

For: State and County Offices

Announcing a 30-Year CRP Contract Pilot - CLEAR30

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

On April 29, 2020, FSA announced the availability of a new CRP pilot program, CLEAR30, authorized in the Agricultural Improvement Act of 2018. CLEAR30 provides long-term, water quality benefits by authorizing FSA to enroll eligible land into a 30-year CRP contract.

The new option to enroll into CLEAR30 will be available to land that is:

- physically located within the pilot area
- currently enrolled in certain CRP water quality practices
- expiring on September 30, 2020.

Participants within the pilot area interested in CLEAR30 may offer all or a portion of their expiring land. The pilot area includes all counties in 12 states.

Disposal Date	Distribution
October 1, 2020	State Offices; State Offices relay to County Offices and NRCS State Offices

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1 Overview (Continued)

B Purpose

This notice provides information about:

- CRP CLEAR30 signup 53 period
- eligible pilot area and land
- authorized practices
- payments
- maintenance activities
- compatible uses
- capturing participant interest
- outreach
- deadlines
- State and County Office action.

2 Policy for CRP CLEAR30 Signup 53

A Signup Period

The starting date of CRP CLEAR30 signup 53 for eligible participants to submit offers will be July 6, 2020 with more details in a forthcoming notice. CRP CLEAR30 signup 53 will end COB August 21, 2020.

The National Office will mail a postcard the week of May 11, 2020, announcing the CLEAR30 pilot to participants with an expiring CRP contract with eligible water quality practices for land physically located within the identified pilot States. See Exhibit 2 for an example of the CLEAR30 pilot announcement postcard.

B Eligible Pilot States and Land

CLEAR30 is available statewide in all counties located in Delaware, Illinois, Indiana, Maryland, Michigan, Minnesota, New York, Ohio, Pennsylvania, Virginia, West Virginia, and Wisconsin.

To be eligible, the cropland must be currently enrolled under a CRP contract in a continuous CRP water quality practice, with the contract expiring September 30, 2020. Certain marginal pastureland that is devoted to riparian buffers, wildlife habitat buffers, or wetland buffers is also eligible to enroll in the CLEAR30 pilot, but also must be under a CRP contract expiring on September 30, 2020.

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2 Policy for CRP CLEAR30 Signup 53 (Continued)

B Eligible Pilot States and Land (Continued)

In addition, CRP participants with 14 years or more contracts with certain water quality practices that expired on September 30, 2018, or September 30, 2019, where there was no opportunity for enrollment at contract expiration, the practice under the expired contract has been maintained will be considered expiring, and will have the opportunity to submit an offer in CLEAR30.

Only the following water quality practices qualify for the 2018 and 2019 expiration eligibility:

Practice	Eligible Expiration Year to be Offered into CLEAR30
CP29 – Marginal Pastureland Wildlife Habitat Buffer	2018 and 2019
CP30 – Marginal Pastureland Wetland Buffer	2018
CP31 – Bottomland Timber Establishment on Wetlands	2018 and 2019

Important: Some land enrolled in CRP through a CREP agreement may **not** be eligible for CLEAR 30. The terms and conditions of some CREP agreements prohibit or restrict enrollment of the land after the existing CRP contract expires, such as requiring the land to be placed under an easement or separate agreement with the State that makes the land ineligible for CRP. For land enrolled under a CREP agreement, County Offices must read the agreement to ensure the land is not prohibited from enrollment in CRP before approving a CRP contract under CLEAR30.

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2 Policy for CRP CLEAR30 Signup 53 (Continued)

C Authorized Practices

The current practice **must** be in compliance at the time of offer into CLEAR30. All water quality practices, listed below and physically located within the pilot area are eligible to be offered during CRP CLEAR30 signup 53.

Practice	Title
CP8A	Grass Waterways
CP15A	Establishment of Permanent Vegetative Cover (Contour Grass Strips)
CP15B	Establishment of Permanent Vegetative Cover (Contour Grass Strips) on Terraces
CP21	Filter Strips
CP21B	Denitrifying Bioreactor on Filter Strips
CP21S	Saturated Filter Strips
CP22 1/	Riparian Buffer
CP22B 1/	Denitrifying Bioreactor on Riparian Buffers
CP22S 1/	Saturated Riparian Buffers
CP23 1/	Wetland Restoration
CP23A 1/	Wetland Restoration, Non-floodplain
CP29	Marginal Pastureland Wildlife Habitat Buffer
CP30	Marginal Pastureland Wetland Buffer
CP31 1/	Bottomland Timber Establishment on Wetlands
CP37	Duck Nesting Habitat

1/ The Food Security Act of 1985, as amended, limits re-enrollment of land devoted to hardwood trees to 1 re-enrollment, excluding riparian forested buffers and forested wetlands. Identified practices are **not** limited to 1 re-enrollment.

Note: Participants may offer:

- all or a portion of the expiring acres
- new acres, in addition to the expiring acres, if necessary, to meet the current practice standard according to 2-CRP subparagraph 181F.

D Incentive Payments

Signup incentive payment (SIP) and practice incentive payment (PIP) are not authorized for CLEAR30.

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2 Policy for CRP CLEAR30 Signup 53 (Continued)

E Soil Rental Rates (SRR's)

SRR's for CRP CLEAR30 signup 53 offers and contracts will be at a rate equal to 90 percent of the FY 2020 SRR's listed in Soil Data Management System (SDMS).

To encourage enrollment in the longer-term CLEAR30 contract of 30 years, FSA will also provide a 27.5 percent rental payment adjustment to the weighted average SRR.

The maximum per-acre payment rate for all CLEAR30 signup 53 offers is \$300 per acre.

Rental payments will be issued for CLEAR30 contracts on an annual basis on the same schedule as other CRP contracts.

Example of Annual Rental Payment Calculation:

10 Acre CLEAR30 offer

4 acres of Soil 1 – SDMS rate = \$100 X 4 acres x .90 (continuous factor) = \$360.00

3 acres of Soil 2 – SDMS rate = \$100 X 3 acres x .90 (continuous factor) = \$270.00

2.5 acres of Soil 3 – SDMS rate = \$100 X 2.5 acres x .90 (continuous factor) = \$225.00

Soil	Acres	SDMS Soil Rate	Continuous Factored Soil Rate	Total Rent	Weighted Average SRR
1	4	\$100.00	\$90.00	\$360.00	
2	3	\$100.00	\$90.00	\$270.00	
3	2.5	\$100.00	\$90.00	\$225.00	
Totals	9.5			\$855.00	\$90.00/acre

Total acres in 3 predominate soils = 9.5 acres

Total rent = \$855.00

Weighted Average SRR of 3 predominate soils = \$855/9.5 acres = \$90/acre

Rental Payment Adjustment = \$90.00 x .275 = \$24.75/acre

Maximum rental rate = \$90 + \$24.75 = \$114.75/acre

Annual payment = 10 acres X \$114.75/acre = \$1,147.00/year for 30 years.

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2 Policy for CRP CLEAR30 Signup 53 (Continued)

F Cost-Share

Cost-share is not authorized for CLEAR30 contracts.

G Maintenance Activities and Payments

For the purpose of the CLEAR30 pilot, the following activities are considered “CLEAR30 maintenance” activities and may be eligible for maintenance payments:

- practice establishment/re-establishment as determined by NRCS or TSP throughout the life of the CLEAR30 Contract

Note: The offered practice must be in compliance at the time of the offer according to subparagraph 2C.

- activities needed to maintain the practice and included in the conservation plan
- management activities according to 2-CRP subparagraph 428
- operation and maintenance activities as determined by NRCS monitoring site visits and planning.

CLEAR30 offers assistance to participants to perform maintenance activities throughout the contract period. Participants will have the following 2 options for performing maintenance:

Option 1: Maintain responsibility for cover maintenance.

Option 2: Elect for cover maintenance be performed through an agreement or contract with a third-party vendor.

To assist CLEAR30 participants that elect Option 2, FSA may enter into a contract or agreement with partner organizations or third-party vendors to facilitate completion of required or planned maintenance activities on CLEAR30 contract acreage. Additionally, FSA will engage in periodic monitoring activities to ensure compliance, schedule maintenance activities, and measure practice benefits.

Maintenance payments are authorized for all CLEAR30 maintenance activities, including re-establishment of approved cover, and management done consistent with the conservation plan, NRCS/TSP monitoring, or other documentation made as part of the CRP contract upon completion.

Additional guidance and policy on CLEAR30 maintenance will be provided in a future notice.

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2 Policy for CRP CLEAR30 Signup 53 (Continued)

G Compatible Uses

CLEAR30 will allow the following compatible uses if the use is consistent with the conservation plan and does not degrade water quality or other purposes of the practice:

- hunting and fishing
- managed timber harvest
- periodic haying and grazing.

H Capturing Participant Interest

For CRP CLEAR30 signup 53, the Tool for Environmental Resource Results Assessment (TERRA) and the Conservation Online System (COLS) must be used.

Enhancements are currently being made to these software applications for the automated offer and contracting processes. Procedures for processing and accepting offers will be provided in a forthcoming notice. **Use of manual forms for offers is prohibited.**

Until updated software and related procedures are provided, COF's will capture producer interest in the CLEAR30 program by means of a register. COF's must capture all relevant contact information from interested participants, including a map identifying eligible fields and the expired/expiring water quality practice and contract number.

Example Register:

Date of Contact	Participant Name	Expiring Contract(s) for CLEAR30 Enrollment	CRP Practice	Participant Telephone	Participant E-mail
5/11/2020	Joe S Farmer	100017 & 10002	CP-22	xxx-xxx-xxxx	jsfarmer@yahoo.com

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2 Policy for CRP CLEAR30 Signup 53 (Continued)

I Outreach Responsibilities

Program outreach materials are available on the FSA Outreach Intranet site at <https://inside.fsa.usda.gov/operations/office-of-outreach/program-toolkits/index>.

SED's, STC's, SOC's, DD's, and COC's will ensure applicable County Offices:

- notify producers of CLEAR30 program provisions and signup deadlines using all available sources with available funding
- enter all non-media related CLEAR30 outreach activities into the Outreach Tracking Information System (OTIS) (<https://emso.fsa.usda.gov/otis/outreach/home.aspx>):
 - FSA Program: CRP
 - select "Other Program" and type in "CLEAR30"
 - County Offices must enter actual results after the conclusion of the activity.

Outreach and educational activities may include, but are not limited to:

- sharing all program materials (news releases, fact sheets) with stakeholders
- webinar-based producer meetings to share CLEAR30 provisions.

3 Deadlines for Processing CLEAR30 Offers, Conservation Plans, and Approval in COLS

A Contract Effective Dates

For approved CRP CLEAR30 signup 53 offers, the effective date of CRP contract will be October 1, 2020.

B Approving CRP CLEAR30 Signup 53 Offers

All timely filed eligible offers must be approved by CED or COC on or before COB September 30, 2020.

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3 Deadlines for Processing CLEAR30 Offers, Conservation Plans, and Approval in COLS (Continued)

C Deadlines

The following table provides deadlines for CRP CLEAR30 signup 53 offers.

Date	Action
August 21	<ul style="list-style-type: none">• Deadline for producers to submit signed offers and for FSA to deliver offers to NRCS.• Deadline for County Offices to enter the status in COLS as “Submit for Plan.”
September 11	Deadline for NRCS/TSP to complete the conservation plan, sign, and obtain signatures for all signatories on the CLEAR30 contract and return the conservation plan to FSA.
September 30	Deadline for COC or CED to approve the CRP contract and load CLEAR30 contract approval in COLS.

4 Action

A State Office Action

The National Office will provide additional guidance and policy for CLEAR30 in forthcoming notices. The National Office will provide webinar training to FSA and NRCS State Office Specialists prior to the signup start date of CLEAR30.

State Offices will:

- follow the provisions in this notice
- ensure County Offices follow the provisions in this notice
- ensure County Offices promote CLEAR30 to eligible CRP participants
- submit questions to Virginia Green, Continuous CRP Program Manager, by:
 - e-mail to virginia.green@usda.gov
 - telephone at 202-201-9144.

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4 Action (Continued)

B County Office Action

County Offices must:

- follow the provisions of this notice
- promote CLEAR30 to eligible CRP participants
- capture interested participants on a register
- submit questions to the State Office.

CLEAR30 Pilot Area

CLEAR30 is available statewide in all counties located in Delaware, Illinois, Indiana, Maryland, Michigan, Minnesota, New York, Ohio, Pennsylvania, Virginia, West Virginia, and Wisconsin. The following is a map of the CLEAR30 pilot area.



CLEAR30 Announcement Postcard

The following is an example of the CLEAR30 Announcement Postcard.



The postcard features a background image of a rural landscape with a field and a stream. The USDA logo is in the top left. The main text is centered in white and orange boxes: "CONSERVATION RESERVE PROGRAM (CRP) CLEAR30 PILOT JULY 6 - AUGUST 21, 2020". At the bottom, it says "FARM SERVICE AGENCY".

FIRST TIME EVER OFFERED!

DO NOT MISS THIS OPPORTUNITY to participate in a newly available 30-year pilot program!

Limited eligibility to water quality practices and states in the Great Lakes and Chesapeake Bay areas.

Our records indicate you may be eligible to re-enroll your expiring continuous CRP water quality practice in CLEAR30, which will continue to reduce:

- Sediment loadings
- Nutrient loadings
- Harmful algal blooms

Deadline: August 21, 2020

CALL FSA TO LEARN MORE

USDA Service Centers are open for business by phone appointment only. Call your FSA county office for more information.

Visit farmers.gov/coronavirus for the latest information on available services and the latest status of service centers.

USDA is an equal opportunity provider, employer, and lender.



The back of the postcard contains the following information:

United States Department of Agriculture

USDA

PRESORTED FIRST CLASS MAIL U.S. POSTAGE PAID USDA-FSA PERMIT NO. G-96

Farm Service Agency
1400 Independence Avenue, SW
Washington, DC 20250
STOP 0569

Official Business

CALL FSA TO LEARN MORE!

CONSERVATION RESERVE PROGRAM (CRP)
CLEAR30 PILOT

For local USDA Service Center information, visit farmers.gov/service-locator.

TIME SENSITIVE