

For: State Offices and Service Centers

**Accepting and Rejecting Signup 18 Offers**

Approved by: Acting Deputy Administrator, Farm Programs



**1 Overview**

**A**

**Background**

All eligible CRP offers received during signup 18 were evaluated based on the summary score of 6 environmental factors and cost. 7.1 million acres were offered. CRP-1's resulting from these acceptable records will enroll 5.0 million acres, which will be effective for program year 2000. The national average cost per acre for enrolling this acreage is \$45.50 per acre.

Acceptable acres included:

- 456,000 wetland and associated acres
- 2.8 million acres located in conservation priority areas
- 3.2 million highly erodible acres
- an average EI of 11
- 1.0 million acres with an average EI of 15 or more
- 216,000 acres of rare and declining habitat
- 102,000 acres of longleaf pine.

The maximum possible EBI score is 560 of which 410 points were for the 6 environmental factors and 150 points were for the cost factor.

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<b>Disposal Date</b>	<b>Distribution</b>
October 1, 1999	State Offices; State Offices relay to Service Centers and NRCS State Offices; FS, 80; CSREES, 5

## Notice CRP-336

### 1 Overview (Continued)

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#### A

##### Background (Continued)

As a result of this selection, approximately 2.0 million acres will expire from contracts on September 30, 1999, and will not continue under new contracts. Producers on these acres may need:

- technical assistance on preparing expiring CRP acreage for crop production
  - information regarding:
    - conservation compliance requirements
    - early land preparation policies
    - enrolling acreage in AMTA after CRP-1 expires.
- 

#### B

##### Purpose

This notice provides State Offices and Service Centers with:

- a list of acceptable and rejected offers, by county, for each offer transmitted for signup 18
  - instructions for handling errors, including technical redeterminations, omissions, and appeals
  - instructions for changing the points awarded to subfactor N1b and factors N1 and N6 for certain offers because of cross-geopolitical boundary inconsistencies regarding subfactor N1b
  - instructions for using an EBI calculator developed for State Office use with erroneous and omitted offers
  - a list of deadlines for completing certain activities regarding acreage offered during signup 18
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**Notice CRP-336**

**1 Overview (Continued)**

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**B**

**Purpose  
(Continued)**

- additional guidance on policies regarding:
    - acreage revisions
    - withdrawing offers
    - erroneous SRR's
    - succession-in-interest
    - signature requirements for Native Americans
    - CP23, Wetland Restoration
    - maximum payment rate revisions
    - establishing CRP practices
    - CRP HEL provision when participants own acreage in more than 1 county
    - 25 percent cropland limitation waivers
    - CRP and AMTA.
- 

**C**

**Exhibit  
Summary**

This table explains the contents of each exhibit.

<b>Exhibit</b>	<b>Explanation</b>
1	A timetable for completing tasks related to enrolling acreage offered during signup 18.
2	Acreage limitations that State Offices shall not exceed when reprocessing errors, omissions, appeals, and waivers.
3	<p>A list of acceptable and rejected offers or a negative report for those Service Centers that did not transmit offer records.</p> <p>For Service Centers that reached the 25 percent cropland limitation or the cropland limitation established by STC, not to exceed 30 percent, an additional list of offers sorted by EBI score.</p>
4	<p>A list of all acceptable offers by Service Center in farm number order for which the transmitted EBI score was changed because of cross-geopolitical boundary inconsistencies regarding subfactor N1b. See subparagraph 2 A.</p> <p><b>Note:</b> If no changes were made to any of the offers determined acceptable, Exhibit 4 will indicate a negative report.</p>

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## Notice CRP-336

### 2 Offer Selection Overview

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#### A

##### Selection Process

All eligible signup 18 offers successfully transmitted from State Offices to KCMO by COB February 22, 1999, have been processed.

State Offices shall handle **eligible** signup 18 offers **not** successfully transmitted from State Offices to KCMO by COB February 22, 1999, as omitted offers and calculate the EBI score using the EBI calculator. See subparagraphs 4 B, 4 C, 4 E, and 4 G.

Omitted offers are timely-filed offers for which **all** eligibility requirements are met but were not transmitted to KCMO by COB February 22, 1999. Late-filed offers are **not** omitted offers.

**Important:** Late-filed offers are **not** omitted offers. Both CRP-1 and CRP-2 must be completed and signed by an eligible producer and received in the Service Center by the end of signup to constitute an offer. CRP-1 or CRP-2 alone does **not** constitute an offer.

Because State ranking plans were not authorized for signup 18, all offers were ranked using the national ranking plan according to 2-CRP, Part 6, Section 2, and the national EBI using the formula,  $EBI = N1 + N2 + N3 + N4 + N5 + N6 + N7$ .

**Important:** During signup 18, OIG discovered cross-geopolitical boundary inconsistencies regarding subfactor N1b. FSA supports OIG's findings that identical habitats were being treated differently when the only difference was a geopolitical boundary.

To ensure there is no unfair advantage to any producer based on this inconsistency, the National Office awarded a minimum of 5 points to all offers for subfactor N1b. The change to the subfactor N1b score resulted in a change to the N1 factor score. In addition, the change to the N1 factor score may have changed the N6 factor score in certain circumstances. See paragraph 3.

The maximum possible EBI score is 560 points, which was developed using:

- 410 points maximum for environmental factors N1 through N6
- 150 points maximum for cost factor N7.

Scoring parameters for N1 through N6 are in 2-CRP, Part 6, Section 2 and Exhibit 19. The score for N7 was calculated using 150 points for cost. This cost factor is comprised of the sum of 3 subfactors.

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2 Offer Selection Overview (Continued)

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A

**Selection Process  
(Continued)**

Subfactor N7a is awarded points according to the formula,  $N7a = 125 - (\text{per acre offer rate}/165 \times 125)$ . This subfactor is rounded to the nearest whole number using normal rules of rounding. Therefore, the maximum points available for subfactor N7a is 125.

Subfactor N7b is awarded 10 points if the producer either declined cost-share assistance or all practices offered are ineligible for cost share. Subfactor N7b is awarded 0 points if the transmitted offer record indicated **any** cost-share assistance would be provided.

Subfactor N7c is awarded 1 point for every **whole dollar** the producer offered below the calculated maximum payment rate, not to exceed 15 points.

**Example:** If the calculated maximum payment rate for an offer is \$50.75 per acre and the producer offered a rental rate of \$40 per acre, the offer would be awarded 10 points for subfactor N7c.

The score for the N7 factor is calculated using the formula,  $N7 = (N7a + N7b + N7c)$ .

**Example:** The cost factor (N7) calculation for an offer of \$40 per acre that requested cost-share assistance with a calculated maximum payment rate of \$50.75 is:

$$N7 = \{125 - (40/165 \times 125)\} + 0 + 10$$
$$N7 = 105.$$

**Note:** The rental rate per acre offered is the value from CRP-2, item 9.

For counties impacted by the county cropland limitation, see paragraph 9.

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## 2 Offer Selection Overview (Continued)

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### B

#### National EBI Cutoff Score

Offers with an EBI score more than or equal to 245 points were determined basically acceptable. All other offers were rejected.

**Exception:** In several counties, the total number of acres determined acceptable plus the acres currently enrolled in CRP scheduled to expire after September 30, 1999, and WRP would have exceeded the county cropland limitation applicable to that county.

The offers determined acceptable in these counties, when combined with the WRP acreage, were limited to the authorized cropland limitation. As a result, some additional offers were rejected. The effective EBI cutoff level in these counties will be higher than the national cutoff level.

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## 3 Reviewing and Changing Offer Data

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### A

#### Reviewing Offer Data

Before notifying producers about the results of the offer selection, Service Centers shall compare the offer data in Exhibit 3 and Exhibit 4 for each record with the corresponding CRP-1 and CRP-2 data to ensure that:

- all offers transmitted by the Service Center are listed in Exhibit 3
- all the data on the offer record transmitted to KCMO is correct
- for all offers listed in Exhibit 4, the System/36 offer software and CRP-2 are corrected to indicate the applicable changes to subfactor N1b and factors N1 and N6 scores. See subparagraph B.

A second-party review must be conducted on **all** data on CRP-2, such as program year of CRP-1, all producer eligibility requirements, and EBI scoring data, before notifying producers of offer selection. Reviewer shall initial and date CRP-2 in the top right corner after adding "Post-ranking approval review." The program year for all signup 18 CRP-1's is 2000 with an effective date of October 1, 1999. See 2-CRP, paragraph 223.5.

**Note:** Expired Notice CRP-328 provided that State FSA and NRCS Offices were to develop procedures to ensure that all documents and data used to complete CRP-2 is available to both County FSA and NRCS Offices to ensure that all information needed to conduct second-party reviews is readily available.

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**Notice CRP-336**

**3 Reviewing and Changing Offer Data (Continued)**

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**B**

**Changing Offer Data**

For those offers listed in Exhibit 4, Service Centers shall change the subfactor N1b and factor N1 score in the System/36 and CRP-2 according to the following table. All changes to CRP-2 must be initialed and dated by the person making the change.

**Notes:** The change to factor N1 score may change factor N6 score.

Producers' initials are not required on CRP-2 for changes to subfactor N1b and factors N1 and N6 scores because of the cross-geopolitical boundary inconsistency regarding N1b.

Step	Action
1	Review CRP-2 for all offers listed in Exhibit 4 to ensure that all data is accurate. Exhibit 4 provides a list of acceptable offers for which the N1b subfactor was changed to 5 points because of cross-geopolitical boundary inconsistencies.
2	<p>For all offers listed in Exhibit 4, enter 5 points for subfactor N1b on Screen EPEA0430 and CRP-2, item 20.</p> <p><b>Important:</b> Do <b>not</b> add 5 points to subfactor N1b. For the offers listed in Exhibit 4, subfactor N1b shall <b>equal</b> 5 points.</p> <p><b>Example:</b> Jane Brown's original subfactor N1b score on CRP-2 and Screen EPEA0430 is 2 points. Jane Brown's offer was determined acceptable and is included in Exhibit 3 and Exhibit 4. Because of the cross-geopolitical boundary inconsistencies, the National Office changed the N1b score to 5 points before scoring and ranking the offer. The Service Center shall enter 5 points for subfactor N1b on Screen EPEA0430 and CRP-2, item 20.</p>
3	<p>Recalculate the total score for factor N1 according to the following formula:  <math display="block">N1 = (N1a \div 50) \times (N1a + N1b + N1c + N1d + N1e + N1f).</math></p> <p>For all offers listed in Exhibit 4, enter the recalculated score for factor N1 on Screen EPEA0430 and CRP-2, item 19.</p> <p>Because the change to subfactor N1b will change the total points for factor N1, the total score for factor N1 must be recalculated.</p> <p><b>Example:</b> Jane Brown's offer was originally awarded 38 points for factor N1 based on the following data: N1a = 40, N1b = 2, N1c = 5, N1d - N1f = 0. Because of the cross-geopolitical boundary inconsistencies, the National Office changed the subfactor N1b score to 5 points before scoring and ranking the offer. Therefore, Jane Brown's recalculated factor N1 score is 40 points.</p>

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3 Reviewing and Changing Offer Data (Continued)

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**B**  
**Changing Offer**  
**Data**  
**(Continued)**

Step	Action		
4	<b>IF...</b>	<b>AND...</b>	<b>THEN...</b>
	at least 51 percent of the acreage offered is <b>not</b> within a National- or State-approved CPA for <b>wildlife</b>		no further action is required.
	at least 51 percent of the acreage offered is located within a National- or State-approved CPA for <b>wildlife</b>	the recalculated factor N1 score is <b>equal to or greater than</b> 40 points	enter 25 points for factor N6 on Screen EPEA0430 and CRP-2, item 19.  <b>Example:</b> At least 51 percent of the acreage offered by Jane Brown is located within a State-approved CPA for wildlife. The original score for factor N1 was 38; therefore, factor N6 was awarded 0 points.  Because the change in subfactor N1b increased the score for factor N1 to 40 points, factor N6 must be changed to 25 points.
	the recalculated factor N1 score is <b>less than</b> 40 points	no further action is required.	

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#### 4 Errors and Omissions

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##### A Identifying Erroneous Records

Erroneous offer records include:

- any errors detected in ranking data elements
- changes on CRP-2 data elements, resulting from appeal or technical redeterminations.

**Notes:** Ranking data, which includes the per acre offer rate, cost-share amounts, and the scores associated with each EBI factor N1 through N7, can affect whether an offer is rejected or accepted.

See subparagraph 5 C for correcting erroneous SRR's.

Any timely-filed offers found by local Service Centers to contain incorrect ranking data are considered erroneous. Changes in the CRP-2 data may result in the offer being ineligible, the EBI score increasing, or the EBI score decreasing.

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##### B Identifying Omitted Records

Omitted records include:

- any timely-filed eligible signup 18 offer not successfully transmitted to KCMO by COB February 22, 1999
- timely-filed offers, originally determined ineligible and not transmitted to KCMO, that are determined eligible through the appeals process or technical redeterminations.

**Important:** Late-filed offers are **not** omitted offers. Both CRP-1 and CRP-2 must be completed and signed by an eligible producer and received in the Service Center by the end of signup to constitute an offer. CRP-1 or CRP-2 alone does **not** constitute an offer.

**Note:** Follow 1-APP for handling appeals.

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4 Errors and Omissions (Continued)

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C

**Policy Regarding Errors and Omissions**

For all **eligible** offers that were omitted and all offer records identified in Exhibit 3 that are later determined erroneous, the State Office shall calculate the correct EBI score using the formula in subparagraph 2 A to determine whether the offer is acceptable. This includes all offers for which CRP-1 has **not** been approved, including those where the producers have been issued letters indicating the offer was acceptable. For errors detected after approving CRP-1, see 2-CRP, paragraph 243.

An EBI calculator was developed for use by State Offices to calculate the correct EBI score for omitted and erroneous offers. The EBI calculator:

- is available on the Intranet, according to subparagraph G
- must be used by State Offices for all omitted and erroneous offers. See subparagraph F.

**Important:** Before calculating the EBI score, State Offices shall ensure that the Service Center entered the omitted offer or corrected the erroneous offer in the System/36 offer software. The Service Center must submit a copy of Screen EPEA0430 to the State Office to verify that the omitted or corrected offer was entered into the System/36 offer software. See subparagraphs D and E.

COC shall reject any offer that is determined to be unacceptable by the State Office, including offer records for which producers have been issued letters of acceptability. When offers are determined to be ineligible after CRP-1 has been approved, Service Centers shall follow 2-CRP, paragraph 243.

**Note:** Signup 18 erroneous and omitted offers must be processed by COB July 30, 1999. There is no deadline for processing offers determined eligible through the appeals process.

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**Notice CRP-336**

**4 Errors and Omissions (Continued)**

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**D**

**Service Center  
Action for  
Reprocessing  
Erroneous Offers**

Service Centers shall reprocess erroneous offers according to the following table.

**Important:** If the erroneous offer subfactor N1b score is less than 5 points, Service Centers must change the offer data in the System/36 offer software and CRP-2 according to subparagraph 3 B.

<b>Step</b>	<b>Action</b>
1	<p>FSA or NRCS, as applicable, shall:</p> <ul style="list-style-type: none"> <li>• correct the erroneous data on CRP-2</li> <li>• initial and date the corrections.</li> </ul> <p><b>Note:</b> CRP-2's with corrections that are not initialed and dated shall not be processed by the State Office.</p>
2	<p>Enter the corrected data into the System/36 offer software to ensure that all validation criteria are met.</p>
3	<p>Notify the State Office, in writing, of the error. Include:</p> <ul style="list-style-type: none"> <li>• the reason for the error</li> <li>• a copy of the original CRP-2 and CRP-1</li> <li>• a copy of corrected CRP-2</li> <li>• a copy of Screen EPEA0430 to verify that the corrected data was entered into the System/36 offer software.</li> </ul> <p><b>Important:</b> Service Centers with offers rejected because of the 25 percent cropland limitation or other authorized cropland limitation shall include the lowest acceptable EBI score for the county in the memorandum.</p>

**Note:** Separate memorandums must be submitted for omitted offers and erroneous offers.

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Notice CRP-336

4 Errors and Omissions (Continued)

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E

Service Center  
Action for  
Processing  
Omitted Offers

Service Centers shall process omitted offers according to the following table.

**Important:** If the omitted offer subfactor N1b score is less than 5 points, Service Centers must change the offer data in the System/36 and CRP-2 according to subparagraph 3 B.

Step	Action
1	Ensure that <b>all</b> eligibility requirements have been met including being timely filed and signature requirements.
2	Enter the omitted offer into the System/36 offer software to ensure that all validation criteria are met.
3	Notify the State Office, in writing, of the omitted offer. Include: <ul style="list-style-type: none"><li>• the reason the offer was omitted</li><li>• a copy of CRP-2 and CRP-1</li><li>• a copy of Screen EPEA0430 to verify that the offer was entered into the System/36 offer software.</li></ul> <p><b>Important:</b> Service Centers with offers rejected because of the 25 percent cropland limitation or other authorized cropland limitation shall include the lowest acceptable EBI score for the county in the memorandum.</p>

**Note:** Separate memorandums must be submitted for omitted offers and erroneous offers.

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**Notice CRP-336**

**4 Errors and Omissions (Continued)**

**F**

**State Office  
Action for  
Processing  
Errors and  
Omissions**

State Offices shall process erroneous and omitted offers according to the following table.

Because of cross-geopolitical boundary inconsistencies and to ensure that there is no unfair advantage to any producer, State Offices shall ensure that all corrected erroneous offers and omitted offers are awarded a minimum of 5 points for subfactor N1b. Any offer not awarded a minimum of 5 points for subfactor N1b shall be returned to the Service Center for correction before being processed by the State Office.

**Note:** State Offices are only authorized to act on erroneous and omitted offers.

Step	Action
1	<p>Ensure that all corrected erroneous offers and omitted offers were entered into the System/36 offer software by the Service Center before being transmitted to the State Office.</p> <p>A copy of Screen EPEA0430 must be included with each corrected erroneous offer and omitted offer. State Offices shall <b>not</b> process any offer that does not include a copy of Screen EPEA0430 verifying that the offer was entered into the System/36 offer software.</p>
2	<p>For erroneous offers, recalculate the EBI score using the formula in subparagraph 2 A and the EBI calculator to determine whether the offer is basically acceptable. See subparagraph G.</p> <p><b>Note:</b> State Offices shall return erroneous offers to the Service Center without processing if the changes on CRP-2 are not initialed and dated.</p> <p>For omitted offers, calculate the EBI score using the formula in subparagraph 2 A and the EBI calculator to determine whether the offer is acceptable. See subparagraph G.</p>
3	<p>Compare the calculated EBI score to the minimum acceptable EBI cutoff score in subparagraph 2 B. For counties limited by the 25 percent cropland limitation or other authorized cropland limitation, compare the calculated EBI score to the lowest acceptable EBI score in the county.</p> <p><b>Note:</b> For Service Centers with offers rejected because of the 25 percent cropland limitation or other authorized cropland limitation, an additional report is provided in Exhibit 3 that sorts offers by EBI score to help these Service Centers identify the applicable "lowest acceptable EBI score."</p>

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4 Errors and Omissions (Continued)

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**F**  
**State Office Action**  
**for Processing**  
**Errors and**  
**Omissions**  
**(Continued)**

Step	Action	
4	<b>IF...</b>	<b>THEN...</b>
	<p>all eligibility criteria are met, the calculated EBI score is equal to or greater than the applicable cutoff score for the county, and the State acreage allocation in Exhibit 2 contains sufficient acreage to accept the offer</p> <p><b>Notes:</b> State Office shall monitor the acceptability of erroneous and omitted offers to ensure that the acreage allocation is not exceeded. State Offices shall <b>not</b> increase the acreage allocation when producers determine to withdraw an offer or acreage is determined ineligible.</p> <p>Notify CEPD, if otherwise acceptable offers cannot be approved because of insufficient State acreage allocation.</p>	<p>notify the Service Center of the acceptability of the erroneous or omitted offer.</p>
	<p>all eligibility criteria are <b>not</b> met or the calculated EBI score is <b>lower</b> than the applicable cutoff score for the county</p>	<p>notify the Service Center that the offer is rejected.</p>

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**Notice CRP-336**

**4 Errors and Omissions (Continued)**

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**G**

**EBI Calculator**

State Offices shall use the EBI calculator to process all omitted and erroneous offers according to the following table.

**Important:** State Offices shall sign and date the EBI calculator certification for each erroneous and omitted offer processed.

Step	Action
1	Access the EBI calculator located on the Intranet at <a href="http://dc.ffasintranet.usda.gov/DAFP/cepdsto.htm">http://dc.ffasintranet.usda.gov/DAFP/cepdsto.htm</a> .
2	<p>After ensuring that the corrected erroneous offer or omitted offer was entered into the System/36 offer software by the Service Center, enter the following:</p> <ul style="list-style-type: none"> <li>• name of producer who submitted the offer</li> <li>• tract number</li> <li>• State and county code</li> <li>• rental rate per acre offered from CRP-2, item 9</li> <li>• maximum payment rate from CRP-2, item 34</li> <li>• estimated total cost share from CRP-2, item 8.</li> </ul> <p><b>Important:</b> If CRP-2 is incomplete, the State Office shall return the offer to the Service Center for completion, initials, and dates.</p> <p>After the rental rate per acre offered, maximum payment rate, and estimated total cost-share amount are entered, the EBI calculator will calculate the N7 score. State Offices will not be able to override this amount.</p>
3	<p>Enter the EBI National Ranking Factors for N1 through N6 from CRP-2, item 19.</p> <p>State Offices shall ensure that the scores awarded on CRP-2, items 19 through 23 are the same scores entered on Screen EPEA0430 from the System/36 offer software.</p> <p><b>Important:</b> If a Service Center did not submit a copy of Screen EPEA0430 or the EBI scores on CRP-2 and Screen EPEA0430 are not the same, the State Office shall return the offer to the Service Center for correction.</p> <p>The EBI calculator will total the National Ranking Factors N1 through N7.</p>

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Notice CRP-336

4 Errors and Omissions (Continued)

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**G**  
**EBI Calculator**  
**(Continued)**

Step	Action
4	<p>After all entries are made, print and sign the EBI calculator.</p> <p>The signatory is certifying that:</p> <ul style="list-style-type: none"><li>• a copy of Screen EPEA0430 was submitted with the applicable offer</li><li>• the rental rate per acre offered, maximum payment rate, and estimated total cost share entered into the EBI calculator are the same as provided on CRP-2</li><li>• the EBI National Ranking Factor scores for N1 through N6 entered into the EBI calculator are the same as provided on CRP-2, item 19, and Screen EPEA0430.</li></ul>
5	<p>Compare the calculated EBI score to the minimum acceptable EBI cutoff score in subparagraph 2 B. For counties limited by the 25 percent cropland limitation or other authorized cropland limitation, compare the calculated EBI score to the lowest acceptable EBI score in the county.</p> <p>Notify the Service Center of the results according to subparagraph F, step 4.</p>

## Notice CRP-336

### 5 Policies Regarding Acceptable Offers

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#### A

#### Acreage Revisions

Producers with acceptable offers are required to obtain measurement service to determine the actual acreage being enrolled in the program. Certain acreage adjustments are permitted to revise the estimated acreage on the producer's CRP-2 to the official or measured acreage before approving CRP-1.

**Note:** The boundary of the acreage offered and the acreage enrolled shall **not** change. See 2-CRP, paragraph 223.

In situations where timely measurement service is not possible, Service Centers shall notify the producer that contract approval is pending measurement service. All measurement service is required to be completed as soon as possible, but no later than July 30, 1999.

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#### B

#### Withdrawing Offers

Producers have 30 calendar days from the date of CRP-23 to notify the Service Center regarding whether to continue with the offer to participate. Partial withdrawals are **not** acceptable. If a producer fails to respond in 30 calendar days or chooses not to continue the offer, Service Centers shall assess liquidated damages according to 2-CRP, paragraph 290. Waivers of liquidated damages are only authorized according to 2-CRP, paragraph 291.

**Note:** The producer is not required to notify the Service Center in writing. The Service Center shall notate the producer's response in the CRP folder. See 2-CRP, paragraph 160.

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5 Policies Regarding Acceptable Offers (Continued)

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**C**

**Correcting SRR Errors**

Errors detected in SRR's, soil map acreages, or other errors in calculations used to determine the maximum payment rates for individual offers shall be corrected by the Service Center. Producers shall be notified of the error and be provided an opportunity to:

- revise the CRP offer based on the corrected payment rate calculation, if the maximum payment rate changed
- withdraw the offer without assessment of liquidated damages.

If an erroneous SRR for the county was posted, the Service Center shall:

- immediately correct the rate
- **not** retroactively apply the correction.

**Note:** The correct rate will apply for acreage offered for either continuous signup or any subsequent general signup after the error was detected.

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**D**

**Succession-in-Interest Policy**

Succession-in-interest rights do **not** apply to CRP offers to participate, except for:

- immediate family members of the producer that submitted the offer
- a person, or entity, taking title to the land offered when the producer that submitted the offer dies.

**Important:** No modifications to the original offer are authorized. A successor shall **not** modify or revise the original offer.

**Note:** See 2-CRP, paragraph 278.

If the offer was submitted from multiple producers, and 1 of the producers die, the remaining producers can continue the offer and the person or persons acquiring the interest of the deceased may replace the deceased's interest.

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5 Policies Regarding Acceptable Offers (Continued)

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**D**  
**Succession-in-Interest Policy (Continued)**

**Notes:** All other eligibility requirements shall apply to the successor.

No modifications to the original offer are authorized. Successor **cannot** modify or revise the original offer.

Immediate family members include parents, children, siblings, grandparents, adopted children, and spouse.

See 2-CRP, paragraph 278 for succession-in-interest to offers.

When acreage offered for CRP is sold after an offer is submitted and before CRP-1 is approved, the offer becomes void and shall be terminated, unless the:

- new owner is an immediate family member of the producer who submitted the offer
- person who submitted the offer is the operator who will continue to operate the property after ownership transfers.

**Note:** Liquidated damages do not apply when the offer is void because the acreage is sold.

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**E**  
**Signature Requirements for Native Americans**

The signature requirements in 2-CRP, paragraph 157, provide that the requirements for obtaining signatures apply, unless:

- a trustee of BIA representing the Native Americans owning the land signs on their behalf

**Note:** All CRP-1's signed by the BIA representative for Native Americans owning the land shall be reviewed by RA. COC shall **not** approve CRP-1 until RA determines that the required signatures have been obtained.

- a Native American has a restrictive 5-year BIA farm lease that has been extended according to BIA provisions.

**It is not necessary to have Native Americans sign CRP-1 when BIA representative signs on their behalf.**

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**5 Policies Regarding Acceptable Offers (Continued)**

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F

**CP23, Wetland Restoration**

Participants that offered to devote acreage to CP23 must restore the functions and values of the wetland. Only cropped wetlands and the associated uplands not to exceed a 6 to 1 ratio are eligible to be devoted to CP23.

**Note:** A 1-time incentive payment equal to 25 percent of the cost of restoring the **hydrology** of the site is available. The calculation of the 1-time incentive payment does not include any cost related to the associated uplands.

See 2-CRP, paragraph 82 and Exhibit 9.

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**6 Policies Regarding Rejected Offers**

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**Changing CRP-2 Data on Rejected Offers**

Producers shall **not** be allowed to change any of the CRP-2 data, including the rental rate per acre offered or the practice offered, after the offer is determined rejected.

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**7 Establishing or Modifying CRP Practices and Other Conservation Measures**

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**Policy**

Planting timespans for each practice are included in 2-CRP, Exhibit 9. For structural practices that do not include planting timespans, the practice shall be implemented according to the schedule developed by NRCS as identified in the conservation plan.

Producers that offered to thin tree stands to enhance wildlife cover must complete the thinning within the first 3 years of CRP-1 effective date. See 2-CRP, Exhibit 19.

Certain producers agreed to conservation measures that maximized EBI points. All conservation plans must provide for practices and management measures consistent with:

- the offer
- standards and specifications for the practice.

**Example:** To obtain 50 points under EBI subfactor N1a, the producer offered to establish CP2 with a mixed stand of native grasses and legumes best suited for wildlife in the area. The conservation plan shall reflect the producer's agreement.

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## Notice CRP-336

### 7 Establishing or Modifying CRP Practices and Other Conservation Measures (Continued)

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#### B

##### **Timing for New Acreage**

2-CRP, subparagraph 210 B, provides that producers may begin establishing approved practices:

- after submitting the offer to the Service Center
- when notified that CRP-1 has been approved.

Producers shall be notified that starting a practice before final approval of CRP-1 is at the producer's own risk.

**Important:** Cost shares shall **not** be paid unless CRP-1 is approved and the cover meets the standards and specifications of the practice.

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#### C

##### **Timing for Reoffered CRP Acreage**

After the new CRP-1 is approved, producers who offered existing CRP acreage may immediately begin establishing approved practices without being considered in violation of the existing CRP-1. Participants may remove the existing cover if required in the conservation plan. However, the prohibition against commercial use continues to apply. Therefore, haying, grazing, and any other commercial use of the cover is prohibited unless otherwise authorized by DAFP.

Producers shall be notified that starting a practice before final approval of CRP-1 is at the producer's own risk.

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#### D

##### **Other Information About Conservation Plans**

NRCS has the technical responsibility to develop conservation plans. For offers with CP10, CP11, or CP12, NRCS will substitute SCS LTP-11A with CPA-68 or other State-approved electronic forms.

**Note:** Service forester shall provide a tree planting and/or tree thinning plan for those practices that FS has technical responsibility.

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## 8 CRP HEL Provisions

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### A Policy

2-CRP, subparagraph 341 A, provides that CRP HEL provisions apply only to CRP participants who are owners of HEL purchased after November 28, 1990:

- in counties that have not reached or exceeded the 25 percent cropland limitation
- with CRP-1's accepted during the tenth and subsequent signup periods
- that was not planted to an agricultural commodity other than a forage crop in 1 of the most recent 5 crop years

**Note:** For the purposes of this provision, acreage enrolled in CRP is considered planted to an agricultural commodity.

- earning CRP benefits.

When the CRP acreage is physically located in a county that has not reached or exceeded the 25 percent cropland limitation, CRP HEL provisions apply regardless of the location of the purchased acreage or the office in which the records are administered.

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## 9 County Cropland Limitation

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### A Applying County Cropland Limit

Currently, all county cropland limitation calculations and waivers are based on the **administrative** location of the acreage. For counties that have met or exceeded the authorized county cropland limitation based on **administrative** location, offers for land that is **physically** located in another county may be processed only if the county where the land is physically located has **not** reached or exceeded the county cropland limitation and the EBI score for the offer is equal to or greater than the EBI cutoff score for that county.

**Example:** Orange County, Indiana, has met or exceeded the cropland limitation for that county. Mary Producer offered land that is **administratively** located in Orange County, but is **physically** located in Washington County, Indiana. Mary Producer's offer could be accepted if:

- Washington County has not reached or exceeded its cropland limitation
  - accepting the offer would not cause Washington County's cropland limitation to be exceeded
  - the EBI score is equal to or greater than the EBI cutoff score for Washington County.
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9 County Cropland Limitation (Continued)

**A**  
**Applying County**  
**Cropland Limit**  
**(Continued)**

The county cropland limitation is applied to each applicable separate subcounty office based on the cropland in the subcounty area. The following counties are divided into 2 or more subcounty areas.

Subcounty	State	Subcounty	State
East Pottawattamie	Iowa	East Otter Tail	Minnesota
West Pottawattamie		West Otter Tail	
		East Polk	Minnesota
		West Polk	
Houlton	Maine	North Saint Louis	Minnesota
Aroostook		South Saint Louis	
Fort Kent		East Lucas	Ohio
	West Lucas		

**B**  
**STC Waiver**  
**Authority**

2-CRP, Part 12, provides STC's the authority to waive, under certain conditions, the 25 percent cropland limitation applicable to acreage enrolled in CRP and WRP. Acceptable offers, identified in Exhibit 3, when combined with acreage under WRP easement, will not cause CRP and WRP enrollment to exceed the authorized percent of the cropland in any county.

STC's may continue to approve COC requests for waivers of the 25 percent limitation not to exceed 30 percent if **both** of the requirements of 2-CRP, subparagraph 255 A, are met. However, any offers accepted in excess of the authorized percent limitation shall not exceed both of the following:

- the State acreage limitation in Exhibit 2
- 30 percent of the total cropland amount recorded in the CRP software.

**Note:** STC's shall notify CEPD when a county has been granted a waiver of the 25 percent cropland limitation, not to exceed 30 percent, according to 2-CRP, paragraph 255.

Continued on the next page

**9 County Cropland Limitation (Continued)**

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**B  
STC Waiver  
Authority  
(Continued)**

For county cropland situations where there are multiple offers at the same EBI score, select the offers with the least expensive annual rental rate per acre. Approval of offers must not exceed the approved county cropland limitation.

**Example:** Decatur County, Indiana, has 250 acres remaining until it would exceed the approved county cropland limitation. There are 5 offers, all with the same EBI, that total 300 acres. The offers would be ranked by the per acre rental rate and selected in the following order.

Offer	Acres on Offer	Remaining Acres
		250.0
Offer A - \$59 per acre	95.0	155.0
Offer B - \$64 per acre	125.0	30.0
Offer C - \$74 per acre	55.0	
Offer D - \$78 per acre	20.0	
Offer E - \$79 per acre	5.0	

Accept offers A and B. Insufficient acreage would be available to accept offers C, D, and E.

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**10 CRP and AMTA**

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**A  
Policy**

Before notifying any producer that an offer was determined acceptable, the Service Center shall ensure that the farm's total PFC and CRP acreage, excluding marginal pastureland, does not exceed the farm's effective agricultural use land. PFC acreage may need to be reduced because of CRP participation. Farms with CAB's released from CRP must have sufficient cropland to enroll in PFC. See 1-PF.

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11 Action

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**A**  
**Service Center**  
**Processing of**  
**Acceptable and**  
**Rejected Offers**

To process acceptable and rejected offers, Service Centers shall:

- set workload priorities and plan office activities to devote all available resources to CRP
- review and change the offer data according to paragraph 3
- ensure that **all** offers with post-acceptable notice activity are awarded a minimum of 5 points for subfactor N1b

**Important:** All offers with post-acceptable notice activity, such as erroneous and omitted offers, technical redeterminations, or offers for which an appeal was filed, must be reviewed to ensure that a minimum of 5 points is awarded for subfactor N1b. Any change to subfactor N1b will result in a change to factor N1 and may change the score for factor N6. See subparagraph 3 B.

- initiate State Office processing of any erroneous or omitted offers in the county according to subparagraphs 4 D and 4 E

**Notes:** All corrected erroneous offers and omitted offers must be entered into System/36 before being submitted to the State Office. A copy of Screen EPEA0430 must be submitted to the State Office with each offer.

Service Centers with access to the Intranet may use the EBI calculator to calculate the total EBI score according to paragraph 2. This is only a tool to assist the Service Center. All erroneous and omitted offers shall be submitted to State Offices for processing according to paragraph 4.

- conduct an eligibility review according to 2-CRP, paragraph 223
- conduct a second-party review of all CRP-2 data before notifying producers of acceptable offers including verifying the correct CRP-1 effective date of October 1, 1999

**Note:** See 2-CRP, paragraph 223.5

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Continued on the next page

## Notice CRP-336

### 11 Action (Continued)

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#### A

#### Service Center Processing of Acceptable and Rejected Offers (Continued)

- immediately notify producers of their acceptable and rejected offers, according to this notice using CRP-23 and CRP-26

**Notes:** See 2-CRP, Exhibit 12 for examples of CRP-23 and CRP-26.

Include the fact sheet regarding the continuous signup provisions with CRP-26.

See subparagraph C for additional procedure for rejected offers.

- upon request, release all general information used to calculate payment rates and EBI scores.

**Note:** This general information requirement does not include information about individual offers or producers that cannot be released under 2-INFO.

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#### B

#### Service Center Action for Preparing CRP-1 for Approval

To prepare CRP-1 for approval, Service Centers shall:

- review 2-CRP, Part 10, for activities to complete before approving CRP-1
- ensure that the offer was awarded a minimum of 5 points for subfactor N1b
- ensure that practices accepted under continuous signup provisions, offered during signup 18, are recorded as signup 19 contracts
- **not** combine accepted offers for multiple tracts on the same CRP-1.

**Note:** Separate CRP-1's must be completed:

- if separate CRP-2's are completed
- for practices with different lifespans.

**Important:** Practice lifespan requirements provide that lifespans will equal the CRP-1 period for all contracts. Practices of different lengths require separate CRP-1's.

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## Notice CRP-336

### 11 Action (Continued)

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#### C

##### **Service Center Action for Rejected Offers**

Service Centers, with NRCS assistance, shall assist producers whose offers were not determined acceptable with:

- technical assistance for bringing acreage back into production
  - conservation compliance provisions
  - understanding how their offer could have been adjusted to be more competitive
  - information about enrolling in AMTA, if applicable.
- 

#### D

##### **State Office Action**

State Offices shall:

- set workload priorities and plan office activities to devote all available resources to CRP
- ensure that all applicable Service Centers:
  - change all applicable offers in System/36 to award a minimum of 5 points for subfactor N1b and make applicable corrections to factors N1 and N6
  - received a copy of this notice by FedEx from KCMO within 2 calendar days of State Office receipt

**Note:** If the notice is not received by Service Centers within this timeframe, State Offices shall telephone Paul Harte at 816-926-6014 and provide the county code of the Service Centers that did not receive the notice.

- properly follow the processes outlined in this notice
  - begin notification to producers immediately upon completing required actions as provided in this notice
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## Notice CRP-336

### 11 Action (Continued)

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#### D

#### State Office Action (Continued)

**Note:** Report Service Centers that have not begun notification to producers according to subparagraph A and the reason to the Director, CEPD, Attn: Conservation Programs Branch, by noon eastern time on March 10, 1999.

- calculate the EBI score for any erroneous or omitted offers through July 30, 1999, according to subparagraphs 4 F and 4 G, and provide written notification to the applicable Service Center of the determination

**Note:** State Offices shall access the EBI calculator according to subparagraph 4 G, step 1.

**Important:** State Offices shall not process any offer submitted that does not include:

- reason for the error or omission
  - copy of Screen EPEA0430 to verify the offer was entered into the System/36 offer software
  - initials and dates of corrections
  - a minimum of 5 points for subfactor N1b.
- ensure that the total acreage of errors and omissions, including any waivers of the 25 percent cropland limitation applicable to CRP and WRP that is determined acceptable by State Offices, does not exceed the authorized allocation in Exhibit 2.

After the Secretary's signup 18 announcement, additional information will be posted and may be obtained from the FSA home page on the Internet at: <http://www.fsa.usda.gov/dafp/cepd/crpinfo.htm>.

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**Key Completion Dates**

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Key dates in processing signup 18 offers are identified in this table.

Action	Completion Date
Service Centers shall: <ul style="list-style-type: none"> <li>• review offers in Exhibit 3 for erroneous and omitted records</li> <li>• change offer data in System/36 and CRP-2 for offers in Exhibit 4.</li> </ul>	Immediately
Service Centers shall begin notifying producers with acceptable and rejected offers.	Immediately upon completing actions required in subparagraph 11 A
State Offices shall complete recalculations of EBI scores for erroneous and omitted records.	July 30, 1999
Conservation plans must be completed and approved.	August 30, 1999
CRP-1's must be approved and entered into System/36.	September 30, 1999

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**State Acreage Allocations for Errors, Omissions, Appeals, and Waivers**

The following table contains the acreage limitations that State Offices shall not exceed when reprocessing errors, omissions, appeals, and waivers.

<b>State</b>	<b>Acreage Allocation</b>	<b>State</b>	<b>Acreage Allocation</b>
Alabama	1,339	Nebraska	3,596
Alaska	10	Nevada	0
Arizona	0	New Hampshire	0
Arkansas	1,522	New Jersey	8
California	121	New Mexico	1,118
Colorado	3,783	New York	1,404
Connecticut	5	North Carolina	531
Delaware	5	North Dakota	30,612
Florida	271	Ohio	28,887
Georgia	1,652	Oklahoma	6,830
Hawaii	0	Oregon	579
Idaho	1,314	Pennsylvania	193
Illinois	3,065	Puerto Rico	0
Indiana	2,133	Rhode Island	0
Iowa	3,811	South Carolina	933
Kansas	9,905	South Dakota	20,126
Kentucky	768	Tennessee	990
Louisiana	460	Texas	7,022
Maine	144	Utah	703
Maryland	555	Vermont	0
Massachusetts	0	Virginia	362
Michigan	1,276	Virgin Islands	0
Minnesota	14,172	Washington	1,320
Mississippi	3,556	West Virginia	8
Missouri	2,702	Wisconsin	2,953
Montana	15,198	Wyoming	885

County Offers List

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[The following is for informational purposes:

- KCMO will forward the following:
  - Version 1, to State Offices and Service Centers with acceptable and rejected offers
  - Version 2, to Service Centers with no offers
- lists of acceptable and rejected offers may be obtained from local State Office or Service Center.]

**Offers With Transmitted EBI Scores That Were Changed**

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[KCMO will forward this list of offers with transmitted EBI scores that were changed because of cross-geopolitical boundary inconsistencies regarding subfactor N1b to Service Centers.]