

For: State Offices and Service Centers

**Rescinding CRP-1 HEL Provisions**

Approved by: Deputy Administrator, Farm Programs



**1 Overview**

**A**

**Background**

The FY 2000 Agricultural Appropriations Act, Section 763, rescinded the CRP-1 HEL provision. State Offices were informed in a memorandum, dated October 29, 1999, to immediately suspend enforcement of the CRP-1 HEL provision. Producers, with approved applicable CRP-1's, are no longer restricted from producing agricultural commodities on certain other HEL that was purchased after November 28, 1990.

**B**

**Purpose**

This notice provides:

- policy about rescinding the CRP-1 HEL provision
- a copy of a letter (Exhibit 1) to be mailed to all CRP participants that enrolled after November 28, 1990.

<b>Disposal Date</b>	<b>Distribution</b>
June 1, 2000	State Offices; State Offices relay to Service Centers and NRCS State Offices; FS, 20; CSREES, 5

## Notice CRP-361

### 2 Rescinding CRP-1 HEL

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#### A CRP-1 HEL Provision Rescinded

A memorandum from DAFP, dated October 29, 1999, instructed State Offices to immediately suspend enforcement of the CRP-1 HEL provision.

**Note:** 2-CRP, paragraph 341, was removed by Amendment 16, dated December 1, 1999.

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#### B Notification to Producers

All producers with CRP-1's enrolled since November 28, 1990, CRP signups 10 through 19, must be notified that:

- CRP-1 HEL provisions no longer apply
  - CRP-1 HEL provisions contained in the applicable CRP-1 (Appendix) will not be enforced.
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### 3 Action

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#### A State Office Action

State Offices shall:

- download the letter (Exhibit 1) that shall be signed by CED

**Note:** This letter will be posted on BBS, in the "Notices" library, with the file name "CRP\_hel.pdf".

- reproduce and distribute the letter to Service Centers with this notice
  - ensure that Service Centers mail the letter to all applicable CRP participants
  - provide a copy of this notice to NRCS State Offices.
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## Notice CRP-361

### 3 Action (Continued)

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#### **B**

#### **Service Center Action**

Service Centers shall:

- suspend enforcement of CRP-1 HEL provisions
  - mail the letter to all applicable CRP participants by COB, May 31, 2000
  - provide a copy of this notice to NRCS Field Offices
  - file a copy of the letter in the participant's CRP folder.
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#### **C**

#### **NRCS**

#### **Concurrence**

NRCS National Office has concurred with this notice.

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**Letter to Participants**

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Dear CRP Participant:

You are currently enrolled under 1 or more Conservation Reserve Program (CRP) contract(s) which included a provision about limitations on the use of certain highly erodible land (HEL).

When you enrolled in CRP, you agreed to not produce an agricultural commodity on any other HEL that was purchased after November 28, 1990, that did not have a history of being used to produce an agricultural commodity other than forage crops. This provision was commonly referred to as the CRP-1 HEL provision. The CRP-1 (Appendix) provided to you when you enrolled in CRP and the CRP regulation contained this restriction. CRP participants subject to this provision that produced an agricultural commodity on such land were considered in violation of the CRP contract.

The FY 2000 Agriculture Appropriations Act rescinded the CRP-1 HEL provision. Therefore, you are no longer restricted from producing an agricultural commodity on any other HEL that was purchased after November 28, 1990. That part of the CRP-1 (Appendix) regarding the CRP-1 HEL provision will not be enforced. However, all other terms and conditions of the CRP contract and applicable CRP-1 (Appendix) apply. Our decision to not enforce the applicable CRP-1 HEL provision should not be construed as waiving any other rights or remedies afforded in the CRP-1 (Appendix).

If you have any questions about the rescission of the CRP-1 HEL provision, please contact your local Service Center.

Sincerely,

County Executive Director