

For: State Offices and State CREP Partners

FY 2023 CREP Annual Report and Project Administration

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

On February 19, 1997, a final rule was published in 7 CFR 1410.90(b) indicating that CCC may enter into agreements with an eligible partner to use CRP to cost-effectively further “specific conservation and environmental objectives of that State and the nation.”

CREP was established to provide a flexible and cost-effective means to address agricultural resource problems by targeting Federal and State resources to specific environmentally sensitive geographic regions over a 10- to 15-year period.

CREP is administered under the same statutes and Federal regulations as CRP. Administration and management of CREP at the national level is the responsibility of the FSA CREP program manager. After CREP agreements are executed with partner organizations, eligible cropland and marginal pastureland may be offered and enrolled on a continuous signup basis as long as continuous signup authority exists.

Note: CREP policies and procedures generally adhere to those of CRP’s continuous signup except where modified by specific provisions outlined in CREP agreements and related State supplements to 2-CRP.

B Purpose

This notice provides:

- instructions for FY 2023 CREP annual performance reporting
- general CREP policy
- reminder about CRP Tool for Environmental Resource Results Assessment (TERRA) Tool.

Disposal Date	Distribution
April 1, 2024 10-12-23	State Offices; State Offices relay to CREP Partners

2 CREP Annual Report

A General Policy

CREP was established under CRP to address specific recognized environmental issues of State and National importance. Each CREP agreement requires the partner to provide an annual performance report to FSA by the date specified in the agreement. The annual performance report is a critical tool used to:

- monitor program accomplishments
- determine average cost per acre of enrollment
- justify continued Federal and State funding
- indicate continued partner financial and administrative support
- identify possible changes to ensure goals are achieved in a cost-effective manner.

Note: Each annual performance report contains certain information, including a detailed monitoring report, according to FSA CRP National directives and the terms of the CREP agreement.

The Agriculture Improvement Act of 2018 (2018 Farm Bill) requires USDA to submit an annual report to Congress on the status of each CREP. **The information provided in the CREP annual performance report will be used to complete the annual report to Congress for FY 2023.**

Annual performance reports must provide the information specified in the agreement, FSA CRP National directives, the online report, and this notice.

B CREP Annual Reporting Due Date

FY 2023 annual performance reports are due by the date specified in the agreement. The due date for the FY 2023 annual performance report is December 31, 2023, for any agreement that does not specify a due date.

2 CREP Annual Report (Continued)

C Automated Online Report

FSA developed an automated online CREP annual report that each partner will use to submit its required annual performance report. The online report is designed to ensure all necessary data for the USDA report to Congress is provided in a consistent and uniform manner.

In addition to the online report, partners may submit the required annual report in the same manner the report has been provided in the past.

By November 1, 2023, the National Office CREP program manager will provide each FSA State Office with access to the online report via separate communication. The State Office will forward this information to the partners. Instructions for completing the online report will also be provided.

Once a partner submits an online report, the partner will no longer have access to the submitted report to make changes. Partners must ensure the accuracy and completeness of the online report before submission. A copy of the report may be requested by partners through the applicable FSA State Office. FSA State Office will contact the CREP program manager to request a copy of the submitted data.

Separate annual performance reports will be submitted for each project. States with more than 1 project will provide a **separate** annual performance report for each project.

Important: Failure to submit the annual performance report is a violation of the terms of the agreement and will be reflected in USDA's report to Congress.

2 CREP Annual Report (Continued)

D Annual Performance Reports

Annual CREP performance reports will:

- be provided for each project by the required due date in the agreement or December 31, 2023, if the agreement does not specify a due date, even if there have been no substantial new enrollments or other major project changes since the previous annual report was submitted

Exceptions: CREP annual performance reports are:

- not required for projects that have expired or been terminated in FY 2023 or before
- not required for projects that were suspended for enrollment for all of FY 2023
- required for projects that were suspended for enrollment in FY 2023, but not for the entire FY.

Note: See subparagraph B for the report due date if the agreement does not specify a date.

- identify the following:
 - accomplishments in achieving each of the goals and purpose of the agreement
 - reason(s) for not obtaining, or delay in obtaining, the identified goals and purpose of the CREP agreement, if applicable, and actions taken or that will be taken in the following FY to obtain the stated goals and objectives
 - reason(s) new enrollment levels are below expected, if applicable, and actions taken or that will be taken in the following FY to address the level of new enrollments.

2 CREP Annual Report (Continued)

E Identifying Accomplishments

CREP annual performance reports will identify the accomplishments, or lack thereof, in achieving the purpose and **each** of the goals of project. The report will address **each** of the specific goals and purposes identified in the agreement in detail and provide the source of the data used to support the accomplishments provided.

Example: The goals of the ABC CREP agreement are to reduce erosion on cropland by 10,000 tons per year, reduce 14,000 pounds of phosphorus from entering the ABC River per year, and increase the XYZ bird population by 3,000 birds annually. The ABC project annual performance report will identify the:

- tons of erosion reduced from cropland in the CREP area in the last year and provide the source used in determining the amount of erosion reduced
- pounds of phosphorous reduced from entering ABC River in the CREP area in the last year and provide the source used in determining the amount of phosphorus reduced
- number of XYZ birds increased in CREP area in the last year and provide the source used in determining the number of XYZ birds.

An estimate of the progress in meeting each of the goals and purpose of the agreement **must** be provided if sufficient monitoring and evaluation measures have not been conducted to provide documented accomplishments. The method used to reach any estimated accomplishment must also be identified.

F Annual Report to Congress

The 2018 Farm Bill requires USDA to submit an annual report to Congress on the status of each CREP. The information provided in the partner's annual performance report will be used to complete the annual report to Congress.

The partner's annual performance report may be returned if the report does not include all the required information in sufficient detail.

3 General CREP Policy and Processing Offers

A Legal Agreements

CREP is administered in accordance with legally binding agreements between CCC and CREP partners. These agreements often include project contributions from local non-governmental organizations in a partnership effort. State Offices will immediately notify Conservation Division (CD) in WDC if any partners discontinue providing payments, in kind commitments, or other benefits specified in the CREP agreement.

State and County Offices may not establish or modify operating policies and/or procedures without prior written approval from the National Office. All State amendments supplementing 2-CRP for CREP will be approved by CD before publication, including 2-CRP amendments completed because of revising or amending CREP agreements.

B CREP Primary Goals

The primary goal of CREP is to establish a unique CRP initiative through which the resources of partner organizations, and CCC/FSA can be targeted in a coordinated manner to address specific high priority conservation and environmental objectives.

Agreements are designed for specific geographic areas that have been adversely impacted by agricultural activities through the use of approved conservation buffer and related practices. Conservation practices must be designed to achieve substantial on-site and off-site natural resource benefits targeting 1 or more specific goals.

Important: All cropland and marginal pastureland proposed for a project **will** meet all eligibility criteria according to 2-CRP, paragraph 151. Agreements **cannot**:

- be used to create new categories of eligible land, or modify cropping history or producer eligibility provisions in 2-CRP
- provide for FSA to exceed total county cropland limits, unless standard 25 percent waivers are approved
- be used to assist State and/or local governmental agencies toward meeting requirements of a court order, settlement agreement, or other legal mandate.

3 General CREP Policy and Processing Offers (Continued)

C Using TERRA and CREP Shapefiles to Process Offers

The CRP TERRA Tool will be used for all offers to enroll land through a CREP.

The GIS Environment Tool is used to control settings for TERRA, including default directories for data storage and whether Conservation Web Services are used. CREP data is now part of the Conservation Web Services.

Before running TERRA, users will run the GIS Environment Tool and select the appropriate administrative county and primary State.

Users will place a check mark next to “Use Enable Conservation and County Web Services” on the “Settings” tab in the GIS Environment Tool.

The CREP layer will now automatically load as part of the Conservation and County Web Services. County Offices are no longer required to manually load the file.

4 Action

A State Office Action

State Offices managing 1 or more agreements will:

- review each agreement for the due date of the annual performance report
- inform the partner contact person of the:
 - annual report due date
 - required use and access to the automated online report
 - use of the data provided by the partner for USDA’s report to Congress
 - option to request a copy of the completed report after submission
- provide a copy of this notice to partner point of contact
- notify the CREP program manager of any known issues about timely submitting annual performance reports by COB November 30, 2023.

4 Action (Continued)

B National Office Action

By November 1, 2023, the National Office will:

- obtain all relevant enrollment and other data, such as annual rental payment, incentive payment, and cost-share payment data, according to the terms of the agreement required for the FY 2023 Annual Report from the Economic and Policy Analysis Division (EPAD)
- provide the relevant enrollment and other data, such as annual rental payment, incentive payment, and cost-share payment data, provided by EPAD to the partner point of contact through the State Office.