

For: State and County Offices

2000 Emergency Haying of CRP Acreage

Approved by: Deputy Administrator, Farm Programs



1 Overview

A

Background

The Food Security Act of 1985, as amended, provides, in the case of a natural disaster, authority to allow haying and grazing of CRP acreage.

In some areas, severe weather conditions during 2000 and carry over effects of 1999 drought conditions have depleted hay supplies and affected the growth and yield of hay and pasture in calendar year 2000.

Haying of certain CRP acreage is authorized.

Note: Emergency grazing was authorized on June 1, 2000. See Notice CRP-368.

COC's may request emergency haying for all or part of the county.

For counties that were previously approved for emergency grazing, STC's may submit a 1-page request for emergency haying. The request shall include a detailed description of continuing disaster conditions in the county and explanation of the livestock emergency.

B

Purpose

This notice provides 2000 emergency haying procedure.

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<p>Disposal Date</p> <p>December 1, 2000</p>	<p>Distribution</p> <p>State Offices; State Offices relay to County Offices and NRCS State Offices</p>
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Notice CRP-369

1 Overview (Continued)

C

General Information

DAFP may authorize emergency haying of CRP acreage in all or part of an affected county that has STC concurrence based on a COC request. Requests will be accepted after a severe natural disaster has affected the growth and yield of hay and pasture in calendar year 2000.

Notes: When a county receives authorization for haying in part of a county, the remainder of the county is **not** eligible.

An entire CRP field, which is partially located in an ineligible part of the county, may be hayed as part of the eligible part of the county.

Counties contiguous to an approved county are **not** approved for CRP haying.

Emergency authorization shall be provided for haying from the date of DAFP approval for the county through the earlier of:

- August 31, 2000
- the date STC or COC determines emergency haying is no longer warranted in a county.

Conditions shall be reviewed on a monthly basis to determine whether continued haying is warranted. STC and COC shall review conditions in each county and shall discontinue authorization when conditions no longer warrant emergency haying of CRP acreage.

Only livestock operations located within approved counties are eligible for emergency haying of CRP acreage. Haying privileges may be used at an eligible producer's discretion within the limitations of this notice. CRP participants with acreage in approved counties may lease haying privileges to any eligible livestock producer located in an approved county.

CRP hay shall **not** be sold. CRP hay must be used by the CRP participant or an eligible livestock producer who rents or leases the haying privileges.

Participants haying CRP shall be limited to 1 cutting.

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1 Overview (Continued)

D

Counties Previously Approved for Grazing

For counties that were previously approved for emergency grazing only, STC's may submit a 1-page narrative request for emergency haying. The request shall include a detailed description of continuing disaster conditions in the county and explanation of the livestock emergency. A revised CCC-654 is not required.

E

Eligible Acreage

Acreage eligible for emergency haying includes acreage devoted to practices CP1, CP2, CP4B, CP4D, CP10, CP18B, and CP18C.

F

Ineligible Acreage

Acreage ineligible for emergency haying includes acreage devoted to:

- useful life easements
- land within 100 feet of a stream or other permanent waterbody
- the following practices:

CP3, CP3A, CP4, CP4A, CP5, CP5A, CP6, CP7, CP8, CP8A, CP9, CP11, CP12, CP13A, CP13B, CP13C, CP13D, CP14, CP15, CP15A, CP16, CP16A, CP17, CP17A, CP18, CP18A, CP19, CP20, CP21, CP22, CP23, CP24, and CP25.

G

County Eligibility Criteria

County eligibility is based on COC submitting evidence that the county is suffering from a 40 percent or greater loss in normal hay and pasture production, **and** either of the following conditions exists:

- for drought conditions, precipitation levels indicate an average of 40 percent or greater loss of normal precipitation for the 4 most recent months, plus the days in the current month before the date of request
- for excessive moisture conditions, precipitation levels indicate an average of 140 percent or greater increase in normal precipitation during the 4 most recent consecutive months, plus the days in the current month before the date of request.

Emergency haying shall be confined to the acreage physically located within the boundary of the eligible county, regardless of where the headquarters for the farm is located.

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1 Overview (Continued)

H

General Producer Eligibility Criteria

When emergency haying is authorized, all CRP participants in the approved county or portion of a county are eligible to hay eligible CRP acreage.

Note: CRP participants with acreage in approved counties may rent or lease haying privileges to any eligible livestock producer located in an approved county. CRP hay shall **not** be sold.

2 CRP Haying Provisions

A

General Provisions

CRP participants:

- must, before haying, request approval to hay eligible acreage after the county has received authorization from DAFP
- must obtain a modified conservation plan to include haying requirements, as determined by NRCS

Note: The haying plan must be site specific and reflect the local wildlife needs and concerns.

- shall leave at least 50 percent of each field or contiguous CRP fields unhayed for wildlife
 - shall not sell CRP hay
 - shall remove all hay from all CRP fields by October 1, 2000
 - shall not hay and graze the same CRP acreage
 - shall be assessed a payment reduction based on the number of acres actually hayed multiplied times the CRP annual rental payment multiplied times 25 percent, as applicable, according to subparagraph 3 A
 - who do **not** own or lease livestock, may rent or lease the haying privilege to an eligible livestock producer located in an approved county. CRP participants who rent or lease the haying privilege to an eligible livestock producer shall:
 - inform the County Office of the producer's name
 - identify the acreage to be hayed on an aerial photocopy.
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2 CRP Haying Provisions (Continued)

A

General Provisions (Continued)

Eligible livestock producers who are renting or leasing eligible acreage from a CRP participant, before any haying occurs, shall:

- sign a statement that he or she will not sublease CRP acreage or sell CRP hay
- receive notification of approval, in writing, from COC. A copy of the notification shall be given to the CRP participant.

Participants who hay CRP acreage without approval, or fail to follow this notice, will be subject to the noncompliance provisions in 2-CRP, paragraph 340.

B

Participant Provisions

CRP participants shall file a request to hay CRP acreage before haying begins. CRP participants shall take the following actions.

Step	Action
1	Identify the acreage to be hayed on an aerial photocopy.
2	Obtain a modified conservation plan to include haying requirements, as determined by NRCS. The haying plan must be site specific and reflect the local wildlife needs and concerns.
3	Record intended use on DF-21. See Exhibit 1.
4	Sign the agreement in Exhibit 2. Note: All participants are required to sign the agreement before haying begins, unless the required payment reduction is paid in advance. When the payment reduction is paid in advance, only 1 signature is required.
5	Leave at least 50 percent of each field or contiguous CRP fields unhayed for wildlife. Uncut portions must be left in a contiguous block where possible.
6	Receive notification of approval, in writing, from COC. Livestock producers who rent or lease acreage from CRP participants shall: <ul style="list-style-type: none"> • sign a statement agreeing not to sublease the CRP acreage or sell the CRP hay • receive notification of approval from COC. Note: A copy of the notification must be given to the CRP participant.

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2 CRP Haying Provisions (Continued)

B
Participant
Provisions
(Continued)

Step	Action
7	Re-establish CRP cover, at their own expense, if the cover fails as a result of emergency haying.
8	Be assessed a payment reduction according to paragraph 3.
9	Haying CRP shall be limited to 1 cutting.
10	CRP participants must remove all hay from all CRP fields by October 1, 2000.
11	Haying shall not be conducted after the earlier of the following: <ul style="list-style-type: none">• August 31, 2000• the date that emergency haying is no longer warranted, as determined by STC or COC.

3 Payment Reductions

A
Haying Payment
Reduction Rates

The FY 2001 CRP-1 annual rental payment scheduled to be made after October 1, 2000, shall be reduced by the number of acres actually hayed in FY 2000, times the CRP per acre annual rental payment, times 25 percent.

The haying payment reduction is for the privilege of haying eligible CRP acreage 1 time from the date of approval through August 31, 2000.

Note: The required reduction may be prepaid by participants approved for haying and recorded according to 3-FI.

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4 Compliance

A Required Spot Checks

To ensure that CRP cover is not damaged, wildlife and associated habitat is protected, and participants are complying with the haying plans, COC's shall spot-check at least 25 percent of the contracts approved for emergency haying. Spot checks shall be completed before September 8, 2000, according to this notice.

B Maintenance Defaults

When unauthorized haying is discovered, follow 2-CRP, paragraph 340, and use the provisions in this table.

IF the maintenance default is on...	THEN...
less than the reported acreage	compute emergency haying payment reduction on the determined acreage.
greater than the reported acreage and COC determines the participant made a good faith effort to comply	compute emergency haying payment reduction on the reported acreage and assess a payment reduction on the acres in excess of the reported acreage according to 2-CRP, paragraph 340.
greater than the reported acreage and COC determines the participant did not make a good faith effort to comply	terminate CRP-1 according to 2-CRP, paragraph 288.

5 Producer Reporting Requirements

A Reporting Haying Activity

Participants must report the number of acres hayed by the earlier of:

- September 1, 2000
- 10 calendar days from the date notified by the County Office that emergency haying has ended.

Notes: Haying CRP shall be limited to 1 cutting.

Participants shall not conduct haying after:

- August 31, 2000
 - they are notified by the County Office that emergency haying is no longer warranted, as determined by STC or COC, regardless of whether prior approval was received.
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6 County Office Action

A
Requesting Authority

COC shall submit requests for authorization for emergency haying of CRP acreage to CEPD, through the State Office. Requests for counties not previously approved for emergency grazing shall include at a minimum:

- CCC-654 that was completed according to Exhibit 3
- detailed narrative written description of disaster conditions in the county
- copy of COC minutes and narrative recommendation
- explanation of livestock emergency and justification of need for emergency measures.

Note: For counties previously approved for emergency grazing, STC's may submit a 1-page narrative request for emergency haying. The request shall include a detailed description of continuing disaster conditions in the county and explanation of the livestock emergency. A revised CCC-654 is not required.

When COC is requesting authorization for emergency haying in only a part of the county, the County Office shall submit:

- CCC-654, completed according to Exhibit 3, for the:
 - entire county
 - affected area
- county map clearly showing the part of the county affected by the disaster

Note: The affected area should be outlined by township boundaries, roads, highways, streams, or other identifiable landmarks.

- detailed written description of disaster conditions in the county.

Note: If the request for part of a county is approved, the part of the county not covered by the request shall **not** be eligible for haying of CRP.

COC shall ensure that an eligible livestock producer, to whom the acreage is rented or leased, is located in an approved county or part of a county, as applicable.

All requests and DAFP determinations, and STC determinations, as applicable, shall be recorded in the COC minutes.

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6 County Office Action (Continued)

A

Requesting Authority (Continued)

COC shall clearly document in the COC minutes:

- justification for the request to release CRP for emergency haying
- monthly review of conditions in the county and the basis used to determine whether continued haying is warranted.

STC, or designee, shall thoroughly review COC requests for completeness and make a recommendation before submitting requests to CEPD. Failure to submit complete requests with STC, or designee, recommendation will delay DAFP response.

B

After DAFP Approval

After DAFP approves COC’s request, COC shall notify all participants in the county or part of the county, as applicable, of the authorization to hay CRP acreage by the fastest means possible.

County Offices shall take the following actions.

Step	Action
1	Notify all CRP participants of the provisions in this notice.
2	Require interested participants to sign DF-21 or a similar computer-generated form. Note: Only one CRP participant must sign and date DF-21. Other participant’s agreement will be recognized by signing the agreement in Exhibit 2.
3	Instruct the participant to identify the acreage to be hayed on an aerial photocopy.
4	Require all participants on CRP-1 to sign Exhibit 2, agreeing to the terms and conditions and the payment reduction before haying begins, unless the required reduction is paid in advance. Note: County Offices shall keep the original Exhibit 2 and give a copy to the participant.
5	Require CRP participants, who hayed CRP acres or rented or leased haying privileges, to report the number of acres actually hayed, and sign and date DF-25 (Exhibit 4) by the earlier of: <ul style="list-style-type: none"> • September 1, 2000 • 10 calendar days from the date notified by the County Office that emergency haying authorization has ended.
6	Complete required spot check according to subparagraph 4 A.

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6 County Office Action (Continued)

C

County Office Report

The County Office shall report to the State Office by November 3, 2000, the number of CRP:

- contracts in the county
 - contracts where haying under this authority actually occurred
 - acres actually hayed under this emergency haying authority.
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7 STC Action

A

Requests From COC

STC's, or designee, shall:

- review all COC requests for completeness, factual information, and to verify production loss

Note: COC requests that are incomplete, inaccurate, or do not meet the criteria according to subparagraph 1 F shall be disapproved by STC and **not** submitted to CEPD.

- before FAXing to CEPD, ensure that requests include all required documentation, including STC, or designee, recommendation, according to subparagraph 6 A
- FAX acceptable requests and supporting documentation directly to CEPD at 202-720-4619, after SED, or designee, signs and dates CCC-654, item 49, and checks the appropriate box for STC concurrence
- ensure that all CRP participants have been informed of the provisions in this notice
- ensure that County Offices spot-check the appropriate number of CRP-1's according to subparagraph 4 A
- review the conditions in each county on a monthly basis to determine whether continued haying is warranted

Notes: When weather, pasture, and feed crop conditions improve sufficiently, authority to hay CRP shall be terminated in applicable counties and emergency haying of CRP acreage shall cease.

Each month after approval until August 31, 2000, STC shall clearly document the review of the conditions in each county and the basis to continue or discontinue haying in the STC minutes.

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7 STC Action (Continued)

A

Requests From COC (Continued)

- when a determination is made to cease emergency haying authorization, notify County Offices that participants shall be notified by the County Office that emergency haying authorization has ended and no haying of CRP shall be conducted regardless of whether prior approval was received.
 - notify County Offices of DAFP determination according to subparagraph C.
-

B

STC Report

STC, or designee, shall report to CEPD by FAX (202-720-4619), by November 13, 2000, the number of:

- CRP-1's in the State
- CRP-1's hayed under this emergency haying authority
- CRP acres hayed under this emergency haying authority
- counties where authority to hay ceased before August 31, 2000, because of an improvement in conditions.

Note: Negative reports are required.

C

Notification of DAFP Determination

CEPD shall:

- review requests for completeness, for factual information, and to verify production loss

Notes: All requests submitted that are complete, factual, and contain STC, or designee, recommendation are scheduled to be answered within 1 workday.

Incomplete requests will delay approval by DAFP.

- prepare approval or denial for the request based on the provisions in this notice. Notification shall be made by DAFP to the State Office by FAX.

The State Office shall notify County Offices immediately:

- by telephone or electronic mail after receiving DAFP determination
 - in writing as soon as possible after receiving determination.
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**Conservation Reserve Program
Terms and Conditions for Emergency Haying of CRP Acreage for 2000**

I/We hereby request authority for emergency haying of approved cover on CRP acreage.

I/We understand that:

- a modified conservation plan to include haying, as determined by NRCS, will be obtained
- the CRP participants shall be responsible for re-establishing, at their own expense, any cover destroyed or damaged as a result of participating under this authority, regardless of recommendations or determinations made by NRCS
- haying CRP acreage is limited to **one** cutting
- **50 percent** of each field or contiguous CRP field shall remain uncut in a contiguous block for wildlife
- the same acreage cannot be both hayed and grazed
- all hay shall be removed from CRP fields before October 1, 2000, or noncompliance provisions shall apply.

Check the payment reduction option applicable to this contract:

_____ The payment reduction, as determined by the date approved for haying and the nesting season ending date, has been paid in advance.

_____ The FY 2001 annual rental payment, scheduled to be made after October 1, 2000, will be reduced by the number of acres actually hayed times the per acre annual rental payment times 25 percent.

If acreage hayed is more or less than originally intended, notify the County FSA Office so the CRP annual rental payment can be adjusted accordingly.

CRP-1 is subject to termination or other penalties as may be authorized by the CRP contract and regulations should there be any violation of this haying authority of CRP acreage.

If the payment reduction has not been paid in advance, all signatories on CRP-1 shall sign these conditions **before** haying begins.

CRP-1 No. _____ Farm No. _____ Tract No. _____ Field No. _____

Participants' Signatures/Dates:

CCC-654, County Feed Loss Assessment Report

Use the following instructions to complete CCC-654 for emergency haying of 2000 CRP acreage.

Note: Applicable evaluation period means the most recent 4 months, plus the days in the current month through the date emergency haying is requested.

Item	Instructions
3	Enter date or dates of natural disaster.
4	Check type of natural disaster. If “other”, fully explain.
5	<p>Check type of assistance as “Haying and Grazing of CRP Acreage”. Line through “and Grazing”.</p> <p>Example: Haying and Grazing of CRP Acreage</p>
6	<p>Enter county precipitation data, by month for the applicable evaluation period, in inches and hundredths of inches, in:</p> <ul style="list-style-type: none"> • columns B and C for the 2 preceding years • column D for the current year through the date of request in item 48 • column E for normal precipitation for the entire year. <p>Note: See 8-DF, paragraph 18.</p> <p>Compute the percent of normal precipitation for each month of the applicable evaluation period by dividing the current year precipitation, column D, by the normal year precipitation, column E. Enter the result in column F.</p>
7	<p>Enter county average temperature data, by month, in:</p> <ul style="list-style-type: none"> • column A for normal temperature for the applicable evaluation period • column B for the current year through the date of the request in item 48. <p>Note: See 8-DF, paragraph 18.</p>
8	If “Yes”, clearly describe supplemental feeding actions that producers are taking.
9	If “Yes”, enter numbers and percent above normal for livestock being liquidated, culled, sold off, or moved out of the county and basis for estimates provided.
10	Leave blank.

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CCC-654, County Feed Loss Assessment Report (Continued)

Item	Instructions
11	Leave blank.
12	Enter the types of pasture and normal grazing crops planted or growing in the county. If no pasture or grazing is grown, enter "None".
13	Enter acres of each type of pasture and normal grazing crop planted or growing in the disaster year.
14	Enter AC/AU established by COC according to 8-DF. If carrying capacity is normally measured in AUM's, see 8-DF, subparagraph 73.5 D 2 c to convert AUM's to AC/AU.
15	Enter the normal grazing days remaining in this crop year for each type of pasture and grazing. The grazing period shall not go beyond September 30, 2000.
16	<p>Enter the cost per animal unit per day for pasture and normal grazing.</p> <ul style="list-style-type: none"> • The National Office has established the cost per animal unit at \$.56 per day for 2000. • STC may establish a lesser amount if conditions warrant. Decisions made by STC shall be fully documented STC minutes.
17	Compute the value of normal production. Divide acres grown, column 13, by AC/AU, column 14. Multiply the result times normal grazing days, column 15, times the cost per animal unit, column 16.
18	Enter percent of loss caused by the natural disaster for each type of pasture and normal grazing.
19	Compute the value of the production loss by multiplying the value of normal production, column 17, times the percent of loss, column 18.
21	Enter acres of alfalfa and other hay grown in the disaster year. If no alfalfa or other hay is grown, enter "None".
22	<p>Enter 1995 LFP-approved established yield in tons and hundredths of tons per acre.</p> <p>Note: Yield for other hay shall be the "other hay" yield, approved for 1995 LFP, before it is factored for specific types.</p>

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CCC-654, County Feed Loss Assessment Report (Continued)

Item	Instructions
23	Enter 1995 LFP-approved established cost per ton, rounded to nearest whole dollar. Note: Price for other hay shall be the “other hay” price, approved for 1995 LFP.
24	Compute the value of normal production by multiplying acres grown in the disaster year, column 21, if applicable, times normal yield tons, column 22, times the cost per ton, column 23.
25	Enter the percent of loss caused by the natural disaster for alfalfa and other hay.
26	Compute the value of the production loss by multiplying the value of normal production, column 24, times percent of loss, column 25.
27a	Compute the value of normal production for pasture, normal grazing, alfalfa, and other hay by adding all entries in columns 17 and 24.
27b	Compute the value of production loss for pasture, normal grazing, alfalfa, and other hay by adding all entries in columns 19 and 26.
27c	Compute the weighted average loss for emergency haying by dividing the value of production loss, column 27b, by the value of normal production, column 27a.
28-43	Leave blank.
44	Enter number of acres enrolled in CRP in the county.
45	Enter number or best estimate of roughage-consuming animals in the county.
46	Leave blank.
47	Enter date of COC meeting when determination was made to request emergency haying of CRP acreage.
48	CED shall sign certification and enter date of request.
49	SED, or designee, shall sign, date, and indicate STC action.

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CCC-654, County Feed Loss Assessment Report (Continued)

CCC-654 (Reverse)							
FEED LOSS ASSESSMENT							
PASTURE AND NORMAL GRAZING 12	ACRES GROWN IN DISASTER YEAR 13	ACRU 14	NORMAL GRAZING (DAYS) 15	COST PER (MU) 16	VALUE NORMAL PRODUCTION (Col. 13 x 14 x 15 x 16) 17	PERCENT OF LOSS 18	VALUE PRODUCTION LOSS (Col. 17 x Col. 18) 19
a. Meadow	35,000	5	X 114	X \$.56	\$ 446,880	X 70 %	\$ 312,816
b. Tame	26,000	2	X 84	X \$.56	\$ 611,520	X 50 %	\$ 305,760
c.							
HAY 20	ACRES GROWN IN DISASTER YEAR 21	NORMAL YIELD (TONS) 22	COST PER (TON) 23	VALUE NORMAL PRODUCTION (Col. 21 x 22 x 23) 24	PERCENT OF LOSS 25	VALUE PRODUCTION LOSS (Col. 24 x Col. 25) 26	
a. Alfaifa	20,100	X 3.5	X \$ 93	\$ 6,542,550	X 45 %	\$ 2,944,147	
b. Other Hay	34,600	X 3.6	X \$ 80	\$ 7,196,800	X 35 %	\$ 2,518,880	
27. SUBTOTALS ▶					27a. Col. 17 and 24		27b. Col. 19 and 26
27c. Emergency Haying and Grazing Weighted Average Loss (subtotal Col. 27b ÷ subtotal Col. 27a = 41 %)					\$ 14,759,950		\$ 6,059,511
FEED GRAIN CROPS 28	ACRES GROWN IN DISASTER YEAR 29	NORMAL YIELD (Bu./Acr.) 30	COST PER (Bu./Acr.) 31	VALUE NORMAL PRODUCTION (Col. 29 x 30 x 31) 32	PERCENT OF LOSS 33	VALUE PRODUCTION LOSS (Col. 32 x Col. 33) 34	
a.		X	X \$	\$	X %	\$	
b.		X	X \$	\$	X %	\$	
c.		X	X \$	\$	X %	\$	
d.		X	X \$	\$	X %	\$	
e.		X	X \$	\$	X %	\$	
f.		X	X \$	\$	X %	\$	
OTHER ROUGHAGE 35	ACRES GROWN IN DISASTER YEAR 36	NORMAL YIELD (TONS) 37	COST PER (TON) 38	VALUE NORMAL PRODUCTION (Col. 36 x 37 x 38) 39	PERCENT OF LOSS 40	VALUE PRODUCTION LOSS (Col. 39 x Col. 40) 41	
a.		X	X \$	\$	X %	\$	
b.		X	X \$	\$	X %	\$	
c.		X	X \$	\$	X %	\$	
42. TOTALS ▶					42a. Col. 27a, 32, and 39		42b. Col. 27b, 34, and 41
					\$		\$
43. NUMBER OF ACRU ACRES		44. NUMBER OF CRP ACRES		45. NUMBER OF ROUGHAGE CONSUMING ANIMALS		46. LIVESTOCK FEED PROGRAM WEIGHTED AVERAGE LOSS (Total Column 42a ÷ Total Column 42a) %	
		3,201		1,893			
COC AND STC CERTIFICATION							
47. Date of COC meeting when determination was made that a natural disaster has occurred and to request authority for Livestock Feed Assistance <u>April 7, 199X</u>							
48. I certify that the above data is complete and factual to the best of my ability.				SIGNATURE OF CED <i>/s/ Mike Smith</i>		DATE <i>April 9, 199X</i>	
49. SIGNATURE OF SED <i>/s/ Bill Jones</i>				CONCURRED BY THE STC YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		DATE <i>April 12, 199X</i>	

