

For: State and County Offices

CRP Cost-Share Policy Clarification for Water Development and Water Facilities

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A

Background

2-CRP, Exhibit 9 provides that water facilities, water bridges, water gaps, and livestock crossings may be eligible for cost-share for CP21 and CP22 outside the CRP contract acres only when STC determines necessary. Further, drilled wells are not eligible for cost-share for CRP. Only shallow dug or bored wells are eligible components. Fencing is also an eligible component for practices CP21 and CP22.

Recent on-site reviews of CRP practices CP21, Filter Strips, and CP22, Riparian Buffers, indicate significant inconsistencies in the following:

- distance the water facility is located from the filter strip or riparian buffer
- distance the water development is located from the filter strip or riparian buffer
- number of water facilities
- number of water developments
- cost for each water development
- cost for each water facility
- drilled wells were allowed in conflict with 2-CRP.

Continued on the next page

<p>Disposal Date</p> <p>August 1, 2002</p>	<p>Distribution</p> <p>State Offices; State Offices relay to County Offices and NRCS State Offices</p>
---	---

Notice CRP-396

1 Overview (Continued)

B

Purpose

This notice provides guidance and clarification on policy for water development and water facilities outside the contract acreage for filter strips or riparian buffers.

2 Policy

A

Cost-Share Amounts

2-CRP, Exhibit 9 provides that certain components for practices CP21 and CP22 are eligible for cost-share. The following limitations for cost-share eligibility apply:

- cost-share for the total of all water developments per contract shall not exceed \$3,000
- cost-share for the total of all water facilities per contract shall not exceed \$2,000
- cost-share for the total of all pipelines shall not exceed \$2,000
- cost-share per foot of fencing shall not exceed the STC- or COC-established cost for a 3-strand barbed wire fence.

Important: Cost-share is available for the lowest cost option that provides a dependable water source needed to address the resource concerns.

B

Water Developments

Water developments are any of the following:

- spring
 - dug, bored, or drilled well
 - pond.
-

Continued on the next page

2 Policy (Continued)

B
Water
Developments
(Continued)

Producers may receive cost-share if all of the following are met:

- total cost-share for all water developments on a contract shall not exceed \$3,000 per contract
- technical authority (NRCS, FS, Private Sector Vendor) determines, based on the specific site conditions, that a water development is needed to provide water for livestock
- livestock currently graze or normally graze (crop residue) the marginal pasture land or cropland acreage located adjacent to the acreage enrolled in CRP as a filter strip or riparian buffer
- water development is installed according to the NRCS Field Office Technical Guide (FOTG) standard, 2-CRP, and this notice

Note: More than 1 water development per contract may be allowed if needed to provide the water for livestock, and no other technically feasible and economically viable alternatives for water are available.

- water development is the lowest cost option that provides a dependable water source.

Examples: NRCS determines, based on the site conditions, that the producer could construct a \$2,800 spring or a \$2,000 drilled well. Both options would provide dependable water and would address the resource concerns. The \$2,000 drilled well must be selected.

A steep pasture is bisected by a stream. The steep topography and rocky site condition prohibit the crossing of the stream by a pipeline. Two spring developments may be permitted because it is the lowest cost option to provide a dependable water source. The maximum cost-share for both springs may not exceed \$3,000 for the contract.

Continued on the next page

2 Policy (Continued)

C

Water Development Distance From Filter Strip or Riparian Buffer

Water developments may be approved for cost-share for CRP if the water development distance from the filter strip or riparian buffer contract acres are either of the following:

- up to 750 feet from the outer edge of the filter strip or riparian buffer based on COC approval
- up to 1,500 feet from the outer edge of the filter strip or riparian buffer based on STC approval.

Note: Water developments in excess of 1,500 feet from the outer edge of the filter strip or riparian buffer must be submitted to CEPD for approval. See subparagraph J.

D

Water Facilities

Water facilities are any of the following:

- trough
- tank
- fencing, included around the tank or trough
- hydrants and other necessary piping, excluding pipeline to convey water to the watering facility.

Producers may receive cost-share for water facilities if all of the following are met:

- total cost-share payments for water facilities does not exceed \$2,000 per CRP contract
 - technical authority (NRCS, FS, Private Sector Vendor) determines, based on the specific site conditions, that water facilities are needed to provide water for livestock
-

Continued on the next page

2 Policy (Continued)

D

**Water Facilities
(Continued)**

- livestock currently graze or normally graze (crop residue) the marginal pasture land or cropland acreage located adjacent to the acreage enrolled in CRP as a filter strip or riparian buffer
- water facilities are installed according to NRCS FOTG standard, 2-CRP, and this notice.

Note: More than 1 water facility per contract may be allowed if needed to address the resource concern, and no other technically feasible and economically viable alternatives for water are available.

Important: Cost-share is available to provide the lowest cost option that provides a dependable water facility needed to address the resource concerns.

Example: A producer could choose to install 3 water tanks, gravel aprons, and fencing. Each tank, gravel apron, and fencing costs \$1,500 each. The total eligible costs are \$4,500. Because a maximum of \$2,000 is eligible for cost-share, the producer could receive a maximum payment of \$2,000.

E

**Water Facility
Distance From
Filter Strip or
Riparian Buffer**

Water facilities may be approved for cost-share for CRP if the water development distance from the filter strip or riparian buffer contract acres are either of the following:

- less than 750 feet from the outer edge of the filter strip or riparian buffer based on COC approval
- less than 1,500 feet from the outer edge of the filter strip or riparian buffer based on STC approval.

Note: Water facilities in excess of 1,500 feet from the outer edge of the filter strip or riparian buffer must be submitted to CEPD for approval. See subparagraph J.

Continued on the next page

2 Policy (Continued)

F

Pipelines

Installing pipelines to convey water to water facilities is eligible for cost-share if all of the following are met:

- total cost-share for the pipeline does not exceed \$2,000 per CRP contract
 - livestock currently graze or normally graze (crop residue) the marginal pasture land or cropland where the filter strip or riparian buffer is located
 - pipeline is installed according to NRCS FOTG standard, 2-CRP, and this notice
 - COC's may approve contracts with pipelines less than 750 feet from the outer edge of the filter strip or riparian buffer
 - STC may approve pipelines less than 1,500 feet from the outer edge of the filter strip or riparian buffer.
-

G

Fencing

Cost-share is available for installing fencing if the following are met:

- fencing is necessary to prohibit livestock access to the CRP acres devoted to filter strips or riparian buffers
- fencing is installed parallel and adjacent to the CRP acreage

Note: For extraordinary cases, if the existing size and width requirements for filter strips or riparian buffers in 2-CRP, Exhibit 9 do not allow for installation of the fence parallel and adjacent to the buffer, these cases may be submitted to CEPD through STC for review.

- cost-share does not exceed the STC- or COC-established cost for a 3-strand barbed wire fence.

Note: Producers may install fencing other than a 3-strand barbed wire fence; however, cost-share is limited to the cost of the 3-strand barbed wire fence.

Important: Cost-share is available only for the lowest cost option that provides adequate fencing needed to address the resource concerns.

Continued on the next page

Notice CRP-396

2 Policy (Continued)

H

Cost

COC and STC should review all cost data for water facilities, water developments, water gaps, and livestock crossings. COC's and STC's should take steps necessary to ensure that components of the practice are essential for the practice and the minimum needed for completing the practice.

I

Livestock Crossing

Livestock crossing is only permitted if it is determined by COC, based on the technical authority finding, that a livestock crossing is essential for implementing the filter strip or riparian buffer. Cost-share for all livestock crossings is limited to \$1,500 per contract.

J

CEPD Waiver Request

Requests for waivers, according to subparagraphs C and E, forwarded to CEPD should include a minimum of the following:

- aerial photograph of the site
 - location of the filter strip or riparian buffer
 - location of current or proposed water facilities
 - location of current or proposed pipelines
 - size of pasture impacted and approximate amount of livestock using the pasture
 - options considered
 - option selected and the rationale for selecting the option
 - estimated costs
 - technical contact person for the plan
 - environmental justification
 - letters of concurrence from the State conservationist and STC
 - any other pertinent documentation to support the request.
-

Notice CRP-396

3 Action

**A
County Office
Action**

FSA County Offices shall:

- review cost data for all water developments, water facilities, water gaps, and livestock crossings
 - immediately provide a copy of this notice to the technical authority at the County Office level
 - follow this notice for approving cost-share for outside the filter strip or riparian buffer area.
-

**B
State Office
Action**

State Offices shall:

- immediately provide a copy of this notice to the technical authority
 - immediately provide a copy of this notice to County Offices
 - ensure that County Offices follow the provisions of this notice.
-

**C
NRCS
Concurrence**

NRCS has concurred with this notice.
