

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

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

Amendment 2

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 35 A has been amended to add that CED's shall determine eligible marginal pastureland acres.

Paragraph 39 has been withdrawn because there are no longer any delegations of authority from COC.

Subparagraph 131 B has been amended to update the policy for CRP-1's approved beginning October 1, 2008.

Subparagraph 151 A has been amended to clarify the cropping history eligibility example.

Subparagraph 151 C has been amended to replace the word "land" with "cropland".

Paragraph 181 has been amended to provide additional information about expiring continuous signup land eligibility and remove exceptions for lands ineligible for re-enrollment under continuous signup.

Subparagraphs 196 A and B have been amended to provide policy for re-enrolling land into CRP that was previously enrolled under WBP eligibility criteria.

Subparagraph 197 A has been amended to:

- provide that land that is currently enrolled or has expired and the cover has been maintained is not eligible for SIP
- clarify continuous signup practices that may have maintenance established above zero.

Paragraph 249 has been amended to provide that expiring CRP's that are being offered as FWP are not eligible for SIP.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Paragraphs 366 and 368 have been amended to update CED authority to approve the conservation plan of operation.

Paragraph 401 has been amended to clarify the policy for updating CCC-926 before approving CRP-1's.

Subparagraph 429 C has been amended to remove the restriction that C/S paid to establish the new practice does not exceed the C/S amount that would have been paid for the original practice.

Subparagraphs 465 A, 469 A, and 574 A have been amended to remove the reference to Exhibit 37.

Subparagraph 493 B has been amended to remove the example.

Subparagraphs 576 B and E have been amended to clarify FY report for waiver of refunds.

Subparagraph 605 A has been amended to require COC and STC report approved waivers or reductions of standard payment no later than December 1 of each year.

Subparagraph 665 A has been amended to add Colorado and Indiana.

Subparagraph 716 A has been amended to clarify routine grazing provisions.

Subparagraph 742 A has been amended to clarify provisions for routine grazing.

Exhibit 11 has been amended to add:

- C/S authorization for wildlife water development as a component of CP10
- a maximum size requirement exception for expiring CRP acres previously enrolled into CRP under the WBP eligibility criteria for CP30.

Exhibit 21 has been amended to:

- update CRP to CREP
- remove the requirement for owners and operators to enter the last 4-digits of their Social Security number.

Exhibit 26 has been amended to update:

- the seeding composition requirement
- the surface water subfactor - RKLS for signup 39 example.

Exhibit 37 has been withdrawn because the refund calculations are automated and do not need to be manually calculated.

Amendment Transmittal (Continued)

Page Control Chart		
TC	Text	Exhibit
1, 2 11, 12	2-25, 2-26 2-29 through 2-56 6-15 through 6-60 6-63 through 6-66 7-11, 7-12 7-35 through 7-38 7-41, 7-42 8-17, 8-18 11-1 through 11-4 11-11, 11-12 12-1 through 12-4 13-15, 13-16 14-5, 14-6 14-11, 14-12 14-15 15-1 through 15-4 15-7, 15-8 16-1, 16-2 16-17, 16-18 16-55 through 16-62 17-11, 17-12 17-13 8-3, 8-4 19-5, 19-6 19-43, 19-44 19-101, 19-102 19-153, 19-154	1, pages 5, 6 page 7 (remove) 11, pages 31, 32 pages 39, 40 pages 49, 50 pages 55, 56 pages 79, 80 pages 129-132 pages 151, 152 pages 171, 172 pages 217, 218 21, pages 1-4 26, pages 11, 12 pages 15, 16 37, pages 1, 2 (remove) page 3 (remove) 51, pages 1, 2

Table of Contents

Page No.

Part 1 Basic Provisions

1	Overview	1-1
2	Implementing CRP	1-1
3	Authority, Program Objective, and Emphasis	1-2
4	Related Handbooks, Manuals, and Forms	1-3
5	Access to Farm and Farm Records, Relief Actions, and Appeals	1-6
6	Restrictions on Lobbying Activities	1-7
7	CCC-770 Checklists Policy	1-9
8-17	(Reserved)	

Part 2 Responsibilities

Section 1 Agency Responsibilities

18	Responsibilities	2-1
19	MOU and Memorandums of Agreement	2-3
20-30	(Reserved)	

Section 2 FSA Administrative Responsibilities

31	STC Administrative Responsibilities	2-25
32	SED Responsibilities for CRP	2-27
33	DD Responsibilities for CRP	2-27
34	COC Policies and Responsibilities	2-28
35	CED Responsibilities for CRP	2-29
36	PT Responsibilities for CRP	2-30
37	Written Documentation.....	2-31
38	Redelegations of Authority	2-31
39	(Withdrawn--Amend. 2)	
40	CED Responsibilities	2-32
41-51	(Reserved)	

Section 3 NRCS Agency Responsibilities

52	NRCS Responsibilities	2-57
53-65	(Reserved)	

Table of Contents (Continued)

		Page No.
Part 3	CRP Practices	
66	National Practices	3-1
67-80	(Reserved)	
Part 4	Total County Cropland	
81	Cropland Limitation.....	4-1
82	Completing AD-894	4-8
83	Completing AD-893	4-12
84-100	(Reserved)	
Part 5	SRR's and Maximum Payment Rates	
101	Maximum Payment Rates	5-1
102	Reviewing and Adjusting Soil Map Unit Symbols and SRR's	5-2
103	Establishing SRR's	5-3
104	Updating Soil Map Unit Symbols and Posting and Using Rental Rates	5-5
105-125	(Reserved)	
Part 6	Eligibility Requirements	
Section 1	Producer Eligibility Requirements	
126	Eligible Person.....	6-1
127	Waiving Ownership Eligibility Requirements.....	6-5
128	Structural Change in Ownership of Land	6-8
129	Right of Redemption After Foreclosure Provision	6-9
130	CRP Landlord and Tenant Provisions.....	6-10
131	AGI Provisions.....	6-15
132	Federal Crop Insurance Requirements for CRP Participants.....	6-16
133-150	(Reserved)	

Table of Contents (Continued)

Exhibits

1	Reports, Forms, Abbreviations, and Redelegations of Authority
2	Definitions of Terms Used in This Handbook
3, 4	(Reserved)
5	Letters Notifying Producers of Offer and Eligibility Status
6	Forms for Complying With Lobbying Disclosure Requirements
7, 8	(Reserved)
9	MOU/Memorandums of Agreement
10	(Reserved)
11	National CRP Practices
12-15	(Reserved)
16	Adjusted Gross Income (AGI) Limitation Waiver Request Worksheet for Conservation Reserve Program
17	(Reserved)
18	National CPA's
19	(Reserved)
20	CRP Signup Periods
21	Completing CRP-1, Conservation Reserve Program Contract
22-25	(Reserved)
26	EBI and National Ranking Factors
27, 28	(Reserved)
29	CRP-1 Appendix, Appendix to Form CRP-1, Conservation Reserve Program Contract
30	(Reserved)
31	Examples for Completing CRP-1 When Exceeding \$50,000 Maximum Payment Limitation
32	CRP-1 Period
33, 34	(Reserved)
35	Completing CCC-770-CRP's, CRP Checklist
36	Completing FSA-695, Conservation Annual Payment Statement
37	(Withdrawn--Amend. 2)
38-40	(Reserved)
41	Completing Manual FSA-18, Applicant's Agreement to Complete an Uncompleted Practice
42	(Reserved)
43	CRP-20, Notice of Conservation Reserve Program (CRP) Contract Determination

Table of Contents (Continued)

Exhibits (Continued)

- 44 CRP-1E Addendum, Addendum Regarding Possession of CRP Property Held by Federal Agency
- 45, 46 (Reserved)
- 47 CRP-117, Request to Participate in Special Haying and Grazing of CRP Acreage
- 48 Terms and Conditions for Managed Haying (Including for Biomass) and Grazing of CRP Acreage
- 49 CRP-118, Certification of Participation in Haying and Grazing of CRP Acreage
- 50 (Reserved)
- 51 Completing CRP-42, County Precipitation and Feed and Forage Loss Report
- 52 Terms and Conditions for Emergency Haying and Grazing of CRP Acreage
- 53 (Reserved)
- 54 Using CRP-37

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 aerial photocopies, 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--*

Note: Incomplete case files may delay response.

Note: See paragraph 491 and Exhibit 11.

- establish the primary nesting or brood rearing season for wildlife in consultation with the State Technical Committee, see subparagraph 664 A.

Note: Establishment of the primary nesting or brood rearing season 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.

34 COC Policies and Responsibilities (Continued)

B COC Responsibilities (Continued)

- ensure that producers receive complete, accurate, and timely program information about CRP by providing information through:
 - program leaflets, newsletters, and print media
 - meetings
 - radio, television, and video
- document actions taken in COC minutes and include the following:
 - all factors considered
 - justification of all determinations
 - reference to applicable handbook procedures.

Note: See paragraph 603 for noncompliance.

35 CED Responsibilities for CRP

A CED Responsibilities

CED's shall:

- approve AD-245 for the following:
 - conservation practices
 - changes in extent and C/S, including increases if supported by NRCS or TSP
- extend the time to complete practice or report performance
- determine the following:
 - sufficiency of signatures
 - authority of persons signing in a representative capacity
 - contributions of individual or individuals sharing in establishing the practice
 - estimate for report of accomplishment
 - eligible cropland acres
 - *--eligible marginal pastureland acres
 - reviewing and verifying documentation submitted to determine cropping history--*
- approve conservation plans

35 CED Responsibilities for CRP (Continued)

A CED Responsibilities (Continued)

- *--approve CRP-1 and CRP-1R, except for CRP-1's involving lands owned by STC,--*
COC, CED, or other County Office employees
- approve CRP-1G Addendum
- ensure that County Offices follow provisions issued by COC, DD, State Offices, and this handbook
- ensure that all automated processes are completed in a timely manner
- report incorrect software calculations, discrepancies, and problems to SED, through DD
- report to SED and the State Office Program Specialist, through DD, incomplete or incorrect procedures in this handbook
- ensure that all pertinent information and program deadlines are publicized
- ensure that signature deadlines are carefully monitored for reconstituted farms, designating payment shares, and necessary supporting documentation, such as AD-1026, CCC-502, CCC-526, CCC-901, as applicable, and CCC-926.

36 PT Responsibilities for CRP

A PT Responsibilities

PT's shall:

- follow the provisions in this handbook
- report the following to CED:
 - incorrect software calculations and discrepancies
 - incomplete or incorrect procedures in this handbook.

37 Written Documentation

A COC Actions

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

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

B County Office Employee Action

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

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

38 Redelegations of Authority

A Prohibited Redelegations

COC shall **not** redelegate the following:

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

39 (Withdrawn--Amend. 2)**40 CED Responsibilities****A Nondelegated Responsibilities**

Without formal delegation, and as part of the daily office operations, CED or program assistant designee shall:

- issue AD-245 to participants
- send referrals to TSP or NRCS
- approve AD-245 for payment
- prepare forms for C/S payments
- compute C/S and rental payments
- maintain and update changes in land ownership in SCIMS and Farm Records file
- renumber fields redefined for CRP according to 2-CP
- maintain cropland classification for acres devoted to trees for the life of CRP-1
- determine value of refunds, interest, and liquidated damages, when applicable, and according to the provisions of this handbook
- inform landowners that CRP-1 expiration does not terminate the easement on the land under CRP-1. The landowner is responsible for removing the easement from the deed after the easement expires and written approval has been obtained from COC. COC shall **not** incur any expenses for removing the easement.

41-51 (Reserved)

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

--The average AGI limitation provides that a person or legal entity shall not 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 **must** provide a certification of average AGI according to 1-PL or 4-PL, as applicable. For CRP, certifications of average AGI are binding for the life of CRP-1. CCC-526 or CCC-926, as applicable, must be filed before CRP-1 is approved. AGI determinations for CRP is for the contract period.

D Exception for Lands of Special Significance

The Administrator may allow a waiver to the \$1 million AGI limitation on a case-by-case basis for land that is determined to be environmentally sensitive land of special significance.

Waivers must be submitted to DAFP according to Exhibit 16.

132 Federal Crop Insurance Requirements for CRP Participants

A Federal Crop Insurance Requirements

CRP participants on:

- acreage that was enrolled on or after October 13, 1994, **must** be in compliance with the Federal Crop Insurance Reform Act to remain eligible for participation
- land enrolled on or after October 13, 1994, **must** do either of the following:
 - obtain at least the catastrophic level of insurance for each crop of economic significance grown on each farm in the county in which the producer has an interest, if insurance is available in the county for the crop
 - provide a written FSA-570 to the Secretary that waives any eligibility for emergency crop loss assistance in connection with the crop.

133-150 (Reserved)

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.	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	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	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 2008 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 not 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 not 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>Example: CRP-1 is scheduled to expire on September 30, 2010. The acreage may be offered for enrollment during FY 2010.</p>
CPA's	<p>Cropland located within 1 of the following:</p> <ul style="list-style-type: none"> • Chesapeake Bay Region • Great Lakes Region • Long Island Sound Region • Longleaf Pine Region <p>Important: All cropland within the Longleaf Pine Region is not automatically eligible to be offered for enrollment. Cropland within the Longleaf Pine Region must be:</p> <ul style="list-style-type: none"> • suitable to be devoted to longleaf pine • planted or devoted to longleaf pine. <ul style="list-style-type: none"> • Prairie Pothole Region <p>Note: See Exhibit 18 for maps.</p> <ul style="list-style-type: none"> • State-designated CPA's.
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,--* WHIP, CSP, or the Conservation Security Program, 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 WHIP contract that has only a part of the otherwise eligible cropland devoted to a permanent cover may have the WHIP 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

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 CSP, EQIP, GRP, or WHIP 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 WHIP 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.

181 Eligibility Requirements (Continued)

F Expiring Continuous Signup Land Eligibility

*--Cropland and marginal pastureland that is currently under CRP contract may be re-offered for CRP during the final year of the current contract. In addition to meeting the eligibility requirements of paragraph 151 and subparagraph 181 A, cropland must meet the current practice standards for the practice according to Exhibit 11.

Cropland that was previously enrolled in CRP but has expired or was terminated is eligible to be enrolled under continuous signup contracts if it meets all other eligibility requirements, including needed and feasible criteria.

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

The following are eligible land examples for expiring CRP when the offer is submitted before expiration.--*

Example 1: CP21 is expiring and is re-offered. The average width of the practice is 80 feet. The technical agency or TSP recommends the practice should be an average width of 100 feet to meet current practice standards. The participant may re-enroll the practice provided the average width enrolled is 100 feet according to an approved conservation plan. C/S and PIP may be authorized for the additional average width required to meet the current practice standard.

Note: If the technical recommendation was for a width less than enrolled, **only** the lesser width would be eligible.

Example 2: Expiring general signup CRP-1 includes a tree practice such as CP3, CP3A, or CP11. The participant re-offers part or all of the applicable acreage as a continuous signup practice such as CP22 or CP31. CRP-1 is in compliance and NRCS or TSP determines the practice meets the current standards for the practice. COC may approve CRP-1. SIP and PIP are **not** authorized.

181 Eligibility Requirements (Continued)

F Expiring Continuous Signup Land Eligibility (Continued)

Example 3: Expiring general signup CRP-1 with 1 or more practices such as a CP1, CP2, CP4D, CP10, or CP11 that includes wetland restoration as part of CRP-1. The participant re-offers the restored wetland as an applicable continuous practice such as CP23, CP23A, CP27, CP28, CP31, or CP37 according to procedure. CRP-1 is determined in compliance and NRCS or TSP determines the practice meets practice standards. COC may approve CRP-1 and conservation plan.
*--SIP and PIP are not authorized.

Example 4: Producer offers an expiring CP21 as practice CP21 that is an average of 80 feet in width. The producer also requests to enroll land adding an average width of 40 feet to reach the maximum average width allowed according to current FOTG standards (up to an average width of 120 feet). NRCS or TSP recommends that the practice meets the practice standards at the 80 foot average width. COC may accept an offer and approve CRP-1 and practice at the 80 foot average width. An offer of additional land to an existing buffer practice is **not** authorized because the current width is addressing the conservation issue. SIP and PIP are not authorized.--*

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 acreage that is currently under an easement according to subparagraph 151 D, that requires a resource-conserving cover be maintained throughout the proposed contract period

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.

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

196 Annual Payments (Continued)

B Per Acre Maximum Payment Rate Additional Incentive

For the following continuous signup practices, including re-enrolled practices, an additional incentive amount equal to 20 percent of the weighted average SRR shall be added to the weighted average SRR:

- CP5A
- CP8A
- CP21
- CP22
- CP23
- CP23A
- CP27
- CP28
- CP29
- CP30

***--Exception:** Land previously enrolled in CRP under WBP eligibility criteria is **not** eligible for the 20 percent incentive.--*

- CP31
- CP37
- CP39
- CP40
- CP41.

Important: For marginal pastureland devoted to CP22, CP29, and CP30, the additional incentive amount is equal to 20 percent of the applicable marginal pastureland rental rate.

196 Annual Payments (Continued)**B Per Acre Maximum Payment Rate Additional Incentive (Continued)**

For land within approved public wellhead protection areas, an additional incentive amount equal to 10 percent of the weighted average SRR shall be added to the weighted average SRR.

Note: Practices CP1, CP2, CP3, CP3A, CP4B, CP4D, and CP10 are eligible within an approved public wellhead protection area only. See subparagraph 66 D.

The 10 percent and 20 percent additional incentives are not additive.

Example 1: Producer offers 3 acres to be devoted to a field windbreak. The 3 acres are located within an approved public wellhead protection area. The per acre incentive amount would equal 20 percent of the weighted average SRR because of the practice offered (CP5A).

Example 2: Producer offers 3 acres within an approved wellhead protection area with 2 acres to be devoted to CP1 and 1 acre to be devoted to a field windbreak. The County Office may complete separate CRP-2's for each practice or calculate a weighted average incentive percentage using 20 percent for the 1 acre devoted to a field windbreak and 10 percent for the 2 acres devoted to CP1. See paragraph 212.

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

C Per Acre Maintenance Rates for Continuous Signup Practices

Per acre maintenance incentive rates shall be established to reimburse participants for the average annual cost of practice maintenance. Maintenance rates:

- may be established by geographic area, practice type, or other criteria
- above \$0 shall only be established when the participant will be required to perform
--substantial maintenance on the acreage enrolled for continuous signup practices CP5A, CP16A, CP17A, CP21, CP22, CP29, and CP30 according to this subparagraph.--

197 One-Time Payments

A CRP-SIP

CRP-SIP is a one-time incentive payment made to participants that enroll certain practices **after all** of the following are met:

- CRP-1 is approved
- AD-1026 has been completed and signed
- certification of compliance with 1-PL or 4-PL, as applicable.

Exception: CRP-SIP is **not** authorized for re-enrolled continuous, FWP practices, or infeasible to farm acres.

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

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

Participants that enroll practices CP5A, CP8A, CP16A, CP17A, CP21, CP22, CP23, CP23A, CP27, CP28, CP29, CP30, CP31, CP33, CP36, CP37, CP38A-E, CP39, CP40, or CP41 may receive CRP-SIP.

Important: CRP-SIP is **not** applicable to any other practice.

197 One-Time Payments (Continued)

A CRP-SIP (Continued)

CRP-SIP is a one-time payment of \$10 for each eligible acre enrolled for each full year of CRP-1. CRP-SIP is calculated by multiplying the number of eligible acres enrolled times the number of full years, **not to exceed 10 years**, of CRP-1 times \$10.

Note: CREP related maintenance incentives are governed by approved CREP agreements.

Examples: If CRP-1 is:

- 10 years and 7 months in length, CRP-SIP is calculated using only 10 years
- 12 years and 3 months in length, CRP-SIP is calculated using only 10 years.

The following provides additional information and examples for calculating CRP-SIP's.

Step	Action
1	<p>Determine the number of acres enrolled that are eligible for CRP-SIP. Only certain practices are eligible for CRP-SIP.</p> <p>Example: Producer enrolls 5 acres to be devoted to CP22 and 10 acres to be devoted to CP18B on the same tract. The duration of CRP-1 will be 10 years and 7 months. CRP-SIP is applicable only to the 5 acres of CP22.</p>
2	<p>*--Determine the number of full years of CRP-1. CRP-SIP is made for full years of CRP-1 only.</p> <p>Important: Always truncate part years of CRP-1's.--*</p> <p>Example: Using the CRP-1 in step 1, there are 10 full years in the approved CRP-1. Therefore, 10 years will be used to calculate CRP-SIP.</p>
3	<p>Multiply the result of step 1 times the result of step 2 times \$10.</p> <p>Example: Using the results of the examples in steps 1 and 2, the one-time CRP-SIP is \$500 = 5 acres x 10 years x \$10.</p>

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.

For FWP, see subparagraph 212 C for completing CRP-2C.

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 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 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 or brood rearing season, 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)

B Original Plan Development (Continued)

- the producer will plant the approved cover at no cost to FSA or CCC according to a revised conservation plan if the riparian buffer is not established through natural regeneration within 2 years of CRP-1 effective date
- conservation practice code 647, Early Successional Habitat Development/Management, is used to identify natural regeneration
- NRCS or TSP shall spot check the site at the end of the second year to determine whether the riparian buffer is established **and** meets the standards and specifications for NRCS conservation practice code 391A, Riparian Forest Buffer.

Note: NRCS or TSP **must** immediately notify COC:

- of the result of the spot check
- that the participant **must** plant the approved cover with no C/S according to a revised conservation plan, if applicable.

Note: COC **must** notify participant of the results of the spot check.

Before approving CRP-1's, COC, or designee, shall review and approve the plan to ensure that it:

- has been signed and agreed to by:
 - all signatories to CRP-1
 - NRCS or TSP
 - Conservation District
 - *--CED

Note: CED may approve the plan without the Conservation District signature if the--* Conservation District refuses to review the plan.

- for natural regeneration of CP22, requires:
 - the producer to plant the approved cover with no C/S if the approved cover is not established within 2 years of CRP-1 effective date
 - NRCS or TSP to spot-check the site at the end of the second year to determine whether the riparian buffer is established and meets the standards and specifications of NRCS conservation practice code 391A, Riparian Forest Buffer

366 Developing Approved Conservation Plan (Continued)**B Original Plan Development (Continued)**

- includes all of the eligible acres offered for CRP
- includes required maintenance for weed, insect, and pest control for life of CRP-1
- including contract management activities to be taken to implement the conservation plan, as applicable
- includes only practices requested on CRP-1
- includes C/S for eligible practices only

Important: See Exhibit 11 for eligible C/S for natural regeneration of CP22.

- includes application rates, such as the amount of seed, lime, and fertilizer, that are consistent with practice specifications

Note: The conservation plan may reference the NRCS Job Sheet for the application rates. The producer **must** be provided a copy of the Job Sheet with the conservation plan.

- meets the objectives of CPA, when applicable
- includes the following:
 - FSA field number and acreage
 - timeframe and deadline to implement the approved practice or practices and management activities
 - a map of the acres to be enrolled.

--CED shall reject the plan if these requirements have not been satisfied.--

368 NRCS Conservation C/S Agreement (Continued)**D Required Signatures for Conservation Plan**

For CRP, NRCS-approved electronic forms **must** be signed by all of the following:

- CRP producers listed on CRP-1
- designated conservationist
- conservation district representative.

***--Note:** See paragraph 366 for requirements before CED approves the conservation plan.--*

FSA COC shall have concurrence with the Contract Support Document for CRP acreage. If CRP acreage is not in a conservation district or the conservation district refuses to sign the conservation plan, the State Conservationist shall delegate authority to approve the conservation plan.

E Conservation Plan/Contract Support Document Requirements

An approved conservation plan includes:

- all of the eligible acres offered for CRP
- required maintenance for weeds, insects, pests, or other undesirable species for the life of CRP-1
- only those practices requested in CRP-1
- application rates that are consistent with practice specifications.

Note: Any other changes in regard to the above items may void CRP-1.

369 NRCS Assembling and Filing CRP Documents**A Overview**

Many of the documents needed for CRP case files are available electronically. However, a few of the required documents, such as CRP-1 and CRP-2, are not available electronically and **must** be filed manually. CRP documents shall be filed according to State policy.

Note: County FSA Offices shall:

- maintain the original CRP-1, CRP-1 Appendix, and CRP-2
- provide NRCS with a copy of any documents needed for NRCS CRP case files.

Historically, CRP documents have been contained in a 6-part folder. The following subparagraphs provide suggestions for assembling and filing CRP documents.

B Standard File Folder

If a standard file folder is used, the arrangement of the contents of the first cover should be:

- conservation plan map and legend
- tree planting plan provided by the State Forestry Agency
- job sheets referenced from the conservation plan
- soil map
- interpretative information containing HEL designations
- CRP-2
- erosion and predominant soil worksheets.

The contents of the second cover should be:

- NRCS-approved forms
- CRP-1
- AD-862
- other support data.

Note: Each document should be filed with the latest version in front.

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.

Note: 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.

- adjust the acreage on CRP-1 as appropriate according to the completed measurement service
- ensure that DCP acres and CRP acres do not exceed cropland on the farm, according to subparagraph 401 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-926 has been filed and updated in the subsidiary file

Note: CCC-926 **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-926 be filed.--*

- review the multiple county producer list with other County Offices
- ensure county cropland limit eligibility according to Part 4.

Note: The first 5 CREP offers per county **must** be reviewed by STC before COC 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.

- adjust the value of CRP-1 for the acreage being offered to reflect the total rental payment, **if any**, the producer will be eligible to earn under the current CRP-1 considering annual rental payment limitation of \$50,000 per person per FY.

Note: See paragraph 461 and Exhibit 31.

For general signups, a producer may change CRP practices only if all of the following conditions are met:

- original offer was accepted
- CRP-1 has not been approved
- the EBI score of the new practice is equal to or greater than the EBI score of the existing practice.

Important: When determining whether the EBI score of the new practice or practices is equal to or greater than the EBI score of the original practice or practices, COC **must** use the same EBI that was used for the original offer. See CRP-2 for EBI score.

For continuous signup, a producer may change practices if CRP-1 has not been approved.

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 on CCC-926 has been filed and updated in the subsidiary file--*
- the conservation plan is consistent with policies in paragraph 366
- DCP contract acres and CRP acres do not exceed the cropland on the farm.

If the total acres, excluding any marginal pastureland, such as WBP 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
- DCP acreage
- GRP acreage being offered.

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 or GRP 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 DCP base acres on a farm because of enrollment into CRP or GRP, the producer **must** complete CCC-505 at the time the acres are being offered for CRP or GRP.

Note: Some producers may elect to modify the number of acres to be offered for CRP or GRP instead of reducing DCP base acres on the farm.

Reduce DCP acreage and complete CCC-505 according to 1-DCP.

- acreage determinations have been made and verified by 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 area accepted was measured before enrollment.

Note: 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.

- all acreage eligibility determinations have been made.

429 Modifying Approved Conservation Plan (Continued)

B Approving Conservation Plan Modifications (Continued)

NRCS or TSP shall revise conservation plans using any of the NRCS-approved planning forms, or when appropriate, by making pen and ink changes to:

- add, modify, or delete items
- substitute 1 practice for another to solve conservation problems
- delete land
- schedule seeding or installing of a practice
- extend CRP-1 period
- change ownership of the land
- change in the extent of performance.

Revisions to the contract support document are not needed when:

- changes take place in estimated costs
- practice installation is accomplished ahead of schedule or is delayed

Note: Dates should be included in the conservation plan and approved NRCS forms. NRCS or TSP shall notify FSA of these changes. If practice is delayed, COC approval for an extension of time is required.

C C/S for Changing Practices

COC shall **not** approve C/S to change or add practices unless **all** of the following are met:

- C/S was not previously paid for the establishment of a permanent cover
* * *
- the participants have **not** started the revised practice **before** approval of the change
- the new practice is otherwise eligible for C/S according to Exhibit 11
- the change is an acceptable modification according to subparagraph A
- the conservation plan is modified to indicate the new practice or practices.

429 Modifying Approved Conservation Plan (Continued)

C C/S for Changing Practices (Continued)

Exception: COC may approve C/S up to 50 percent of the eligible cost to change CP1, CP2, or CP10 to CP25 only if **all** of the following requirements are met:

- the change of practices is requested, in writing, within 3 years of CRP-1 effective date
- the participants have **not** started the practice **before** approval of the change
- the practice and approved cover type, such as grasses, legumes, forbs, trees, other vegetative cover, and water:
 - are adaptable and suitable for the site and purpose of the practice
 - will **not** result in an excessive cost to establish, such as using nursery stock or exotic species
- the conservation plan is modified to indicate the new practice.

* * *

Important: The change in practices shall not change the CRP-1 length.

462 Making CRP Payments

A Rounding CRP Payments

Each of the following CRP payments shall be rounded to the nearest whole dollar using normal rules of rounding:

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

B Annual Rental Payments

Provided the participant is in compliance with the terms and conditions of CRP-1, disburse annual rental payments as designated on CRP-1.

CRP annual rental payments shall be made, when authorized:

- after:
 - certification of compliance has been received
 - certification of compliance with adjusted gross income limitation has been received according to 1-PL or 4-PL, as applicable
 - AD-1026 has been completed and signed
 - certification of compliance with 1-PL or 4-PL, as applicable, when applicable
 - October 1, for each effective year
 - receiving notice from DAFP authorizing payments to be made

Note: CRP annual rental payments shall **not** be made until all eligibility determinations have been made according to 1-PL or 4-PL, as applicable.

* * *

- according to 1-FI and 1-CRP.

Note: See paragraph 465 for finality rule.

462 Making CRP Payments (Continued)**C CRP-SIP**

CRP-SIP is a one-time incentive payment made to participants that enroll certain practices under continuous signup provisions. See paragraph 197.

Provided the participant is in compliance with the terms and conditions of CRP-1, disburse CRP-SIP's according to the shares on approved CRP-1.

CRP-SIP's shall be made, when authorized:

- after:
 - CRP-1 is approved
 - certification of compliance with adjusted gross income limitation has been received according to 1-PL or 4-PL, as applicable
 - AD-1026 has been completed and signed
 - certification of compliance with 1-PL or 4-PL, as applicable

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

- according to 1-FI and 1-CRP using program code "XXCRPSGNI".

Note: See paragraph 465 for finality rule.

464 Recording Payments

A Forms to Use

Record payments according to the following.

Form	Payment
AD-245	Record C/S payments.
FSA-695	Record annual rental payments. <ul style="list-style-type: none"> • See Exhibit 36. • File FSA-695 according to 25-AS. <p>Note: Using FSA-695 is optional.</p>

See 1-FI for signature, mailing, and filing requirements for Disbursement Transaction Statements.

465 Refunds, Offsets, and Assignments

A Preparing Payments

Use the following handbooks and procedures to process refunds, offsets, assignments, and joint payments:

- for refunds, see 3-FI
- * * *
- for offsets, see 1-FI and 6-FI
- for receivables, see 67-FI
- for claims, see 58-FI and 64-FI
- for assignments:
 - prepare CCC-36 according to 63-FI
 - assign only cash payments
- for joint payments, prepare CCC-37 according to 63-FI.

B Finality Rule

The Finality Rule does **not** apply to any of the following CRP payments:

- annual rental payments
- CRP-SIP's
- PIP's
- CP23 and CP23A one-time incentive payments for CRP-1's approved before November 3, 2008.

C Assigning CRP Cash Payments

CRP cash payments may be assigned to secure or pay pre-existing debts.

Prepare CCC-36 and determine priority for honoring assignments according to 63-FI.

469 Charging Interest

A Interest on Refunds

Use the rate of interest CCC is required to pay for borrowing from the Department of the Treasury on the date payment was issued. See 50-FI.

* * *

B Date Interest Accrues

Interest accrues from the date of disbursement to the earlier of the following:

- date of repayment
- date of first delinquency letter.

Note: See 58-FI for an example of a delinquency letter.

C Establishing Receivables

Establish a receivable according to 58-FI.

470 Effects of CRP Annual Payment on Earned Income

A Not Advising About Earned Income

County Offices shall not advise CRP participants on whether CRP payments should be considered as “earned income” for IRS and Social Security purposes.

B Referring Participants to Tax Consultant or SSA

County Offices shall refer CRP participants to their tax consultant or SSA for determinations about CRP annual payments as earned income.

471-490 (Reserved)

Part 15 C/S Policies

491 General C/S Policy

A Participants Eligible for C/S Payments

CRP C/S shall be paid only to participants who:

- are a signatory to CRP-1
- established the conservation practice.

See paragraph 519.

Note: Authorized payments may be assigned by the participants.

B C/S Level

Participants who elect to receive other Federal C/S assistance are obligated to refund CRP C/S payments, plus interest.

C/S assistance shall not exceed 50 percent of the eligible costs of establishing the approved practice. Participants may receive C/S assistance from non-Federal sources; however, under no circumstances may the total C/S amount received exceed 100 percent of the cost of the practice.

C/S assistance to establish permanent vegetative cover on CRP land for the sum of the acres for CP1, CP2, CP3, CP3A, CP4B, CP4D, CP18B, and CP18C divided by the acres in CRP-1, **shall not exceed** 50 percent of the price per acre at which the land placed in CRP could be sold for use as farmland at the time at which CRP-1 is signed by the producer.

Exception: Acreage devoted to CP1 for development of a permanent water source for wildlife implemented on acreage offered as CP10. See Exhibit 11, page 39.

Use the most recent NASS survey.

491 General C/S Policy (Continued)

C C/S Funds Authorized on CRP Acres

Acres on which CRP C/S has been paid is not eligible for other Federal C/S during the term of the CRP contract unless approved by DAFP. This does not apply to Federal funding that is not Federal C/S funding. Requests shall be submitted to DAFP on a case-by-case basis for only the most highly meritorious cases as determined by STC.

Example: A participant with an approved contract receives assistance other than cash from FWS Partners for Wildlife program. These services are not considered C/S assistance. FWS provides the participant documentation indicating the value of their service is \$2,500. The participant also receives C/S equaling \$1,500 from a private conservation organization. The participant has other expenses related to the practice that are eligible for C/S, according to Exhibit 11, and equal to \$6,000. Since the participant did not receive C/S from FWS, the participant may receive CRP C/S assistance.

The total practice establishment cost, considering all contributions, is \$10,000. The participant may receive \$5,000 in C/S assistance from FSA because this amount is less than the participant's out-of-pocket costs.

Note: Participants who receive ECP payments during the term of the CRP contract on the same land for which they received CRP C/S payments are ineligible to retain CRP C/S unless approved by DAFP on a case-by-case basis. Approval of ECP funds by *--DAFP does not automatically waive this requirement. Restoration of re-enrolled CRP acreage where no C/S was paid under the existing contract should be C/S'd under CRP.--*

Exception: CRP participants are eligible to receive SIP C/S for practices that are not offered under CRP on acreage that did not receive CRP C/S. This provision does not allow participants to refund CRP C/S to obtain SIP C/S.

CRP participants may receive C/S funding from non-Federal sources to install conservation practices on CRP acreage. See paragraph 517.

Note: Practices shall only be approved if they are according to an approved conservation plan on CRP acreage.

D C/S Not Authorized

C/S is not authorized for:

- hand-collected seed, except when producer provides verification of PLS factor, germination, quality of seed, amount planted, and types and varieties of seed and seed mixtures
- acreage not under CRP-1

491 General C/S Policy (Continued)

D C/S Not Authorized (Continued)

- streambank stabilization
- CP12
- CP11, except for tree thinning within open areas

Note: See Exhibit 11.

- splitting practices on the same land for C/S purposes between different Federal programs
- establishing required practice on CRP if any other Federal C/S has been, or is being, made to establish that practice
- drilling wells

Exception: C/S may be authorized for establishing drilled wells on filterstrips and riparian buffers, if needed.

- developing water facilities

Exceptions: C/S may be authorized for establishing:

- livestock water facilities outside filterstrips and riparian buffers, if needed

Note: See paragraph 511.

- a permanent water source for wildlife, when developed on certain acreage enrolled in CRP and according to a conservation plan. See Exhibit 11.

- installing irrigation systems
- improving or reorganizing existing irrigation systems
- purchasing and planting vegetative cover for certain practices exceeding 50 percent of the agricultural market value of the land

Note: See subparagraph B.

491 General C/S Policy (Continued)

D C/S Not Authorized (Continued)

- fencing CRP land

Exception: C/S may be authorized for fencing around filterstrips and riparian buffers.

- re-establishing practice because of damage from emergency haying or grazing
- establishing practices for unacceptable offers
- practice not meeting specifications
- practices not included in the approved conservation plan
- plastic mulch or supplemental irrigation water, except where CP5, CP5A, CP16, CP16A, CP17, CP17A, CP22, and CP25 (only if devoted to trees) will be established in areas where the average annual precipitation is 25 inches or less
- tree shelters, netting, plastic tubes, or other animal damage control devices, except in *--areas designated by STC for use only on CP3A, CP5A, CP16A, CP22, CP23, CP27, CP28, CP30, CP39, CP40, or CP41--*

Notes: C/S is not approved for such devices for other practices.

See paragraph 31 and Exhibit 11.

- re-enrolled practices.

Exception: C/S is authorized **only** if additional work/activity is required for the practice to meet current practice standards according to paragraph 366 and Exhibit 11. C/S is **not** otherwise authorized for re-enrollments.

493 C/S for Establishing Approved Cover**A 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
- starting a practice before final approval of CRP-1 is at the producer's own risk
- where practical State-certified seed shall be used for CRP

Note: However, common seeds, especially for natives, may be used when certified seed is **not** available.

- C/S payments are ineligible if:
 - offer is not accepted
 - designated acres are ineligible
 - practice does not meet specifications
 - practice is not included in the approved conservation plan.

Note: See paragraph 429 for C/S when modifying approved conservation plan.

B C/S for Re-Establishment

If the practice failed because of a natural disaster or through no fault of the participants, COC shall evaluate the site to determine both of the following:

- the purpose of the practice is being met
- remaining cover provides the same environmental benefits as the original cover, which includes:
 - water quality benefits
 - wildlife habitat benefits
 - erosion control.

If both criteria are met, COC shall not authorize C/S for re-establishment.

493 C/S for Establishing Approved Cover (Continued)**B C/S for Re-Establishment (Continued)**

If both criteria are not being met, COC shall determine whether the cost of restoring the approved cover outweighs the benefits that would be received from the restoration. COC's shall, at a minimum, consider all of the following:

- cost of restoring cover
- length of time needed to restore the cover
- benefits received from restored cover
- years remaining before CRP-1 expires
- type of cover to be restored.

If the cost of restoring the approved cover outweighs the benefits that would be received from the restoration, COC shall terminate CRP-1. See paragraph 571.

If the benefits that would be received from the restoration outweighs the cost of restoring the approved cover, COC shall authorize eligible C/S for:

- re-establishing the approved cover
- temporary cover, if needed
- dead litter crop, if needed.

* * *

Note: For land devoted to CP3 or CP3A for which the participant received C/S or an easement practice, additional C/S shall be authorized.

C C/S for Dry Litter Crops

CRP participants may receive C/S for dry litter crops needed to establish vegetative cover if the crops are:

- **not** grazed or harvested
- included in practice specifications developed by COC
- included in the approved conservation plan.

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
- 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 aerial imagery
- removal of CRP because of natural conditions.

Note: This shall be applicable to all CRP-1 signups.

COC 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 shall not approve these revisions; however, if Joe sold CRP acreage through an arms-length transaction to Steve and Tim, COC 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.

546 Revisions to CRP-1's (Continued)

***--B Revising Erroneous Acre Determinations**

Revise erroneous acre determinations according to the following.

Note: This subparagraph only applies to cases where there was **no** measurement service completed.--*

IF, after CRP-1 is approved, it is determined that CRP-1 includes...	THEN...
more eligible acres than originally approved	<ul style="list-style-type: none"> • revise CRP-1 to include the additional eligible acres • do not make retroactive payments on the additional acres.
less eligible acres than originally approved	<ul style="list-style-type: none"> • revise CRP-1 to correct the error • do not collect overpayments if it is an FSA, NRCS, or TSP error.

C Notification of Revisions

COC **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 receipt of the revised conservation plan, that the participants have 60 calendar days from the date of notification to sign the revised CRP-1.

D Required Forms and Signatures

The following provides required forms and signatures.

Form	Signature Required
<ul style="list-style-type: none"> • CRP-1 (Exhibit 21) • CRP-1 Appendix (Exhibit 29), if applicable • NRCS-CPA-1155 • Certification Statement (subparagraph 130 E) • Conservation Plan and Contract Support Documents 	<ul style="list-style-type: none"> • Operator. • Operator's spouse, if spouse is another producer. • Each owner whose name is on the deed. <p>Note: 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.

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.

IF the recipient's revised payment total for all CRP-1's is...	THEN...
less than \$50,000	<ul style="list-style-type: none"> • revise the inherited CRP-1 to remove the deceased participant and add the recipient • payments will be processed in the normal manner according to 1-CRP.
greater than \$50,000	<ul style="list-style-type: none"> • revise the inherited CRP-1 to remove the deceased participant, and add the recipient according to 1-CRP • revise through pay limit system using the inheritance adjustment. See 3-PL (Rev. 1).

554 Transferring Land From CRP to WRP, GRP, HFRP, or EWP Floodplain Easement

A Transferring Existing CRP-1's

Land that is subject to an existing CRP-1 may be accepted into WRP, GRP, 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 WRP, GRP, HFRP, or EWP Floodplain Easement.

Notes: Do not cancel CRP-1 until all WRP, GRP, HFRP, or EWP Floodplain Easement *--documents are approved and filed. See 1-CRP, paragraph 575 to cancel CRP-1.--*

Refunds of C/S payments shall not be required when terminating CRP to enroll in WRP, GRP, 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.

B Transferring Portion of CRP Acreage

If only a portion of the land subject to CRP-1 is accepted into WRP, GRP, HFRP, or EWP Floodplain Easement, terminate only that portion of CRP-1 that is affected by enrollment into WRP, GRP, 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 WRP, GRP, HFRP, or RWP Floodplain Easement.

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. Neither COC’s nor STC’s 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: 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, WRP, EWP Floodplain Easement, GRP, or HFRP
 - 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 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 per contract, calculated according to paragraph 574 does not exceed:
 - \$10,000, for COC authority to waive refunds
 - \$50,000, for STC authority to waive refunds.

Notes: SED's are authorized to waive refunds for equitable relief according to subparagraph D.

B COC Waivers of Refunds

COC shall:

- ensure that participants are provided appeal rights
- document requests for waivers in COC minutes
- submit requests for waivers in excess of \$10,000 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 E.

Note: COC may waive liquidated damages according to paragraph 577.

576 Requests for Waiver of Refunds (Continued)**C 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 E.

Note: STC may waive liquidated damages according to paragraph 577.

D SED Waivers of Refunds for Equitable Relief

SED's:

- may approve requests for waivers of refunds because of termination of CRP-1 when the total amount calculated according to paragraph 574 (all annual rental payments and C/C payments, plus interest applicable to both, and 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.

576 Requests for Waiver of Refunds (Continued)**D SED Waivers of Refunds for Equitable Relief (Continued)**

- 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 C 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 aerial photocopies, 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)

E 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.

--FY _____ Refunds Waiver Report--					
State and County Code	CRP Participant Name	CRP Contract Number	Calculated Refund Amount	Amount Waived	Reason Waived
Total			\$	\$	

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 according to subparagraph A and 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

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 or brood rearing season, 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.

605 Request for Waiver of Payment Reductions (Continued)

B Reports

STC's and COC's must provide a report to the State Office of all waivers of the standard *--payment reduction during the previous FY. The report must include the following:--*

- State and county code
- CRP participant name
- CRP contract number
- calculated standard payment reduction amount
- amount waived
- reason waived.

--State Offices must provide a compilation of the STC and COC reports to the CRP program manager no later than December 1 each year.--

The following is an example of the report.

Standard Payment Reduction Waiver Report					
State and County Code	CRP Participant Name	CRP Contract Number	Calculated Standard Payment Reduction	Amount Waived	Reason Waived
Total			\$	\$	

606-625 (Reserved)

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 or brood rearing season 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 WRP 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 Agency 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 WRP, GRP, HFRP, and EWP Floodplain Easements.

665 Managed Haying and Grazing PNS Dates and Frequencies

A PNS Dates and Frequencies

The following provides the managed haying and grazing PNS dates and frequencies.

CRP-1 Category	PNS Dates	Frequency	
CRP-1's approved before September 26, 2006, NWF Settlement Agreement	<ul style="list-style-type: none"> Use PNS dates in effect before the NWF Settlement Agreement. Conservation plans may be modified to incorporate PNS dates of FONSI. 	<ul style="list-style-type: none"> For haying, no more frequency than 1 out of every 3 years. Conservation plans may be modified to incorporate the frequency of the alternative selected in FONSI. 	<ul style="list-style-type: none"> For grazing, no more frequency than 1 out of every 3 years. Conservation plans may be modified to update to the frequency of the alternative selected in FONSI.
CRP-1's approved on or after September 26, 2006, NWF Settlement Agreement	<ul style="list-style-type: none"> Use PNS dates required under the terms of the NWF Settlement Agreement. Conservation plans may be modified to incorporate PNS dates selected in FONSI. 	<p>For haying, no more than:</p> <ul style="list-style-type: none"> 1 out of every 10 years for AZ, CA, CO, ID, KS, MT, NE, NV, NM, ND, OK, SD, TX, UT, and WY 1 out of every 10 years (East) and 1 out of every 3 years (West) in OR and WA. <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"> 1 out of every 5 years in CO, KS, MT, NE, ND, SD, TX, and WY 1 out of every 10 years AZ, ID, NV, NM, and UT 1 out of every 10 years (East) and 1 out of every 3 years (West) in OR and WA. <p>Conservation plans may be modified to incorporate the frequency of the alternative selected FONSI.</p>
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.

***--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.

666 Payment Reductions

A Reduction Rates

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.

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 the managed harvesting ending date.

B Maintenance Defaults

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

IF the maintenance default is on...	THEN...
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.

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 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 or established by the NWF Settlement Agreement

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

- shall not graze during the primary nesting or brood rearing season
- 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
- shall remove livestock from all CRP fields by a date determined by STC
- 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.

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; 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.--*

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 must 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. Note: All participants are required to sign the agreement before grazing begins.
5	Receive notification of approval in writing from COC. Livestock producers who rent or lease acreage from the CRP participant shall: <ul style="list-style-type: none"> • sign a statement agreeing not to sublease the CRP acreage • receive notification of approval from COC. <p>Note: A copy of the notification must 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 must remove all livestock from all fields by a date to be determined by STC.
10	Grazing shall not be conducted after a date determined by STC.

Section 4 Routine Grazing Provisions**714 Restrictive Grazing****A General Restrictions**

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

Exceptions: Free roaming wildlife may graze CRP acreage.

Grazing of CRP acreage may be authorized under certain conditions, such as an approved grazing plan or DAFP authorization due to widespread drought or other similar national emergency.

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

The Food, Conservation, and Energy Act of 2008 added new authority for routine grazing. Because of the new authority, routine grazing frequency and duration must be established. Establishing the frequency and duration of routine grazing requires analysis under NEPA.

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. If States want to use the frequency and duration that applies for managed grazing, STC may make that decision and then no additional NEPA is required. However, if STC, in consultation with the State Technical Committee, wants something other than the frequency and duration that currently applies for managed grazing, additional NEPA is required.--*

Routine grazing, as authorized, consists of the following 3 activities:

- routine grazing
- routine - permissive grazing
- routine - incidental grazing.

* * *

--If any State Office wishes to change the frequency and primary nesting season dates for-- grazing, EA's 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.

Notes: STC shall establish only 1 primary nesting season for managed harvesting, emergency haying and grazing, and routine grazing.

No changes are authorized to routine permissive grazing or routine incidental grazing as authorized.

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"> • Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E, if included in the approved SAFE proposal. • No more frequently than 1 in 3 years. See paragraph 665. • Emergency haying or grazing restart the clock. • Not authorized during the primary nesting season. • Up to 120 calendar days after the end of the primary nesting season. • Request approval before grazing eligible acreage. • Spot-check 10 percent of contracts approved. 	25
Emergency Haying	<ul style="list-style-type: none"> • Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E. If included in the approved SAFE proposal. • Shall leave 50 percent of field or contiguous fields unhayed. • Shall not sell the hay. • Authority ends August 31. • Request approval before haying eligible acreage. • Spot-check 10 percent of contracts approved. 	25
Emergency Grazing	<ul style="list-style-type: none"> • Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E. If included in the approved SAFE proposal. • 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. • Authority ends September 30. • Request approval before grazing eligible acreage. • Spot-check 10 percent of contracts approved. 	25

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"> • Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E. If included in the approved SAFE proposal. •*-STC shall consult with the State Technical Committee to determine routine grazing frequency and duration. See subparagraph 716 A.--* • Not authorized during the primary nesting season. • Request approval before grazing eligible acreage. • Spot-check 10 percent of contracts approved. 	25
Routine Grazing - Incidental	<ul style="list-style-type: none"> • Acreage devoted to practice CP8A, CP13C, CP15A, CP21, or CP33. • Incidental to gleaning crop residue in the surrounding field or before harvest of a small grain. • Not authorized during the primary nesting season. • Authorized up to 60 calendar days after the start of incidental grazing. • Request approval before grazing eligible acreage. • Spot-check 10 percent of contracts approved. 	25

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

The following lists approved abbreviations not listed in 1-CM.

Approved Abbreviation	Term	Reference
CAB	crop acreage base	240
COLS	Conservation Online System	81, 286, 332, 339, Ex. 21
CP	conservation practice	Text, Ex. 11, 26
CPO	Conservation Plan of Operation	669
CPA	conservation priority area	Text, Ex. 11, 18, 26
C/S	cost share	Text and Exhibits
CREP	Conservation Reserve Enhancement Program	Text
CRP-SIP	CRP-Signing Incentive Payment	Text, Ex. 11
CSP	Conservation Stewardship Program	151, 804, 806
EA	environmental assessment	Text
EBI	environmental benefits index	Text, Ex. 26
EI	erodibility index	81, 151, 774, Ex. 2, 11, 26
EFCRP	Emergency Forestry Conservation Reserve Program	66, Part 9, 546, Ex. 2, 11
ESA	Endangered Species Act	366, 367
EQIP	Environmental Quality Incentives Program	Text
EWP	Emergency Watershed Protection Program	554, 571, 575, 630
EWRP	Emergency Wetlands Reserve Program	81, 571
FONSI	Finding of No Significant Impact	665, 772
FOTG	Field Office Technical Guide	Text, Ex. 11, 26
FWP	Farmable Wetlands Pilot Program	Text, Ex. 11
GIS	Geographic Information System	550, 772, 773
HFRP	Healthy Forest Restoration Program	554, 575, 630
HUC	hydrologic unit code	Ex. 26
MPL	marginal pastureland	212, 312
NEPA	National Environmental Policy Act	366, 367, 772
NHPA	National Historic Preservation Act	366, 367
NIFA	National Institute of Food and Agriculture	18, 82, 83, 522, 523, 775
NOAA	National Oceanic and Atmospheric Administration	367
NGO	Non-Government Organization	771, 772, 775

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Abbreviations Not Listed in 1-CM (Continued)

Approved Abbreviation	Term	Reference
PAS	Public Affairs Staff, FSA	772
PIP	practice incentive payment	Text, Ex. 11
PLS	pure live seed	426, 491
PNIF	private nonindustrial forestland	261, 262, Ex. 2, 11
PV	present value	264
RA	regional attorney	Text
REX	re-enrollments and extensions	335, 546, 571, Ex. 20
RKLS	Gross Potential Erosion or Potential Erosion	Ex. 26
RUSLE	Revised Universal Soil Loss Equation	52, 151, Ex. 26
SAFE	State Acres for Wildlife Enhancement	Text
SEC	State Environmental Coordinator	367, 639, 692
SHPO	State Historic Preservation Officer	367, 772, 776
SRC	State Resource Conservationist	Ex. 11
SRR	soil rental rate	Text, Ex. 11
TERRA	Tool for Environmental Resource Results Assessment	171, 181, 286
THPO	Tribal Historic Preservation Officer	367
TIP	Transition Incentive Program	Part 21
TIPA	Transition Incentive Program Agreement	126, 463, 577
TSP	Technical Service Provider	Text, Ex. 2, 11, 26
USLE	Universal Soil Loss Equation	151
WBP	Water Bank Program	101, 401
WEQ	Wind Erosion Equation	52, 151
WESL	Wind Erosion Soils List	Ex. 26
WHIP	Wildlife Habitat Incentive Program	151, 181
WRI	wetland restoration incentive	461, 462, 574, Ex. 11

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

National CRP Practices (Continued)

CP8A Grass Waterways, Noneasement (Continued)

D Eligibility

To be eligible for C/S, this practice shall:

- be required by the approved conservation plan
- improve environmental benefits to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the CRP-1 period.

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	THEN C/S is...
site preparation	authorized using technical practice codes 340, 410, 412, 468, 587, 606, and 620.
eligible seed and seeding	
earth moving	
herbicides	
insecticides	
grading, shaping, and filling	
temporary cover until permanent vegetative cover is established	
subsurface drains where necessary for proper functioning of the waterway	
outlet structure as a component of CP8A	
subsurface drains as the sole component of the practice	
subsurface drains that serve as mains to laterals elsewhere in field	
fencing	

F Requirements

The following are requirements for this practice.

- 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.
- The seeded acreage shall not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field
--according to subparagraph 720 A.--
- 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)**CP8A Grass Waterways, Noneasement (Continued)****G Environmental Concerns**

Consider wildlife and other environmental concerns when establishing the protective measure.

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 Practice Maintenance

The practice shall be maintained for the CRP-1 period. C/S shall be refunded if:

- producer destroys the practice during the CRP-1 period
- producer does not maintain the practice during the practice lifespan.

J 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.

K Program Development

County programs shall provide for any specifications and requirements that are conditions for C/S. Technical specifications may be incorporated by reference.

L Technical Responsibility

Technical responsibility for this practice shall be assigned to NRCS or TSP.

National CRP Practices (Continued)

CP9 Shallow Water Areas for Wildlife (Continued)

H 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.

I Program Development

County programs shall provide for any specifications and requirements that are conditions for C/S. Technical specifications may be incorporated by reference.

J Technical Responsibility

Technical responsibility for this practice shall be assigned to NRCS or TSP.

CP10 Vegetative Cover - Grass - Already Established

A Program Policy

This practice code is used to identify land:

- under CRP-1, if a grass cover approved for the applicable signup is already established

Note: Contract management activity may be required as determined by COC, according to paragraph 428.

- not under CRP-1, with a grass cover approved for the applicable signup already established.

Note: Contract management activity may be required as determined by COC, according to paragraph 428.

C/S is authorized for:

- performance of required management activity
- pollinator habitat as a component of CP10
- *--wildlife water development as a component of CP10.--*

* * *

Technical practice codes 327, 338, 340, 342, 394, 512, 548, 595, 614, 644, 645, and 647 may be used for CP10.

National CRP Practices (Continued)

CP11 Vegetative Cover - Trees - Already Established

A Program Policy

This practice code is used to identify land established to trees that is under CRP-1 at the time the acreage is offered and the producer elects to reoffer the acreage to be devoted to trees.

Important: Existing tree stands shall **not** be offered as CP3 or CP3A.

Thinning and/or creating open areas in eligible existing tree stands are not a separate practice. The open areas shall be considered CP11.

Example: Jane Smith offers 100 acres of existing trees under CRP-1 at the time of signup. Mrs. Smith offers to thin the existing trees and create 15 acres of openings of native grass and shrub plantings best suited for wildlife in the area. All 100 acres **must** be offered as CP11.

Notes: See subparagraph B for C/S policy for this practice.

Not applicable to signups 10 through 13 and continuous signup.

National CRP Practices (Continued)

CP15A Establishment of Permanent Vegetative Cover (Contour Grass Strips), Noneasement (Continued)

F Requirements

The following are requirements for this practice.

- **Must** be for the purpose of erosion and runoff control.
- **Must** be alternated with **wider** cultivated strips that are farmed on the contour.
- Not eligible to be installed on terraces.
- Limit C/S to the minimum minerals and seed necessary to establish adequate cover to improve environmental benefits.
- Chemicals used in performing the practice **must** be:
 - Federally, State, and locally registered
 - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The seeded acreage shall not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field
--according to subparagraph 720 A.--
- 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. See paragraph 426 for exceptions.

National CRP Practices (Continued)**CP15A Establishment of Permanent Vegetative Cover (Contour Grass Strips), Noneasement (Continued)****H Environmental Concerns**

Consider wildlife concerns when making determinations about seed varieties and other practice specifications.

I Practice Maintenance

The practice shall be maintained without additional C/S for the CRP-1 period. C/S shall be refunded if:

- producer destroys the cover during the CRP-1 period
- cover fails to provide enhancement of environmental benefits during the practice lifespan unless caused by circumstances beyond the producer's control.

J Management Activity

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.

K Program Development

County practice shall include the practice lifespan. County programs shall also provide details of any requirements, such as seedbed preparation, seeding dates, eligible seed, etc., that are conditions for C/S for the practice. STC may establish these requirements.

L Technical Responsibility

Technical responsibility for this practice shall be assigned to NRCS or TSP.

National CRP Practices (Continued)

CP15B Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces
(Continued)

E C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...	
minerals	substantiated as needed by COC	authorized using technical practice codes 327, 332, 340, and 595.	
eligible seed			
seedbed preparation			
seeding			
herbicides	specified as necessary in the approved conservation plan		
insecticides			
temporary cover	<ul style="list-style-type: none"> • required in the practice specifications • needed until required seed or plant stock is available • needed because normal planting period for the species has passed • that a soil condition, such as chemical residue, will not allow establishment of cover immediately 		
herbicides	to maintain vegetative cover		not authorized.
insecticides			
earthmoving	to establish the contour grass strips		
clearing rocks or other obstructions from the area to be seeded			
fencing			
minerals	to enhance production		

National CRP Practices (Continued)

CP15B Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces (Continued)

F Requirements

The following are requirements for this practice.

- **Must** meet cropping history.
- **Must not** be under a practice lifespan or other agreement to maintain the terrace system, as determined by COC.
- Seeding the terrace **must** be needed and feasible to accomplish the purposes of the practice.
- **Must** be installed on a terrace that NRCS or TSP determines is properly functioning.
- **Must** only be for the actual terrace and a buffer not to exceed 10 feet on the upslope and downslope side of the structure.

Note: CP15B **must not** exceed a maximum width of 60 feet, including the buffer areas.

- Limit C/S to the minimum minerals and seed necessary to establish adequate cover consistent with NRCS FOTG.
- Chemicals used in performing this practice **must** be:
 - Federally, State, and locally registered
 - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The seeded acreage shall not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field
--according to subparagraph 720 A.--
- 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)

CP21 Filter Strips (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
temporary cover	<ul style="list-style-type: none"> • required in the practice specification • needed until required seed or plant stock is available • needed because normal planting period for the species has passed • that a soil condition, such as chemical residue, will not allow establishment of the cover immediately 	authorized.
pipelines and watering facilities constructed outside of the filter strip	<p>providing a water source for livestock away from the filter strip and the adjacent stream or water body</p> <p>Note: See paragraph 511.</p>	
fencing	<p>permanent fencing needed to exclude livestock from the filter strip</p> <p>Note: See paragraph 511.</p> <p>Important: A single strand electric fence shall not be considered a permanent fence for CRP.</p>	
construction of structures where concentrated flow continues to degrade water quality	to meet the requirements of the conservation plan	
grading, leveling, and filling	<p>to control concentrated flow and site preparation.</p> <p>Important: Grading, leveling, and filling does not include shaping or manipulation of the stream bank.</p>	

National CRP Practices (Continued)

CP21 Filter Strips (Continued)

E C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
herbicide	to maintain vegetative cover	not authorized.
insecticide		
clearing rocks or other obstructions from the area to be seeded		
stream bank stabilization		
mineral or nutrient	to enhance production	

F Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded acreage shall not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field
--according to subparagraph 720 A.--
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve environmental benefits.
- Practice 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.

National CRP Practices (Continued)**CP27 Farmable Wetlands Pilot Wetland****A Purpose**

The purpose of this practice is to restore the functions and values of wetlands that have been devoted to agricultural use. Hydrology and vegetation **must** be restored to the maximum extent possible, as determined by USDA.

B Program Policy

Apply this practice to eligible wetlands that are suitably located and adapted to the restoration of wetland functions and values. The restoration of the wetland hydrology and vegetation is required to the maximum extent possible.

For cropland to be eligible to be enrolled in CRP under FWP and be devoted to CP27, all of the following **must** be met:

- COC determines both of the following:
 - cropland meets cropping history requirements
 - an associated buffer (CP28) is offered
- NRCS or TSP determines * * * any cropped or prior converted wetland, or land in a floodplain, that is identified on the Final National Inventory Map, or 1- to 24,000 scale USGS map, is not eligible for enrollment in CRP under FWP.

National CRP Practices (Continued)

CP27 Farmable Wetlands Pilot Wetland (Continued)

C Size Requirements

The maximum acceptable size of any 1 CP27 is 40 acres. Wetlands greater than 40 acres in size are not eligible for enrollment in CRP under FWP.

Note: The total of all wetlands may exceed 40 acres.

Example: A producer offers a 41 acre wetland. Because the total wetland is greater than 40 acres in size, the entire 40 acre wetland is ineligible for enrollment in CRP under FWP.

D C/S Eligibility

To be eligible for C/S, this practice shall:

- only be enrolled under FWP
- only be enrolled with an eligible associated buffer (CP28)
- meet the cropping history requirements
- be included in the approved conservation plan
- be maintained for the life of CRP-1
- restore the functional capability and values of the wetland.

E Authorized Payment

Payments, including annual rental, CRP-SIP, PIP, 20 percent SRR incentive, and C/S are authorized for CP27.

National CRP Practices (Continued)

CP27 Farmable Wetlands Pilot Wetland (Continued)

F C/S Policy

The following shows C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop or restore the hydrology of the site	authorized using technical practice codes 327, 338, 340, 512, 550, 587, 612, 638, 644, 645, 657, 658, and 659.
eligible seed and seeding	for soils that are developed under a wetland ecosystem and substantiated as needed by COC for: <ul style="list-style-type: none"> • establishing permanent native grass • establishing permanent introduced grasses, forbs, and legumes, trees, and native shrub species, where determined necessary to restore the functions and values of the wetland • planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established 	
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	authorized.
--breaking tile	restore natural water flow--	
structures, such as pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS	
temporary cover	<ul style="list-style-type: none"> • required in the practice specifications • needed until the required seeds or plant stock is available • needed because the normal planting period for the permanent cover crop has passed • that a soil condition, such as chemical residue, will not allow establishment of the permanent cover immediately 	

National CRP Practices (Continued)

CP27 Farmable Wetlands Pilot Wetland (Continued)

F C/S Policy (Continued)

If the component is...	And the justification is...	Then C/S is...
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	authorized
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing	authorized not to exceed an average cost, as determined by STC.
	Note: STC must designate areas where using such measures is warranted and cost-effective to protect seedlings.	
fencing or roads		not authorized.
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelines		
tree or grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
mineral or nutrient	to maintain cover or enhance production	

National CRP Practices (Continued)

CP30 Marginal Pastureland Wetland Buffer (Continued)

B Program Policy (Continued)

- other **permanent** water bodies, such as lakes and ponds if **both** of the following are met:
 - provides water cover **throughout the year in all years**
 - flows from the water body off the farm.

Exception: A pond that is less than 5.0 acres and does **not** flow from the water body off the farm is **not** eligible to be enrolled in CP30.

Note: Water bodies that do **not** provide **permanent water cover throughout the year in all years** are **not** eligible.

- NRCS or TSP determines, based on a site visit, all of the following:
 - the marginal pastureland is suitable to be devoted to a wetland buffer
 - the wetland buffer is needed and feasible to solve the resource concern
 - the marginal pastureland is capable, after the wetland buffer is established, of substantially reducing pollutants in the nearby eligible stream or other water body.

CP30's are not eligible to be used in conjunction with the following practices:

- CP22, because, if needed, CP22's include a grass buffer
- CP23, because acreage devoted to CP23 may include up to a 3 to 1 ratio of uplands to ensure the functions and values of the cropped wetland are restored
- CP23A, because acreage devoted to CRP23A may include up to a 4 to 1 ration of uplands to ensure the functions and values of the cropped wetland are restored
- CP9, because acreage devoted to CP9 **must** include an adequate buffer to protect the shallow water area
- CP29.

National CRP Practices (Continued)

CP30 Marginal Pastureland Wetland Buffer (Continued)

C Size Requirements

The minimum acceptable width of a wetland buffer is 20 feet. A wetland buffer may be applied up to a maximum average width of 120 feet, if needed to accomplish the purpose of the practice.

Note: The maximum average width of wetland buffers established for any purpose other than protection and enhancement of water quality, shall not exceed 120 feet.

***--Exception:** Expiring CRP acres previously enrolled into CRP under the WBP eligibility criteria may exceed the 120 foot maximum size requirement.--*

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 wetland 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 wetland buffer **must** be a minimum of 145 feet in width. Because the purpose of the wetland buffer is the protection and enhancement of water quality, the minimum of width 145 feet may be enrolled. The 145 foot minimum width is the maximum acreage that may be enrolled.

The wetland 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 wetland buffer, the ineligible land **shall be** included:

- in the area used as a wetland buffer
- in the conservation plan
- when determining the width of the wetland buffer.

A wetland 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 wetland buffer is 100 feet wide. Only the eligible land (85 feet width) is enrolled in CRP. The conservation plan is for the entire wetland 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)

CP33 Habitat Buffers for Upland Birds (Continued)

J Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded acreage shall not be harvested or grazed by domestic livestock for the life of CRP-1 unless grazing is incidental to the normal gleaning of the crop residue in the field *--according to subparagraph 720 A.--*
- Limit C/S to the minimum minerals and seed necessary to establish an adequate cover to improve wildlife habitat and environmental benefits.
- Trees and shrubs shall not exceed 10 percent coverage of the buffers. Shrubs and trees selected **must** provide optimal quail habitat and/or emergency benefits. Shrubs planted for wildlife berries/fruit and trees planted for wildlife fruit/nuts are acceptable if suited to the site.
- Chemicals used in performing the practice **must** be:
 - Federally, State, and locally registered
 - applied strictly according to authorized registered uses, directions on the label, and other Federal or State policies and requirements.
- Noxious weeds and other undesirable plants, insects, and pests shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding land.
- The habitat buffer **must** be established and maintained according to the practice standards in NRCS FOTG.
- Buffers shall not be used as turn rows, roads, or for storage of crops or equipment.
- **Seeding, if it occurs at all, should occur at much lighter rates than for CRP practices aimed at soil conservation and water quality enhancement.** CP33-enrolled acres should be lightly seeded and may even be allowed to regenerate by natural succession without additional seeding, provided that NRCS or a Technical Service Provider certifies adequate seed source for natural regeneration.
- If natural regeneration fails, the producer is responsible for seeding the buffers to meet the intent of the practice.

National CRP Practices (Continued)**CP33 Habitat Buffers for Upland Birds (Continued)****J Practice Requirements (Continued)**

- Desirable vegetation may be propagated through light disking, and may be maintained through light disking every two to three years over the life of the contract.
- Spot application of herbicide may be needed to control undesirable plants.
- Native grass, but does not eliminate beneficial introduced legumes, although the inclusion of native forbs/legumes is encouraged. Alfalfa and clover may be part of the seeding mix.

K 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.

L Environmental Concerns

Consideration of wildlife habitat, water quality and quantity, and other environmental concerns are to be evaluated in the planning and establishment of the upland habitat practice.

M Practice Maintenance

This practice shall be maintained without additional C/S for the life of CRP-1 according to the practice standards in NRCS FOTG.

C/S shall be refunded if either of the following applies:

- the producer destroys the practice during the contract period
- the cover fails to provide adequate upland quail and upland bird habitat and environmental benefits during the practice lifespan, unless the failure is caused by circumstances beyond the producer's control.

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

State acreage allocations are as follows.

State	Acreage Allocation
Alabama	37,000
Florida	22,750
Georgia	84,750
Louisiana	16,250
Mississippi	21,500
North Carolina	32,250
South Carolina	21,000
Texas	10,750
Virginia	3,750
TOTAL	250,000

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.

Completing CRP-1, Conservation Reserve Program Contract

A Completing CRP-1

Complete CRP-1 according to the following.

Note: See paragraphs 213 and 214 for more information on CRP-1's for continuous signup.

Item	Instructions
1	Enter State and county codes.
2	Enter signup number.
3	Enter CRP-1 number after approval by a CCC representative. Number CRP-1's in the sequence in which COC approves them. Use only 1 series (1, 2, 3, etc., up to 8999), regardless of FY in which CRP is approved.
4	Enter the acreage to be enrolled in CRP. Important: This amount may have to be corrected after completion of a paid-for measurement service. See paragraph 401. All changes must be initialed and dated by both the employee making the change and the producer.
5	Enter farm number. Use the same number on all forms.
6	Enter tract number.
7	Enter County Office address and telephone number.
8	Check the applicable box. Only 1 offer type may be selected per CRP-1. Note: All eligible practices for continuous signup are EP.
9	Enter the CRP-1 period. Note: All CRP-1's expire on September 30 of the applicable year.

Completing CRP-1, Conservation Reserve Program Contract (Continued)

A Completing CRP-1 (Continued)

Item	Instructions
10 A	<p>*--For FWP and CREP, producer shall enter the rental rate per acre offered. For all--* other contracts, the producer must initial and date.</p> <p>Important: CRP-1, item 10 A must be the same amount entered on CRP-2, item 9.</p> <p>Note: Producers may offer less than the maximum payment rate.</p>
10 B	<p>Enter the annual contract payment.</p> <p>Calculate the annual contract payment by multiplying the acres for enrollment (item 4) times the rental rate per acre offered (item 10 A).</p> <p>Important: This amount may have to be corrected after completion of a paid-for measurement service. See paragraph 401.</p> <p>All changes on CRP-1 must be initialed and dated by both the employee making the change and the producer.</p>
10 C	<p>For continuous signup offers, enter the first year payment amount, if the first annual rental payment will be prorated. See paragraph 198.</p> <p>For general signup offers, leave blank.</p>
11	<p>Enter the:</p> <ul style="list-style-type: none"> • tract number • field number • practice or practices the producer wants to install • applicable acreage amount • total estimated C/S per practice. <p>Note: Only 1 practice length is permitted per CRP-1. See paragraphs 211 and 332.</p>
12	<p>For FWP and CREP, owners and operators are responsible for completing item 12 and providing the division of shares. * * * For all other CRP contracts, the County Office shall enter applicable producer and share information through COLS.</p>
13	<p>CCC representative shall sign and date when all eligibility requirements have been met. See paragraph 401.</p>

Completing CRP-1, Conservation Reserve Program Contract (Continued)

B Example of CRP-1

The following is an example of a completed CRP-1.

*--

<p>This form is available electronically.</p> <p>CRP-1 U.S. DEPARTMENT OF AGRICULTURE (03-26-04) Commodity Credit Corporation</p> <p>CONSERVATION RESERVE PROGRAM CONTRACT</p> <p><small>NOTE: The authority for collecting the following information is Pub. L. 107-171. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 4 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.</small></p>		1. ST. & CO. CODE & ADMIN. LOCATION 24-003	2. SIGN-UP NUMBER 29
7. COUNTY OFFICE ADDRESS (Include Zip Code): Madison County FSA Office 127 Willow Road Madisonville, VA 20020		3. CONTRACT NUMBER	4. ACRES FOR ENROLLMENT 50.0
TELEPHONE NUMBER (Include Area Code): (212) 555-1234		5. FARM NUMBER 305	6. TRACT NUMBER(S) 10
		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) 10-01-200X 09-30-200X
<p>THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be 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. 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 or CRP-2C, if applicable; and, if applicable, CRP-15.</p>			
10A. Rental Rate Per Acre	\$ 45.00	11. Identification of CRP Land (See Page 2 for additional space)	
B. Annual Contract Payment	\$ 2,250.00	A. Tract No.	B. Field No.
C. First Year Payment	\$	10	1
(Item 10C applicable only to continuous signup when the first year payment is prorated.)		C. Practice No.	D. Acres
		CP2	50
		E. Total Estimated Cost-Share	\$1,000
<p>12. PARTICIPANTS</p>			
A(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code): Mike J. Jones Bowie, MD 20653	(2) SHARE 50 %	(3) SOCIAL SECURITY NUMBER:	(4) SIGNATURE /s/ Mike J. Jones
B(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code): James Jones New Carrollton, MD 20784	(2) SHARE 50 %	(3) SOCIAL SECURITY NUMBER:	(4) SIGNATURE /s/ James Jones
C(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE %	(3) SOCIAL SECURITY NUMBER:	(4) SIGNATURE
<p>13. CCC USE ONLY - Payments according to the shares are approved.</p> <p>A. SIGNATURE OF CCC REPRESENTATIVE /s/ COC Person</p> <p>B. DATE (MM-DD-YYYY) 11-15-2004</p>			
<p>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985, (Pub. L. 99-198), as amended and the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) and regulations promulgated at 7 CFR Part 1410 and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</p>			
<p>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (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 USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D. C. 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.</p>			
<p><input type="checkbox"/> Original - County Office Copy <input type="checkbox"/> Owner's Copy <input type="checkbox"/> Operator's Copy</p>			

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.

Wildlife Enhancement Signup 39		Points						
Wildlife Water Development <u>1/</u>		20						
Conversion of at least 51 percent of a primarily monoculture stand to a mixture of native species that provide wildlife habitat benefits. <u>2/</u>		20						
Establishment of pollinator habitat that remains in the location of CRP-1. The habitat size, shape, and composition must meet the following requirements.		20						
Size								
<table border="1"> <thead> <tr> <th>CRP Acreage Offered</th> <th>Habitat Size Requirement</th> </tr> </thead> <tbody> <tr> <td>Less than 10 acres</td> <td>At least 1 acre of pollinator habitat. Habitat areas must be at least .5 acre.</td> </tr> <tr> <td>10 acres or greater</td> <td>At least 10 percent of acreage offered in pollinator habitat. Habitat areas must be at least .5 acre.</td> </tr> </tbody> </table>			CRP Acreage Offered	Habitat Size Requirement	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.
CRP Acreage Offered	Habitat Size Requirement							
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.							
Habitat Area Shape								
Square plantings are preferred. If planted in strips, each strip must be a minimum of at least 20 feet wide.								
Seeding Composition								
Seeding composition must include a minimum of 9 species of pollinator-friendly * * * * *--legumes, wildflowers, and/or shrubs, including at least 3 species in bloom during each--* season of spring, summer, and fall. Seeding mixes may include no more than 25 percent grasses based on seeds per square foot.								

EBI and National Ranking Factors (Continued)

2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits (Continued)

C Subfactor N1b - Cover (Continued)

Wildlife Enhancement Signup 39						Points
Annual or permanent food plot (CP12) that remains in the location for the CRP-1 length or rotated (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
Example: 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	<u>3.5</u>	
						13.0
Note: 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 ≤ 5 acres.						

1/ Wildlife water development is only permitted consistent with NRCS FOTG and where water may be a limiting factor. Construction of ponds is not permitted. Wildlife water must be available during the critical habitat needs for the species of concern. For example, if the species of concern uses the habitat from early spring to mid-summer, the water must be available during that timeframe. A small dug-out must provide water during that timeframe. Cost-sharing is permitted for wildlife water development consistent with policy in Exhibit 11 and the NRCS FOTG.

2/ 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 1999) 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)

A software tool will be developed to determine the weighted average leach index for the 3 predominant soils or compare to table values. 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.

	Ground Water Subfactor for Signup 39		
	Leach Index		
County	1	2	3
1001 - Autauga	6	13	20
1003 - Baldwin	8	12	16
1005 - Barbour	8	12	16
1007 - Bibb	8	12	20
1009 - Blount	2	8	14

D Subfactor N2c - Surface Water Quality

Surface water quality benefits score. (0 to 45 points maximum)

This subfactor evaluates the:

- potential amount of sediment that is delivered to water courses
- population within the watershed that would benefit most directly from improved surface water quality

EBI and National Ranking Factors (Continued)

3 National Ranking Factor N2 - Water Quality Benefits From Reduced Erosion, Runoff, and Leaching (Continued)

D Subfactor N2c - Surface Water Quality (Continued)

- the stream density and estimated sediment loadings that occur because of agriculture.

EPA studies have found that sediment is the primary water quality problem in the majority of rivers and streams.

The 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:

	Surface Water Subfactor - RKLS for Signup 39				
Watershed	*--< 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 (round down EI a whole number) is determined by the greater of EI for:

- sheet and rill erosion, RUSLE
- wind erosion.

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.

Completing CRP-42, County Precipitation and Feed and Forage Loss Report

A Completing CRP-42 for Emergency Haying or Grazing of CRP Acreage

County Offices requesting emergency haying or grazing of CRP acreage shall complete CRP-42 when submitting their request.

County Offices shall send the completed CRP-42 plus all other supporting documentation to STC for review. STC, or its designee, shall review CRP-42 for completeness and accuracy, and use the data provided plus all other supporting information provided to determine county eligibility for emergency haying and grazing. If the county is requesting a Secretarial authorization of emergency haying and grazing of CRP acreage, forward the approved and signed CRP-42 with the request to CEPD for determination.

Use the following instructions to complete CRP-42 for emergency haying and grazing of CRP acreage.

Item	Instructions
1	Enter State name.
2	Enter county name.
3	Enter date or dates the disaster occurred. For long-term droughts, enter the month and year the drought began.
4	Place "X" in the appropriate box for the disaster type. For "Other", provide a description of the natural disaster.
5	Place "X" in the appropriate box. For "Other", provide a description of the assistance requested.
6B	<p>Enter monthly total precipitation for the most recent 4 full months and the current month to date.</p> <p>Enter "as of" date for the current month.</p> <p>Example: "As of May 15 0.60"</p> <p>Enter current year total at the bottom of the column.</p>
6C	<p>Enter monthly normal precipitation for the most recent 4 full months and the current month to date.</p> <p>Enter prorated normal precipitation using the "as of" date for the current month.</p> <p>Example: "2.06/4.25" (4.25 normal for May. 31 days in May x 15 "as of" days = 2.06)</p> <p>Enter normal total at the bottom of the column.</p>

Completing CRP-42, County Precipitation and Feed and Forage Loss Report (Continued)

A Completing CRP-42 for Emergency Haying or Grazing of CRP Acreage (Continued)

Item	Instructions
6D	<p>Enter current year percent of normal, rounded to the nearest whole number, for each month reported.</p> <p>Example: If April current year total is 1.25, and April normal is 3.92, $1.25 \div 3.92 \times 100 = 31.89$. Enter "32".</p> <p>Calculate total percent of normal as follows:</p> <p>Divide the total of column 6B by the total of column 6C, multiply by 100, and round to the nearest whole number. Enter the result in the total of column 6D.</p> <p>Example: The total of column 6B is 8.40 and the total of column 6C is 14.73. $8.40 \div 14.73 \times 100 = 57.03$. Enter "57".</p>
7A	Enter normal monthly average temperature for each month for which precipitation data is provided.
7B	Enter current year monthly average temperature for each month for which precipitation data is provided.
8	Place "X" in the appropriate box. If answering "Yes", provide an explanation.
9	Place "X" in the appropriate box. If answering "Yes", provide the number of animals being liquidated because of the disaster and the percentage above normal being liquidated.
10	Enter beginning and ending dates of the primary nesting and brood rearing season for the county.
11	Enter each type of pasture and normal grazing crop growing in the county. If none is grown, enter "None".
12	Enter the total acres for each type of pasture or normal grazing crops planted and growing in the county in the current year.
13	*--Enter acres per animal unit established by COC according to 1-NAP.--*
14	Enter normal grazing days remaining in this crop year for each type of pasture and grazing. The grazing period shall not be greater than 120 calendar days.
15	Enter cost per animal unit per day for pasture and normal grazing.
16	Calculate value of normal production. Divide acres grown entered in column 12 by the AC/AU entered in column 13, times the normal grazing days entered in column 14, times the cost per animal unit entered in column 15.
17	Enter percent of loss caused by the disaster for each type of pasture and normal grazing.
18	Calculate value of production loss by multiplying the value of normal production entered in column 16 times the percent of loss entered in column 17.