

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Agricultural Resource
Conservation Program
2-CRP (Revision 6)**

Amendment 6

Approved by: Acting Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 151 A has been amended to reorganize cropping history eligibility criteria and clarify:

- when alfalfa, multi-year grasses, or multi-year legumes may be considered planted as conserving use for CRP cropping history purposes; specifically, that such crop must be initially planted in 2012 through 2017
- that simply having a year(s) of fallow in 2012 through 2017 by itself does not meet the cropping history criteria
- when an established rotation pattern meets the cropping history criteria, and that such rotation patterns may or may not include fallow
- add more examples of acceptable and unacceptable rotation patterns.

Subparagraph 546 J has been amended to add grassland signup 202 and 203; continuous signup 55; and general signup 56 to the table showing the applicable CRP-1 Appendix.

Subparagraph 832 B has been amended to remove duplicate information.

Exhibit 26 has been amended to update that the minimum point score for N1a is 0.

B Additional Information for Amendment 4

Amendment 4 included a clarification for subparagraph 490 D; however, this information was inadvertently left off the transmittal. Subparagraph 490 D was amended in amendment 4 to clarify that a change to the seeding mix and/or interseeding is not a change to the practice standard, and such is not eligible for C/S or PIP.

Amendment Transmittal (Continued)

Page Control Chart		
TC	Text	Exhibit
	6-61 through 6-64 16-7, 16-8 22-1 through 22-4	26, pages 1-4

Section 2 Land Eligibility Requirements

151 Eligible Land Criteria

A Cropland Cropping History Eligibility Criteria

Eligible cropland includes cropland that is both of the following:

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

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

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

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

The following will be considered planted for CRP cropping history purposes:

- cropland for which the producer received an approved prevented planting claim according to 2-CP in the year the prevented planting occurred
- cropland enrolled in CRP during the term of CRP-1

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

- *--cropland that meets the criteria in the following table.

IF...	AND...	THEN...
the crop is alfalfa, multi-year grass, or multi-year legume	it was initially planted in 2012 through 2017	the cropland is considered planted to an agricultural commodity as conserving use for CRP cropping history purposes in the year it was initially planted and every subsequent year the commodity remained on the land, not to exceed 2017.

--*

151 Eligible Land Criteria (Continued)

A Cropland Cropping History Eligibility Criteria (Continued)

*--

IF...	AND...	THEN...
in any year 2012 through 2017 the cropland was fallow	the fallow was part of an established rotation pattern with either: <ul style="list-style-type: none"> • an agricultural commodity • alfalfa, multi-year grass, or multi-year legume Note: The entire rotation pattern must not exceed 12 consecutive years.	the year(s) the cropland was fallow during 2012 through 2017 will be considered planted to an agricultural commodity for CRP cropping history purposes.
alfalfa, multi-year grass, or multi-year legume is part of an established rotation pattern with an agricultural commodity	both of the following are met: <ul style="list-style-type: none"> • the entire rotation pattern is 12 years or less • the agricultural commodity was planted in at least one year, 2012 through 2017 of the rotation pattern 	the land is considered planted to an agricultural commodity for CRP cropping history purposes.
cropland previously enrolled in CRP for which the CRP contract expired during crop years 2012 through 2017	the grass cover continues to be maintained as though enrolled in CRP at the time the offer is submitted <u>1/</u>	the land is considered planted to an agricultural commodity for CRP cropping history purposes.

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

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

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

***--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)

A Cropland Cropping History Eligibility Criteria (Continued)

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

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

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

No.	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Cropping History
1	Corn	Corn	Planted Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	No
2	Corn	Planted Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Corn	Yes - 12-Year Rotation Considered Planted
3	Alfalfa	Alfalfa	Alfalfa	Corn	Corn	Planted Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Corn	Corn	Yes - 9-Year Rotation Considered Planted
4	CRP	CRP	CRP	CRP	CRP	CRP	CRP	CRP	CRP	Expired CRP Cover	Expired CRP Cover	Expired CRP Cover 1/	Yes - Considered Planted
5	Alfalfa	Corn	Corn	Alfalfa	Alfalfa	Corn	Planted Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Yes - Conserving Use
6	Clover	Soybeans	Corn	Corn	Planted Clover	Clover	Corn	Corn	Planted Clover	Clover	Clover	Clover	Yes - Conserving Use
7	Clover	Corn	Corn	Corn	Planted Clover	Clover	Clover	Corn	Planted Clover	Clover	Clover	Corn	Yes - Conserving Use
8	Wheat	Fallow	Wheat	Fallow	Wheat	Fallow	Wheat	Fallow	Wheat	Fallow	Wheat	Fallow	Yes - 2-Year Rotation Considered Planted
9	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Fallow	Planted Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Fallow	Yes - 8-Year Rotation Considered Planted
10	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Fallow	No
11	Corn	Fallow	Alfalfa	Alfalfa	Barley	Fallow	Fallow	Fallow	Soybeans	Fallow	Corn	Corn	No

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

--*

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

151 Eligible Land Criteria (Continued)

B Land Eligibility Criteria for General or Continuous Signup

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

Category	Criteria
Erodibility	<p>For general signup, cropland offered if the weighted average EI for the 3 predominant soils of the new land on the acreage offered is 8 or greater.</p> <p>The most current soil survey information shall be used. EI for CRP eligibility shall be calculated using RUSLE or WEQ. Do 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>For general signup, land currently enrolled in CRP scheduled to expire on September 30 of the FY the acreage is offered for enrollment.</p> <p>Example: CRP-1 is scheduled to expire on September 30, 2020. The acreage may be offered for enrollment during FY 2020.</p> <p>* * *</p>

546 Revisions to CRP-1's (Continued)

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

IF CRP acreage was offered during...	THEN CRP-1 is effective for program year...	AND the date of the applicable CRP-1 Appendix is...
continuous signup 35	2007 and 2008	May 1, 2003.
continuous signup 36	2008 and 2009	
continuous signup 37	2009 and 2010	
continuous signup 38	2010 and 2011	
general signup 39	2011	
continuous signup 40	2011 and 2012	
general signup 41	2012	
continuous signup 42	2012 and 2013	
general signup 43	2013	
continuous signup 44	2013 and 2014	
general signup 45	2014	
continuous signup 46	2014 and 2015	
continuous signup 47	2015 and 2016	
continuous signup 48	2016 and 2017	One of the following:
general signup 49	2017	
grasslands signup 200	2017 and subsequent	
continuous signup 50	2017 and 2018	Either of the following:
		<ul style="list-style-type: none"> • August 30, 2016 • October 14, 2016, for CRP-1's approved on or after October 14, 2016.
continuous signup 51	2018 and 2019	October 14, 2016.
Grasslands signup 201	2018	
continuous signup 52	2019 and 2020	December 9, 2019.
continuous signup 53	2020 and 2021	
general signup 54	2021	
*--Grasslands signup 202	2021	
continuous signup 55	2021 and 2022	
general signup 56	2022	
Grasslands signup 203	2022--*	

Note: Continuous signup 34 is used for EFCRP.

547 Revising CRP-1 Because of Loss of Control of Land

A General Policies

CRP-1 **may** need to be revised because of loss of control of land under CRP-1.

If loss of control occurs because of death, sale, inheritance, incompetency, foreclosure, or exercise of eminent domain, follow:

- paragraph 630 for conservation easements placed on CRP land
- paragraph 554 for succession-in-interest
- subparagraphs 550 B and C for other revisions
- paragraph 551 for land acquired by a Federal agency
- paragraph 571 for:
 - land acquired by eminent domain
 - terminations
 - terminations because of foreclosure.

B If Owner Loses Control of CRP Land

Follow this table if owner loses control of CRP land.

IF loss of control occurs...	THEN...
on a tract of land on which all CRP-1 acres are located	revise CRP-1 and the approved conservation plan according to paragraph 546.
on part of CRP-1 acreage	<ul style="list-style-type: none"> • continue CRP-1 on the remaining acreage still under control of participant • follow paragraph 571 for partial terminations • offer person acquiring control successor-in-interest rights.
and CRP-1 is not continued on any part of acreage	terminate CRP-1 according to paragraph 571.

Part 22 SAFE

831 Basic SAFE Information**A Background**

On March 22, 2007, FSA announced the SAFE initiative, which allows:

- State Offices to address local wildlife conservation needs
- producers to install practices that benefit high priority State wildlife conservation objectives through the use of targeted restoration of vital habitats.

This cooperative conservation effort is based on locally developed conservation proposals that address the highest priority wildlife objectives in the State.

B Basic Information

SAFE provides an opportunity to develop grassroots cooperative conservation projects to address high priority wildlife needs through habitat restoration. The practices must be used to address wildlife habitat that can be enhanced through the restoration of eligible cropland through CRP. Enrollment is available under continuous and general signup criteria, depending on the practice and cover being established.

832 Policy**A Eligibility**

Eligible cropland is:

- acreage determined to be eligible according to the land criteria provided in paragraph 151
- located within the State-designated SAFE project area.

Note: Marginal pastureland is **not** eligible unless criteria is met for a threatened or endangered species with specific habitat needs of marginal pastureland. See paragraph 181.

832 Policy (Continued)

B Practices and Signup Type (Continued)

* * *

SAFE is limited to the following practices that are based on applicable CRP practices listed in the following table.

SAFE Practice	Practice Type	Applicable CRP Practices
CP38A	Buffers	CP8A, CP15A, CP15B, CP21, CP22, CP33, CP43
CP38B	Wetlands	CP9, CP23, CP23A, CP25, CP27, CP28, CP37
CP38C	Trees	CP3, CP3A, CP16A, CP17A, CP25, CP31
CP38D	Longleaf Pine	CP36
CP38E	Grass	CP1, CP2, CP4D, CP12, CP18B, CP18C, CP24, CP25, CP42

The applicable CRP practice being used with a SAFE practice may be referred to as the subpractice or supporting practice.

Follow subparagraph 66 C for SAFE practice and sub-practice combinations that may be offered for SAFE under general signup.

Follow subparagraph 66 C for SAFE practice and sub-practice combinations that may be offered for SAFE under continuous signup.

832 Policy (Continued)**C Contract Duration and Effective Date**

The CRP-1 period for CRP contracts is 10 to 15 years according to the applicable signup type. The effective date of CRP-1 is defined in paragraph 213 for continuous signup offers and paragraph 402 for general signup offers.

D Incentives

SIP's and PIP's are authorized for SAFE practices offered under continuous CRP signup consistent with paragraphs 66 and 197.

SIP's and PIP's are **not** authorized for general signup practices.

E Management Activity

Approved SAFE proposals must have periodic management activities performed. Reference paragraph 428 for information on required management. This activity may be based on the management activity approved for the CRP practice used as a basis for the SAFE practices. If new or modified management activities are necessary, these activities must be established according to paragraph 428.

SAFE proposals may include additional management activities as deemed advantageous for the habitat management for the targeted species. Additional management activities included in the approved SAFE proposal may not be waived by the State Office.

--F C/S--

CCC will pay up to 50 percent of the eligible cost of establishing a permanent cover. Refer to Part 15 for C/S policy.

State Offices must develop a C/S table similar to Exhibit 11, after practices are selected.

Note: See Exhibit 11, page 6 for an example.

EBI and National Ranking Factors

1 EBI

A Background

EBI has been used by USDA to prioritize and rank CRP offers since signup 10.

B EBI Process and Factor Scoring

The National EBI process will be used to rank and prioritize offers for enrollment into CRP for general signup offers.

Producers must be provided a fact sheet describing EBI. FSA shall review the fact sheet with producers to ensure that producers are aware of the scoring process used for EBI. Producers shall sign CRP-2 to certify that they were informed of EBI and opportunities to enhance their score.

FSA will review EBI scoring parameters with the producers and encourage the planting of new or maintaining of existing cover types and conservation measures, if appropriate, that will provide higher environmental benefits. FSA employees must notify producers that submitting offers with annual rental payments less than the maximum payment rate will result in higher EBI scores.

C Overview of the National EBI

The National EBI includes 5 environmental ranking factors and a cost factor.

- N1, Wildlife Habitat Cover Benefits
- N2, Water Quality Benefits From Reduced Erosion, Runoff and Leaching
- N3, On-Farm Benefits of Reduced Erosion
- N4, Enduring Benefits
- N5, Air Quality Benefits
- N6, Cost.

EBI provides a relative ranking of estimated environmental benefits and cost for land offered for CRP.

$N1 + N2 + N3 + N4 + N5 + N6 = \text{National EBI Score.}$

EBI and National Ranking Factors (Continued)

1 EBI (Continued)

C Overview of the National EBI (Continued)

The following table illustrates the National ranking factors.

Factor	Maximum Points	Equation/Scoring Parameters
N1	100	*--Wildlife Habitat Cover Benefits (0 to 100 points) N1 = (N1a +N1b +N1c) where: <ul style="list-style-type: none"> • N1a is the cover subfactor (0 to 50 points)--* • N1b is Wildlife enhancements (0, 5, or 20 points) • N1c is Wildlife priority zones (0 or 30 points).
N2	100	Water Quality Benefits From Reduced Erosion, Runoff, and Leaching (0 to 100 points) N2=(N2a +N2b +N2c)where: <ul style="list-style-type: none"> • N2a is the water quality zones subfactor (0 or 30 points) • N2b is the groundwater quality subfactor (0 to 25 points) • N2c is the surface water quality subfactor (0 to 45 points).
N3	100	On-Farm Benefits of Reduced Erosion (0 to 100 points)
N4	50	Enduring benefits point range (0 to 50 points)
N5	45	Air Quality Benefits (3 to 45 points) N5 = N5a + N5b + N5c + N5d where: <ul style="list-style-type: none"> • N5a is the wind erosion impacts subfactor (0 to 25 points) • N5b is the wind erosion soils list subfactor (0 or 5 points) • N5c is the air quality zone (0 or 5 points) • N5d is carbon sequestration factor (3 to 10 points).
N6	/1	N6 = N6a + N6b where: <ul style="list-style-type: none"> • N6a is the cost factor • N6b is the offer is less than maximum payment rate (0 to 25 points).

1/ Points assigned to cost factor will be determined after signup ends and all the offers are evaluated. This factor will be based on the rental rate offered and the maximum payment rate.

EBI and National Ranking Factors (Continued)

2 National Ranking Factor N1 - Wildlife Habitat Cover Benefits

A Summary

--0 to 100 points determined using subfactors in the formula:--

$$N1a + N1b + N1c = N1$$

Wildlife species, both game and nongame, benefit most from the availability of appropriate wildlife habitat. CRP provides the opportunity to develop habitat that will benefit a variety of wildlife species.

Note: Producers with existing cover shall be informed that C/S may be available for cover enhancement.

This factor encourages landowners to plant cover on contract acreage that will be beneficial to wildlife. Subfactor N1a assigns a score to the quality of the cover to be applied to the practice.

Existing CRP covers on acreage being offered for re-enrollment may be improved to provide better wildlife habitat and increase the N1a subfactor score for the offer. Subfactor N1a points are awarded based on the weighted average point score associated with the offered acreage by practice point score.

Approved cover is expected to be seeded or planted within 12 months of the effective date of CRP-1. However, TSP may, in developing the conservation plan, permit an additional 12 months, not to exceed 24 continuous months, to seed the approved cover. This flexibility should be permitted to allow the establishment of approved cover in a manner that will not adversely impact the natural resources of the site or surrounding area.

For each practice, the conservation plan shall include:

- management activity or activities to maintain or enhance the plant community diversity and plant vigor, if determined needed by the FSA SED and NRCS State Conservationist
- a schedule of maintenance activities and various maintenance options.

EBI and National Ranking Factors (Continued)

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

B Subfactor N1a - Cover

--Cover and practices beneficial to wildlife (0 to 50 points maximum).--

The Wildlife Habitat Cover Benefits Factor (N1a) will provide practice seeding mixes and management options that provide habitat for important and declining species of national, regional, State, or local significance in each State. NRCS State Biologist will work with the NRCS State Plant Materials Specialist, State Wildlife Agency and FWS to revise or develop seeding mixes and management recommendations for the above-mentioned species or groups of species.

Nonaggressive introduced species may be used for up to 2 species in the mixes. The number of seeding mixes developed is up to each State. Special seeding mixes and planting rates may be developed for arid areas and areas of limited native seed availability subject to approval by DAFP.

Seeding mixes should to the maximum extent practicable be comprised of locally collected native “eco-type” (seed mixes native to local area) seed for native seedings.

On the land with existing/expiring CRP acreage, the offer should be ranked on the desired plant community that the producer plans on establishing or maintaining for the site.

Example 1: A producer with an existing stand of a monoculture of crested wheatgrass would like to reenroll the entire stand. The producer would like to enhance the stand to 4 species of introduced grasses, including at least 1 forb or legume. The offer would be ranked as a 40-point CP1 stand.

Example 2: A producer with an expiring CRP contract that was originally planted to a monoculture of western wheatgrass (native grass) would like to reenroll into CRP. During the CRP contract period of the last 10 years, a number of native grasses, forbs, and legumes have naturally generated into the existing CRP cover stand. The producer believes that the site has evolved into a 50-point CP2 cover stand. The producer offers the site as a 50 points CP2 cover. The offer is ranked as a 50-point CP2 cover. During the conservation planning process, a site visit indicates that only 2 native grasses and 1 forb are in the cover. The producer is required to inter-seed into the stand to achieve the 50-point cover for which the offer was scored.