

**For:** State and County Offices

**Emergency Haying and Grazing of CRP Acres for Producers Affected by Wildfire**

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



**1 Overview**

**A Background**

Recent wildfires in several States caused a lack of livestock forage for livestock producers affected by the wildfires. In response, DAFP is temporarily authorizing emergency haying and grazing of CRP acreage nationwide to support affected livestock producers who have suffered forage losses because of the wildfires.

2-CRP, Part 19 provides policy on non-emergency and emergency haying and grazing on CRP. Counties are eligible to implement emergency haying and grazing activities upon U.S. Drought Monitor designations, documented loss of forage availability, or approval by DAFP. Non-emergency haying and grazing provisions are available to producers provided the activity is included in the CRP contract’s Conservation Plan of Operations (CPO).

**B Purpose**

This notice provides information about:

- DAFP’s authority for emergency haying and grazing because of wildfires
- emergency haying and grazing requirements
- non-emergency haying and grazing requirements
- reporting timeframes.

<b>Disposal Date</b>	<b>Distribution</b>
January 1, 2025 3-14-24	State Offices; State Offices relay to County Offices

## Notice CRP-1023

### 2 Expanded Access to Emergency Haying and Grazing

#### A Eligibility

DAFP is temporarily authorizing emergency haying and grazing of CRP acres nationwide for livestock producers affected by wildfire. This authority is until the beginning of the 2024 primary nesting season for the applicable State where the CRP acreage is located.

Under this authorization, CRP participants may provide haying or grazing rights or authorize haying only to livestock producers affected by wildfires. The affected livestock producer will sign a CCC-576 “Not for NAP” or provide a written certification describing how their livestock operation was impacted by wildfire. The livestock producer’s certification will be filed in the CRP participant’s contract folder.

**Note:** CRP participants not affected by a wildfire are **not** authorized to engage in emergency haying and grazing activities unless the county is otherwise declared eligible for CRP emergency haying and grazing because of drought conditions or loss of forage.

#### B Policy

Under this authorization, CRP acreage eligible for emergency haying and grazing includes all practices except CP12 and CP38 (if grazing is not included in the SAFE proposal). Emergency haying and grazing is only authorized on land enrolled through CREP if the CREP agreement specifically permits the activity.

All other haying and grazing provisions in 2-CRP are applicable including the participant's reporting requirements in 2-CRP, paragraph 686.

**Important:** Under no circumstances may non-emergency haying or grazing be permitted if such activity would cause long-term damage to the vegetative cover on the land, determined on a contract-by-contract basis.

#### C Modified CPO’s

CRP participants are required to modify the contract’s CPO to include emergency haying and grazing activities. Timelines for activities will follow subparagraph 681 G.

#### D Primary Nesting Season

Emergency grazing may continue during the primary nesting season with a 50 percent reduction in the stock rate, provided the county is also eligible to implement LFP due to drought (D2 for 8 consecutive weeks, D3, or D4 on the U.S. Drought Monitor).

#### E Connecting Affected Producers with CRP Participants

Privacy laws and PII rules prohibit FSA from releasing CRP participant contact information to producers affected by wildfire without proper consent to disclosure of privacy.

**Notice CRP-1023**

**3 Non-Emergency Haying and Grazing**

**A Eligibility**

2-CRP, Part 19 authorizes CRP participants to use non-emergency haying and grazing on their CRP acreage.

Waivers for frequency of haying and grazing activities will not be granted.

**Important:** Under no circumstances may non-emergency haying or grazing be permitted if the activity would cause long-term damage to the vegetative cover on the land, determined on a contract-by-contract basis.

**B Payment Reductions**

Applicable payment reductions for non-emergency haying and grazing will be assessed according to 2-CRP. subparagraph 663 D to the CRP participant.

**4 Reporting Requirements**

**A Participant Reports**

Participants **must** report the number of acres hayed or grazed within 10 calendar days of the end of the haying or grazing period in their conservation plan using CRP-118.

**B State and County Reports**

State and County Offices will ensure any contracts using this DAFP authority are reported by the requirements and deadlines in 2-CRP, paragraph 686.

In addition, for contracts approved for emergency haying and grazing to take place before the PNS under this DAFP authority, County Offices will report the following information through the State Office to Patrick Lewis via email by June 1, 2024.

Admin State Contract	Admin County Contract	Contract Number	Admin State livestock producer	Admin County livestock producer	Acres Grazed	Acres Hayed

## Notice CRP-1023

### 5 Action

#### A State Office Action

State Offices will:

- follow the provisions in this notice
- ensure that County Offices follow the provisions in this notice
- submit questions and reports of contracts using this authority to Patrick Lewis, acting Grassland CRP program manager.

#### B County Office Action

County Offices will:

- follow the provisions of this notice
- submit reports to the State Office for contracts using this authority
- submit questions to the State Office.