UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency Washington, DC 20250 **Notice CRP-819**

For: State and County Offices

Land Tenure Provisions

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Approved by: Acting Deputy Administrator, Farm Programs

1 Overview

A Background

On December 29, 2016, USDA announced the intent to offer land tenure provisions for CRP contract terminations.

The land tenure provisions will be available to CRP participants with acreage devoted to certain practices that meet eligibility criteria. The opportunity for CRP participants to terminate acreage under the land tenure provisions begins January 9, 2017. Effective dates for early contract termination shall be no earlier than the date the land is sold or transferred to the beginning farmer or rancher.

B Purpose

This notice provides:

- policy on land tenure provisions
- instructions for using TERRA to determine eligibility
- instructions for completing updated CRP-41, Conservation Reserve Program Early Termination Agreement (dated 06-09-2016).

Disposal Date	Distribution
July 1, 2017	State Offices; State Offices relay to County Offices

2 Land Tenure Policy

A Eligible Contracts

In FY17, land enrolled under eligible CRP contracts is eligible for termination under the land tenure provisions if the land is transferred by sale or lease to own transaction to either of the following:

- a beginning farmer or rancher as defined in 7 CFR 1410
- a socially disadvantaged farmer or rancher as defined in 7 CFR 1410, including family members.

B Priority Consideration

Acreage terminated under Land Tenure provisions will be eligible for priority enrollment consideration into:

- CRP-Grasslands, if meeting eligibility criteria
- Conservation Stewardship Program (CSP) as determined by NRCS
- Environmental Quality Incentives Program (EQIP) as determined by NRCS.

Note: An applicant who participates in the CRP land tenure option will be given high priority status for ranking purposes under EQIP and CSP as well as a higher payment rate. These participants may also seek advanced payments for practices included in an EQIP contract, if funded. CSP applicants will be encouraged to adopt enhancements and practices that continue to maintain or enhance the practices previously adopted under the previous CRP agreement.

C Eligible Practices

The following practices are eligible for termination under the land tenure provisions:

- CP1, Establishment of Permanent Introduced Grasses and Legumes
- CP2, Establishment of Permanent Native Grasses
- CP3, Tree Planting
- CP10, Grass Already Established
- CP11, Trees Already Established.

Note: All other practices are not eligible for the land tenure provisions.

2 Land Tenure Policy (Continued)

D Ineligible Land

The following land is not eligible for termination under the land tenure provisions:

- land that was transferred before January 9, 2017
- land that was transferred at any time during FY 2017 and a succession in interest to a CRP-1 has already been completed
- land that is located within an average of 120 feet of a perennial stream or other permanent waterbody

Note: A perennial stream is a stream that contains water throughout the year. Other permanent water bodies include a lake or pond that provides at least a seasonal flow of surface water from the water body off the farm.

- land with an erodibility index (EI) of more than 15
- land located within a federally designated wellhead protection area
- land that is covered by an easement under CRP
- land enrolled under CREP.

Example: The CRP participant has 40 acres enrolled under CRP contract as CP1, Introduced Grass. The entire 40 acres has an average EI of 18. The contract is not eligible for land tenure provisions even though the practice is eligible because the land has an EI of more than 15.

Note: See paragraph 4 for instructions for determining eligibility.

E General Provisions

The following are general provisions for the acreage terminated under the land tenure provisions:

• CRP participants shall file CRP-41 to request terminations under the land tenure provisions. See paragraph 3 for instructions for completing CRP-41

Note: Participants may request to terminate all or any portion of the eligible acreage under the CRP contract under the land tenure provisions

Measurement service is available at the participants' expense for partial acreage terminations under the land tenure provisions.

2 Land Tenure Policy (Continued)

E General Provisions (Continued)

- the effective date of the termination under land tenure provisions shall be the date of the transfer
- a prorated annual payment will apply from October 1, 2016, through the date of the land sale/transfer
- payment reductions for noncompliance before the termination under land tenure provisions, if applicable, shall be reduced from the final annual rental payment
- early land preparation provisions, according to 2-CRP, paragraph 637, may be requested in conjunction with land that will be terminated under the land tenure provisions
- land tenure provisions will not affect the ability of the new owner or operator that received the land under land tenure provisions to submit a subsequent offer to enroll the land that was subject to the CRP contract into CRP.

F Payments

Final payment on the acreage terminated under land tenure provisions shall be:

- prorated from October 1, 2016, through the effective date (transfer date)
- disbursed after October 1 during the regular payment cycle for CRP annual rental payments.

The acreage approved on CRP-41 must be terminated according to early contract termination guidance in the CCMS user guide.

G Conservation Plans

County Offices shall instruct landowners requesting land tenure provisions for agricultural purposes to meet with NRCS about proposed land use activities, which may impact their eligibility for other USDA benefits.

Participants approved for land tenure provisions must maintain an applied conservation system or haying or grazing plan until such time as the effective date of the land tenure provisions. 6-CP provisions apply on acreage terminated under the land tenure provisions if the producer intends to receive certain other USDA benefits.

2 Land Tenure Policy (Continued)

H Acreage Reporting Requirements

For FY17, participants shall report acreage terminated under land tenure provisions on FSA-578 as CRP.

For FY18, participants shall report acreage terminated under land tenure provisions on FSA-578 according to 2-CP based on the actual use, **not** as CRP acreage.

End year dates, as provided for in 2-CP, shall be removed on all released acreage.

I Reinstating Crop Acreage Bases

Crop base acres may be reinstated at the beginning of the FY immediately following FY of the termination.

3 Completing CRP-41

A Overview

CRP participants requesting to terminate under the land tenure provisions shall manually complete CRP-41.

B Instructions for Completing CRP-41

Complete the CRP-41 according to the following table.

Item No.	Instructions
1 A	Enter the State code.
1B	Enter the county code.
2	Enter the signup number from the CRP-1.
3 A	Enter the contract number from the CRP-1.
3 B	Enter the expiration date from the CRP-1.
4	Enter the effective date of the termination.
	Note: This date is equal to the date of land transfer. The County Office shall obtain sufficient documentation to determine transfer date according to 2-CRP, subparagraph 126 F before completing termination in CCMS.
5	Enter the farm number.
6 A	Enter the total number of acres under CRP-1.
6 B	Enter the acres requested for the early contract termination.
6 C	Enter the acres eligible for the early contract termination.
7	All CRP-1 participants shall sign and date the CRP-41. If all participant signatures are
through	not obtained, the CRP-41 shall not be approved.
9	
10 A and	COC or CED shall sign and date for approval.
В	
11	Enter the County FSA Office name, address, and telephone number.

3 Completing CRP-41 (Continued)

C Example of CRP-41

The following is an example of CRP-41.

X11 No. 1100	IT OF AGRICULTURE	1A. State Code	1B. County Co	ode	2. Signup Number
06-09-16) Commodity (Credit Corporation	3A. Contract Number	4. Effective Date	te	5. Farm Number
			(MM-DD-YYY		
	RESERVE PROGRAM ATION AGREEMENT	3B. Contract Expiration Date (MM-DD-YYYY)			
		6A. Total Contract Acre	es:		
		6B. Acres Requested for	or Termination:		
		6C. Acres Eligible for T	ermination:		
7. TERMS OF EARLY TERMINAT	TION AGREEMENT	·			
on the date indicated in Item 4 above pro determined eligible. In return, the partici		ves all participant signatures on thi nt prorated to the effective date of	s document and the the termination. T	he acreag The partic	e in Item 6B above is cipant(s) understand that
7. Francisco Turno and Address (A	iolidang Lip 6666)				
7B. Signature (By)	7C. Title/Relationship	of the Individual Signing in a Re	epresentative Ca	apacity	7D. Date (MM-DD-YYYY)
BA. Participants Name and Address (h	ncluding Zip Code)				
		of the Individual Signing in a P	enracentative Ca	anacihy	RD. Date /MM DD VVVV
8B. Signature (By)	8C. Title/Relationship	of the Individual Signing in a Re	epresentative Ca	apacity	8D. Date (MM-DD-YYYY)
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BB. Signature (By) 9A. Participants Name and Address (In 1998). Signature (By) 10A. Signature of CCC Representative 2. Remarks The following statement is made in Commodity Credit Corporation Charmination of an existing ORP-1 or agencies, Tribal agencies, and nos System of Records Note for Inc.	9C. Title/Relationship of state (MM-DD-YY)	of the Individual Signing in a Re (Y) 11. County FSA (Telephone Numb a - as amended). The authority for reque scl of 2014 (F bb. L. 113-79). The informa- scape base information by statute or regulat her requested information is valuntary. H	epresentative Ca Office Name and Der (Area Code): attantion in the used to exist this form may be described as described to weeker, failure to furn	apacity d Addres	9D. Date (MM-DD-YYYY) as (Including Zip Code) In the form is Y CFR Part 1410, the articipant(s) to request early her Federal, State, Local opvernmable Routine Uses identified in the
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4 TERRA

A Instructions for Using TERRA

Determine eligibility using TERRA according to the following table.

Step	Action
1	Open TERRA and select "Continuous Signup 50 HEL" for the signup type.
2	Load the wellhead protection area layer.
3	Create a scenario by digitizing polygon(s) to land tenure of the CRP contract.
4	Select "Cropland" as the sub-portion type.
5	Select "CP1" for grass practices (CP1, CP2, CP10) or "CP3" for tree practices (CP3,
	CP 11) for the purpose of land tenure eligibility verification.
6	Visually inspect and ensure that the polygon(s) are not within a wellhead protection
	area.
7	Visually inspect and ensure that the polygon(s) are not within 120 feet of a
	permanent water body.
8	Users may also use the measure tool or create a 120 foot buffer around the scenario
	polygon. See TERRA_4-1-10_User_Guide_Final located at
	https://sharepoint.fsa.usda.net/states/cepd/userguides/default.aspx.
	Note: If the user is unable to determine distance from a water body using the NAIP
	imagery which is automatically loaded in TERRA, users can manually load a
	hydrology layer.
9	Generate the report.
10	Go to the erodibility index calculations section of the report.
11	Under "Erodibility Calculations Results", if "Wind EI and Water EI" are less than or
10	equal to 15, the land is eligible for the land tenure provisions.
12	Print the report.
13	The "Land Eligibility Information" section of the report will also depict the
	percentage of the offer within the wellhead protection area.

5 Recording Early Contract Terminations in CCMS

A Overview

When early contract terminations are authorized, functionality in CCMS will be activated to record those authorized early terminations. During that period, users will see the option "Propose Early Termination" from the "action to perform" menu.

Recording the early termination will be a three-step process:

- propose early termination
- finalize early termination
- COC approve early termination.

Users will also be able to generate the CRP-41 once the early termination is proposed, by selecting the "CRP-41" link on the View Contract Page.

B Propose Early Termination Overview

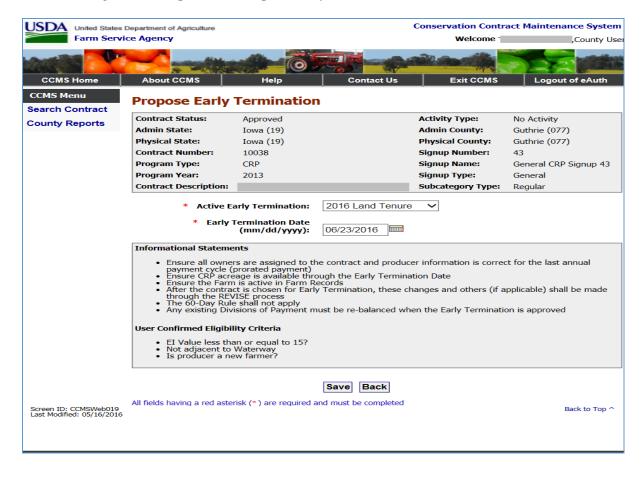
To record an early contract termination, on the View Contract Screen, from the "Select an action to perform" drop-down list, select "Propose Early Termination" and CLICK "Go".

After the user takes the option for Propose Early Termination, they will be taken to the Propose Early Termination Screen. Users will be able to select "Active Early Terminations".

5 Recording Early Contract Terminations in CCMS (Continued)

C Example of the Propose Early Termination Screen

The following is an example of the Propose Early Termination Screen.



5 Recording Early Contract Terminations in CCMS (Continued)

D Propose Early Termination Options

The following table provides the fields, descriptions and actions for the Propose Early Termination Screen.

Field/Button	Description	Action
Contract Status	Will display the current status of the contract.	
Activity Type	Will display "No Activity", "Divide" or "Revise" based	
	on the maintenance being done to the contract.	
Admin State	The administrative State of the contract.	
Admin County	The administrative county of the contract.	
Physical State	The State of physical location of tract for this contract.	
Physical County	The county of the physical location associated with this	
	contract.	
Contract Number	The contract number that was selected on the Select Contract Screen.	
Signup Number	The applicable signup number recorded for this contract.	
Program Type	Will display "CRP".	
Signup Name	The applicable signup name recorded for this contract.	
Program Year	The program year associated with this contract. This	
	value is set for the program year of the first month the	
	contract was effective.	
Signup Type	The applicable signup type recorded for this contract.	
Contract	This field will display the contract description entered in	
Description	the TERRA/COLS process. Will be blank for S36	
	migrated contracts.	
Subcategory Type	The applicable CRP subcategory recorded for this contract.	
Active Early	All active early contract terminations will be displayed in	Select applicable
Termination	the dropdown. If no early contract terminations are active	early termination.
1 0111111111111111111111111111111111111	the dropdown list will be empty.	
Early Termination	Users will enter the date the early contract termination	Enter date in
Date	will become effective.	mm/dd/yyyy format
		or select date from
		the calendar popup.
Save	After the user selects "Save" CCMS will execute a series	CLICK "Save".
	of validations. If any validations fail, error messages will	
	be displayed according to subparagraph E.	
	If all validations pass the user will see the Success	
	Screen. CLICK "ok" to be returned to the View Contract	
	Screen.	
Back	User is returned to the View Contract Screen no data is	CLICK "Back".
	saved.	

5 Recording Early Contract Terminations in CCMS (Continued)

E Propose Early Termination Error Messages

The following table provides the fields, descriptions, and actions for the Propose Early Termination Screen.

Error Message	Description	Corrective Action
{0} Format is invalid. Must be mm/dd/yyyy	Must use valid date format.	Enter date in mm/dd/yyyy format or select date from the calendar popup
{0} is required.	Field is required.	Enter missing data into the applicable field
Active Early Termination Signup is required	Active Early Termination is a required field.	Select the applicable "Active Early Termination".
Early Termination Date is greater than the Contract End Date {0}	The proposed date for the early termination cannot be later than the contract end date	Select a date equal to or before the current end date of the contract.
Early Termination Date is less than the Contract Start Date {0}	The proposed date for the early termination cannot be earlier than the contract start date.	Select a date equal to or after the contract effective start date.
Only one early Termination can be proposed for a contract.	An existing early termination for the contract has been found, and only one can exist per contract.	An early contract termination can no longer be applied to this contract.
The effective date for the Early Termination cannot be earlier than {0}	The early termination date for the contract cannot be earlier than the first possible early termination date for the applicable early termination signup.	Select a date equal to or after the date indicated in the error message.
The effective date for the Early Termination cannot be later than {0}	The early termination date for the contract cannot be later than the last possible early termination date for the applicable early termination signup.	Select a date equal to or before the date indicated in the error message.
There is no active Early Termination enrollment period.	The current date must fall on or between the early termination signup begin date and end date.	Select a date on or between the early termination signup begin date and end date.
This contract is ineligible for Early Termination enrollment because contracts enrolled under a {0} program are not eligible for Early Termination	The CRP program type of the contract must be an approved type for early termination.	An early contract termination cannot be applied to this contract.
This contract is ineligible for Early Termination enrollment because the contract has not been active for a minimum of {0} years	The proposed date for the early termination cannot result in a contract length that is below the minimum allowed contract length based on configuration settings.	An early contract termination cannot be applied to this contract.
This contract is ineligible for Early Termination enrollment because the practices ({0}) are not eligible for early Termination.	All of the practices on the contract must be allowable for early termination in order to propose an early termination, or to modify or finalize a contract with an early termination record.	An early contract termination cannot be applied to this contract.
Your revision includes practice(s) ({0}) that are not eligible for Early Termination.	All of the practices on the contract must be allowable for early termination in order to propose an early termination, or to modify or finalize a contract with an early termination record.	An early contract termination cannot be applied to this contract.

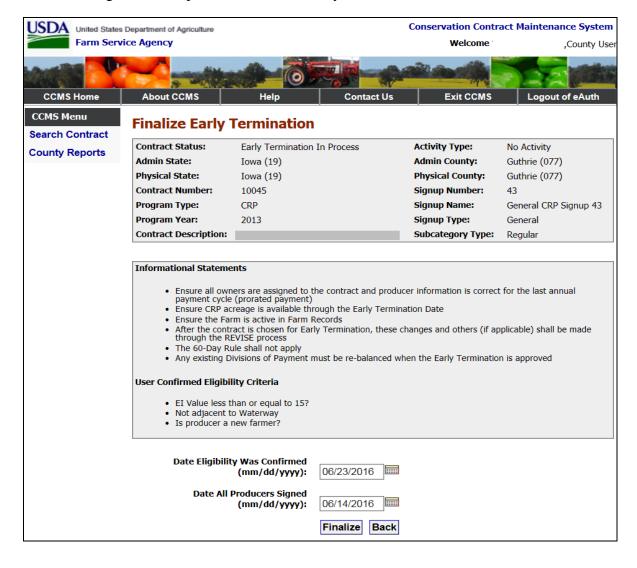
6 CCMS Finalize Early Termination

A Overview

To finalize the early contract termination, on the View Contract Screen from the "Select an action to perform" drop-down list, SELECT "Finalize Early Termination" and CLICK "Go".

B Example of the Finalize Early Termination Screen

The following is an example of the Finalize Early Termination Screen.



6 CCMS Finalize Early Termination (Continued)

C Finalize Early Termination Options

The following table provides the fields, descriptions, and actions for the Finalize Early Termination Screen.

Field/Button	Description	Action
Contract Status	Will display the current status of the contract.	
Activity Type	Will display "No Activity", "Divide" or "Revise"	
	based on the maintenance being done to the contract.	
Admin State	The administrative State of the contract.	
Admin County	The administrative county of the contract.	
Physical State	The State of physical location of tract for this contract.	
Physical County	The county of the physical location associated with this contract.	
Contract Number	The contract number that was selected on the Select Contract Screen.	
Signup Number	The applicable signup number recorded for this contract.	
Program Type	Will display "CRP".	
Signup Name	The applicable signup name recorded for this contract.	
Program Year	The program year associated with this contract. This value is set for the program year of the first month the contract was effective.	
Signup Type	The applicable signup type recorded for this contract.	
Contract Description	This field will display the contract description entered in the TERRA/COLS process. Will be blank for S36 migrated contracts.	
Subcategory Type	The applicable CRP subcategory recorded for this contract.	
Date Eligibility Was Confirmed	Early contract terminations can have eligibility rules that CCMS will not be able to enforce. For example, EBI ratings. These checks will need to be done manually according	Enter the date in mm/dd/yyyy format or select date from the calendar popup
	to the policy that is provided specific to the early termination being applied to the contract. Users will need to enter the date they verified all eligibility on the contract was reviewed and confirmed.	

6 CCMS Finalize Early Termination (Continued)

C Finalize Early Termination Options (Continued)

Field/Button	Description	Action
Date All	Users shall enter the latest signature date on the CRP-41.	Enter the date in
Producers		mm/dd/yyyy format
Signed		or select date from
		the calendar popup.
Finalize	After the user selects "Finalize" CCMS will execute a series of validations. If any validations fail, error messages will be displayed according to subparagraph D. If all validations pass the user will see the Success Screen. CLICK "ok" to be returned to the View Contract Screen.	CLICK "Finalize".
Back	User is returned to the View Contract Screen and no data	CLICK "Back".
	is saved.	

D Finalize Early Termination Error Messages

The following table provides the field descriptions and actions for the Finalize Early Termination Screen.

Error Message	Description	Corrective Action
{0} Format is invalid. Must be	Must use valid date format.	Enter date in
mm/dd/yyyy		mm/dd/yyyy format or
		select date from the
		calendar popup.
{0} is required.	Field is required.	Enter missing data into
		the applicable field.
The date all signatures have been	Producer signatures cannot be a date	Enter a date equal to or
completed cannot be earlier than the	earlier than the start date of the early	after the start date of the
configured Early Termination	termination period.	early termination period.
Enrollment Start Date ({0}) for {1}		
The date all signatures have been	The date all producers signed cannot be a	Enter a date equal to or
completed cannot be later than the	future date.	earlier than the current
current date {0}		date.
The date the eligibility questions were	The date eligibility was confirmed is a	Enter date in
confirmed	required field.	mm/dd/yyyy format or
		select date from the
		calendar popup.
The date the eligibility questions were	The date eligibility was confirmed cannot	Enter a date equal to or
confirmed cannot be earlier than the	be earlier than the configured early	after the start date of the
configured Early Termination	termination enrollment start date.	early termination period.
Enrollment Start Date ({0}) for {1}		
The date the eligibility questions were	The date eligibility was confirmed cannot	Enter a date equal to or
confirmed cannot be later than the	be later than the current date.	before the current date.
current date {0}		

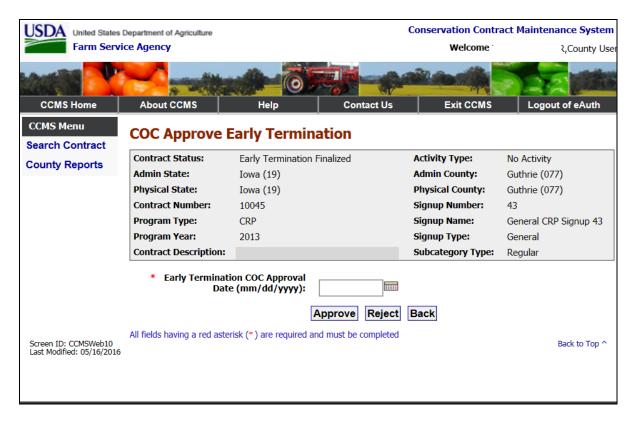
7 CCMS COC Approve Early Termination

A Overview

To record the COC approval of the early contract termination on the View Contract Screen, from the "Select an action to perform" drop-down list, SELECT "COC Approve Early Termination" and CLICK "Go".

B Example of the COC Approve Early Termination Screen

The following is an example of the COC Approve Early Termination Screen.



7 CCMS COC Approve Early Termination (Continued)

C COC Approve Early Termination Options

The following table provides the fields, descriptions, and actions for the COC Approve Early Termination Screen.

Field/Button	Description	Action
Contract Status	Will display the current status of the contract.	
Activity Type	Will display "No Activity", "Divide" or "Revise" based on the maintenance being done to the contract.	
Admin State	The administrative State of the contract.	
Admin County	The administrative county of the contract.	
Physical State	The State of physical location of tract for this contract.	
Physical County	The county of the physical location associated with this contract.	
Contract Number	The contract number that was selected on the Select Contract Screen.	
Signup Number	The applicable signup number recorded for this contract.	
Program Type	Will display "CRP".	
Signup Name	The applicable signup name recorded for this contract.	
Program Year	The program year associated with this contract. This value is set for the program year of the first month the contract was effective.	
Signup Type	The applicable signup type recorded for this contract.	
Contract Description	This field will display the contract description entered in the TERRA/COLS process. Will be blank for S36 migrated contracts.	
Subcategory Type	The applicable CRP subcategory recorded for this contract.	
Early Termination COC Approval Date	The date the COC approved the early termination.	Enter date in mm/dd/yyyy format or use the calendar popup.
Approve	After the user selects "Approve" CCMS will execute a series of validations. If any validations fail, error messages will be displayed according to subparagraph D.	CLICK "Approve".
	If all validations pass the user will see the Success Screen. CLICK "ok" to be returned to the View Contract Screen.	
Reject	Will remove the finalization of the early contract termination and return the user to the View Contract Screen.	CLICK "Reject".
Back	User is returned to the View Contract Screen no data is saved.	CLICK "Back".

7 CCMS COC Approve Early Termination (Continued)

D COC Approve Early Termination Error Messages

The following table provides the fields, descriptions, and actions for the COC Approve Early Termination Screen.

Error Message	Description	Corrective Action
{0} Format is invalid.	Must use valid date format.	Enter date in
Must be mm/dd/yyyy		mm/dd/yyyy format or
		select date from the
		calendar popup.
{0} is required.	Field is required.	Enter missing data into
		the applicable field.
COC Approval date	The COC approval date cannot	Enter a COC approval
cannot be later than the	be later than the current date.	date that is not in the
current date.		future.
No Existing Practices	There are no supporting practices	Reject COC Early
Found	for the acreage type of the	Termination. Revise
	contract.	contract to correct the
		practices, reload the early
		termination.
The COC Approval date	The COC approval date cannot	Enter a date equal to or
cannot be earlier than the	be earlier than the first possible	after the start date of the
configured Early	early termination date.	early termination period
Termination Enrollment		as indicated in the error
Start Date ({0}) for {1}		message.

8 Action

A State Office Action

State Offices shall:

- follow the provisions of this notice
- ensure that County Offices follow the provisions of this notice
- provide a copy of this notice to NRCS
- ensure that County Offices record all terminated CRP-1's in CCMS in a timely manner upon receipt of proof of transfer and COC or CED approval of CRP-41.

B County Office Action

County Offices shall:

- notify all CRP participants about the provisions of this notice as soon as possible
- follow the provisions of this notice
- determine eligibility for land tenure provisions using TERRA according to paragraph 4
- complete CRP-41 according to paragraph 3
- attach a copy of the TERRA report to the CRP-41 highlighting the acreage to be terminated
- file CRP-41 and TERRA report in the CRP contract folder
- immediately notify participants when the request for land tenure is approved and inform them that conservation compliance requirements apply if the acreage is converted to an agriculture use.

Note: Producers determined out of compliance by NRCS may be ineligible to receive USDA benefits.

Immediately notify participants if the request for land tenure is not approved and provide applicable appeal rights according to 1-APP