

For: State and County Offices

**Re-Enrolling Expiring CRP-1 Acreage into New CRP-1's for
Conservation Reserve Enhancement Program (CREP)**

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

Notice CRP-549 provided:

- guidance for re-enrolling expiring continuous and general signup CRP-1 acreage into new continuous and Farmable Wetlands Pilot (FWP) signup CRP-1's
- that a future notice would address enrollment of expiring CRP-1's under a CREP agreement.

CRP-1's for:

- continuous signup will first start to expire on September 30, 2007
- CREP signup first start to expire on September 30, 2008.

B Purpose

This notice provides additional guidance to provide for re-enrolling certain expiring CRP-1 acreage into new CRP-1's for CREP.

<p>Disposal Date</p> <p>March 1, 2008</p>	<p>Distribution</p> <p>State Offices; State Offices relay to County Offices and NRCS State Offices</p>
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Notice CRP-569

2 General Policy - Re-enrolling Expiring CRP-1 Acreage Into New CRP-1's for CREP

A Policy

These policies apply:

- expiring CRP-1 acreage is considered basically eligible for CRP enrollment, including needed and feasible eligibility criteria
- CREP agreement provisions apply
- otherwise eligible expiring CRP-1 acreage shall be enrolled under a CREP practice listed in the CREP agreement, even though vegetative covers and other practices already exist on the site

Note: Enrollment in CREP may require participant action to meet CREP agreement requirements.

- otherwise eligible land **not** currently enrolled may be added to adjacent expiring CRP-1 acreage to meet current practice standards under the CREP project's practices, according to the CREP agreement and FSA's 2-CRP State CREP supplement, as determined by NRCS or technical service provider (TSP).

Note: See subparagraph C for payment policies.

B Expiring CRP Contracts with Lands Ineligible for CREP

Land under expiring CRP contract that is ineligible for CREP enrollment includes:

- land under expiring CRP-1's for which there are provisions in the CREP agreement that exclude expiring CRP-1 acreage from enrollment
- land under expiring CRP-1 which does **not** meet the basic land, producer, and practice eligibility requirements as provided for in the CREP agreement
- cropland acres that are subject to an easement, or designated to be subject to an easement, that prohibits crop production at any time during the proposed new CRP-1 period
- marginal pastureland acres that are subject to an easement, or designated to be subject to an easement that requires a resource-conserving cover be maintained during any of the proposed new CREP CRP-1 period
- land permanently inundated with water according to 2-CRP, subparagraph 97 D.

Note: Permanently inundated with water is defined as land that is reasonably expected to be under water through CRP-1 period, with the exception that practices that include water as part of the practice, as applicable, are eligible for reenrollment; such as, CP3A, CP9, CP23, CP23A, CP26, CP27, CP30, CP31, and CP37.

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2 General Policy - Re-enrolling Expiring CRP-1 Acreage Into New CRP-1's for CREP (Continued)

C One-Time and Annual Rental Payments

The following Federal payments are authorized for land under expiring CRP-1 which is enrolled in CREP:

- C/S is **only** authorized for either of the following:
 - additional new land needed to be added to adjacent expiring CRP-1 acreage, if required to meet the current 2-CRP CREP practice standards as determined by NRCS or TSP
 - expenses to meet current CREP agreement practice requirements, as determined by NRCS or TSP

Note: This table provides C/S payment eligibility examples for land under expiring CRP-1 which is enrolled in CREP.

Example	Description
1	<p>An expiring continuous signup CRP-1 with practice CP21, Filter Strips, is offered as practice CP21 under a contract enrolled in CREP. The average width of the practice is 120 feet. NRCS or TSP determines the practice should be an average width of 160 feet to meet current CREP practice standards. The participant may enroll the practice and additional adjacent new land provided the average width enrolled is 160 feet according to an approved conservation plan of operations. C/S may be paid for the additional land required to meet the current 2-CRP practice standard for CRP-1's for CREP.</p> <p>Note: If NRCS or TSP determine that a width less than 160 feet is needed, then only the lesser width would be eligible for enrollment/re-enrollment.</p>
2	<p>Producer offers expiring CRP acreage as an eligible CREP practice. The practice is in compliance and is determined as meeting current practice standards. The producer requests to revise the conservation plan and add a 5 species seeding mix as an interseeding or re-seeding to provide enhanced wildlife habitat benefits. COC may approve CRP-1 and conservation plan; however, since the existing practice and vegetative cover meet the CREP Agreement 2-CRP standards, no additional C/S expense is necessary and COC shall not approve C/S payments.</p>

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2 General Policy - Re-enrolling Expiring CRP-1 Acreage Into New CRP-1's for CREP (Continued)

C One-Time and Annual Rental Payments (Continued)

- practice incentive payments, if/as outlined in the CREP agreement for which additional C/S is authorized by this subparagraph
- Oregon CREP's Federal Cumulative Impact Bonus payments **only** for land that has been enrolled, meets CREP agreement and 2-CRP practices standards, but has **not** received this payment
- other incentives (such as, maintenance and soil rental rate incentives) for land that has **not** been enrolled and meets CREP agreement and 2-CRP practice standards.

3 Action

A State Office Action

State Offices shall ensure that:

- by **September 28, 2007**, State Offices **must** provide copies of this notice to State CREP partners and review the notice provisions with State CREP partners
- County Offices and NRCS State Office receive a copy of this notice
- County Offices implement policy, according to this notice and 2-CRP, for re-enrolled CRP-1's for CREP approved **after** receipt of this notice
- CREP project fact sheet and/or questions and answers lists are updated in consultation with State CREP partners, if/as needed to reflect these provisions.

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3 Action (Continued)

B County Office Action

County Offices shall:

- follow the provisions of this notice and 2-CRP
- notify affected producers of the provisions of this notice
- ensure that COC's approve re-enrolled CRP-1's according to 2-CRP and this notice **after** receipt of this notice and any 2-CRP State supplement CREP amendments
- for all expiring CRP acreage enrolled into new CRP-1's for CREP record on CRP-2C's, the amount of re-enrolled expiring CRP acres under Item 13, "Land Eligibility - Expiring CRP."

Notes: State CREP partners should be notified of this CRP-2C recording technique to facilitate USDA and State CREP payments and CREP reporting.

AS400/System 36 CRP contract software will be modified to prompt users to enter this acreage amount for applicable CRP-1's for CREP.

The amount of acreage listed in CRP-2C, Item 13, "Land Eligibility - Expiring CRP" may be equal to or less than the total acreage on the new CRP-1 depending on whether any new land is to be enrolled with the expiring land.