UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
Washington, DC 20250

Notice CRP-618

For: State Offices and Service Centers

Bottomland Hardwood and Wetland Initiatives

Approved by: Acting Deputy Administrator, Farm Programs

1 Overview

A Background

On October 3, 2008, the Vice President announced his commitment to enhance or restore up to 4 million acres of wetland. As part of this effort, additional incentives will be provided to increase enrollment in the following 4 existing wetland practices:

- CP23, Wetland Restoration, Floodplain
- CP23A, Wetland Restoration, Non-Floodplain
- CP31, Bottomland Timber Establishment on Wetlands
- CP37, Duck Nesting Habitat.

Note: The added incentives are expected to encourage enrollment into these high environmental priority practices, which are components of continuous CRP.

B Purpose

This notice:

- authorizes practice incentive payment (PIP) and signing incentive payment (SIP) for practices CP23, CP23A, CP31, and CP37

- removes the 25 percent wetland restoration incentive (WRI) for practices CP23, CP23A, and CP37

- authorizes the 20 percent soil rental rate (SRR) incentive for practices CP23, CP23A, CP31, and CP37

- amends CP31 practice standards

- obsoletes Notice CRP-616 to amend the note for the example in Exhibit 1, subparagraph B.

Disposal Date	Distribution
March 1, 2009	State Offices; State Offices relay to Service Centers

1 Overview (Continued)

C Timeframe for Implementation

These policy changes become effective **November 3, 2008**.

2 Policy

A PIP Policy

PIP is authorized for CP23, CP23A, CP31, and CP37.

B SIP Policy

SIP is authorized for CP23, CP23A, CP31, and CP37.

C WRI Policy

WRI is no longer authorized for CP23, CP23A, and CP37.

D SRR Incentive

An additional incentive equal to 20 percent of the weighted average SRR is authorized for CP23, CP23A, CP31, and CP37.

Example: The weighted SRR is $50 per acre for CP31. The SRR incentive is 20 percent of $50 or $10 per acre. The maximum payment rate would be $50 per acre plus $10 per acre, plus maintenance ($2 per acre), or $62 per acre.

E Bottomland Timber Establishment on Wetlands

Practice CP31, Bottomland Timber Establishment on Wetlands, has been changed to allow:

- sequestering carbon and enhancing air quality as purposes of the practice
- bald cypress and pond cypress to be considered as native hardwood species within the practice.

3 Outreach and Software

A Outreach

State Offices shall coordinate with Federal, State, and private partners to develop a communications/outreach plan for the Bottomland Hardwood Initiative and these incentives. The communications plan should ensure that potential participants and the public are informed of the policy changes and the benefits to individual farming operations, communities, and society.

B Software

By **October 31, 2008**, these policy changes will be reflected in updates to the following:

- Conservation On-Line System
- Tool for Environmental Resource Results Assessment
- System 36 CRP contract data file.

CRES will **not** be impacted by the changes provided in this notice.

4 Action

A State Office Action

State Offices shall:

- distribute this notice to County Offices and the State Technical Committee
- ensure that County Offices comply with the provisions of this notice.

B County Office Action

County Offices shall follow the provisions of this notice.

CP31 Bottomland Timber Establishment on Wetlands

A Purpose

This practice establishes and provides for the long-term viability of bottomland hardwood forests so they will:

- control sheet, rill, scour, and other erosion
- conserve soil
- reduce water, air, or land pollution
- enhance air and water quality
- sequester carbon
- restore or enhance the natural and beneficial functions of wetlands
- restore or connect wildlife habitat.

B Program Policy

This practice will be applied to eligible lands suitable for growing bottomland hardwood or softwood trees or adapted shrubs that will provide multi-purpose environmental benefits.

Forests established under this practice should include a mix of tree and/or shrub species providing both short- and long-term environmental benefits. Species mix should consist of native hardwoods, including bald cypress and pond cypress, and tree species adapted to hydric/mesic conditions that are typically found in bottomland hardwood systems.

If cottonwood is selected as a component species, it must be silviculturally appropriate for the long-term health and production of the forest established. Hydrologic and soil characteristics must be appropriate for the planting and establishment of the cottonwood species.

Using softwood species shall be limited to being used as nurse trees to established bottomland hardwood trees and the softwoods shall be limited to no more than 25 percent of the trees planted.

Note: CRP participants may sell carbon sequestration credits associated with land enrolled in CRP. Selling carbon sequestration credits is **not** considered commercial use and is **not**, therefore, a violation of CRP-1.

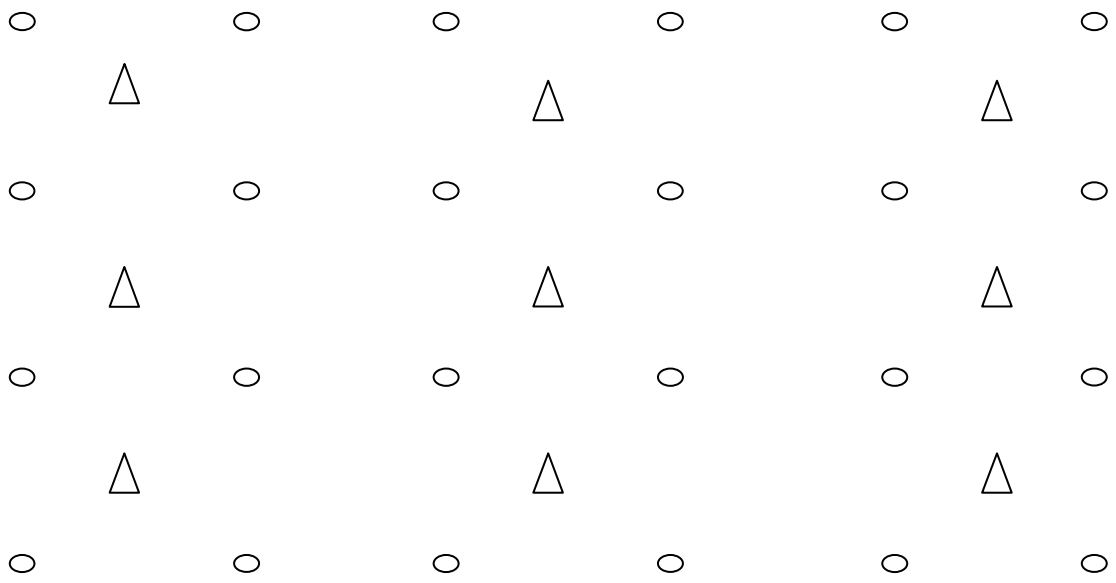
CP31 Bottomland Timber Establishment on Wetlands (Continued)

B Program Policy (Continued)

Example: Participant A enrolls 100 acres as CP31 and selects cottonwood and 3 other silviculturally appropriate hardwood species. The cottonwoods are planted on 12-foot by 12-foot spacing and the other hardwoods are planted on 12-foot by 24-foot spacing. The plan calls for weed and insect control during year 1 and cottonwood thinning during year 15. The cottonwood provides vertical habitat diversity for wildlife and serves as a nurse crop for the other hardwood species in the neighboring rows.

In year 2, Participant A may be eligible to enter into an agreement with a carbon company under which Participant A sells greenhouse gas credits, provided the terms and conditions of the CRP contract are **not** impacted. Participant A and the carbon company are the only parties to this agreement.

The following illustrates a typical cottonwood/other hardwood planting.



⬭	Cottonwood	12-foot by 12-foot spacing
△	Other hardwood	12-foot by 24-foot spacing

Note: 302 x 302 plantings designed to sequester carbon are authorized for cost-share provided technically appropriate for soil/site conditions. In plantings that include cottonwood, management recommendations shall emphasize the establishment and success of a mixed hardwood forest.

CP31 Bottomland Timber Establishment on Wetlands (Continued)

C Eligibility

To be eligible for C/S, this practice shall:

- accomplish either of the following:
  - reduce excessive erosion to an acceptable level and increase sediment trapping efficiencies
  - improve surface or ground water quality
- reduce scour, gully, stream bank, sheet, or rill erosion
- prevent excessive erosion from occurring
- enhance food and cover for wildlife
- sequester carbon and improve air quality
- be maintained for the life of CRP-1
- be included in the approved conservation plan
- be within the recognized 100-year floodplain for a river or stream with permanent flow.

Note: A wetland designation, if needed, shall be made by NRCS.

CP31 Bottomland Timber Establishment on Wetlands (Continued)

D C/S Policy

The following table shows C/S policies for this practice.

IF the component is…	AND the justification is…	THEN C/S is…
to establish a minimum of 3 different varieties of mast producing hardwood trees, cypress, and shrub species **Note:** The hardwood species may include cottonwood planted between the rows of hardwood. The cottonwoods serve as a nurse crop for the other hardwoods and may be thinned after year 9 of the CRP contract.	• to reduce erosion from wind or water • to provide food and cover for waterfowl and other wildlife • to improve surface or ground water quality • to sequester carbon	authorized under Technical Practice Codes 338, 340, 391, 394, 550, 587, 595, 612, 644, 657, 658, and 659.
to establish no more than 25 percent of the silviculturally appropriate softwood species, as determined by STC and determined appropriate by the State Foresters	to enhance 1 of the following: • wetland development • wildlife habitat • hardwood stand health and vigor • air quality	
temporary cover	• required in the practice specifications • needed until required planting stock is available • needed because the normal planting period for the species has passed • to establish a cover where a soil condition, such as chemical residue, will **not** immediately allow establishment of permanent cover	

CP31 Bottomland Timber Establishment on Wetlands (Continued)

D C/S Policy (Continued)

IF the component is…	AND the justification is…	THEN C/S is…
site preparation	specified as necessary in the tree planting plan to establish and maintain the approved cover	authorized under Technical Practice Codes 338, 340, 391, 394, 550, 587, 595, 612, 644, 657, 658, and 659.
herbicides		
insecticides		
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
tree shelters, netting, plastic tubes, or other animal control devices	substantiated as needed by the technician and COC and approved by STC for the designated area as a cost-effective measure to protect seedlings from wildlife damage	
herbicides	to maintain vegetative cover including trees	**not** authorized.
insecticides		
to establish or maintain annual food plots		
roads		
fencing		
to establish hardwood tree species	for nonforestry/conservation benefits, such as for the following: • ornamental purposes • Christmas trees • nursery tree production • production of commercial nuts	

Note: C/S is authorized for the following:

- appropriate site preparation
- establishment of approved tree species
- planting an approved number of trees
- type and timing of management activities suitable for the site/soil conditions and related factors, such as herbaceous competition and suspected animal damage, and consistent with NRCS Field Office Technical Guides and Forest Service/State Foresters technical recommendations for successful practice establishment.

CP31 Bottomland Timber Establishment on Wetlands (Continued)

E Requirements

Requirements for this practice are as follows:

- planting stock should consist of appropriately sized seedlings of known seed source suitable for the site conditions of the area to be planted
- recommendation must be obtained from the State Forester and State Fish and Wildlife Agency certifying that planting cottonwood as a nurse crop is appropriate for the State
- planting cottonwood trees may only be for nurse trees in a pattern appropriate for that purpose
- plantings should consist only of native tree and shrub species adapted to wetlands and hydric soil conditions
- plantings must be protected from destructive fire and shall **not** be harvested or grazed by domestic livestock for the life of CRP-1
- noxious weeds and other undesirable plants, insects, and pests shall be controlled, including such maintenance as necessary to avoid adverse impacts on surrounding land
- chemicals used for performing this practice must be:
  - Federally, State, and locally registered
  - applied according to authorized uses, directions on the label, and other Federal and State policies and requirements
- the practice shall have periodic management activities performed according to the conservation plan, during the life of CRP-1, as determined by COC.

F Planting

Planting after CRP-1 is approved by COC shall be completed by the end of the next normal planting period, unless the producer provides acceptable documentation that seed or tree stock is **not** available.

G Environmental Concerns

Consider preserving and improving the environment, including protection of air and water quality, and wildlife concerns when making technical determinations about types of plantings, spacing, water management structures, and other practice specifications.

CP31 Bottomland Timber Establishment on Wetlands (Continued)

H Practice Maintenance

The practice shall be maintained without additional C/S for the CRP-1 period. C/S shall be refunded if either of the following applies:

- producer destroys the cover during the CRP-1 period
- cover fails to provide adequate enhancement of environmental benefits during the practice lifespan, unless caused by circumstances beyond the producer's control.

Tree thinning or harvesting cottonwoods/nurse trees may be permitted after year 9 of the CRP contract if appropriate for the stand, as determined by the State Forester. The participant must file CRP-37 and forego the annual rental payment for the harvested acreage for the year in which the trees will be removed.

Natural regeneration is an appropriate consideration of practice maintenance provided it is of species composition as described in the conservation plan.

I Management Activity

This practice shall have periodic management activities performed according to the conservation plan, during the life of CRP-1, as determined by COC.

C/S is authorized for management activities.

J Program Development

County programs shall provide for any specifications and requirements, such as site preparation, seed source, and seedling quality, that are conditions for C/S. STC may establish these requirements. Technical specifications may be incorporated by reference.

Program outreach and subsequent practice design and layout goals are to link new forests established under CP31 with existing bottomland hardwoods, providing long-term landscape environmental benefit.

K Technical Responsibility

NRCS, State Forester, or Technical Service Provider shall have technical responsibility for this practice.