

Chapter 3

CURRENT CONSERVATION RESERVE PROGRAM

Current Management—Alternatives to the proposed action...shall...include...no action. 40 CFR 1502.14. [In] updating a land management plan, where ongoing programs initiated under existing legislation and regulations will continue even as new plans are developed..."no action" is "no change" from current management direction or level of management intensity. CEQ Memorandum: Questions and Answers About the NEPA Regulations, 46 FR 18026

This chapter will describe the current (pre-2002 Farm Bill) Conservation Reserve Program (CRP). Each program description covers the authorizing law, the regulations, enrollment eligibility criteria, eligible conservation practices, and statistics for enrollment by State and by conservation practice (CP). Roles of oversight, regulatory, and cooperating agencies in the program at each level are described as well as the legal and regulatory environment that constrains them.

3.1 BACKGROUND

Since the 1930s, USDA has created and administered a broad range of conservation and environmental programs to assist farmers, ranchers, and landowners in conserving and improving soil, water, and other natural resources associated with agricultural land. Emphasis on different policy tools or instruments in USDA conservation programs has shifted over the years, often linked to commodity policy and the health of the agricultural economy.

CRP has its roots in the Agricultural Act of 1956. At that time, the Nation sought to prevent repeating the events that helped cause the Dust Bowl of the 1930's. The Agricultural Act of 1956 created the Soil Bank to help establish a balance between supply and demand by idling 15 to 30 million acres of land planted to surplus commodities. Over its 10-year life, the Soil Bank Program diverted 28.7 million acres to conservation practices on 306,000 farms. As part of the Soil Bank, the Acreage Reserve Program also paid farmers to convert lands planted to surplus commodities into conserving uses in 1956, 1957, and 1958. In the 1960's, annual acreage set-asides were used and some long-term cropland retirement occurred under the Food and Agriculture Act of 1965.

In 1970, the Water Bank Act created the first agricultural program to protect existing wetlands, targeting wetlands in important migratory waterfowl nesting, breeding, or feeding areas. This program provided annual per acre payments and cost-sharing for 10-year contracts to owners of eligible wetlands and adjacent uplands who agreed to protect enrolled areas. The Water Bank Program no longer enrolls acreage and existing contracts have been expiring, but former Water Bank lands are eligible for enrollment in CRP.

The programs were carried through to the 1980's, and by that time, public concern had begun to grow over agricultural erosion and water runoff carrying sediment, nutrients, and chemicals into

streams, rivers, lakes, and other bodies of water. Intensive farming and the conversion of fallow land to production had destroyed habitats, leading to declining populations and causing an increased public awareness of agricultural effects to our environmental resources.

All of USDA's conservation and land set-a-side programs that have been implemented contain some basic strategies that generally tend to contain one or more of the following tools:

- Technical assistance and extension education;
- Cost-sharing assistance for practice installation;
- Public works project activities;
- Rental and easement payments to place land into conservation uses;
- Compliance provisions, which require the implementation of approved conservation plans or the avoidance of certain land use changes if the operator wishes to remain eligible for USDA program benefits; and
- Conservation data and research aimed at developing an information base and improving conservation practices and program delivery.

3.1.1 Development of Current CRP Program

CRP was authorized by Congress in Title XII of the Food Security Act of 1985, extended by the Food, Agriculture, Conservation and Trade Act of 1990, extended to 2002 by the Federal Agriculture Improvement and Reform Act of 1996, and has currently been authorized through 2007 by the Farm Security and Rural Investment Act of 2002.

Food Security Act of 1985

Congress enacted Title XII of the Food Security Act of 1985, which established CRP. This program was a voluntary long-term cropland retirement program providing participants (farm owners, operators, or tenants) with an annual per-acre rent plus half the cost of establishing a permanent land cover (usually grass or trees), and in exchange, the participant retired highly erodible or environmentally sensitive cropland from production for 10 to 15 years. The enrollment mandate established in the 1985 Act was 40 to 45 million acres, and the primary goal of this new program was to reduce soil erosion on highly erodible cropland. Secondary objectives included protecting the Nation's long-run capability to produce food and fiber, reducing sedimentation, improving water quality, fostering wildlife habitat, curbing the production of surplus commodities, and providing income support for farmers.

During 1985-1989, FSA conducted 9 signups and enrolled 33.9 million acres. Rental payments were based on State or sub-State Maximum Acceptable Rental Rates (MARR's) and with a few exceptions, all offers requesting payments at or below the MARR's were accepted.

Food, Agriculture, Conservation and Trade Act of 1990

The Food, Agriculture, Conservation, and Trade Act of 1990 (1990 Act) extended CRP through 1995 and broadened the program's focus to include improving water quality, wildlife habitat, and other environmental goals.

After enactment of the 1990 Act, FSA implemented new eligibility criteria and adopted new soil-specific productivity based rental rate maximums and utilized an environmental benefits index (EBI) to rank offers. The EBI awarded points based on impacts enrolling the land would have on:

- Surface water quality
- Ground water quality
- Soil productivity
- Conservation compliance
- Tree planting
- Water quality priority areas
- National conservation priority areas

The sum of the seven components divided by the rental payment requested by the participant was used for ranking the offers. About 2.5 million acres were accepted during the three signups that were conducted under these provisions, bringing total enrollment in 1993 to 36.4 million acres. Due to subsequent appropriations legislation and budget reconciliation vehicles, further enrollment was prohibited and the authorized enrollment level was reduced, effectively capping CRP enrollment at 36.4 million acres through 1995.

Also, certain acres categorized as Environmental Priority (EP) bids (partial-field bids devoted exclusively to filter strips, shallow water areas for wildlife, field windbreaks, shelter belts, etc.) automatically received maximum environmental factor scores under both national and State ranking plans. Offers for these practices were automatically accepted as long as the rental payment requested did not exceed the maximum rate for the soils on the fields offered.

In December 1994, USDA announced a new emphasis on environmental improvement. CRP participants were allowed to release all or part of the eligible contract acreage before the contract expiration date without incurring a penalty, provided certain provisions were met. This allowed the replacement of early released contract acreage with land yielding greater environmental benefits. The new early release opportunity was available to all acreage enrolled during the first 12 sign-ups, except for:

- Land with an erodibility index of greater than 15;
- Land under a CRP easement;
- Land within 100 feet of a body of water;
- Restored wetlands;
- Land devoted to conservation buffers, including grass waterways, filter strips, riparian buffers, field windbreaks, and shelterbelts; and
- Shallow water areas for wildlife.

Producers elected to withdraw about 684,000 acres and, in 1995, the released acreage was replaced with land enrolled in the 13th signup under a revised and “open” EBI and pre-announced

rental rates. The “open” EBI allowed participants to see their EBI scores of the environmental components while they were making their offers.

As part of the new emphasis on environmental improvement, FSA began allowing enrollment of selected practices on a continuous basis without competition in 1996. An incentive payment, equal to 20 percent of the annual rental rate, was offered for most of these practices. This continuous sign-up was adopted to encourage enrollment of conservation buffers such as filter strips, riparian buffers, grass waterways, and field windbreaks. These practices generally protect water quality (filter strips and riparian buffers) or reduce erosion (windbreaks) more cost-effectively than enrolling whole fields.

In 1995 and 1996, in anticipation of extension of enrollment authority in the upcoming farm bill, FSA allowed 1-year extensions to contracts due to expire in 1995 and in 1996. Contracts were extended on about 85 percent of expiring lands.

Federal Agriculture Improvement and Reform Act of 1996

This law continued CRP at a maximum enrollment of 36.4 million acres at any one time through 2002 and authorized producers to withdraw certain lands from CRP at any time subject to 60-day notice to FSA.

To achieve the highest environmental benefits relative to the cost of the new contracts, the EBI was revised to include a wildlife benefits component. The new wildlife benefits factor awarded points for establishing improved vegetative covers for wildlife, enhancement of threatened and endangered species habitat, and proximity to water and other protected habitat. As a result, millions of acres were converted to multi-species mixtures of native grasses, forbs, and legumes.

The new EBI awarded points for water quality protection (both groundwater and surface water), control of soil erodibility, likelihood of benefits to continue after contract expiration, air quality protection, and location within State and National conservation priority areas. The cost factor was based on the annual rental rates requested by each producer with offers containing the lowest per-acre costs receiving a higher ranking.

Table 3.1-1 Environmental Benefits Index Factors

Wildlife Benefits Factor (N1)				
Subfactor		Basis for Assigning Points		Max Points
Vegetative Cover	N1a	Cover quality and diversity of species planted for wildlife habitat		50
T & E Benefits	N1b	State or Federal threatened or endangered species benefit		15
Proximity to Permanent Water Source	N1c	Location of offered land relative to year-round water source for wildlife		10
Adjacent to Protected Wildlife Habitat	N1d	Proximity of offered land to Federal, State, local, or other wildlife habitat protected for at least the term of the CRP contract		5
Wildlife Enhancements	N1e	Signup 15	Size of offer relative to average field size in State	5
		Signups 16,18,20	Wetland restored or wildlife food plot established	5
Wetland/Upland Benefits	N1f	Ratio of restored wetland to upland to provide optimum nesting habitat for waterfowl		10
Total Points	N1	= N1a/50*(N1a+N1b+N1c+N1d+N1f)		100
Water Quality Benefits (N2)				
Subfactor		Basis for Assigning Points		Max Points
Water Quality Area	N2a	Location within designated State water quality areas		30
Groundwater Quality Benefits	N2b	Relative vulnerability of soils offered and potential population impacted		20
Surface Water Quality Benefits	N2c	Relative sediment delivery potential of soils offered and potential population impacted		40
Wetland Benefits	N2d	Potential water quality improvements from enrollment of cropped wetland		10
Total Points	N2	= N2a+N2b+N2c+N2d		100

On-Farm Erosion Factor (N3)					
Points Assigned Based on Erodibility Index (EI) of Soils Offered *					
EI	Points	EI	Points	EI	Points
4	5	10	35	16	65
5	10	11	40	17	70
6	15	12	45	18	75
7	20	13	50	19	80
8	25	14	55	20	90
9	30	15	60	> 20	100

*No points assigned for EI < 4.

Table 3.1-1 Environmental Benefits Index Factors (con't)

Enduring Benefits Factor (N4)			
Subfactor		Basis for Assigning Points	Max Points
Group 1	N4a	Likelihood practices will remain in place after contract ends (points for tree plantings, wetland restoration and native grass plantings of 5 or more species)	50
Group 2	N4b	Practices likely to remain in place or other considerations (post-CRP obligations, cultural resources, National Register of Historic Places)	25
Total Points	N4	=N4a+N4b, if > 50, assign 50 points	50

Air Quality Benefits (N5)			
Signup	Subfactor	Basis for Assigning Points	Max Points
Signup 15	N5a	Potential wind erosion reduction (wind EI) and potential population impacted	25
Signups 16,18,20	N5a	Potential wind erosion reduction and potential population impacted	25
	N5b	Offer contains volcanic or organic soils susceptible to wind or contribute to non-attainment of air quality standards	5
	N5c	Location within designated air quality zones or non-attainment areas	5
Signup 15	Total Points	N5=N5a	25
Signups 16,18,20	Total Points	N5=N5a+N5b+N5c	35

State or National Conservation Priority Area (N6)		
Factor	Basis for Assigning Points	Max Points
N6	Location within designated State or National conservation priority areas (CPA) and benefits are consistent with established CPA goals	25

Cost Factor (N7)			
Signup	Subfactor	Basis for Assigning Points	Max Points
Signup 15	N7a	Per-acre rental payment requested (Rent) Lower rental payments assigned higher scores based on formula: $N7a = 190 * (1 - \text{Rent}/165)$, where \$165/acre is the highest rental payment allowed	175
	N7b	Points awarded if no cost-share for cover establishment is requested	10
Signups 16,18,20	N7a	Per-acre rental payment requested Lower rental payments assigned higher scores based on formula: $N7a = 125 * (1 - \text{Rent}/165)$, where \$165/acre is the highest rental payment allowed	125
	N7b	Points awarded if no cost-share for cover establishment is requested	10
	N7c	Requested rental payment relative to maximum acceptable payment for soils offered (1 point for each dollar below maximum, up to maximum of 15 points)	15
Total Points	Signup 15	$N7 = N7a + N7b$	200
	Signups 16,18,20	$N7 = N7a + N7b + N7c$	150

Among the other significant changes from earlier sign-ups:

- Producers were given open access to information on how the environmental benefits index was calculated and on the maximum rental payment the Government would accept for their cropland based on their soil's productivity prior to submitting a bid.
- Applicants were free to request any rental amount, but offers that exceeded the soil rental rate maximums were rejected, and requests for less than the maximum increased the likelihood of being accepted.

During general signups (periodic, competitive, nationwide signups, as opposed to continuous signups) held during 1997 through 2000, about 29.7 million acres were enrolled in the program, including about 18.7 million acres under expiring contracts that had been originally enrolled during the first ten signups (1986-1990).

Following enactment of the 1996 Act, FSA created the Conservation Reserve Enhancement Program (CREP), which authorized a State-Federal conservation partnership program targeted to address specific State and nationally significant water quality, soil erosion, and wildlife habitat issues related to agriculture. Signup for CREP is held on a continuous basis, enrollments may include both general and continuous signup practices, and additional financial incentives are provided. Twenty-five agreements are currently in effect in 23 States.

In 2000, additional financial incentives were added for continuous and CREP signup to encourage enrollment. These incentives included up-front signing incentive payments of \$100 to \$150 per-acre depending on length of contract and practice incentive payments equal to 40 percent of some practice establishment costs.

Since 1996, over 2 million acres have been enrolled in continuous and CREP signup including over 1.7 million acres under continuous signup provisions and over 400,000 acres under CREP agreements.

In 2001, the FY 2001 Appropriations Act established the Farmable Wetland Pilot Program (FWPP). This fourth signup type (in addition to general, continuous, and CREP signup types) provided for enrollment on a continuous basis of up to 500,000 acres of small wetlands and adjacent uplands in six States—Nebraska, Iowa, Minnesota, North Dakota, South Dakota, and Montana. About 65,000 acres have been enrolled. See Table S.4-1 in section S.4 of the Summary for an outline of CRP activities.

Land Capability Class and Subclass

USDA’s land capability classification system is the most widely used system for judging the suitability of land for agricultural uses and for enrollment in CRP (see Table 3.1-3). The system is divided into classes I (the lowest) through VIII (the highest), and subclasses e, w, s, and c. The higher the land capability class, the greater the limitations of the soil, and the fewer the choices for appropriate agricultural use.

Table 3.1-2. Land Capability Classes, Subclasses, and Definitions

Land Capability Class	Subclass	Definition
I*		Soil is suitable for cultivated crops; soil has no real significant limitations
II, III		Soil is suitable for cultivated crops
IV		Crops can be established in soil, but only if appropriate rotations and practices are implemented
V, VI, VII		Soil is not suitable for cultivation but is suitable for range forage, pasture, trees, and certain specialty crops or for wildlife habitat
VIII		Soil is limited to wildlife habitat, recreation, or water supply uses
	c	Soil is restricted by climatic conditions
	e	Soil is susceptible to erosion
	s	Soil has limited root zones, which include shallowness, low water holding capacity, low fertility, stoniness, or presence of salt and/or other minerals that are proven toxic to plants
	w	Soil has overload of water caused by poor drainage, seepage, a high water table, or frequent flooding

** All Classes, except I, are divided into subclasses based on the dominant agricultural limitation*

Cropping History Criteria

Except for marginal pastureland, cropping use requirements were as follows:

- Signups 1-9 (1986-1989): Cropped at least 2 years during the 1981-1985 period.
- Signups 10-13 (1990-1995): Cropped in at least 2 years during the 1986-1990 period.
- Signups 14-24 (1996-2002): Cropped in at least 2 of the 5 years preceding enrollment.

<i>Table 3.1-3A. CRP Sign-up Periods and Eligibility Criteria</i>			
SIGNUP NUMBER	DATES	CRITERIA	ACRES CONTRACTED**
1	March 3-14, 1986	A-B	753,668
2	May 5-16, 1986	A-B	2,771,660
3	August 4-15, 1986	A-C	4,703,379
4	February 9-27, 1987	A-D	9,478,599
5	July 20-31, 1987	A-D	4,442,719
6	February 1-19, 1988	A-F	3,375,364
7	July 18-31, 1988	A-F	2,604,901
8	February 6-24, 1989	A-H	2,462,382
9	July 17-August 4, 1989	A-H	3,329,893
10	March 4-15, 1991	A-C, E, G, I-K	475,175
11	July 8-19, 1991	A-C, E, G, I-K	998,211
12	June 15-26, 1992	A-C, E, G, I-K	1,027,444
13	September 11-22, 1995	E, G, I-K	683,390
14	September 3, 1996 - September 30, 1997	L	560,230
15	March 3-28, 1997	G, K, M-O	16,528,345
16	October 14 - November 14, 1997	G, K, M-P	5,849,978
17	October 1, 1997 - September 30, 1998	L, Q	217,276
18	October 26, - December 11, 1998	G, K, M-P, R	4,749,134
19	October 1, 1998 - September 30, 1999	L, Q	266,768
20	January 18 - February 11, 2000	G, K, M-P, R	2,252,616
21	October 1, 1999 - April 6, 2000	L, Q	119,256
22	April 7 - September 30, 2000	L, Q	206,153
23	October 1, 2000 - September 30, 2001	L, Q	470,848

** Data for signups 1-13 based on initially approved contracts.

** Data for signups 14-23 based on active contracts as of June 2002, and may not match amount of acres initially approved due to appeals and other corrections. Signup 23 in progress.

Table 3.1-3. LEGEND

- A** Land capability class VI -VIII
- B** Land capability class II - V with predicted average annual erosion rate of greater than 3T
- C** Land capability class II - V with predicted average annual erosion rate of greater than 2T and with gully erosion
- D** Land with $EI \geq 8$ and predicted average annual erosion rate of greater than T
- E** Land for filter strips alongside wetlands, streams, or other water bodies
- F** Land for tree planting-eligible when 1/3 of field meets criteria A or Class II-V soil with predicted average annual erosion rate of greater than 2T
- G** Land having evidence of scour erosion caused by out-of-bank water flows
- H** Wetland, as follows:
- cropped wetland of at least 6 acres
 - a field of which 1/3 or more is cropped wetland
 - a field of 6 to 9 acres on which wetlands are present.
- I** Land in designated National conservation priority areas
- Chesapeake Bay Region
 - Great Lakes Region
 - Long Island Sound Region
- Land in designated State water quality priority areas
- Public wellhead protection area established by EPA
 - Hydrologic Unit Areas approved by the Secretary
 - Land located in areas designated as Clean Water Act "319" priority areas
- J** Lands to be established in specified eligible practices, including filter strips, riparian buffers, windbreaks, grass waterways, and salt tolerant grass
- Wetland eligibility suspended
- K** Land with an $EI \geq 8$, regardless of the predicted annual erosion rate relative to T
- L** The following acreage is eligible for continuous signup beginning with signup 14:
- Land identified as suitable for field windbreaks, grass waterways, shallow water areas for wildlife, contour grass strips, shelterbelts, living snow fences, salt tolerant vegetation, filter strips, or riparian buffers.
 - Marginal pasture land suitable for riparian buffers devoted to trees.
 - Land within a wellhead protection area established by EPA
- M** Land classified as highly erodible land (HEL) according to conservation compliance provisions.
- N** Land in designated National conservation priority areas
- Chesapeake Bay Region
 - Great Lakes Region
 - Long Island Sound Region
 - Prairie Pothole Region
- Land in designated State water, air, or wildlife quality priority areas
- O** Wetlands, including associated acreage, expiring Water Bank lands, land serving as buffers for non-cropped wetlands
- P** Land to be established in rare and declining habitat
- Q** Land suitable for cross-wind trap strips
- R** Land in the Long Leaf Pine National conservation priority area

3.1.3 Regulations

The regulations governing CRP can be found in 7 CFR, Part 1410, entitled “Conservation Reserve Program,” under the Commodity Credit Corporation (CCC), Subchapter B, entitled “Loans, Purchases, and Other Operations.” These regulations promulgate Departmental Policy, delegate authority, establish responsibility, establish statutory authority or interagency committees, and prescribe procedures governing FSA activities and operations pertaining to the administration and implementation of CRP.

CRP policies and instructions can be found in Handbook 2-CRP (Revision 3). FSA State and county offices and NRCS regional, State, area, and field offices use the polices and instructions provided by this handbook to adhere to general provisions in carrying out agency responsibilities, maintaining useful life easements, approving CRP contracts, making annual rental payments, performing other CRP activities, and for providing cost-share (C/S) policies.

Table 3.1-4 shows the current active CRP acreage predicted to expire in each state between 2003 and 2007. In 2007, the largest amount of active CRP acreage will be expiring at about 16 million acres. Figure 3.1-1 shows the general sign-up conservation practices (CP10, CP2, CP1, CP4) with the most acreage enrolled along with the continuous-CRP (CP23) conservation practice containing the most enrolled acreage and all the other CPs combined.

Fig. 3.1-1. The Conservation Practices (CP) with the Largest Amount of Acreage Enrolled Under General Sign-up CRP, Continuous-CRP, and All other CPs.

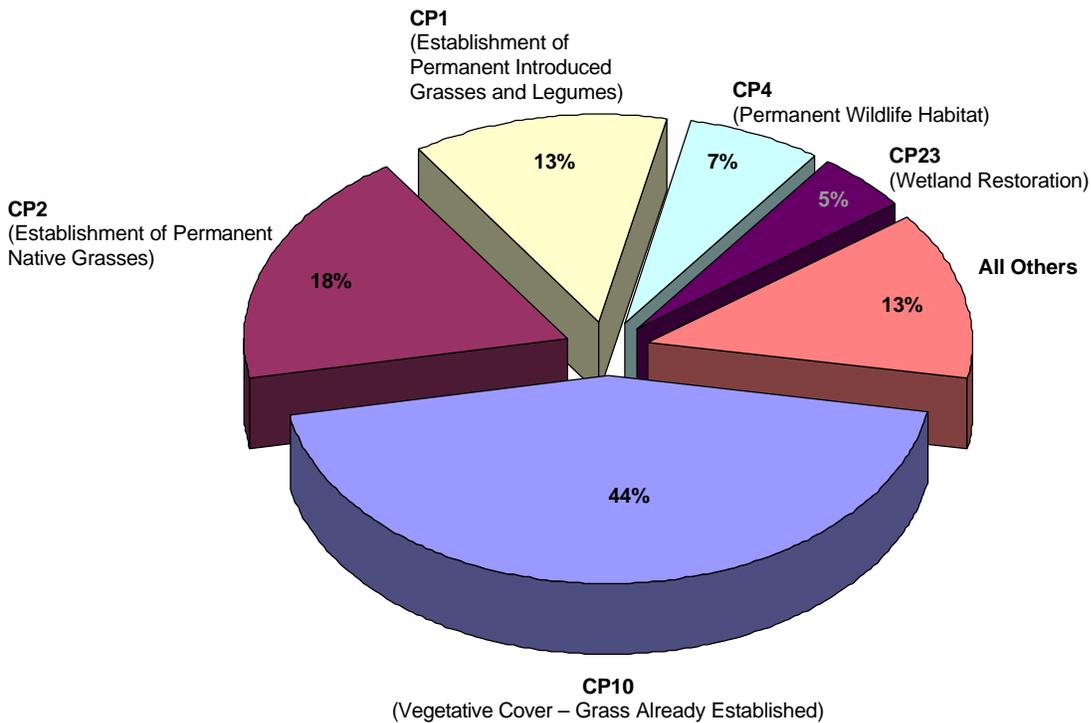


Table 3.1-4. CRP Contract Acreage Expiring in 2003 (Acres)

STATE	CP01	CP02	CP03	CP04	CP10	CP11	CP21	CP22	CP23
ALABAMA	11,043	0	18,109	39	2,140	0	0	0	0
ARKANSAS	4,947	0	10,430	313	1,426	0	0	0	0
CALIFORNIA	1,601	0	0	144	417	0	0	0	0
COLORADO	10,392	11,446	0	0	838	0	0	0	0
FLORIDA	780	0	6,872	0	0	0	0	0	0
GEORGIA	2,248	0	24,322	925	119	0	0	0	0
IDAHO	56,919	0	123	10	3,247	0	0	0	0
ILLINOIS	114,891	2,386	3,547	623	8,066	0	0	0	0
INDIANA	56,046	69	1,807	45	6,803	0	0	0	0
IOWA	134,911	21,299	1,875	696	29,044	0	0	0	0
KANSAS	11,369	49,256	67	188	963	0	0	0	0
KENTUCKY	18,160	73	222	8	4,752	0	0	0	0
LOUISIANA	1,310	0	3,306	1,059	933	0	0	0	0
MAINE	436	0	0	0	474	0	0	0	0
MARYLAND	1,406	0	197	0	87	0	0	0	0
MICHIGAN	67,975	618	4,303	115	28,203	0	0	0	0
MINNESOTA	41,961	8,479	5,503	1,812	9,966	0	0	0	0
MISSISSIPPI	9,765	0	29,004	1,126	2,383	0	0	0	0
MISSOURI	127,139	18,431	2,687	195	17,033	0	0	0	0
MONTANA	58,183	11,832	15	148	2,560	0	0	0	0
NEBRASKA	29,061	29,519	671	427	574	0	0	0	0
NEW JERSEY	40	0	22	0	0	0	0	0	0
NEW MEXICO	0	532	0	0	1,210	0	0	0	0
NEW YORK	1,938	135	503	4	2,959	0	0	0	0
NORTH CAROLINA	3,732	0	5,126	87	319	0	0	0	0
NORTH DAKOTA	25,819	383	152	255	691	0	0	0	0
OHIO	79,426	850	1,198	13	4,682	0	0	0	0
OKLAHOMA	16,001	10,553	106	0	1,274	0	0	0	0
OREGON	10,221	0	6	0	209	0	0	0	0
PENNSYLVANIA	2,168	0	248	2	1,633	0	0	0	0
SOUTH CAROLINA	495	0	6,488	1,736	70	0	0	0	0
SOUTH DAKOTA	21,435	240	25	1,916	2,750	0	0	0	0
TENNESSEE	24,853	24	1,190	27	2,535	0	0	0	0
TEXAS	74,881	91,949	865	0	8,249	0	0	0	0
UTAH	1,772	0	0	0	0	0	0	0	0
VERMONT	6	0	0	0	0	0	0	0	0
VIRGINIA	2,217	0	986	11	186	0	0	0	0
WASHINGTON	55,168	0	268	1,943	1,636	0	0	0	0
WEST VIRGINIA	0	0	0	0	8	0	0	0	0
WISCONSIN	31,409	4,504	9,591	255	44,392	0	0	0	0
WYOMING	178	0	0	0	23	0	0	0	0
TOTAL in 2003	1,112,302	262,578	139,834	14,122	192,854	0	0	0	0

Table 3.1-4. CRP Contract Acreage Expiring 2004 through 2005 (Acres)

STATE	CP01	CP02	CP03	CP04	CP10	CP11	CP21	CP22	CP23
ALABAMA	662	69	4,535	198	3,605	0	0	0	0
ARKANSAS	180	0	3,483	23	206	0	0	0	0
CALIFORNIA	0	0	0	0	2,394	0	0	0	0
COLORADO	601	1,281	0	0	105	0	0	0	0
FLORIDA	153	0	1,802	6	0	0	0	0	0
GEORGIA	204	0	6,520	131	36	0	0	0	0
IDAHO	1,672	0	9	37	1,476	0	0	0	0
ILLINOIS	15,193	360	1,957	153	2,740	0	0	0	0
INDIANA	2,220	44	1,287	48	828	0	0	0	0
IOWA	38,603	3,076	1,188	142	14,224	0	0	0	0
KANSAS	904	8,696	25	28	1,080	0	0	0	0
KENTUCKY	3,346	29	193	0	1,644	0	0	0	0
LOUISIANA	92	0	2,219	0	203	0	0	0	0
MARYLAND	198	2	13	64	145	0	0	0	0
MASSACHUSETTS	0	0	0	0	0	0	0	0	0
MICHIGAN	8,269	151	980	152	6,204	0	0	0	0
MINNESOTA	2,628	1,982	904	115	1,882	0	0	0	0
MISSISSIPPI	1,802	0	25,770	77	1,351	0	0	0	0
MISSOURI	21,962	16,965	1,280	223	10,149	0	0	0	0
MONTANA	26,800	4,881	0	11	778	0	0	0	0
NEBRASKA	7,795	6,913	212	1,089	905	0	0	0	0
NEW HAMPSHIRE	10	0	0	0	0	0	0	0	0
NEW JERSEY	0	0	0	0	8	0	0	0	0
NEW MEXICO	0	3,425	0	0	0	0	0	0	0
NEW YORK	343	159	124	5	2,020	0	0	0	0
NORTH CAROLINA	348	15	1,481	14	90	0	0	0	0
NORTH DAKOTA	16,492	445	10	27	1,875	0	0	0	0
OHIO	3,490	293	450	40	1,073	0	0	0	0
OKLAHOMA	2,822	1,356	15	16	1,464	0	0	0	0
OREGON	0	0	0	0	0	0	0	0	0
PENNSYLVANIA	1,237	0	72	0	2,794	0	0	0	0
PUERTO RICO	0	0	40	0	122	0	0	0	0
SOUTH CAROLINA	274	0	1,570	19	35	0	0	0	0
SOUTH DAKOTA	4,945	1,774	7	121	478	0	0	0	0
TENNESSEE	3,626	52	1,671	124	927	0	0	0	0
TEXAS	13,413	20,540	670	46	1,017	0	0	0	0
VIRGINIA	306	0	150	427	37	0	0	0	0
WASHINGTON	2,154	471	87	24	244	0	0	0	0
WISCONSIN	5,976	1,635	5,026	38	15,232	0	0	0	0
WYOMING	666	0	0	0	0	0	0	0	0
TOTAL in 2005	189,386	74,614	63,750	3,398	77,371	0	0	0	0

Table 3.1-4. CRP Contract Acreage Expiring in 2006 (Acres)

STATE	CP01	CP02	CP03	CP04	CP10	CP11	CP21	CP22	CP23
ALABAMA	338	0	1,733	0	160	0	0	0	0
ARKANSAS	15	0	3,206	0	0	0	0	0	0
COLORADO	368	1,385	0	10	0	0	0	0	0
FLORIDA	9	0	951	0	0	0	0	0	0
GEORGIA	15	0	2,029	53	14	0	0	0	0
IDAHO	1,384	0	31	0	5	0	0	0	0
ILLINOIS	5,427	13	3,143	0	329	0	0	0	0
INDIANA	274	50	3,023	0	10	0	0	0	0
IOWA	8,943	996	1,858	51	2,771	0	0	0	0
KANSAS	636	15,518	47	0	80	0	0	0	0
KENTUCKY	928	0	254	0	95	0	0	0	0
LOUISIANA	0	0	1,861	0	463	0	0	0	0
MARYLAND	3	0	30	4	83	0	0	0	0
MICHIGAN	1,247	60	870	9	667	0	0	0	0
MINNESOTA	246	71	1,411	43	186	0	0	0	0
MISSISSIPPI	908	0	20,147	12	173	0	0	0	0
MISSOURI	7,082	5,355	3,813	208	1,995	0	0	0	0
MONTANA	23,787	3,692	4	0	17	0	0	0	0
NEBRASKA	1,444	2,243	13	497	15	0	0	0	0
NEW MEXICO	0	2,200	0	0	0	0	0	0	0
NEW YORK	24	34	34	1	70	0	0	0	0
NORTH CAROLINA	82	0	27	0	1	0	0	0	0
NORTH DAKOTA	10,649	50	0	13	513	0	0	0	0
OHIO	598	0	332	0	64	0	0	0	0
OKLAHOMA	3,783	2,330	0	470	635	0	0	0	0
OREGON	1,227	0	0	0	0	0	0	0	0
PENNSYLVANIA	500	0	2	0	112	0	0	0	0
SOUTH CAROLINA	0	0	490	39	0	0	0	0	0
SOUTH DAKOTA	6,078	272	0	145	53	0	0	0	0
TENNESSEE	575	0	216	49	115	0	0	0	0
TEXAS	6,200	2,610	281	0	306	0	0	0	0
VIRGINIA	24	44	8	0	0	0	0	0	0
WASHINGTON	7,964	1,186	0	1	130	0	0	0	0
WISCONSIN	840	187	4,790	15	1,258	0	0	0	0
TOTAL in 2006	91,598	38,296	50,604	1,620	10,320	0	0	0	0

Table 3.1-4. CRP Contract Acreage Expiring in 2007 (Acres)

STATE	CP01	CP02	CP03	CP04	CP10	CP11	CP21	CP22	CP23
ALABAMA	2,274	660	26,915	7,491	88,321	106,501	127	42	0
ALASKA	2,733	0	0	11	21,359	0	0	0	0
ARIZONA	0	33	0	0	0	0	0	0	0
ARKANSAS	495	453	5,998	446	21,983	17,560	96	5	434
CALIFORNIA	746	279	67	702	91,586	23	0	0	4,775
COLORADO	36,639	187,197	1	26,482	1,105,689	157	0	16	190
CONNECTICUT	37	0	0	0	131	0	0	0	0
DELAWARE	0	0	0	373	30	51	130	15	0
FLORIDA	52	0	5,092	3,105	1,467	35,161	0	68	0
GEORGIA	308	0	11,396	3,944	5,929	76,595	8	71	281
IDAHO	55,400	368	941	41,881	432,573	1,782	3	80	78
ILLINOIS	27,681	2,209	5,124	4,764	124,415	4,606	15,865	916	103
INDIANA	11,570	3,222	2,726	1,410	46,675	2,687	4,737	74	774
IOWA	95,096	15,882	1,481	8,245	376,736	2,721	13,362	477	1,444
KANSAS	3,078	167,477	311	5,127	1,429,640	1,003	810	297	2,482
KENTUCKY	17,688	2,870	583	300	111,232	1,085	1,215	132	0
LOUISIANA	18	805	6,423	189	15,937	18,746	19	0	98
MAINE	1,252	0	128	2	13,604	452	0	6	0
MARYLAND	940	189	187	429	2,530	208	1,366	65	9
MASSACHUSETTS	0	0	0	0	19	0	0	0	0
MICHIGAN	4,225	2,794	2,081	673	33,695	2,273	1,323	39	170
MINNESOTA	126,871	42,826	5,500	5,858	174,942	10,280	12,634	208	20,330
MISSISSIPPI	1,333	9	71,976	5,106	99,795	243,034	321	167	105
MISSOURI	122,422	70,732	4,035	451	585,433	1,494	3,774	82	535
MONTANA	305,083	167,702	5	129	1,075,875	599	24	120	693
NEBRASKA	19,483	87,763	525	22,547	426,725	1,615	404	26	3,312
NEW HAMPSHIRE	0	0	0	0	0	0	101	5	0
NEW JERSEY	436	279	50	23	313	0	22	0	1
NEW MEXICO	548	145,442	80	0	388,437	80	0	0	0
NEW YORK	1,977	260	429	195	21,257	753	172	17	4
NORTH CAROLINA	605	111	1,668	1,321	12,183	26,037	26	10	0
NORTH DAKOTA	270,876	10,553	87	188,892	942,357	570	419	0	246,034
OHIO	9,397	5,925	1,547	532	56,929	3,034	3,909	49	551
OKLAHOMA	7,720	151,643	441	204	463,365	242	48	27	619
OREGON	41,723	5,991	993	1,745	243,672	1,238	29	10	0
PENNSYLVANIA	1,758	340	100	175	29,265	369	0	11	0
PUERTO RICO	0	0	0	0	140	17	0	0	0
SOUTH CAROLINA	334	20	12,476	4,990	9,819	68,813	144	157	0
SOUTH DAKOTA	92,371	116,647	133	1,784	381,298	663	419	6	134,539
TENNESSEE	6,656	818	2,615	1,261	102,429	11,493	590	63	0
TEXAS	75,756	491,145	1,471	79	1,492,654	3,330	27	0	1,022
UTAH	36,263	9,800	0	0	95,898	0	0	0	0
VERMONT	0	0	0	0	116	0	0	37	0
VIRGINIA	1,574	1,074	885	387	9,579	9,832	29	44	0
WASHINGTON	27,987	17,059	355	1,881	172,602	690	3,949	189	193
WEST VIRGINIA	10	0	6	0	487	4	0	6	0
WISCONSIN	11,498	16,747	7,540	816	141,550	13,123	713	38	1,347
WYOMING	32,973	2,643	0	37	161,840	70	0	0	0
TOTAL in 2007	1,455,886	1,729,967	182,371	343,987	11,012,511	668,991	66,815	3,575	420,123

Note: Practices and CPs are defined in Appendix B.

3.2 AGENCY ROLES IN CRP

Table 3.2-1 presents the various agency roles related to the CRP contract process. These agency roles are also diagrammed in Figure 3.2-1. A diagram of the general CRP contract process is presented in Figure 3.2-2.

Table 3.2-1. Agency Roles in the CRP Contract Process

Official or Designee	Role
USDA, Secretary of Agriculture	<ul style="list-style-type: none"> • Signs or designates person to sign CREP proposals with the States • Delegates general program authority to Undersecretary of Farm and Foreign Agriculture Services
Executive Vice President of the Commodity Credit Corporation (CCC)	<ul style="list-style-type: none"> • Must approve all Memorandums of Understanding (MOUs) with CCC and other agencies • FSA administers CRP for CCC • Cannot pay cost-shares greater than 50 % • Cannot approve annual payment limits that exceed \$50,000
Deputy Administrator of Farm Programs (DAFP)	<ul style="list-style-type: none"> • Decides if more than 25 % of cropland in a county can be enrolled in CRP by determining if action would adversely effect the local economy, and if producers are having some difficulty complying with conservation plans • Must approve all MOUs with FSA and other agencies • Can direct State Committee to adjust soil rental rates • Can approve producer eligibility if applicant has not owned land for 12 months or acquired land as a result of a death; acquisition must be determined for reasons other than placement in CRP • Provides waivers on ownership requirements for situations where COC cannot • Announces sign-up period and cost-share payments • Reviews CRP-1 for USDA, related agency members and employees • Authorizes rental payments be carried out • Approves any other Federal cost-share payments during life of CRP-1 if CRP cost-share was received • Reviews CREP proposals with interagency groups
Conservation and Environmental Programs Division (CEPD)	<ul style="list-style-type: none"> • Does state or national ranking plan • Receives the 25% waiver recommendations from state FSA committees • Requests state FSA offices to perform an environmental assessment on CREP proposals

Table 3.2-1. Agency Roles in the CRP Contract Process

Official or Designee	Role
State FSA Committee	<ul style="list-style-type: none"> • Can request meritorious relief from DAFP with County committee (COC) recommendation • Gives guidance to state office • Determines whether or not to use state or national bid ranking system in consultation with State Technical Committee (STC) • Can adjust Soil Rental Rate (SRR) if directed so by DAFP • Approve state research project • Establish maintenance rate with STC recommendations and NRCS concurrence-can delegate this to the COC • Upon recommendation of service center, designate areas of state where free shelters, netting, plastic tubes or other animal damage control devices can be installed for certain conservation practices • Establish date of nesting season with STC • Reviews cost-share payments and SRR • Reviews and approves CRP-1s for all state level FSA employees except members of the state committee • Reviews 25% waiver requests from COC and obtains NRCS concurrence for waiver, then submits waiver request to CEPD • Authorized to develop state program and cost-share policy in consultation with STC and NRCS concurrence • Authorize COCs to establish cost-share rates if it does not and state FSA committee must then review and approve these rates
FSA State Executive Director (SED)	<ul style="list-style-type: none"> • Offers to make presentation on CREP after approval • Approves CRP-1s for state FSA committee members • Ensures CREP program implementation is in compliance with CRP statute through periodic checks
State Office of the FSA SED	<ul style="list-style-type: none"> • Transmits CRP file to Kansas City Management Office (KCMO) • Establishes maintains standardized practice components within each state • Prepares CREP EAs
FSA District Director	<ul style="list-style-type: none"> • Overseen by District Director (DD) • Reviews and approves CRP-1s for USDA and related county level employees • Ensures that an environmental evaluation (EE) has been completed for each CRP contract and all necessary consultations are complete
FSA County Executive Director (CED)	<ul style="list-style-type: none"> • Computes cost-share and rental payments • Manages day-to-day activities of field service centers and employees
County Office of the FSA CED	<ul style="list-style-type: none"> • Calculates Maximum Annual Rental Rate (MARR) • Determines producer and cropping history eligibility • Determines if crop insurance requirements are met • Completes 'paid-for' measurement • Reviews 25% enrollment limit for County • Ensures CRP and AMTA contract acreage does not exceed agricultural use acreage on farm • Determines reductions in quotas and allotments • Makes the rental, cost-share (C/S), SIP, and PIP payments

Table 3.2-1. Agency Roles in the CRP Contract Process

Official or Designee	Role
County Committee (COC)	<ul style="list-style-type: none"> • Approves eligible cropland acres and conservation plans • Can delegate some of its authority to CED (e.g. eligible cropland acres and approval of conservation plans) • Approves CRP-1 except for USDA, FSA, Conservation District, and Headquarters' office employees and members • Determines violations of CRP-1s • Provides written approval to landowners, at the end of the easement, to have the easement removed from title • Approves share agreements of owner/operator • Can provide certain ownership eligibility waivers • Determines compliance with landlord/tenant provisions on participation • Provides guidance to county office, determines producer, land and practice eligibility for CCRP • Ensures conservation plan for CCRP includes maintenance practices • Approves final conservation plan and CRP-1 for CCRP • After concurring with the state FSA committee, they can decide to hold continuous sign-up only if 25% county limit is not reached or can ask for a waiver from the state FSA committee • Determines if the annual payment limit of \$50,000 is exceeded and then reduces payment • Authorizes most cost-share agreements • Can establish cost-share rates if authorized by state FSA committee and with NRCS concurrence
Deputy Chief of Programs	<ul style="list-style-type: none"> • Overall NRCS coordination with FSA and other agencies
Director of Conservation and Operations Division	<ul style="list-style-type: none"> • Provides policy and procedural guidelines on CRP to NRCS State offices
NRCS Regional Office- Regional Conservationist	<ul style="list-style-type: none"> • Ensure consistent use of laws and legislation • Ensure technical adequacy of conservation planning and treatment implementation
NRCS State Office- State Conservationist	<ul style="list-style-type: none"> • Chairs STC
State Technical Committee (STC)	<ul style="list-style-type: none"> • Headed by State Conservationist • Establishes a per/acre maintenance rate with the state FSA committee • Establish dates of nesting season with the state FSA committee • Consults with state FSA committee to use state or National ranking plan • Consults with state FSA committee to develop state CRP policies and cost-share policies • May serve as core group to develop CREP proposal • Develops methods to address weeds and past problems on CRP acreage
Area Conservationist	<ul style="list-style-type: none"> • Carries out CRP responsibilities delegated by state conservationist
District Conservationist- NRCS Field Office	<ul style="list-style-type: none"> • Represents NRCS with FSA, COC, State Forestry and State wildlife agencies, Conservation Districts • Coordinates tree planting with State Forestry • Determines practice suitability, need, and feasibility of practice and

Table 3.2-1. Agency Roles in the CRP Contract Process

Official or Designee	Role
	predominant soil types for determining land eligibility
Conservation District	<ul style="list-style-type: none"> • Approves tree planting plan • Provides letter of recommendation to COC to exceed 25% enrollment, if need be • Approves conservation plans
Cooperative State Research, Education & Extension Service (CSREES)	<ul style="list-style-type: none"> • Coordinates and conducts research, education, and extension activities on CRP through State Extension systems
Technical Service Providers	
NRCS	<ul style="list-style-type: none"> • Participates in state level technical determinations and policy reviews • Determines EBI scores for factors #1 thru #6 and fills in on CRP-2 • Assist county offices in identifying soil types • Develops conservation plan and cost-share agreement with FS if applicable • Completes site specific EE • Performs annual status review • Obtains conservation district approval of conservation plans
Forest Service (FS)	<ul style="list-style-type: none"> • Develops tree planting plans • Provides technical assistance for tree planting practices • Monitors and certifies practice compliance • Develops stewardship plans for converted CRP land

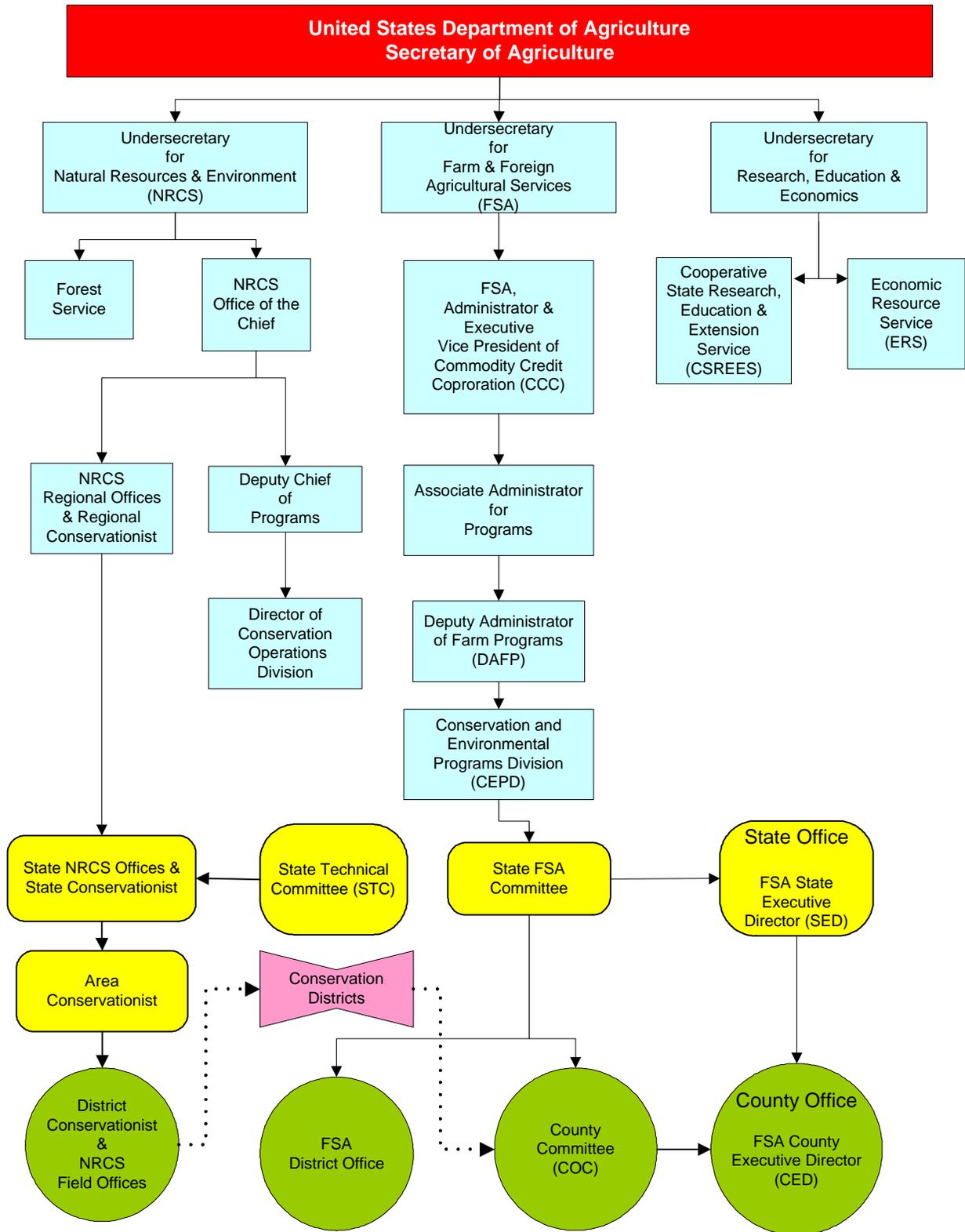


Fig. 3.2-1. Agency Roles in the CRP Contract Process

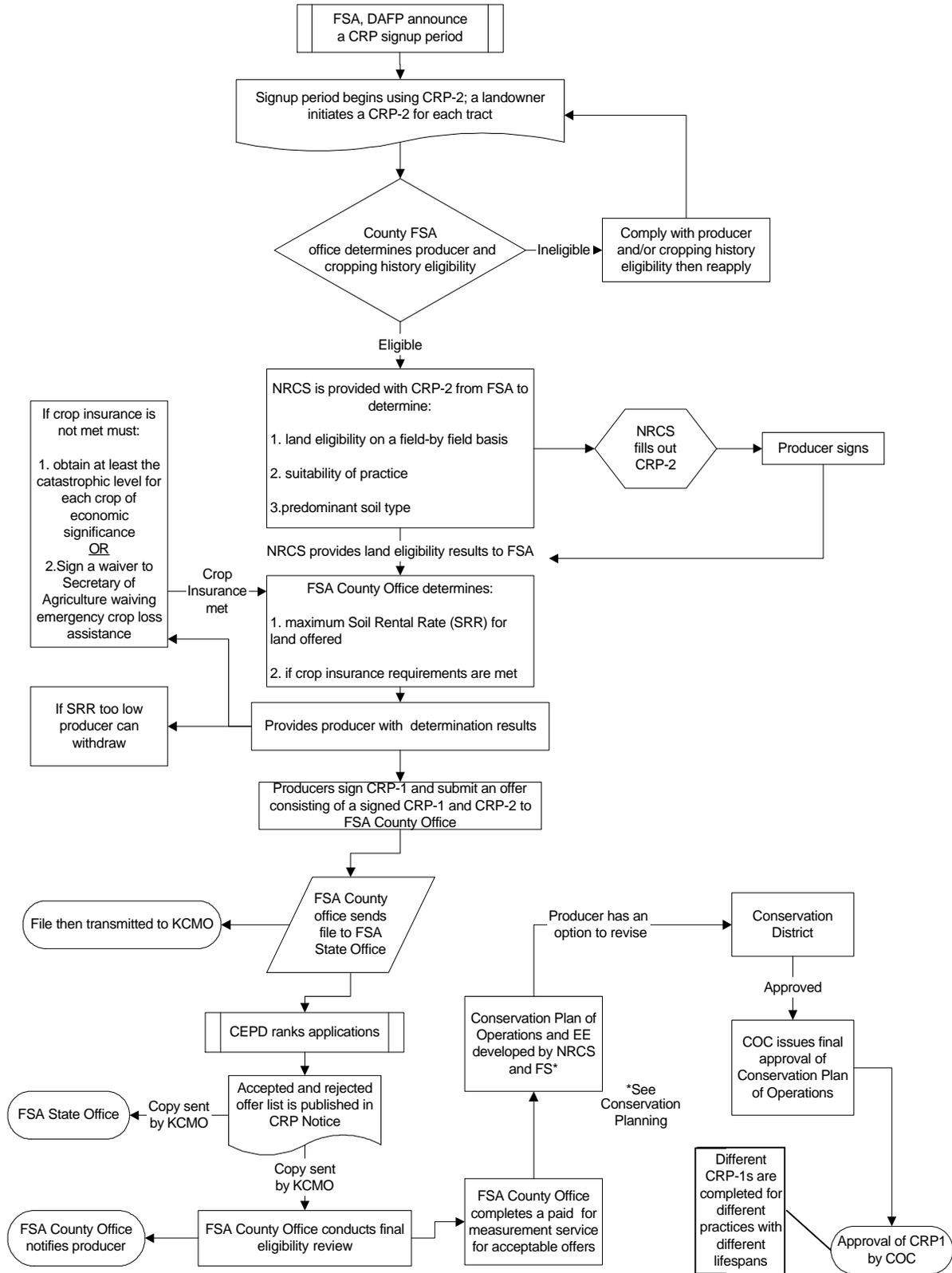


Fig. 3.2-2. Diagram of the General CRP Contract Process

Conservation Planning

Before a CRP contract is approved, an approved conservation plan is required. The conservation plan is a record of supporting information and decisions for the treatment of a unit of land or water. A conservation plan needs only to contain information related specifically to CRP (2-CRP (Rev.3) Amend. 20, Par. 209).

The plan contains the schedule of operations and activities necessary to target identified natural resource concerns. The planning process must meet Field Office Technical Guide (FOTG) quality criteria for each natural resource and address economic and social considerations tied to the unit of land being offered. The participants involved in the development of the CRP conservation plan include the offeror, NRCS District Conservationist, State forester (if trees are involved) and FSA's county committee. NRCS is ultimately responsible for the technical leadership for planning and implementation, adherence to NRCS policy in the National Planning and Procedures Handbook (NPPH) about compliance with NEPA¹, and technical concurrence on the conservation plans and any revisions. However, FSA is the lead agency with ultimate responsibility for NEPA compliance. NRCS would complete the Environmental Evaluation (EE) for any potential T&E species issues in conjunction with required field visits. FSA then ensures that any and all necessary consultations are carried out. Ultimate approval depends on whether the approved conservation plan:

- Contains all the practices necessary for the successful establishment and maintenance of the vegetative cover on all of the acres offered for CRP.
- Is technically adequate for achieving CRP objectives.
- Adheres to NRCS policy about compliance to NEPA¹.
- Is reviewed and approved by the Conservation District (the Conservation District may assist the producer in planning and implementing conservation management systems).
- Ensures that CRP cover will not be disturbed during the primary nesting season, as determined by STC in consultation with the State Technical Committee.

Before approving CRP contracts, COC, or designee, reviews and approves the plan to ensure that all the following requirements are met:

- Has been signed and agreed to by all signatories to the CRP contract, NRCS, and the Conservation District.
- Includes all of the eligible acres offered for CRP.
- Includes required maintenance for weed, insect, and pest control for the life of the CRP contract.
- Includes only practices requested for the CRP contract.
- Includes C/S for eligible practices only.

¹ NEPA requirements are not physically part of the conservation plan, but are incorporated in the NRCS conservation planning process (2-CRP, Rev.3, Amend. 20, Par. 209, 6/22/01).

- Includes application rates, such as the amount of seed, lime, fertilizer, that are consistent with practice specifications.
- Ensures that the CRP cover will not be disturbed during the primary nesting season, as determined by the STC.
- Meets the objective of the CPA, where applicable.

With the approved conservation plan, CRP participants agree to establish and maintain approved practices according to the conservation plan:

- Where appropriate, plant perennial seeding and planting mixes that achieve the highest environmental benefits for each CRP practice.
- Where practical, use State-certified seed for CRP, but common seeds (especially natives) may be used when certified seed is not available.
- Where appropriate, avoid the use of single, introduced species.
- Use native legumes, forbs, shrubs, and plant mixes.
- Ensure that the approved seeding mix does not include weed species, including noxious weeds.

The most important aspect of a CRP conservation plan is that it outlines the necessary maintenance practices for the successful establishment and maintenance of the approved practices included in the CRP contract, regardless of the applicant's eligibility for C/S funds.

Practice Maintenance

CRP cover maintenance is the participant's responsibility with all participants responsible for maintaining practices according to the conservation plan without additional cost-share assistance (2-CRP (Rev. 3) Amend. 18 Par. 210.5).

NRCS shall work with participants to plan appropriate maintenance practices, such as mowing, spraying, or prescribed burning in a logical and practical manner. All practices necessary for the successful establishment and maintenance of the approved cover shall be included in the conservation plan and agreed to by the participant. Maintenance practices shall meet CRP and participant objectives (2-CRP (Rev. 3) Amend. 18 Par. 210.5).

Gleaning

COC's may authorize gleaning of crop residue on acreage enrolled in CRP if all the following criteria are met:

- The acreage is in the first year of CRP-1
- The acreage was devoted to an agricultural commodity before enrollment in CRP.
- Mechanical harvesting of the agricultural commodity was not completed in sufficient time for gleaning of the crop residue before the effective date of CRP-1.
- The gleaning of the crop residue will not delay the establishment of the approved cover.
- Producer agrees in writing to the following:
 - Producer will provide adequate cover to prevent soil erosion, as determined by NRCS.
 - Producer will pay for a field visit to determine if gleaning will be authorized.
 - Producer will remove all livestock no later than 2 months after gleaning begins.

Participants are responsible to ensure:

- That adequate approved vegetative cover is maintained to control erosion for the CRP contract period.
- Compliance with State noxious weed laws as determined by the State or local noxious weed commission. However, neither STC nor COC has the authority to determine whether a CRP participant has failed to comply with State noxious weed laws. Upon a finding of failure to comply with State noxious weed laws, by the appropriate authority, STC and COC assess appropriate payment reduction or terminate the CRP contract, as applicable.
- Control of other weeds that are not considered noxious, as determined by COC, for the CRP contracts entered into after November 28, 1990.
- That undesirable vegetation, weeds (including noxious weeds), insects, rodents, etc., that possess a threat to existing cover or adversely impact other landowners in the area are controlled.
- After an NRCS final status review, all CRP maintenance activity, such as mowing, burning, and spraying, is conducted outside the primary nesting season for wildlife and in accordance with the conservation plan, except that spot treatment of the acreage may be allowed during the primary nesting season if specific criteria are met. If spot treatment is determined necessary, COC shall approve a method that results in the least damage to the nesting wildlife and their habitat.
- Periodic mowing and mowing for cosmetic purposes are prohibited at all times and annual mowing of CRP for generic weed control is also prohibited.

Technical Assistance

Participants may utilize conservation planning, practice implementation, and certification services of qualified persons other than NRCS, such as:

- Private businesses or consultants;
- Qualified natural resource organizations;
- or Federal, State, and local government agencies, such as:
 - State wildlife agencies
 - State forestry agencies
 - State water quality agencies

NRCS designated conservationists may accept conservation plans previously developed by conservation partners or consultants provided that plan meets CRP requirements and NRCS technical requirements (2-CRP (Rev. 3) Amend. 13 Par. 213).



Conservation Priority Areas

Conservation Priority Areas (CPAs) are regions targeted for CRP enrollment and are designated for a term of five years (7 CFR § 1410.8). The five national CPA's are the Great Lakes Region, the Chesapeake Bay Region, the Long Island Sound Region, the Longleaf Pine Region, and the Prairie Pothole Region. These CPA's are presented in Figure 3.2-3. FSA State Committees may also designate up to 10 percent of a State's remaining cropland as a State CPA.

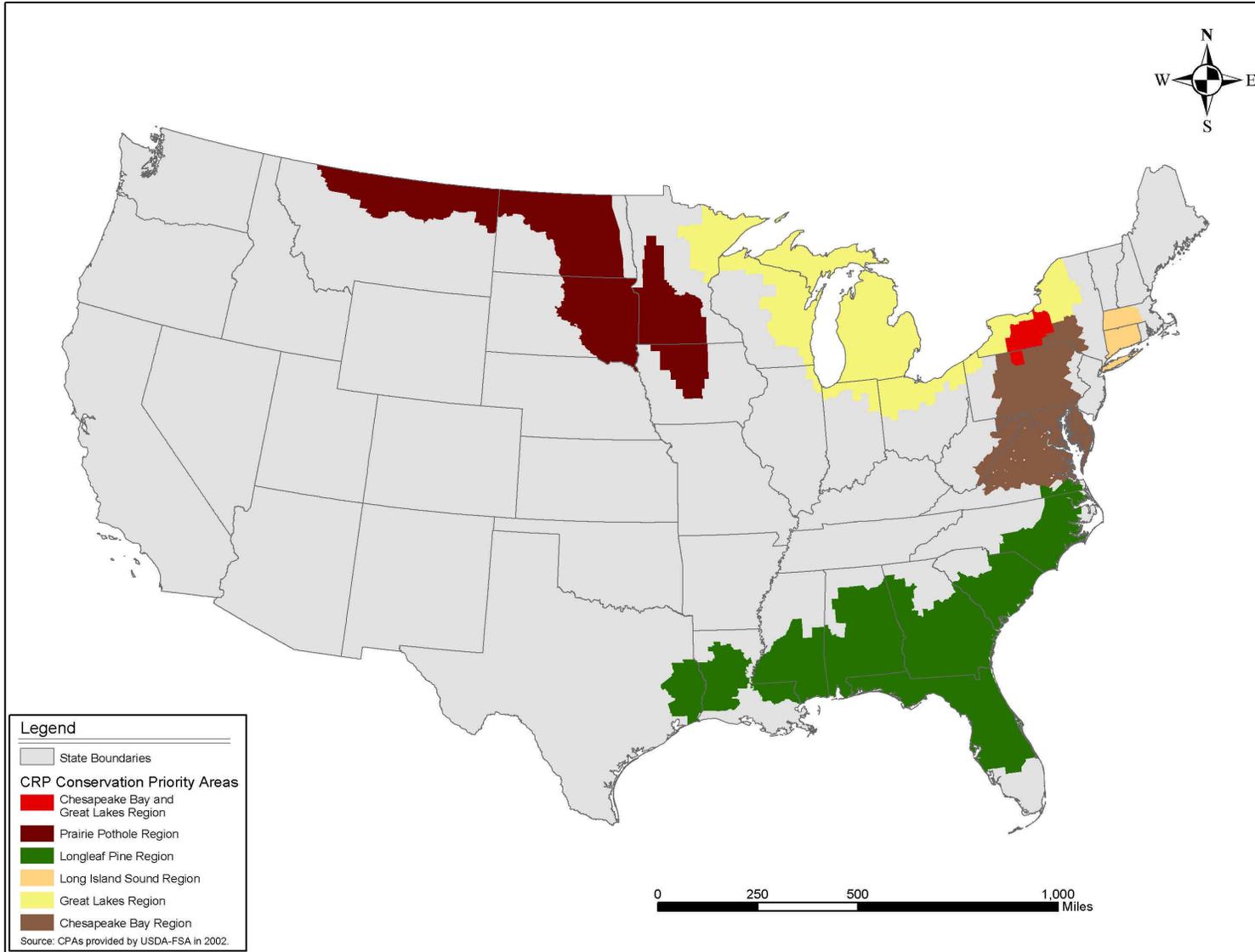


Fig. 3.2-3. CRP National Conservation Priority Areas

3.3 CONSERVATION RESERVE PROGRAM: GENERAL SIGN-UP-CURRENT

CRP General Sign-up was established in its current form in 1985 and has become the USDA's largest land retirement program. It is administered by USDA's FSA and is funded through the CCC. This long-term land retirement program offers farm owners or operators with an annual per-acre rental payment and half the cost of establishing a permanent long term conserving cover, in exchange for retiring environmentally sensitive cropland from production for a minimum of ten to a maximum of fifteen years. Producers offer land for competitive bidding based on an EBI during periodic announced signups. The current EBI is a form of environmental targeting, which ranks offers based on environmental indices and cost. See EBI discussion in Section 3.1.1.

3.4 CONTINUOUS CRP-CURRENT

Conservation Reserve Program continuous sign-up (CCRP) is a program that was initiated by FSA in 1996, with four million acres (under the CRP acreage cap) being reserved for continuous sign-up enrollment. CCRP environmentally targets for enrollment, highly-environmentally sensitive land that through the implementation of high priority conservation practices like riparian buffers, filter strips, and grass waterways would produce optimal environmental benefits for soils, water quality, and wildlife habitat enhancement. Land suitable for these high-priority practices can be enrolled without competition than land enrolled in a general CRP sign-up.

In April 2000, FSA announced enhanced incentives as the primary means to target highly environmentally sensitive land for continuous signup participation, which included an up-front Signing Incentive Payment (SIP) of \$100 to \$150 per acre (depending on the length of contract) for filter strips, riparian buffers, grassed waterways, field windbreaks shelter belts and living snow fences, and a Practice Incentive Payment (PIP) equal to 40 percent of the cost of installing practices for all continuous signup practices. At that time, increased maintenance payments for certain practices were also added along with updated marginal pastureland rental rates to better reflect the agricultural value of these types of lands. Figure 3.4-1 shows the active CCRP acreage by State.

Cost-Sharing: Payments to producers to cover a specified portion of the cost of installing, implementing, or maintaining a conservation practices.

Farmed Wetland: Wetlands that have been partially drained or are naturally dry enough to allow crop production in some years, but otherwise meet the soil, hydrological, and vegetative criteria defining a wetland.

NRCS, No Date

Acreage enrolled under CCRP is waived from the 25 percent cropland limitation because the amount of acreage involved under this specific program is relatively small and will not, therefore, adversely affect the local economy of a county, and the environmental benefits received from acreage enrolled in CCRP is high (2-CRP (Rev.3) Amend. 16 Par. 255).



Farmable Wetland Program (FWP)

The FWP started as a pilot program established by the 2001 Agricultural Appropriations Act. Where farmed wetlands acres were made eligible to be enrolled through a continuous sign-up similar to that of CCRP for other high-priority conservation practices. Payments are commensurate with those provided to landowners who implemented CRP conservation practices like filter strips. The wetlands and associated buffers enrolled were limited to a total of 500,000 acres in six States: Iowa, Minnesota, Montana, Nebraska, North Dakota, and South Dakota, with no more than 150,000 acres being enrolled in any single State (see Figure 3.4-3).

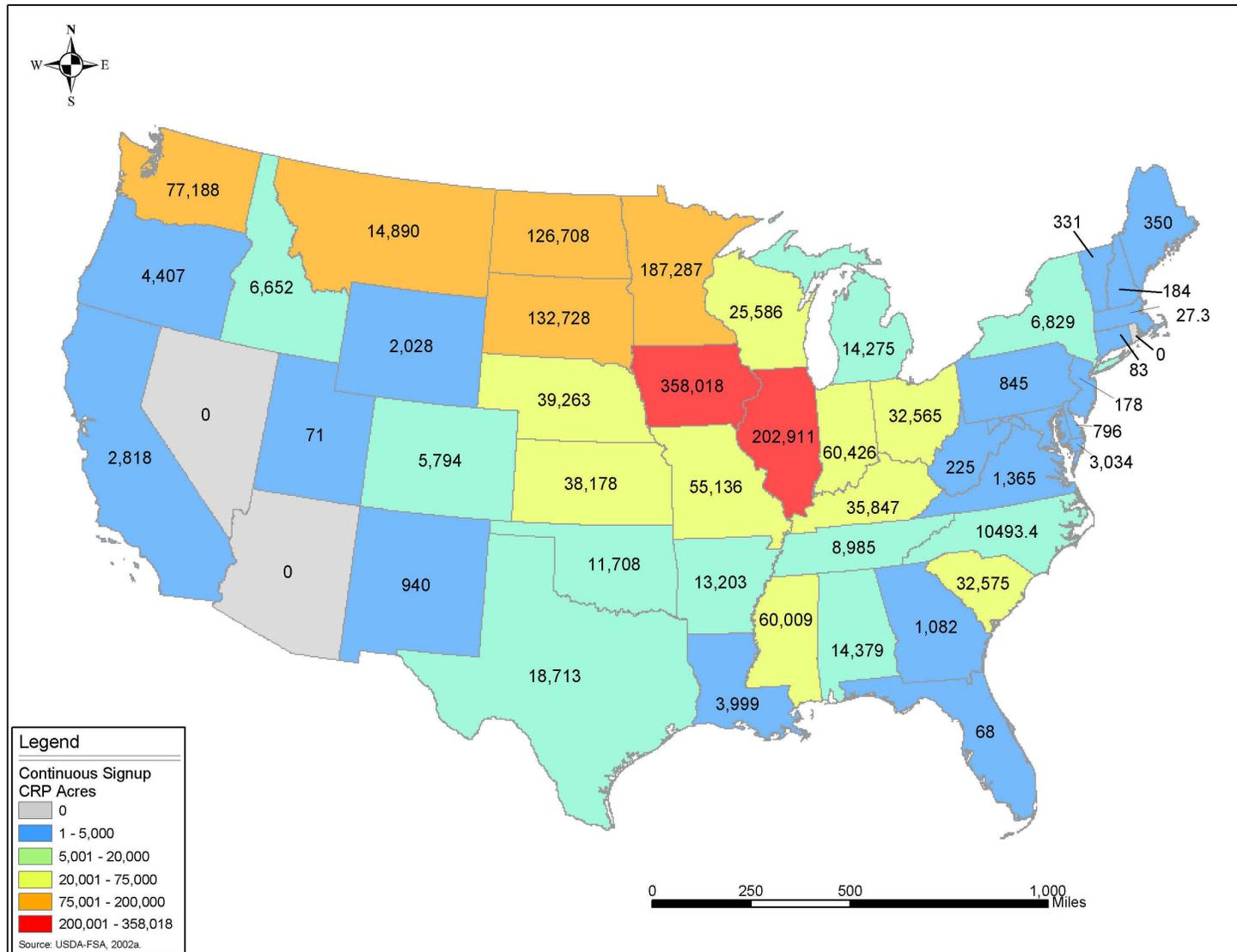


Fig. 3.4-1. Continuous Signup Acreage By State (as of September 2002)

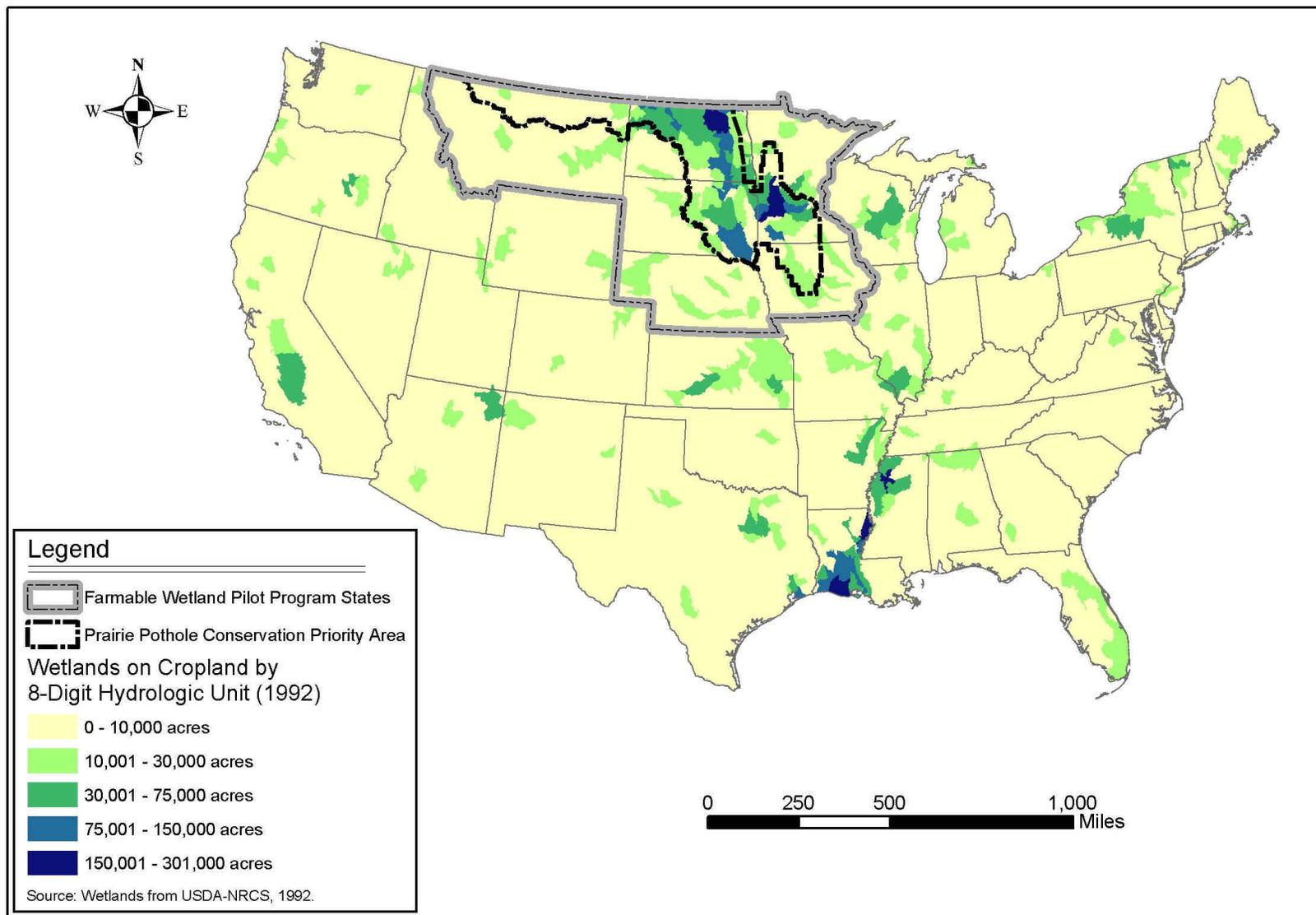


Fig. 3.4-2. Farmable Wetland Pilot Program States

3.5 CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)- CURRENT

In 1997, FSA announced the Conservation Reserve Enhancement Program (CREP) as a joint Federal-State land retirement conservation program that uses the authorities of CRP in combination with State resources to target specific conservation and environmental objectives of a State and the Nation (7 CFR Part 1410.50(b)). It is a conservation partnership program targeted to address specific State and nationally significant water quality, soil erosion, and wildlife habitat issues linked to agriculture.

3.5.1 Approved State CREPs

Figure 3.5-1 diagrams the development and approval process for CREP proposals. After a CREP proposal has been developed and signed by the Secretary of Agriculture, or designee, enrollment is usually conducted under the continuous signup with the program offering additional financial incentives and cost-sharing beyond general and continuous CRP to encourage farmers and ranchers to participate. States may designate up to 100,000 acres in specific areas (e.g., watersheds) as eligible to be enrolled in the program to meet specific State goals that help address National environmental objectives such as improving water quality or endangered species habitat.

There are currently 25 approved CREP agreements authorizing 1,249,000 acres for enrollment in 23 States, with Ohio and New York both having 2 signed agreements (see Figure 3.5-2). The current estimated funding from all sources for all these agreements is approximately \$3 billion with roughly \$682 million of that being contributed by non-federal organizations. Table 3.5-1 summarizes each State's CREP agreement goals, eligible conservation practices, and the estimated program costs as of September 6, 2002.

3.5.2 Pending State CREPs

There are currently five pending CREP agreements encompassing seven States (Indiana, Nebraska, New Jersey, and New York) and the Yakima Tribe in Washington with an additional two CREP proposals being developed in Louisiana and Mississippi.

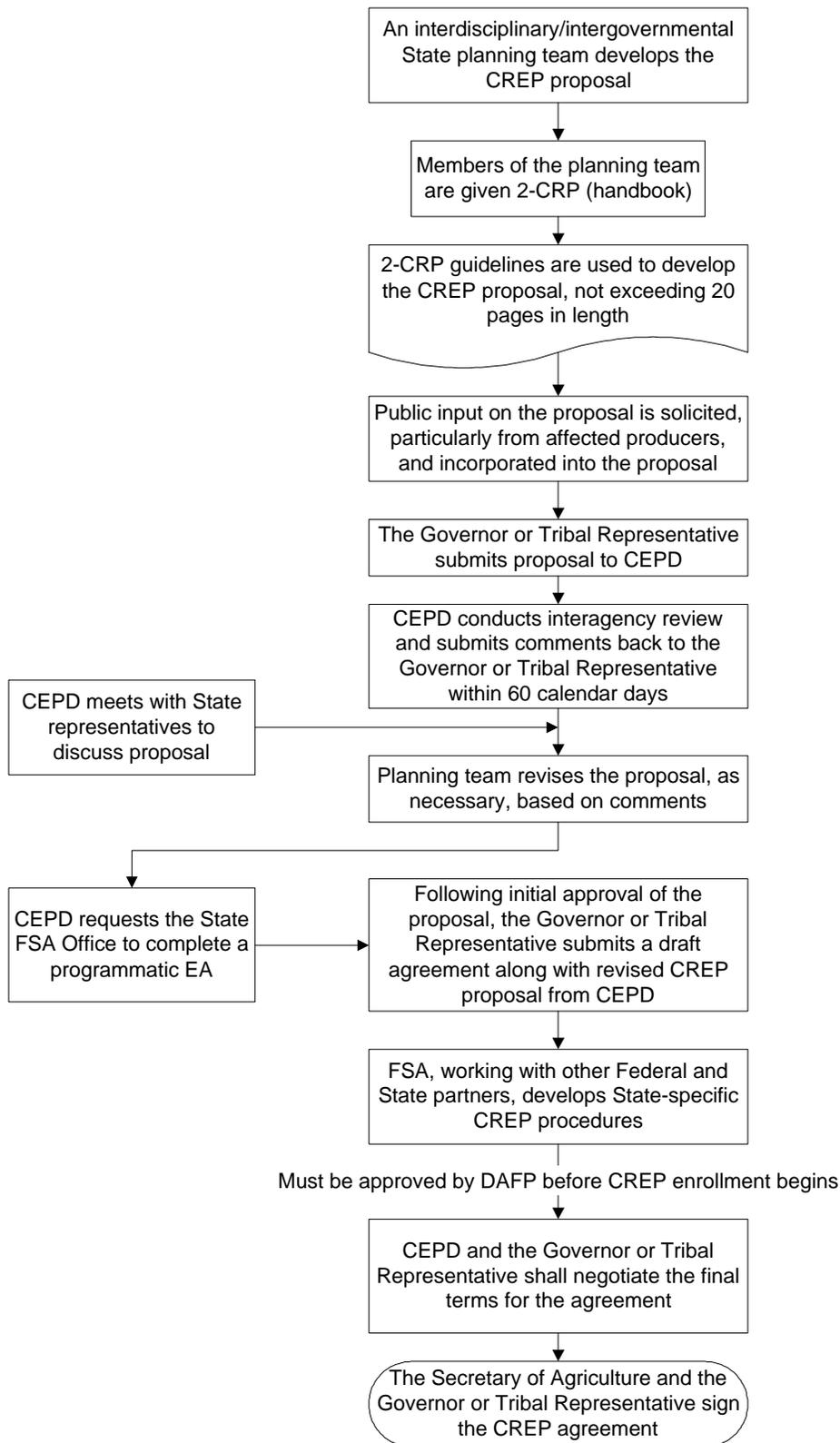


Fig. 3.5-1. Development and Approval Process for CREP Proposals

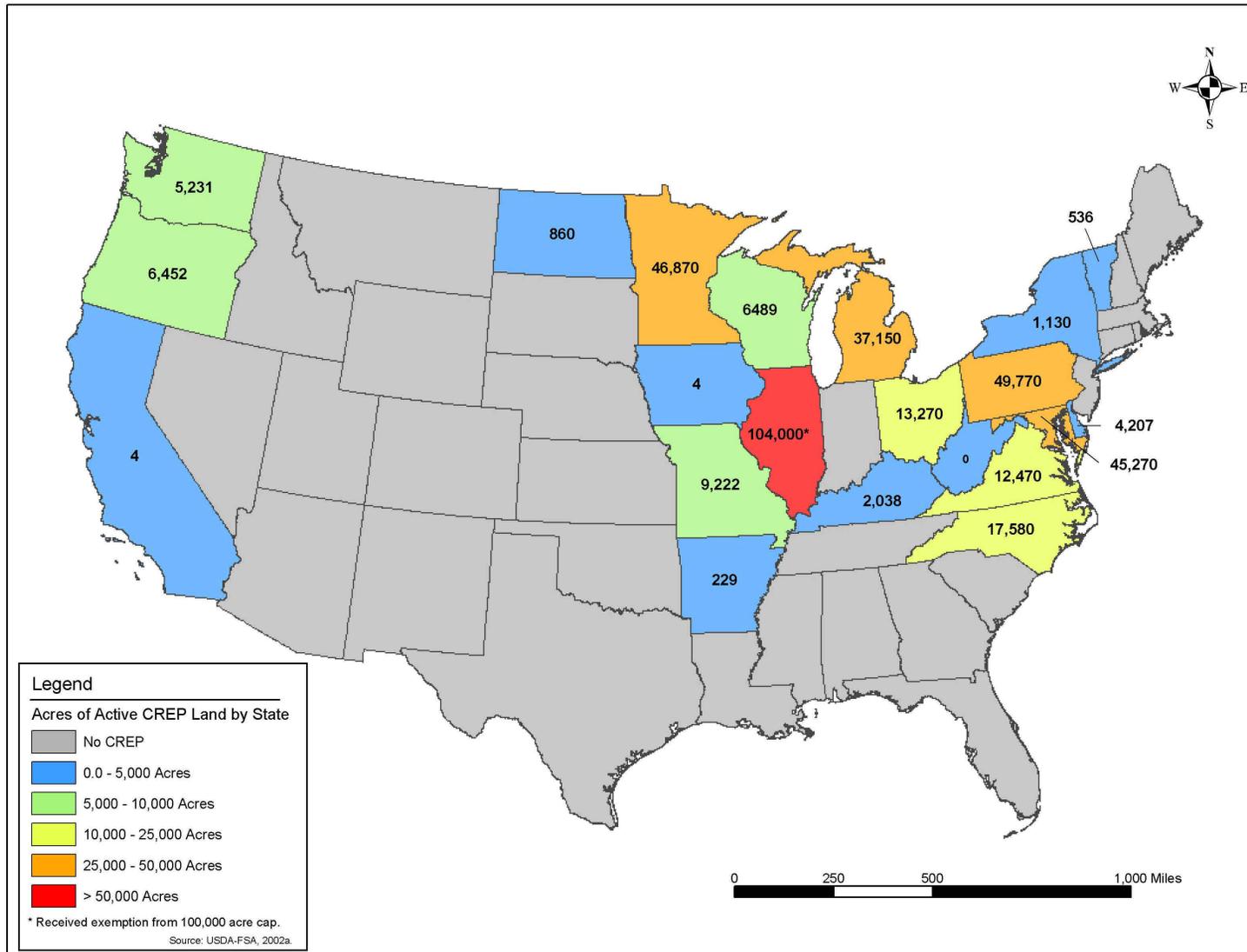


Fig. 3.5-2. Active CREP Acreage By State (as of September 2002)

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Arkansas	December 2001	<ul style="list-style-type: none"> • Reduce sediment loading in the targeted area by as much as 10,000 tons per year; • Increase wildlife populations through the creation of riparian buffers; and • Establish 200 miles of riparian forest buffers to protect and restore water quality and wildlife habitat. 	CP 22 - Riparian Buffer	The expected combined Federal and State obligation is \$10.2 million over 15 years, with \$8.5 million from the Federal Government and \$1.7 million from Arkansas. This does not include any costs that may be borne by producers.
California	February 2001	<ul style="list-style-type: none"> • Enhance vital wildlife habitat. This habitat restoration may result in the hatching of 27,000 ducklings and 20,000 pheasants; • Significantly enhance habitat for riparian and grassland bird species; • Reduce soil erosion; • Improve surface and groundwater quality; and • Improve air quality. 	CP 1 - Establishment of Permanent Introduced Grasses CP 2 - Establishment of Permanent Native Grasses CP 4D - Wildlife Habitat Improvement CP 8A - Shallow Areas For Wildlife CP 12 - Wildlife Food Plots CP 10 & 11 - Existing Vegetative Cover CP 21 - Filter Strips CP 22 - Riparian Buffer	The estimated cost of the program is \$24 million. The Federal share is \$19 million and the State share is \$5 million.
Delaware	June 1999	<ul style="list-style-type: none"> • Reduce nutrient and sediment loadings in impaired streams; • Improve water temperature and levels of dissolved oxygen, which are necessary to support biology and wildlife; and • Increase upland wildlife habitat 	CP 3A - Hardwood Trees (500 acres) CP 4D - Permanent Wildlife Habitat (1,000 acres) CP 21 - Filter Strips (3,000 acres) CP 22 - Riparian Buffer (1,000 acres) CP 23 - Wetland Restoration (500 acres)	For enrollment of 6,000 acres, the total financial obligation will be approximately \$10 million over 15 years, with \$8 million coming from CCC, and the balance from the State. CCC will pay 50% of the reimbursable costs of establishing conservation practices. The State of Delaware will pay an additional

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Delaware (con't)		and create wildlife corridors.	(Placement of practices must adjoin impaired streams or contributing drainage ditches in designated project areas.)	37.5%. Annual rental payments will be based on the soil rental rate, as calculated by FSA.
Florida	October 2002	<ul style="list-style-type: none"> ▪ Reduce average annual phosphorus loading to the Everglades Protection Area by approximately 100 metric tons through the establishment of conservation practices; ▪ Increase the water storage capacity in the Lake Okeechobee watershed through wetland restoration/creation; ▪ Reduce pollutant loading from agricultural operations adjacent to the lower St. John's River and the Ocklawaha and Indian River Basin by at least 25 percent below modeled historic average annual loading through the; implementation of approved ▪ Implement conservation practices under CREP 15-year contracts and permanent easements; ▪ Provide substantial wildlife habitat enhancement for threatened and endangered species associated with riparian and wetlands habitats. 	CP 3A – Hardwood Tree Planting CP 4D – Permanent Wildlife Habitat – noneasement CP 21 – Filter Strips CP 22 – Riparian Buffers CP 23 – Wetland Restoration	The Federal and State financial obligation will be approximately \$153 million over 15 years, with \$96 million provided by the Federal government and \$57 million provided by the State. This does not include any costs that may be borne by producers. The State's share is approximately 37 percent of the total program's costs and the Federal government's share is about 63 percent.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Illinois	March 1998	<ul style="list-style-type: none"> • Reduce sedimentation in the Illinois River by 20 percent; • Reduce nutrients (phosphorus and nitrogen) in the Illinois River by 10 percent; • Increase populations of waterfowl, and State and Federally listed species by 15 percent; • Increase native fish and mussel stocks in the lower reaches of the Illinois River by 10 percent. 	CP 2 - Establishment of Permanent Native Grasses CP 3 - Tree Planting CP 4D - Permanent Wildlife Habitat CP 9 - Shallow Water Areas for Wildlife (Farmed wetlands and prior converted wetlands may be devoted to shallow water areas) CP 12 - Wildlife Food Plots CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration	For enrollment of 100,000 acres, the total financial obligation will be approximately \$250 million over 15 years, with \$48 million coming from the State and the remaining \$202 million coming from the Federal government. The State share is approximately 20% of the total program costs and the Federal government share is approximately 80%.
Iowa	August 2001	<ul style="list-style-type: none"> • Reduce the nitrogen loading to streams by 300 to 600 tons per year; • Reduce sediment entering surface waters in the Lake Panorama Watershed by 80,000 tons per year; • Reduce or maintain soil erosion rates at or below 2-5 tons per acre; • Demonstrate a variety of available wetland technologies and their value for improving water quality; ▪ Enhance wildlife habitat and increase recreational opportunities. 	CP 7 - Erosion Control Structure CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration	The expected combined Federal and State obligation is \$38 million over 15 years, with \$31 million coming from USDA and \$7 million from Iowa. This does not include any costs that may be borne by producers. Iowa's share is approximately 20% of the total program costs and USDA's share is approximately 80%.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Kentucky	August 2001	<ul style="list-style-type: none"> • Reduce by 10 percent the amount of sediment, pesticides, and nutrients entering the Green River and Mammoth Cave system by growing strips of grass and trees around streams and sinkholes; • Protect wildlife habitat and populations, including threatened and endangered species; • Restore riparian habitat along the Green River; and • Restore the subterranean ecosystem by targeting 1,000 high priority sinkholes. 	CP1 - Establishment of Permanent Introduced Grasses CP2 - Establishment of Permanent Native Grasses CP 3A - Hardwood Tree Planting CP 4B - Permanent Wildlife Habitat (corridors) CP 4D - Permanent Wildlife Habitat CP 8A - Grassed Waterways CP 10 - Vegetative Cover (Grass) – Already Established CP 11 - Vegetative Cover (Tree) – Already Established CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration	The expected Federal, State, and private cost over 15 years is more than \$105 million. Of that amount, \$88 million will come from the Federal Government and \$17 million from Kentucky. This does not include costs that may be borne by producers. Kentucky will also provide financial incentives to extend the life of the program and will seek to buy permanent conservation easements. A private organization, the Nature Conservancy, while not a party to the Kentucky CREP agreement, is also expected to provide incentives to farmers to help ensure full participation in CREP.
Maryland	October 1997	<ul style="list-style-type: none"> • Reduce the occurrence of runoff, sediment, and nutrients in the Chesapeake Bay; and • Promote enhanced wildlife habitats. 	CP 21 - Filter Strip CP 22 - Riparian Buffer CP 23 - Wetland Restoration	CCC will pay up to 50% of the reimbursable costs of conservation practices up to a maximum of \$600 per acre not to exceed 50% of the land value. Maryland will pay up to 37.5% of the cost associated with planting long-term resource conserving cover or restoring the wetlands.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Michigan	July 2000	<ul style="list-style-type: none"> • Reduce the amount of sediment entering the Michigan River by over 864,203 tons over the next 20 years; • Reduce the amounts of nitrogen and phosphorus from entering the river and streams by 1.6 and 0.8 million pounds, respectively; • Protect water supplies used by over one million people; • Protect over 5,000 linear miles of streams from sedimentation; and ▪ Improve wildlife habitat in the project area. 	CP 1 - Establishment of Permanent Introduced Grasses CP 2 - Establishment of Permanent Native Grasses CP 5A - Field Windbreaks CP 21 - Filter Strips CP 23 - Wetland Restoration	The estimated cost of the program is \$177 million. The Federal share is \$142 million, and the State share is \$35 million.
Minnesota	February 1998	<ul style="list-style-type: none"> • Make the Minnesota River fishable and swimmable by year 2002. 	CP 2 - Establishment of Permanent Native Grasses CP 3A - Hardwood Tree Planting CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration CP 25 - Restoration of Rare and Declining Habitat	The State will pay: a minimum of 20% of the of the overall cost of the program; 50% cost share for the conservation practices; a lump sum payment for CRP contract supplements. For permanent easements, the bonus is calculated by multiplying the total CRP rental payments over the duration of the CRP contract, exclusive of incentive payments and maintenance fees, times 40%. The bonus rate for limited duration agreements will be determined by the State. CCC will provide 20% incentive payments and a 50% cost share for conservation practices.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Missouri	September 2000	<ul style="list-style-type: none"> • Reduce the occurrence of pesticides in all 58 drinking water supplies by 50 percent; • Reduce the occurrence of sediment inflow into water supply reservoirs by 50 percent; • Reduce soil erosion rates to less than 5 tons per acre; • Help agricultural producers meet nutrient reduction goals; and • Provide wildlife habitat enhancement for the preservation of natural diversity of the State. 	CP 1 - Establishment of Permanent Introduced Grasses CP 2 - Establishment of Permanent Native Grasses CP 3A - Hardwood Tree Planting CP 4D - Permanent Wildlife Habitat CP 15A - Contour Grass Strips CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration	USDA will pay, in the aggregate, up to 75% of the program costs and the State of Missouri the rest. USDA will pay rental and extra incentive payments to farmers for a 15-year agreement period. In addition, USDA will pay a \$140 to \$150 per acre signing bonus for land enrolled in the project. USDA or Missouri will pay almost all of the costs associated with establishing the conservation practice. USDA and Missouri will provide technical, educational, and engineering support.
Montana	September 2002	<ul style="list-style-type: none"> • Improve water quality of the Missouri and Madison River systems along 524 miles of watercourses by installing 26,000 acres of filter strips, riparian buffers, native grasses, wetlands, and wildlife habitat practices • Increase and create wildlife habitat 	CP 2 – Establishment of Permanent Native Grasses CP 4D – Permanent Wildlife Habitat CP 9 – Shallow Water Areas for Wildlife CP 10 – Vegetative Cover, Grass, Already Established CP 21 – Filter Strips CP 23 – Wetland Restoration CP 25 – Rare and Declining Habitat	The expected combined Federal and State financial obligation will be approximately \$57 million. Of that amount, \$41 million will come from the USDA and \$16 million from the State and private sources. This does not include any costs that may be borne by producers. USDA's share of the total program costs is approximately 72 percent and Montana's share is roughly 28 percent.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
New York (New York City)	August 1998	<ul style="list-style-type: none"> • Reduce the amount of silt, sedimentation, phosphorous, nitrogen, and risk of waterborne pathogens entering the tributaries, main streams, and reservoirs in the Catskill and Delaware watersheds, used for drinking water for New York City; and • Promote the continued health and viability of natural habitats and ecosystems in the watersheds. The program will enhance water quality and improve habitat for trout and other cold water fish. 	<p>For highly erodible cropland:</p> <p>CP 1 - Establishment of Permanent Tame/Introduced Grasses</p> <p>CP 2 - Establishment of Permanent Native Grasses</p> <p>CP 3 - Tree Planting</p> <p>CP 4 - Wildlife Habitat</p> <p>For land qualifying for riparian buffers:</p> <p>CP 21 - Filter Strips</p> <p>CP 22 - Riparian Buffer</p> <p>CP 23 - Wetland Restoration</p>	For enrollment of 5,000 acres, the total financial obligation will be approximately \$10,425,600 over 15 years, with \$2,706,600 coming from the State and the remaining \$7,719,000 coming from USDA's CCC. The State share is approximately 30% of the total estimated program costs and CCC's share is approximately 70%.
New York (Syracuse)	December 2001	<ul style="list-style-type: none"> ▪ Restore 1,000 acres of cropland or marginal pastureland that drains into the Skaneateles Lake watershed; ▪ Reduce the risk of pathogens from animal waste applied to pasture and cropland ; ▪ In the lake and its tributaries, reduce sediment deposits attributable to cropland erosion; ▪ Reduce nutrient runoff from animal waste and fertilizer applied to adjacent cropland and pastures; ▪ Assist the city of Syracuse to comply with the Safe Drinking Water Act ▪ Enhance wildlife habitat 	<p>CP1 - Establishment of Permanent Introduced Grasses</p> <p>CP2 - Establishment of Permanent Native Grasses</p> <p>CP3 - Tree Planting</p> <p>CP3A - Hardwood Tree Planting</p> <p>CP6 - Diversions</p> <p>CP8A Grassed Waterways</p> <p>CP15A - Establishment of Permanent Vegetative Cover (Contour Grass Strips)</p> <p>CP21 - Filter Strips</p> <p>CP22 - Riparian Buffer</p>	The expected combined federal and city obligation is \$900,000 over 15 years, with \$650,000 coming from USDA and \$250,000 from the city of Syracuse. This does not include any costs that may be borne by producers. Syracuse's share is approximately 28 percent of the total program costs and USDA's share is approximately 72 percent.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
North Carolina	March 1999	<ul style="list-style-type: none"> • Help agricultural producers meet mandatory nutrient reduction goals in the Neuse Watershed as well as promoting voluntary nutrient reduction strategies in the Tar-Pamlico, Chowan, and Jordan Lake Watersheds; • Achieve at least half of the 30 percent nitrogen reduction goals from agricultural sources in the affected basins, or roughly 15 percent of the overall nonpoint source contribution attributable to agriculture; • Improve primary nursery areas and sensitive anadromous fishery habitats by controlling excessive freshwater flows through wetland restoration; • Enhance habitat for rare or declining wildlife resources; and Improve spawning habitat for several commercially important fish species. 	CP 3A - Hardwood Tree Planting CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration CP 25 - Rare and Declining Wildlife Habitat	For an enrollment of 100,000 acres, the financial Federal and State obligation will be approximately \$275 million over 15 years, with \$221 million coming from the Federal Government, and \$54 million coming from the State. The State share is approximately 20% of the total program costs and the Federal Government share is approximately 80%.
North Dakota	January 2001	<ul style="list-style-type: none"> • Voluntarily secure 1,000 20-acre CoverLocks of vital wildlife habitat that will enhance water quality and reduce soil erosion; and • Voluntarily secure public access agreements on the CoverLocks and a minimum of 140 acres adjacent to the CoverLocks in easements. 	CP 4D - Permanent Wildlife Habitat CP 12 - Wildlife Food Plots CP 16A – Shelterbelt Establishment	For an enrollment of 20,000 acres, the expected financial Federal and State obligation will be approximately \$43 million over 15 years, with \$20 million coming from the Federal Government and \$23 million coming from the State.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Ohio (Upper Big Walnut)	April 2002	<ul style="list-style-type: none"> • Improve water quality for 575,000 Columbus residents by installing 3,500 acres of filter strips, riparian buffers, hardwood trees, wetlands, and wildlife habitat practices; • Reduce by 30 percent sediment, nutrients, and agricultural chemical runoff in the Hoover Reservoir; and • Increase terrestrial and aquatic wildlife habitat. 	CP 3A - Hardwood Tree Planting (200 acres) CP 4D - Permanent Wildlife Habitat (100 acres) CP 21 - Grassed Filter Strips (2,300 acres) CP 22 - Riparian Forest Buffers (700 acres) CP 23 - Wetland Restoration (200 acres)	Based on the initial implementation of the Ohio CREP, which projects an enrollment of 3,500 acres, the expected combined Federal and State financial obligation will be approximately \$13.2 million. Of that amount, \$8.4 million will come from USDA and \$4.8 million from the State and local sources. USDA's share of the total program costs is approximately 64% and Ohio's share is approximately 36%.
Ohio (Lake Erie)	April 2000	<ul style="list-style-type: none"> ▪ Reduce the amount of sediment from entering Western Lake Erie by over 2,562,848 tons over the next 20 years; ▪ Significantly reduce the amount of nutrients and pesticides that enter the Western Lake Erie and its tributaries; ▪ Protect over 5,000 linear miles of streams from sedimentation; ▪ Improve wildlife habitat in the project. 	CP 23 - Wetland restoration; CP21 - Filter strips CP 22 - Riparian buffers CP 3A - Hardwood tree planting; CP 4D - Wildlife habitat improvement CP 5A - Field windbreaks	CREP participants are eligible for five types of payments: annual rental payments, incentive payments, maintenance payments, cost-share assistance payments, and State one-time payments. Annual rental payments will be based on the soil rental rate. The first three of these will be combined into a consolidated annual CRP rental payment. The estimated cost of the program is \$201 million. The Federal share is \$167 million, and the State share is \$34 million.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Oregon	September 1998	<ul style="list-style-type: none"> • Reducing water temperature to natural ambient conditions; • Reducing sediment and nutrient pollution from agricultural lands adjacent to streams by more than 50 percent; • Stabilizing stream banks along critical salmon and trout streams; and ▪ Restoring stream hydraulic and geomorphic conditions. 	CP 21 – Filter Strips CP 22 – Riparian Buffer CP 23 – Wetland Restoration	For enrollment of 100,000 acres, the total financial obligation will be approximately \$250 million over 15 years, with \$193 million coming from the Federal Government, \$38 million coming from the State, and the remaining costs to be borne by producers.
Pennsylvania	April 2000	<ul style="list-style-type: none"> • Protect the Chesapeake Bay from the effects of excessive nutrient and sediment loading due to agricultural runoff; and • Reduce sediment loading by 1.6 million tons and nitrogen and phosphorus loading by 2 million pounds per year. 	CP 1 - Establishment of Permanent Tame/Introduced Grass - Highly Erodible Land Only CP 2- Establishment of Permanent Native Grass - Highly Erodible Land Only CP 3A - Hardwood Tree Planting - Highly Erodible Land Only CP 4D - Wildlife Habitat - Highly Erodible Land Only CP 8A - Grass Waterways CP 9 - Shallow Water Areas for Wildlife CP 12 - Wildlife Food Plots CP 15A - Contour Grass Strips CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration	For an enrollment of 100,000 acres, the expected Federal and State financial obligation will be approximately \$210 million over 15 years, with \$129 million coming from the Federal Government, and \$77 million coming from the State. The State share is approximately 33% of the total program costs and the Federal share is approximately 67%.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Vermont	November 2001	<ul style="list-style-type: none"> • Reduce phosphorus loading to Lake Champlain by 48.3 tons per year; and • Enhance wildlife and aquatic habitat. 	CP 8A - Grass Waterways CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration	The expected combined Federal and State obligation is \$2.1 million over 15 years, with \$1.46 million from FSA and \$640,000 from Vermont. This does not include any costs that may be borne by producers. Vermont's share is approximately 20% of the total program costs; FSA's share is approximately 80%.
Virginia	March 2000	<ul style="list-style-type: none"> • Helping agricultural producers meet nutrient reduction goals in the Chesapeake Bay Watershed in addition to promoting voluntary nutrient reduction in non-Bay watersheds. • Achieve the following collective reductions in overall nonpoint source contribution due to agriculture in the affected basins (with an overall reduction in controllable nutrient and sediment loading to the Bay of 40 %): <ul style="list-style-type: none"> ○ Nitrogen - over 600,000 pounds per year; ○ Phosphorus - over 90,000 pounds per year; and ○ Sediment - over 50,000 tons per year. • Excess flows of freshwater through wetland restoration. • Provide substantial wildlife habitat 	CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration	Based on the full implementation of both Virginia CREP projects and an enrollment of 35,000 acres, the Federal and State financial obligation will be approximately \$91 million over 15 years, with \$68 million coming from the Federal government and \$23 million coming from the State. This does not include any costs that may be borne by producers. The State share is approximately 27% of the total program costs and the Federal government share is approximately 73%. The State will also obligate up to \$3.75 million for the procurement of 8,000 acres of permanent conservation easements: 6,000 acres in the Bay project and 2,000 acres in the Southern Rivers project.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Virginia (con't)		enhancement for the preservation of natural diversity of Virginia's biological resources, including threatened and endangered species associated with riparian and wetland habitats.		
Washington	October 1998	<ul style="list-style-type: none"> • Reducing water temperature to natural ambient conditions; • Reducing sediment and nutrient pollution from agricultural lands adjacent to the streams by more than 50 percent; • Stabilizing stream banks along critical salmon streams; and ▪ Restoring stream hydraulic and geomorphic conditions on 3,000 miles of streams. 	CP-22 - Riparian Buffer	For enrollment of 100,000 acres, the total financial obligation will be approximately \$250 million over 15 years, with \$210 million coming from the USDA, and the balance from the State and producers.
West Virginia	April 2002	<ul style="list-style-type: none"> • Enroll up to 4,160 acres of eligible cropland and/or marginal pastureland located within the project area; • Reduce agricultural runoff, sediment, and nutrients from entering designated watersheds; • Promote improved water quality and enhance wildlife habitat in the recognized drainage areas; and • Protect soil, water, and wildlife habitat in the project area. 	CP 1 - Establishment of Permanent Introduced Grasses and Legumes CP 2 - Establishment of Permanent Native Grasses CP 3A - Hardwood Tree Planting CP 21 - Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration	Based on the initial implementation of the West Virginia CREP, which projects an enrollment of 4,160 acres in the first year, the expected combined Federal and State financial obligation will be approximately \$11.4 million over the next year. Of that amount, \$8.2 million will come from CCC and \$3.2 million from the State. West Virginia's share is approximately 28% of the total program costs and CCC's share is approximately 72%.

Table 3.5-1. CREP Goals, Eligible Conservation Practices, and Estimated Program Costs By State

State	Start Date	Goals	Eligible Conservation Practices	Program Costs
Wisconsin	October 2001	<ul style="list-style-type: none"> • Reduce sediment loading in the targeted area by 335,000 tons per year; • Reduce phosphorus loading to streams and rivers by 610,000 pounds; • Reduce nitrogen loading by 305,000 pounds; • Establish 3,700 miles of riparian buffers; and • Establish 15,000 acres of grassland habitat to increase the population of endangered grassland birds and other wildlife species. 	CP 1 - Establishment of Permanent Introduced Grasses CP 2 - Establishment of Permanent Native Grasses CP 8A - Grass Waterways CP 21- Filter Strips CP 22 - Riparian Buffer CP 23 - Wetland Restoration CP 25 - Rare and Declining Habitat	Based on an enrollment of 100,000 acres, the expected combined Federal and State financial obligation will be approximately \$243 million over 15 years, with \$198 million coming from the federal government and \$45 million coming from the State. This does not include costs that may be borne by producers.

3.6 RELATED AGENCIES, LAWS, AND REGULATIONS

3.6.1 Other USDA Agricultural Conservation Programs and Regulations

Conservation Compliance (see text box), originated at the same time as the Conservation Reserve Program (1985 Act), and included the highly erodible land conservation (“sodbuster”) and the wetland conservation (“swampbuster”) provisions. These provisions are not regulatory to all agricultural producers because they only apply to owners and operators of specific land types who voluntarily participate in certain farm programs. This approach added soil and wetland conservation as supplementary requirements for receipt of an array of farm program benefits.

Conservation Compliance Programs

Highly Erodible Land Conservation (Conservation Compliance and Sodbuster) requires that farm program participants with highly erodible cropland develop and implement an approved conservation system and/or conservation plan for their land in order to maintain program eligibility. Conservation compliance pertains to farming existing cropland, but is commonly known as the "Sodbuster" provision when applied to newly planted cropland. FSA administers changes in farm program benefits while NRCS certifies the technical compliance.

Wetlands Conservation (Swampbuster) requires that farmers or ranchers who produce an agricultural commodity on a wetland converted after December 23, 1985, or who converted a wetland after November 28, 1990 that has made agricultural production possible, lose all eligibility for farm program benefits. FSA administers changes in farm program benefits while NRCS certifies the technical compliance.

Conservation Farm Option (CFO) was a voluntary pilot program for producers of wheat, feed grains, cotton, and rice established under the 1996 Farm Bill but never implemented. NRCS administers this program. The limiting aspect of this program is that only owners or operators with contract acreage enrolled in the Agricultural Market Transition Act Program

(AMTA) are eligible for participation. Producers can receive one consolidated annual USDA conservation payment in lieu of separate payments from CRP, WRP, and EQIP. However, the producer must implement a conservation farm plan that addresses soil, water, and related resources, water quality, wetlands, and/or wildlife habitat. Participation is based upon a 10-year contract between the CCC and the producer with a prospective 5-year extension.

Conservation of Private Grazing Land Initiative was established under the 1996 Farm Bill and required USDA to conduct a coordinated technical, educational, and related assistance program for owners and managers of non-Federal grazing lands, including rangeland, pasture land, grazed forest land, and hay land. The purpose of this program, which works with local conservation districts, is to enhance water quality and wildlife and fish habitats, address weed and brush problems, enhance recreational opportunities, and maintain and improve the aesthetic character of non-Federal grazing lands.

Conservation Technical Assistance (CTA) was created in 1936 and has since been administered by NRCS through local Conservation Districts. It provides technical assistance to farmers for

planning and implementing soil and water conservation and water quality practices. Farmers adopting practices under USDA conservation programs, and other producers who ask for assistance in adopting approved NRCS conservation practices, can receive technical assistance. This program has prepared and assisted producers in implementing conservation plans for highly erodible lands to help maintain eligibility for other USDA programs.

The current Emergency Conservation Program (ECP) was authorized by the Agricultural Credit Act of 1978 and is administered by FSA. It provides financial assistance to farmers in rehabilitating cropland damaged by natural disasters and for conserving water during severe drought, and has a payment limit of \$200,000 per person per disaster.

Emergency Watershed Protection Program (EWP) was initiated in 1950's, and is administered by NRCS. It provides technical and financial assistance to local entities for the removal of storm and flood debris from stream channels and for the restoration of stream channels and levees to reduce threats to life and property. Local institutions receiving aid must contribute 25 percent of total cost.

Environmental Quality Incentives Program (EQIP) was established by the 1996 Farm Bill as a new program funded by CCC and administered by NRCS. This program consolidated:

- Agricultural Conservation Program (ACP);
- Agricultural Water Quality Incentives Program (WQIP);
- Great Plains Conservation Program (GPCP); and
- Colorado River Basin Salinity Control Program (CRBSP).

The objective of this newly consolidated and better-targeted program is to encourage farmers and ranchers to adopt practices that reduce environmental and resource problems on agricultural land. It is available to farmers and ranchers who own or operate land on which crops or livestock are produced, including cropland, pasture, rangeland, and other lands identified by the Secretary. Producers who implement certain land management practices (e.g., nutrient management, tillage management, grazing management) can receive technical assistance, education, and incentive payments. Producers who implement structural practices (e.g., animal waste management facilities, terraces, and filterstrips) can receive technical assistance, education, and cost-sharing of up to 75 percent of the projected cost of the practice(s); however, large confined livestock operations are generally ineligible for cost sharing to construct animal waste management facilities.

Farmland Protection Program (FPP) is a voluntary program established by the 1996 Farm Bill. Under this program, the purchasing of conservation easements or other interests in lands with prime, unique, or other highly productive soils is the main objective. NRCS administers the program. Eligible land must be subject to a pending offer from a State, tribe, or local government for the purposes of protecting topsoil by limiting nonagricultural uses of that land.

Forestry Incentives Program (FIP) was initiated in 1975 and is administered by NRCS and the Forest Service (FS). This program provides technical assistance and cost-sharing for up to 65

percent for tree plantings and timber stand improvements on private forest lands no more than 1,000 acres in size.

Stewardship Incentive Program (SIP) is administered by the FS and provides cost-sharing for up to 75 percent of practice cost. The payments for this program may not exceed \$10,000 annually per landowner with practices being maintained for a minimum of 10 years.

Wetlands Reserve Program (WRP) is a voluntary program created under the 1985 Farm Act and is currently administered by NRCS. It is funded through CCC and has a total enrollment cap of 975,000 acres. Landowners choose whether to sell a permanent or 30-year conservation easement or enter into a 10-year cost-share restoration agreement to restore and protect our Nation's valuable wetlands. The landowner voluntarily limits future use of the land, yet retains private ownership of it. USDA pays 100 percent of restoration costs for permanent easements or 75 percent for 30-year easements and restoration cost-share agreements. Additional assistance for easement payments and wetland restoration costs can be provided by other agencies and private conservation organizations as a way to reduce the landowner's share of the costs.

Wildlife Habitat Incentives Program (WHIP) was created by the 1996 Farm Bill to provide cost-sharing assistance to landowners for expanding habitat for upland wildlife, wetland wildlife, threatened and endangered species, fish, and other types of wildlife. A total of \$50 million was authorized from CRP funds to conduct the program for fiscal years 1996-2002. Participating landowners develop plans that include various schedules for installing wildlife habitat development practices and requirements for maintaining the habitat for the life of the contract. Contracts generally are a minimum of 10 years from the date of practice establishment. Cost-share payments are authorized to establish practices that are needed to meet the objectives of the program, and to replace practices that fail for uncontrollable reasons.

3.6.2 Other Federal Environmental Programs Pertaining to Agricultural Land Uses

3.6.2.1 Environmental Protection Agency (EPA) Administered Programs

Clean Water Act (CWA) was passed in 1972, with a goal to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." The Act contains a number of provisions that affect agriculture.

- Clean Lakes Program is authorized by Section 314 of the CWA. It authorizes EPA grants to States for lake classification surveys, diagnostic/feasibility studies, and for projects to restore and protect lakes.
- National Estuary Program is established by Section 320 of the CWA. It provides for the identification of nationally significant estuaries that are threatened by pollution for the preparation of conservation and management plans and calls for Federal grants to States, interstates, and regional water pollution control agencies to implement such plans.
- National Pollutant Discharge Elimination System (NPDES) Permit Program is established by Section 402 of the CWA. This program controls point-source

- discharge from treatment plants and industrial facilities (including large animal and poultry confinement operations).
- Nonpoint Source Pollution Program is established by Section 319 of the CWA. It requires States and U.S. territories to identify navigable waters that cannot attain water quality standards without reducing nonpoint source pollution, and then develop management plans to reduce such nonpoint source pollution.

Comprehensive State Ground-Water Protection Program (CSGWPP) was initiated by EPA in 1991. It coordinates the operation of all Federal, State, tribal, and local programs that address groundwater quality. States have the primary role in designing and implementing CSGWPP based on distinctive local needs and conditions.

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) provides the legal basis under which pesticides are regulated. A pesticide can be restricted or banned if it poses unacceptable risks to human health or the environment. The re-registration process, mandated in 1988 for all active ingredients then on the market, has resulted in manufacturers dropping many less profitable products rather than paying the registration fees.

Safe Drinking Water Act (SDWA) requires the EPA to set standards for drinking water quality and requirements for water treatment of public water systems while also requiring States to establish a wellhead protection program to protect public water system wells from contamination by chemicals, including pesticides, nutrients, and other agricultural chemicals.

3.6.2.2 U.S. Army Corps of Engineers Programs

Dredge and Fill Permit Program was established by Section 404 of the CWA. It regulates dredging, filling, and other alterations of waters and wetlands jointly with EPA, including wetlands owned by farmers. Under administrative agreement, NRCS has authority to make wetland determinations pertaining to agricultural land.

3.6.2.3 U.S. Department of Interior Programs

The Endangered Species Act (ESA) was enacted to conserve threatened or endangered species and the ecosystems in which they exist. When a species is designated as threatened with extinction, a recovery plan that includes restrictions on cropping practices, water use, and pesticide use is developed to protect the species from further population declines.