	20	Current use: <ul style="list-style-type: none"> <li>• F1a over 50 percent of offer is expiring CRP or GRP (0 to 15 points)</li> <li>• F1b over 50 percent of offer is currently part of a livestock operation (0 or 5 points).</li> </ul>

--\*

\*--CRP Grassland Ranking Factors (Continued)

1 Overview (Continued)

C Overview of the CRP Grassland Ranking Factors (Continued)

Factor	Maximum Points	Equation/Scoring Parameters																		
F2	20	At least 50 percent of the producers on an offer are beginning, underserved, or veteran farmers or ranchers (0 or 20 points).																		
F3	20	Eligible land at the greatest risk from the threat of conversion to uses other than grassland (0, 10, or 20 points).																		
F4	20	Vegetation cover (0 to 20 points). F4 based on a weighted average of the following criteria. <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th>Practice</th> <th>Assigned Point Score</th> </tr> </thead> <tbody> <tr> <td>CP87, Permanent Introduced Grasses and Legumes</td> <td></td> </tr> <tr> <td>Monoculture stand.</td> <td>0</td> </tr> <tr> <td>Existing stand of 2 or more species or for provisional offers planting new stand of 2 to 3 species of an introduced grass species.</td> <td>5</td> </tr> <tr> <td>Existing stand or for provisional offers 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.</td> <td>10</td> </tr> <tr> <td>CP88, Permanent Native Grasses, Forbs, or Legumes</td> <td></td> </tr> <tr> <td>Monoculture stand.</td> <td>5</td> </tr> <tr> <td>Existing stand (minimum of 2 species) or for provisional offers planting new mixed stand (minimum of 3 species) of at least 2 native grass species.</td> <td>10</td> </tr> <tr> <td>Existing stand or for provisional offers planting mixed stand (minimum of 5 species) of at least 3 native grasses.</td> <td>20</td> </tr> </tbody> </table>	Practice	Assigned Point Score	CP87, Permanent Introduced Grasses and Legumes		Monoculture stand.	0	Existing stand of 2 or more species or for provisional offers planting new stand of 2 to 3 species of an introduced grass species.	5	Existing stand or for provisional offers 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.	10	CP88, Permanent Native Grasses, Forbs, or Legumes		Monoculture stand.	5	Existing stand (minimum of 2 species) or for provisional offers planting new mixed stand (minimum of 3 species) of at least 2 native grass species.	10	Existing stand or for provisional offers planting mixed stand (minimum of 5 species) of at least 3 native grasses.	20
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Existing stand or for provisional offers planting mixed stand (minimum of 5 species) of at least 3 native grasses.	20																			
F5	20	Environmental factors (0 to 20 points): <ul style="list-style-type: none"> <li>• F5a over 50 percent of offer is in the current CRP general signup wildlife zone (0 or 5 points)</li> <li>• F5b over 50 percent of the offer is in the State CRP grassland zone (0 or 5 points)</li> <li>• F5c the producer has or agrees to implement an approved wildlife focused conservation plan or resource management plan instead of the standard conservation plan (0 or 10 points).</li> </ul>																		

--\*

**\*--CRP Grassland Ranking Factors (Continued)**

**1 Overview (Continued)**

**C Overview of the CRP Grassland Ranking Factors (Continued)**

Factor	Maximum Points	Equation/Scoring Parameters						
F6	20	<p>Pollinator habitat (0 to 20 points).</p> <p>Establishment of pollinator habitat CP42 on the acreage of CRP-1. The habitat size <b>must</b> meet the following requirements.</p> <table border="1" data-bbox="574 653 1446 846"> <thead> <tr> <th data-bbox="574 653 748 716">CRP Acres Offered</th> <th data-bbox="748 653 1446 716">Habitat Size Requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="574 716 748 785">Less than 10 acres.</td> <td data-bbox="748 716 1446 785">At least 1 acre of pollinator habitat. Minimum habitat areas <b>must</b> be at least .5 acre.</td> </tr> <tr> <td data-bbox="574 785 748 846">10 acres or greater.</td> <td data-bbox="748 785 1446 846">At least 10 percent of acreage offered in pollinator habitat. Minimum habitat areas <b>must</b> be at least .5 acre.</td> </tr> </tbody> </table>	CRP Acres Offered	Habitat Size Requirement	Less than 10 acres.	At least 1 acre of pollinator habitat. Minimum habitat areas <b>must</b> be at least .5 acre.	10 acres or greater.	At least 10 percent of acreage offered in pollinator habitat. Minimum habitat areas <b>must</b> be at least .5 acre.
CRP Acres Offered	Habitat Size Requirement							
Less than 10 acres.	At least 1 acre of pollinator habitat. Minimum habitat areas <b>must</b> be at least .5 acre.							
10 acres or greater.	At least 10 percent of acreage offered in pollinator habitat. Minimum habitat areas <b>must</b> be at least .5 acre.							

**2 National Ranking Factor F1 for Current Use**

**A Summary**

The following factor encourages continued usage of the land, and retains most of the environmental benefits of expiring CRP and GRP land:

0 to 20 points determined using subfactors in the formula:  $F1a + F1b = F1$

**B Subfactor F1a for Expiring CRP or GRP**

This factor rewards owners who continue to maintain and use land that is currently in GRP and/or CRP general signup in an environmentally sustainable way. Keeping these acreages in grass covers will help preserve a majority of the environmental benefits establish under GRP and/or general CRP.

Assign 15 points if over 50 percent of the offered acreage is currently expiring GRP and/or general CRP in the last year of CCC-920 or CRP-1. If the offer has less than 50 percent of the offer, prorate the 15 points based on the percentage of the offer that is expiring GRP or CRP.

**Example:** If 40 percent of the offer is expiring GRP and/or CRP in the last year of CCC-920 and/or CRP-1, than it would receive 12 points ( $15 \times .80$ ). The .80 was determined by dividing 40 by 50 = .80 Round to the nearest tenth.--\*

**\*--CRP Grassland Ranking Factors (Continued)**

**2 National Ranking Factor F1 for Current Use (Continued)**

**C Subfactor F1b for Grasslands Currently Part of a Livestock Operation**

This factor rewards owners who continue to maintain and use grasslands in an environmentally sustainable way. This factor encourages owners to keep their land in grass covers.

Assign 5 points if over 50 percent of the offered acreage is currently being used in a livestock operation. Otherwise, assign 0 points.

**3 National Ranking Factor F2 for Beginning, Veteran, and Underserved Farmers and Ranchers**

**A Overview**

For this factor, assign 20 points if at least 50 percent of the shares on CRP-1 are 1 of the following definitions as determined by CCC-860.

**B Beginning Farmers and Ranchers**

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.

**C Underserved Farmers and Ranchers**

Underserved farmer or rancher means a farmer or rancher who is a member of an underserved 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. Underserved groups include the following and **no** others **unless** approved, in writing, by the Deputy Administrator:

- American Indians or Alaskan Natives
- Asians or Asian Americans
- Blacks or African Americans
- Hispanics or Hispanic Americans
- Native Hawaiians or other Pacific Islanders
- women.--\*

**\*--CRP Grassland Ranking Factors (Continued)**

**3 National Ranking Factor F2 for Beginning, Veteran, and Underserved Farmers and Ranchers (Continued)**

**D Veteran Farmers and Ranchers**

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 Factors F3 and F4**

**A National Ranking Factors F3 for Land Under Threat of Conversion**

For this factor, assign up to 20 points if over 50 percent of the offered acreage is in a county under threat of conversion as determined by DAFP.

**B 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.

**Note:** For provisional offers, this value will be calculated based on what grass cover the producer plans to plant at their own expense.

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>CP87, Permanent Introduced Grasses and Legumes</b>	
Monoculture stand.	0
Existing stand of 2 or more species or for provisional offers planting new stand of 2 to 3 species of an introduced grass species.	5
Existing stand or for provisional offers 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.	10
<b>CP88, Permanent Native Grasses, Forbs, or Legumes</b>	
Monoculture stand.	5
Existing stand (minimum of 2 species) or for provisional offers planting new mixed stand (minimum of 3 species) of at least 2 native grass species.	10
Existing stand or for provisional offers planting mixed stand (minimum of 5 species) of at least 3 native grasses.	20

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**\*--CRP Grassland Ranking Factors (Continued)**

**5 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 habit.

For this factor, 0 to 20 points determined using subfactors in the formula:  $F5a + F5b + F5c = F5$ .

**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 5 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 shall submit 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 CEPD for approval.

For this factor, assign 5 points if over 50 percent of the offered acreage is in a State CRP grassland zone. Otherwise, assign 0 points.

**D Subfactor F5c for Wildlife Focused Conservation Plan for Grassland**

NRCS has developed criteria for a wildlife focused conservation plan exclusively for CRP grasslands. If the producer offers to implement this wildlife focused plan or resource management plan, with their CRP grassland CRP-1, assign 10 points.--\*

**\*--CRP Grassland Ranking Factors (Continued)**

**6 National Ranking Factor F6 for Pollinator Habitat**

**A Summary**

For this factor, assign 0 to 20 points maximum.

**B Requirements**

Producers **must** be notified that, if accepted in CRP, pollinator habitat **must** be maintained for the term of CRP-1. Producers offering pollinator habitat **must** be notified of the planting and maintenance requirements **before** the offer is submitted.

Producers **must** be informed **before** signup that the acreage **must** be maintained for the life of CRP-1 according to practice standards.

Establishment of pollinator habitat CP42 that remains in the same location on CRP-1. The habitat size, shape, and composition **must** meet the following requirements.

**Points are based on the following table. Maximum point score is 20 points.**

<b>CRP Acres Offered</b>	<b>Habitat Size Requirement</b>
Less than 10 acres.	At least 1 acre of pollinator habitat. Habitat areas <b>must</b> be at least .5 acre.
10 acres or greater.	At least 10 percent of acreage offered in pollinator habitat. Habitat areas <b>must</b> be at least .5 acre.

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**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 49--*</b>		<b>Points</b>
Conversion of at least 51 percent of a primarily monoculture stand to a mixture of native species that provide wildlife habitat benefits. <u>1</u> /		20
Establishment of pollinator habitat CP42 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 49--*						Points
Annual or permanent food plot (CP12) 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	
1	120	12	12 acres	5	5	
2	45	4.5	4.5 acres	5	4.5	
3	35	3.5	3.5 acres	5	3.5	
13.0						
<b>Note:</b> CP12, 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.						

1/ At least 51 percent of the land enhanced must be on a stand comprised of primarily a monoculture (fescue, crested wheatgrass, bermuda grass, etc.) on expired (such as a contract that expired in 2010) and/or expiring CRP land. In the case of a monoculture of trees (such as loblolly pine), the contract shall be on land expiring.

**Note:** Expiring CRP land with trees loses its cropland status after the expiration of the contract.

Points are not awarded for land in a crop production (wheat field, corn ground, etc.).

**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.

	<b>*--Ground Water Subfactor for Signup 49--*</b>		
	<b>Leach Index</b>		
<b>County</b>	<b>1</b>	<b>2</b>	<b>3</b>
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 software tool 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 49--*</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) are awarded 0 points.

<b>*--N4 Table - Signup 49--*</b>	<b>Points</b>
New hardwood tree (CP3A), longleaf pines, or Atlantic White Cedar plantings and CP25 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)	40
New pine/softwood tree (CP3)	30
CP25, where the plant community is existing or will be established to a primarily grass and/or shrub complex or CP42	25
Existing pine/softwood tree (original contract signed as CP3)	20
All other conservation practices not listed (CP1, CP2, CP4B, CP4D)	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 (0 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 49--*</b>	
<b>Practice</b>	<b>Points</b>
CP3, CP3A, CP25 (primarily trees)	10
CP25 (primary grass complex), CP42	5
CP4D, CP4B	4
CP1, CP2	3
CP12 (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.

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<p>This form is available electronically. <b>CRP-1 (Appendix)</b> (10-22-15)</p>	<p>See CRP-1 for Privacy Act and Paperwork Reduction Act Statements.</p>
<p>U. S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation</p>	
<p><b>APPENDIX TO FORM CRP-1, CONSERVATION RESERVE PROGRAM CONTRACT</b></p>	
<p><b>NOTE:</b> <i>This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F, Administration). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided.</i></p>	
<p><b>1. DEFINITIONS</b></p>	
<p>The following definitions are applicable to the Conservation Reserve Program (CRP) Contract:</p>	
<p><b>A. <u>CRP contract or CRP-1</u></b> means the program documents including form CRP-1, the applicable contract appendix, conservation plan and the terms of any required easement, if applicable, entered into between CCC and the participant. Such contract shall set forth the terms and conditions for participation in the CRP and receipt of CRP payments.</p> <p><b>B. <u>Current agricultural market value</u></b> for offer evaluation purposes means the amount in dollars per acre as determined by CCC to be the adjusted price at which the land placed in the CRP could be rented based on the average cash rental rate, or equivalent, per acre, and which is paid for dryland cropland at the time at which this contract is signed by the participant.</p> <p><b>C. <u>Vegetative cover</u></b> means perennial or permanent grasses, legumes, forbs, and shrubs with a life span of 10 years or more, or trees.</p> <p><b>D.</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.</p>	
<p><b>2. ELIGIBILITY REQUIREMENTS FOR CONSERVATION RESERVE PROGRAM</b></p>	
<p><b>A.</b> By signing the CRP contract, the participant, except in the case of persons qualifying solely as a tenant, certifies that such participant will control the land subject to the 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.</p> <p><b>B.</b> Land otherwise eligible for the CRP shall not be eligible, except as agreed otherwise, in writing, by CCC, 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.</p>	
<p><b>3. RESTRICTIONS ON PAYMENTS TO FOREIGN PERSONS</b></p>	
<p><b>A.</b> Any person who enters into this CRP contract or participates in such 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 annual rental payments under this contract unless such person meets the requirements of 7 CFR Part 1400 which shall be applicable to this contract.</p> <p><b>B.</b> Persons succeeding to a CRP contract subject to a reduction in payment under this paragraph 3 for any preceding party shall not be eligible for payments during the contract period greater than those that could have been received by such preceding party.</p>	

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**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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CRP-1 (Appendix) (10-22-15)

Page 2 of 7

**4. AGREEMENT**

**A. The participant agrees:**

- (1) That the applicable CRP-2 and CRP-1 and its addenda shall be considered an offer to enter into the Conservation Reserve Program on the terms specified on Form CRP-1 and its addenda. 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;
- (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;
- (3) To comply with the terms and conditions of the Conservation Plan;
- (4) To establish, maintain, and replace, as specified in the CRP contract, the practices agreed to 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 CRP land including the shearing or shaping of trees for future use as Christmas trees (the participants may conduct pruning, thinning, stand improvement, or other activities consistent with customary forestry practices on land that is planted to trees); provided further, however, that CCC may, in its discretion and only in writing or by publication intended for a general allowance for CRP lands in particular States or regions, permit, in certain emergencies, certain commercial uses, as specified by CCC, which may be conditioned on a reduction in CRP payments otherwise payable under this contract;
- (6) Not to undertake any action on land under the participant's control which tends to defeat the purposes of this 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 a 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 acreage under contract during the primary nesting and brood rearing season for wildlife, except as approved by CCC;
- (10) To annually file required forms as requested by CCC for payment limitation determinations. For purposes of the annual payment limitation for each participant, Signing Incentive Payments (SIP) and Practice Incentive Payments (PIP) shall be attributed towards such annual limitation in the following ways: 1) SIP, for purposes of this contract, shall be attributed to the Fiscal Year in which the participants CRP contract was approved by CCC; and 2) PIP, for purposes of this contract, shall be attributed to the Fiscal Year in which the participant completed the practice associated with that PIP, as evidenced by the participants signature date on Form AD-245 or FSA-848B, and as otherwise determined by CCC.
- (11) To file applicable forms required by CCC for Adjusted Gross Income (AGI) determinations;
- (12) That it is understood 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. 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 certain periodic management activities described in the conservation plan to maintain the approved cover such as light discing, burning, etc.

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**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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CRP-1 (Appendix) (10-22-15)

Page 3 of 7

B. CCC agrees, subject to the availability of funds:

- (1) To share the cost with owners and operators of establishing an eligible practice, or an identified unit thereof, agreed to in the Conservation Plan as described herein, except that, in no case may the share of CCC 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 contract is signed by the participant, unless the CCC otherwise approves such amount, provided further, that such approval must specifically reference the particular land placed in the CRP under this contract;
- (2) To pay the agreed-upon annual rental payment, including any incentive payment, based upon the shares to which the parties have agreed as set forth on Form 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 cost-share payments, incentive payments, and all annual rental 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. CONSERVATION PLAN**

A. Subject to the approval of CCC, the Conservation Plan will include some or all of the following information and requirements:

- (1) The vegetative or water cover to be established on the CRP land;
- (2) A tree planting plan, developed in cooperation with the Forest Service, if trees are to be established as the vegetative cover on the CRP land;
- (3) A schedule of completion dates for establishment of the cover on the CRP land;
- (4) The level of environmental benefits which must be attained on the CRP land;
- (5) Any other practices required for the establishment or maintenance of the cover on the CRP land including weed, insect, pest, and other controls of undesirable species, 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 acreage will not be disturbed during the primary nesting season for wildlife as determined by CCC.
- (7) Management activities authorized by paragraph 6.

B. By signing the Conservation Plan, the participant agrees to implement the practices specified in such Conservation Plan on the CRP land even if such practices differ from those listed on Form CRP-1.

**6. MANAGEMENT ACTIVITIES**

Subject to the approval of CCC, the Conservation Plan may include managed grazing or harvesting of the cover on the CRP land, including biomass, as necessary to avoid an adverse impact on surrounding land, as determined appropriate by CCC, taking into consideration the needs of the vegetative cover, wildlife concerns, and other factors. Managed grazing or harvesting may be conditioned on a reduction in CRP payments otherwise payable under this contract, as determined by CCC.

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**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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CRP-1 (Appendix) (10-22-15)

Page 4 of 7

**7. COST-SHARE PAYMENTS**

- A. Subject to the availability of funds, 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 specified in the Conservation Plan as determined by CCC. It is understood that all cost-shares from all sources must be reported to CCC and that a reduction in the CCC cost-share may be made if there are other cost-shares received. Such reductions will be made to the extent required or allowed by the program regulations.
- C. Except as otherwise provided for in program regulations, cost-share assistance may be made available under the CRP only for the establishment or installation of an eligible practice. In order to receive cost-share assistance, the participant, upon completion of the practice, must file Form AD-245 or similar 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 tenants who have an interest in the acreage being offered at the time of signup an opportunity to participate in the benefits of the program;
      - (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 program 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-1.
  - (2) The landlord or operator has deprived any tenant of any benefits to which such tenant would otherwise be entitled.
  - (3) If any such conditions as identified in (1) and (2) occur or are discovered after payments have been made, all or any part of the payments, as determined by CCC, must be refunded with interest and no further payments shall be made.
- B. After this CRP contract is approved, the operator or tenant may, with the approval of CCC, be replaced for purposes of the CRP contract and for payments to be made under the 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 as, or because of, participation in the program;
  - (2) fails to maintain tenancy, as determined by CCC, throughout the CRP contract period;
  - (3) files for bankruptcy and the trustee or debtor in possession fails to affirm this CRP contract;
  - (4) dies during the term of this CRP contract 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 contract within the time required by CCC; or
  - (5) was removed for cause, as determined by CCC.

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**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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CRP-1 (Appendix) (10-22-15)

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- C. The removal of an operator or tenant from the agreement 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 and the regulations applicable to this CRP contract, adopted any scheme or device which tends to defeat the purposes of this CRP contract, or made any fraudulent representation with respect to this 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 the 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. 268, 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 the 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 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 Form CRP-1 by, (2) the number of acres that are the subject of the CRP contract. 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 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.

**12. CORRECTIONS**

CCC reserves the right to correct all errors arising from entering data or computations in the 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, 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 the CRP-1 with zero percent interest in the annual rental payment shall not be held responsible for contract compliance.

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**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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CRP-1 (Appendix) (10-22-15)

Page 6 of 7

**14. CONTRACT MODIFICATIONS**

A. CCC may modify this 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 measure 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 contract involve a technical aspect of a participant's Conservation Plan.

**15. EFFECTIVE DATE AND CHANGES TO CONTRACT**

A. The 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, the CRP contract may not be revoked or revised unless by mutual agreement between the parties. If, after the effective date of this contract, CCC determines that the offered acreage was erroneously enrolled or otherwise ineligible for enrollment, CCC may terminate the contract. Such termination shall not effect payments already made to the participants as of the time of termination. Within the dates established by CCC, the CRP contract must be signed by all required participants.

B. 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 contract, such new owner or operator, upon the approval of CCC, may become a participant to a new CRP contract under the same terms and conditions with CCC covering such transferred land;

B. With respect to the transferred land, if the new owner or operator becomes a successor to the existing CRP contract, the new owner or operator shall assume all obligations under such contract of the previous participant;

C. If the new owner or operator becomes a successor to a CRP contract with CCC:

- (1) Cost-share payments shall be made to the participant who established the practice; and
- (2) Annual rental payments to be paid during the fiscal year when the land was transferred shall be divided in an equitable manner, as determined by CCC.

D. A new owner or operator will not be eligible to succeed to the CRP contract or receive payments under the contract if a previous participant in the contract maintains or acquires any interest of any kind in the property including, but not limited to, present, future, or conditional interests, or reversionary interests, or any option with respect to the property. In addition, unless otherwise approved in writing by CCC for the particular contract, a new owner or operator will not be eligible to succeed to the CRP contract, if a lender has or will obtain an option to purchase the property, any other right of occupancy, or share in the equity in the property which is not conditional on a foreclosure or other remedy for nonpayment of debt or on a voluntary transfer by the person seeking to succeed to the CRP contract.

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**CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract  
(Continued)**

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CRP-1 (Appendix) (10-22-15)

Page 7 of 7

- E. 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 the 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 the contract for which the CCC may terminate the contract and enforce the remedies provided in this Appendix.
- F. If a participant transfers all or part of the right and interest in, or right to occupancy of, the CRP land 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 acreage;
  - (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.

*The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).*

*If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider and employer.*

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**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--*



**Completing Manual FSA-18, Applicant's Agreement to Complete an Uncompleted Practice**

**A Instructions**

County Office shall:

- complete FSA-18, using data from AD-245
- reproduce FSA-18 locally

**Note:** Include form number, OMB number, and date on the reproduction.

- prepare FSA-18 in duplicate:
  - mail copy to participant
  - file original in participant's CRP folder.

Participant shall sign FSA-18 agreeing to complete the practice. COC shall review and, if eligible, approve all FSA-18's.

Completing Manual FSA-18, Applicant's Agreement to Complete an Uncompleted Practice  
(Continued)

B Example of FSA-18

Following is an example of FSA-18.

\*--


This form is available electronically.		Form Approved - OMB No. 0560-0082		
<b>FSA-18</b> (10-22-15)  <b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency  <b>APPLICANT'S AGREEMENT TO COMPLETE AN UNCOMPLETED PRACTICE</b>		<b>1A. COUNTY FSA NAME AND OFFICE ADDRESS</b> (Include Zip Code) Any State County Office 123 Any Rd. Anytown, USA 99999  <b>1B. TELEPHONE NO. (Include Area Code)</b> (999) 999-9999		
<b>2. APPLICANT'S NAME</b> John Brown		<b>3. PROGRAM</b> CRP	<b>4. FARM NO.</b> 1732	
<b>5. STATE WHERE FARM IS LOCATED</b> Georgia	<b>6. COUNTY WHERE FARM IS LOCATED</b> Baker	<b>7. CONTRACT NO.</b> 100	<b>8. CONTROL NO.</b>	
<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 7 CFR Part 701, 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.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to document an agreement by an applicant to complete an uncompleted conservation practice. 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 conservation 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 10 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.</p> <p><b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b></p>				
<b>PART A - PRACTICE APPROVED ON FSA-848A</b>				
<b>9. NO.</b>	<b>10. DESCRIPTION</b>	<b>11. APPROVED EXTENT</b>	<b>12. COST-SHARES APPROVED</b>	
CP3A	Hardwood tree planting	15	5,940	
<b>PART B - COMPONENTS AS APPROVED ON FSA-848A</b>				
<b>13. CODE</b>	<b>14. DESCRIPTION</b>	<b>15. APPROVED EXTENT</b>	<b>16. RATE</b>	<b>17. COST-SHARES APPROVED</b>
HT1	Heavy tree planting	15	27.60	1,159
HS1	Heavy site preparation	15	101.40	4,259
TS5	Tree seedlings	15	12.44	522
<b>PART C - COMPONENTS (Identify each separately)</b>				
<b>18. The following component codes have been completed in accordance with specifications:</b> HS1				
<b>19. The following component codes have not been completed in accordance with specifications:</b> HT1 TS5				
<b>PART D - APPLICANT'S CERTIFICATION</b>				
I request cost-share assistance for the completed components shown in Part C, Item 18 above. I agree to complete the components shown in Part C, Item 19, within the time prescribed by the County FSA committee, regardless of whether or not cost-share assistance is approved. I agree to refund any cost assistance paid to me under this practice, if I fail to complete it.				
<b>20A. APPLICANT'S SIGNATURE</b>  /s/ John Brown		<b>20B. Title/Relationship of the Individual if Signing in a Representative Capacity</b>	<b>20C. DATE (MM-DD-YYYY)</b> 11/27/20XX	
<b>21A. APPROVED FOR COUNTY COMMITTEE BY</b>  /s/ Robert D. Mills			<b>21B. DATE (MM-DD-YYYY)</b> 12/01/20XX	
<p>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEOC or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).</p> <p>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</p>				

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**CRP-20, Notice of Conservation Reserve Program (CRP) Contract Termination**

The following is an example of CRP-20 to be issued with CRP-1E Addendum.

\*--

 <p><b>United States Department of Agriculture</b></p>	<p>Farm and Foreign Agricultural Services</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 CONSERVATION RESERVE PROGRAM (CRP)  
CONTRACT TERMINATION**

1. NAME AND ADDRESS CRP PARTICIPANT

	2. COUNTY
	3. STATE
	4. CONTRACT NO.

I understand that the property under the above identified CRP contract is now in the possession of (a) \_\_\_\_\_ of the Department of (b) \_\_\_\_\_ which has taken ownership of the property by foreclosure or otherwise. Because (c) \_\_\_\_\_ (agency) is a federal agency, it cannot succeed to the contract. In such circumstances, the CRP contract and CRP regulations provide for terminating the contract and for collecting, from the contract participant, liquidated damages and a refund, with interest, of monies paid under the CRP contract.

(d) \_\_\_\_\_ (agency) has indicated its willingness to comply with the conservation provisions of the contract. Accordingly, if you agree, (by signing the attached CRP-1E Addendum Regarding Possession of Conservation Reserve Program (CRP) Property Held by Federal Agency) a claim will not be established at this time.

A claim will be established if the (e) \_\_\_\_\_ (agency) or its successor fails to comply with the conservation provisions of the contract. Whether or not you sign the CRP-1E Addendum no further payments will be made to you under the contract unless the property is leased or sold back to you in such a manner as will for the remainder of the contract period place you in control of the property, and the Commodity Credit Corporation (CCC) agrees to make further payments in which case, payment may be made on such terms as CCC agrees to. If you do not sign the CRP-1E Addendum it will not increase your liability (in the event that (f) \_\_\_\_\_ (agency) or its successor fails to maintain the property in accordance with the conservation provisions of the contract) although, should a claim be later established, interest calculations could be affected.

Sincerely yours,

County Executive Director	Date (MM-DD-YYYY)
---------------------------	-------------------

**CRP-20** (10-22-15)

USDA is an Equal Opportunity Provider and Employer

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**\*--Managed Haying and Grazing PNS Dates and Frequencies**

CRP participants are bound by the terms and conditions and haying and grazing frequency for the life of their contract. Applicable haying and grazing frequencies are in the following table. CRP participants may revise their contract and modify their conservation plan to reflect the latest frequency.

The following table provides the managed haying and grazing PNS dates and frequencies.

<b>CRP-1 Category</b>	<b>PNS Dates</b>	<b>Frequency</b>	
CRP-1's approved before September 26, 2006, NWF Settlement Agreement	<ul style="list-style-type: none"> <li>• Use PNS dates in effect before the NWF Settlement Agreement.</li> <li>• Conservation plans may be modified to incorporate PNS dates of FONSI.</li> </ul>	<ul style="list-style-type: none"> <li>• For haying, no more frequency than 1 out of every 3 years.</li> <li>• Conservation plans may be modified to incorporate the frequency of the alternative selected in FONSI.</li> </ul>	<ul style="list-style-type: none"> <li>• For grazing, no more frequency than 1 out of every 3 years.</li> <li>• Conservation plans may be modified to update to the frequency of the alternative selected in FONSI.</li> </ul>
CRP-1's approved on or after September 26, 2006, NWF Settlement Agreement and before February 7, 2014	<ul style="list-style-type: none"> <li>• Use PNS dates required under the terms of the NWF Settlement Agreement.</li> <li>• Conservation plans may be modified to incorporate PNS dates selected in FONSI.</li> </ul>	<p>For haying, no more than:</p> <ul style="list-style-type: none"> <li>• 1 out of every 10 years for AZ, CA, CO, ID, KS, MT, NE, NV, NM, ND, OK, SD, TX, UT, and WY</li> <li>• 1 out of every 10 years (East) and 1 out of every 3 years (West) in OR and WA.</li> </ul> <p>Conservation plans may be modified to incorporate the frequency of the alternative selected FONSI.</p>	<p>For grazing, no more frequency than:</p> <ul style="list-style-type: none"> <li>• 1 out of every 5 years in CO, KS, MT, NE, ND, SD, TX, and WY</li> <li>• 1 out of every 10 years AZ, ID, NV, NM, and UT</li> <li>• 1 out of every 10 years (East) and 1 out of every 3 years (West) in OR and WA.</li> </ul> <p>Conservation plans may be modified to incorporate the frequency of the alternative selected FONSI.</p>

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**\*--Managed Haying and Grazing PNS Dates and Frequencies (Continued)**

<b>CRP-1 Category</b>	<b>PNS Dates</b>	<b>Frequency</b>	
CRP-1's approved on or after the date FONSI was published	Use the dates of the alternative identified in FONSI.	Use haying frequencies identified in FONSI.	Using grazing frequencies identified in FONSI.
CRP-1's approved on or after February 7, 2014	Use the dates currently in place.	For haying, no more frequently than 1 out of every 3 years, and no less frequently than 1 out of every 5 years.	For grazing, no more frequently than 1 out of every 2 years.

**Note:** NWF Settlement Agreement States are Arizona, California, Colorado, Idaho, Indiana, Kansas, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. All other States must use the PNS date and frequencies in effect at the time CRP-1 was approved.--\*



Using CRP-37

This is an example of CRP-37. Use CRP-37 when requesting to graze certain practices as part of the gleaning of crop residue in a field. File a copy in the producer's CRP folder.

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This form is available electronically.		
<b>CRP-37</b> (10-22-15)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation
<b>REQUEST FOR INCIDENTAL GRAZING</b>		
<b>1. RETURN TO: (County FSA Office Name and Address)</b> Lancaster County FSA 6030 Trade Center Capital City, NE 68516		2. CRP Contract Number 217
		3. Farm Number 1001
		4. Date (MM-DD-YYYY) 10/09/2015
5. For the <u>2009</u> crop year, I (we) request authority to:		
<input checked="" type="checkbox"/> Conduct incidental grazing in Field Number(s) (1) <u>1, 4</u> in conjunction with the gleaning of crop residue or grazing a small grain before harvest beginning (2) <u>10/17/2009</u> (MM-DD-YYYY)		
I (we) understand and agree that:		
<ul style="list-style-type: none"> <li>· only CP8A, Grass Waterways, CP15A, Contour Grass Strips, and CP21, Filter Strips, CP33, Habitat Buffers for Upland Birds, may be grazed under this authority</li> <li>· all livestock shall be removed from CRP acreage no later than 2 months after the date provided above</li> <li>· there shall be a 25 percent reduction in the annual rental payment for the CRP acreage being grazed</li> <li>· I (we) shall re-establish, at my (our) own expense, any cover destroyed or damaged as a result of participation under this authority, regardless of recommendations or determinations made by NRCS.</li> </ul>		
6. Check the payment reduction option applicable to this request:		
A. <input type="checkbox"/> The payment reduction has been paid in advance.		
B. <input checked="" type="checkbox"/> The annual rental payment, scheduled to be made after October 1, will be reduced.		
7. All signatories to CRP-1 are required to sign, unless the payment reduction is paid in advance. If the payment reduction is paid in advance, only the participant making the request is 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) 10/09/2009
A. Participant's Signature (By) <i>/s/ Betty Smith</i>	B. Title/Relationship (Individual Signing in the representative capacity)	C. Date (MM-DD-YYYY) 10/09/2009
A. Participant's Signature (By)	B. Title/Relationship (Individual Signing in the representative capacity)	C. Date (MM-DD-YYYY)
8A. Signature of CCC Representative	8B. Date (MM-DD-YYYY)	8C. County FSA Office Name and Address (Including ZIP Code)
		8D. Telephone No. (Including Area Code):
<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 7 CFR Part 1410, 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.), and the Agricultural Act of 2014 (Pub. L. 113-79). 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.		
This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F, Administration). The provisions of 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>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).</small>		
<small>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.escr.usda.gov/complaint_filing_cust.html">http://www.escr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</small>		

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