

For: State and County Offices

Final Performance Deadline for Interim EQIP ACP-EAN and ACP-ELT Contracts

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

Notice ACP-362 provides information and guidelines on action to be taken for ACP-LTA contracts. ACP and Interim EQIP operate under the same policies and procedures and share the same final payment date of **September 15, 2005**.

Note: ACP final payment date will be updated in a future notice.

B Purpose

This notice provides clarification for State and County Offices that all ACP-EAN and ACP-ELT contracts must have final performance completed by **August 31, 2005**.

C Action

County Offices shall notify all applicants with pending ACP-EAN and ACP-ELT contracts of final performance deadlines. All practices shall be completed by **August 31, 2005**.

D Contacts

If there are questions about this notice:

- County Offices shall contact the State Office
- about funds control for Interim EQIP, State Offices shall contact Lynne Winemiller at 202-720-4053
- about ACP and Interim EQIP policy, State Offices shall contact Clayton Furukawa at 202-690-0571.

Disposal Date	Distribution
January 1, 2006	State Offices; State Offices relay to County Offices

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2 ACP-EAN and ACP-ELT Funds Management

A Return of Unobligated or Deobligated Interim EQIP Funds

Funds shall be returned to the National Office, **no later than September 9, 2005**. County Offices shall determine the amount of funds to be released to the State Office. The State Office shall then determine the total amount of unobligated and/or deobligated funds to be returned to the National Office for Interim EQIP.

State Offices shall **not** remove funds from State ledgers until a signed CCC-357 is received in the State Office.

B Using Funds for Errors, Omissions, or Appeals

All unused funds should be returned to the National Office no later than COB September 9, 2005, in order to comply with the statute.

3 Practice Completion

A Practice Completion Date

All ACP-EAN and ACP-ELT contracts must have final performance reported to the County Office **no later than August 31, 2005**.

Reminder: Failure to complete ACP-EAN and ACP-ELT practices by that date will result in cancellation of the application.

County Offices must ensure that all applicants who have not reported final performance are **notified in writing that they have until August 31, 2005**, to complete the practice or the application will be canceled.

B County Office Recording of Final Performance

County Offices shall process applications according to 1-ACP. When final performance is reported, County Offices have 15 calendar days to process payments in order to comply with statutory restrictions. **All ACP-EAN and ACP-ELT payments must be issued by COB, September 15, 2005.**

Note: Final performance does **not** have to be recorded in the System 36 by August 31, 2005. The producer only has to complete and report final performance by **August 31, 2005**.

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4 Action

A State Office Action

State Offices shall:

- immediately provide a copy of this notice to County Offices
- by COB on September 9, 2005, determine the amount of ACP-EAN and ACP-ELT funds available for release to the National Office
- not take action to remove funds from ledgers until CCC-357 is received in the State Office.

B County Office Action

County Offices shall:

- on August 31, 2005, cancel any ACP-EAN and ACP-ELT contracts for which final performance has not been reported

Note: Ensure that the producer is given proper notification along with appeal rights.

- by September 2, 2005, notify the State Office of amount of funds available for release to the State Office
- **not** take any action to move funds on ledgers until notified to do so by the State Office
- ensure all ACP-EAN and ACP-ELT payments are completed by COB, **September 15, 2005.**