

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Agricultural Resource
Conservation Program
2-CRP (Revision 5)**

Amendment 15

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 66 C has been amended to add CRP practice CP42 to the continuous signup practice list.

Subparagraph 66 D has been amended to:

- reflect the eligible SIP payment amounts per acre for practices CP5A, CP8A, CP16A CP17A, CP21, CP22, CP23, CP23A, CP27, CP28, CP29, CP30, CP31, CP33, and CP42
- clarifying policy about incentives for CREP.

Subparagraph 131 E has been amended to clarify policy for AGI provisions for continuous CRP-1's approved between May 13, 2002, and September 20, 2002.

Subparagraph 197 A has been amended to add:

- continuous practice CP42 to the list of eligible practices to receive SIP
- the \$15/acre SIP amount for practices CP23, CP23A, CP33 and CP42.

Subparagraph 197 B has been amended to add references to CREP.

Subparagraph 213 E has been amended to correct dates and clarify policy in the example about CRP-1 continuous signup period.

Subparagraph 401 A has been amended to remove the language about adjusting the value of CRP-1 because of payment limitation.

Paragraph 461 has been amended to clarify policy for CRP payment limitation.

Paragraph 462 has been amended to add an exception for CREP.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 637 F has been amended to clarify the nonpayment period.

Subparagraph 691 D has been amended to clarify policy for emergency haying and grazing.

Subparagraph 693 A has been amended to clarify contiguous CRP fields for emergency haying and grazing general provisions.

Subparagraph 742 A has been amended to clarify that emergency haying or grazing activity restarts the frequency clock.

Subparagraph 771 A has been amended to clarify policy about changes to agreements.

Exhibit 11 has been amended to:

- remove CP27 references to Final National Inventory Map and USGS map
- remove CP31 allocation tables
- update CP33 total acreage enrollment cap and remove allocation table
- update CP36 total acreage enrollment cap and remove allocation table
- update CP37 total acreage enrollment cap and remove allocation table.

Exhibit 31 has been withdrawn because of obsolete policy.

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66 National Practices (Continued)

***--B CRP Practices for Signup 43**

The following provides eligible practices and CRP-1 length for signup 43.--*

Practice	CRP-1 Length
CP1	10
CP2	10
CP3	10
CP3A	10 to 15 <u>1/</u>
CP4B	10 to 15 <u>1/</u>
CP4D	10
CP12 <u>2/</u>	10 to 15
CP25	10 to 15 <u>1/</u>
CP42	10

1/ Producer shall elect a contract period between 10 and 15 years.

2/ CP12 is only available in conjunction with certain other practices. The length of CRP-1 is determined by the practice used in conjunction with CP12. See Exhibit 11.

66 National Practices (Continued)

C CRP Practices for Continuous Signup

The following provides eligible practices and CRP-1 length for the continuous signup.

Practice	CRP-1 Length
CP1 <u>2/</u>	10
CP2 <u>2/</u>	10
CP3 <u>2/</u>	10
CP3A <u>2/</u>	10 to 15 <u>1/</u>
CP4B <u>2/</u>	10 to 15 <u>1/</u>
CP4D <u>2/</u>	10
CP5A	10 to 15 <u>1/</u>
CP8A	10
CP9	10
CP10 <u>4/</u>	10
CP15A	10
CP15B	10
CP16A	10 to 15 <u>1/</u>
CP17A	10 to 15 <u>1/</u>
CP18B	10
CP18C	10
CP21	10 to 15 <u>1/</u>
CP22	10 to 15 <u>1/</u>
CP23	10 to 15 <u>1/</u>
CP23A	10 to 15 <u>1/</u>
CP24	10
CP27	10 to 15 <u>1/</u>
CP28	10 to 15 <u>1/</u>
CP29	10 to 15 <u>1/</u>
CP30	10 to 15 <u>1/</u>
CP31	10 to 15 <u>1/</u>
CP33	10
CP35A-I	10 <u>3/</u>
CP36	10 to 15 <u>1/</u>
CP37	10 to 15 <u>1/</u>
CP38	Determined based on agreement.
CP39	10 to 15 <u>1/</u>
CP40	10 to 15 <u>1/</u>
CP41	10 to 15 <u>1/</u>
--CP42	10--

1/ Producer shall elect a contract period between 10 and 15 years.

2/ Practices eligible within approved wellhead protection areas only. See paragraph 181.

3/ Practices eligible only in States and counties authorized for EFCRP.

4/ Practice eligible within approved wellhead protection areas only and only eligible for enrollment before March 14, 2011.

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Lengths, and Incentives

The following provides CRP practices, signup types, contract lengths, and incentives.

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
CP1, Establishment of Permanent Introduced Grasses and Legumes	Wellhead	X	10	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP2, Establishment of Permanent Native Grass	Wellhead	X	10	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP3, Tree Planting	Wellhead	X	10	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP3A, Hardwood Tree Planting	Wellhead	X	10-15	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP4B, Permanent Wildlife Habitat Corridors - Noneasement	Wellhead	X	10-15	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP4D, Permanent Wildlife Habitat - Noneasement	Wellhead	X	10	N	N <u>1</u> /	Y (10 percent) for wellhead only	
CP5A, Field Windbreak Establishment - Noneasement	X		10-15	Y *--(\$10)	Y	Y (20 percent)	\$2
CP8A, Grass Waterway - Noneasement	X		10	Y (\$10)--*	Y	Y (20 percent)	

1/ PIP is authorized for practices enrolled under wellhead protection criteria.

Note: For CREP, the * * * incentive rates are established according to the terms of each CREP agreement.

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Lengths, and Incentives (Continued)

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
CP9, Shallow Water Areas for Wildlife	X		10	N	Y	N	
CP10, <u>3</u> / Vegetative Cover, Grass Already Established	Wellhead	X	10	N	N <u>1</u> / Y (10 percent) for wellhead only		
CP11, <u>3</u> / Vegetative Cover, Trees Already Established		X	10	N	N	N	
CP12, Wildlife Food Plot		X	10-15	N	N	N	
CP15A, Establishment of Permanent Vegetative Cover - Contour Grass Strip	X		10	N	Y	N	
CP15B, Establishment of Permanent Vegetative Cover - Contour Grass Strip on Terraces	X		10	N	N	N	
CP16A, Shelterbelt Establishment	X		10-15	Y *--(\$10)--*	Y	N	\$2

1/ PIP is authorized for practices enrolled under wellhead protection criteria.

3/ Only eligible for enrollment before March 14, 2011.--*

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Lengths, and Incentives (Continued)

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
CP17A, Living Snow Fences - Noneasement	X		10-15	Y *--(\$10)--*	Y	N	\$2
CP18B, Establishment of Permanent Vegetation to Reduce Salinity - Noneasement	X		10	N	Y	N	
CP18C, Establishment of Permanent Salt Tolerant Vegetative Cover - Noneasement	X		10	N	Y	N	
CP21, Filter Strip	X		10-15	Y *--(\$10)	Y	Y (20 percent)	\$0, \$4, \$5
CP22, Riparian Buffer	X		10-15	Y (\$10)	Y	Y (20 percent)	\$2, \$4, \$5
CP23, <u>2/</u> Wetland Restoration	X		10-15	Y (\$15)	Y	Y (20 percent)	
CP23A, <u>2/</u> Wetland Restoration, Non-Floodplain	X		10-15	Y (\$15)--*	Y	Y (20 percent)	

2/ Incentives apply for contracts approved after November 3, 2008.

***--Note:** Payments for CREP CRP-1 participants must adhere to the written CREP agreements. Changes made in PIP/SIP/WRI for CRP's general and continuous signup do not automatically apply to CREP's unless those agreements indicate that these payments shall be made "according to 2-CRP" or "consistent with National CRP directives" or similarly worded reference. CREP agreements which include specific payment provisions such as "25% WRI hydrology restoration payments shall be paid for practices CP23 and CP23A" must be adhered to as written.--*

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Lengths, and Incentives (Continued)

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
CP24, Establishment of Permanent Vegetative Cover as Cross Wind Trap Strips	X		10	N	Y	N	
CP25, Rare and Declining Habitat		X	10-15	N	N	N	
CP27, Farmable Wetlands Pilot Wetland	X		10-15	Y *--(\$10)	Y	Y (20 percent)	
CP28, Farmable Wetlands Pilot Buffer	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP29, Marginal Pastureland Wildlife Buffer	X		10-15	Y (\$10)	Y	Y (20 percent)	\$0, \$4, \$5
CP30, Marginal Pastureland Wetland Buffer	X		10-15	Y (\$10)	Y	Y (20 percent)	\$0, \$4, \$5
CP31, <u>2/</u> Bottomland Timber Establishment on Wetlands	X		10-15	Y (\$10)--*	Y	Y (20 percent)	

2/ Incentives apply for contracts approved after November 3, 2008.

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Lengths, and Incentives (Continued)

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
CP33, Habitat Buffers for Upland Birds	X		10 *--(\$15)--*	Y	Y	N	
CP35A, Emergency Forestry - Longleaf Pine- New	X		10	N	N	N	
CP35B, Emergency Forestry - Longleaf Pine- Existing	X		10	N	N	N	
CP35C, Emergency Forestry - Bottomland Hardwood - New	X		10	N	N	N	
CP35D, Emergency Forestry - Bottomland Hardwood - Existing	X		10	N	N	N	
CP35E, Emergency Forestry - Softwood - New	X		10	N	N	N	
CP35F, Emergency Forestry - Softwood - Existing	X		10	N	N	N	
35G, Emergency Forestry - Upland Hardwood - New	X		10	N	N	N	
35H, Emergency Forestry - Upland Hardwood - Existing	X		10	N	N	N	

66 National Practices (Continued)

D CRP Practices, Signup Types, Contract Lengths, and Incentives (Continued)

*--

Practice Number And Name	Continuous	General	Contract Length	SIP	PIP	Rental Rate Incentive	Maximum Maintenance Incentive Rate
35I, Emergency Forestry - Mixed Trees - Existing	X		10	N	N	N	
CP36, Longleaf Pine - Establishment	X		10-15	Y (\$10)	Y	N	
CP37, <u>2/</u> Duck Nesting Habitat	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP38A, SAFE - Buffers	X		10-15	Y (\$10)	Y	N	
CP38B, SAFE - Wetlands	X		10-15	Y (\$10)	Y	N	
CP38C, SAFE - Trees	X		10-15	Y (\$10)	Y	N	
CP38D, SAFE - Longleaf Pine	X		10-15	Y (\$10)	Y	N	
CP38E, SAFE - Grass	X		10-15	Y (\$10)	Y	N	
CP39, FWP Constructed Wetland	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP40, FWP Aquaculture Wetland Restoration	X		10-15	Y (\$10)	Y	Y (20 percent)	
CP41, FWP Flooded Prairie Wetlands	X		10-15	Y (\$10)	Y	Y	
CP42, Pollinator Habitat		X	10	N	N	N	
CP42, Pollinator Habitat	X		10	Y (\$15)	N	N	

--*

2/ Incentives apply for contracts approved after November 3, 2008.

67-80 (Reserved)

131 AGI Provisions**A Policy for CRP-1's Approved May 13, 2002, Through September 30, 2008**

Beginning May 13, 2002, an average AGI limitation became effective for certain programs, including CRP.

This provision is effective beginning with the 2003 crop year. The average AGI limitation provides that an individual or entity shall not be eligible to receive certain benefits, during a crop year, if the average AGI of the individual or entity exceeds \$2.5 million, and less than 75 percent of the average AGI of the individual or entity is derived from farming, ranching, or forestry operations. See 1-PL.

Note: If a succession occurs to CRP-1 approved May 13, 2002, through September 30, 2008, the successor must meet the AGI provisions in 1-PL.

B Policy for CRP-1's Approved Beginning October 1, 2008

The average AGI limitation provides that a person or legal entity shall be ineligible to receive certain benefits, during a crop year if the average adjusted gross nonfarm income of the person or legal entity exceeds \$1 million, unless at least 66.66 percent of the average AGI of the person or legal entity is average adjusted gross farm income. See 4-PL.

Note: If a succession occurs to CRP-1 approved beginning October 1, 2008, the successor must meet the AGI provisions in 4-PL.

C AGI Certification

*--All producers with a share greater than zero, including members of entities and joint operations, **must** provide a certification of average AGI according to 1-PL or 4-PL, as applicable. For CRP, certifications of average AGI are binding for the life of CRP-1. CCC-526, CCC-926, or CCC-931 as applicable, must be filed before CRP-1 is approved. AGI determinations for CRP are for the contract period. See subparagraph 131 G for contract revision AGI requirements.--*

D Exception for Lands of Special Significance

The Administrator may allow a waiver to the \$1 million AGI limitation on a case-by-case basis for land that is determined to be environmentally sensitive land of special significance.

Waivers must be submitted to DAFP according to Exhibit 16.

131 AGI Provisions (Continued)

E Determining Which AGI Rule Applies to Contract

The following provides guidance on which:

- payment limitation and rules apply to CRP contracts
- AGI certification form should have been filed or must be filed at the time of contract approval.

Note: Follow 4-PL to determine which business types are required to file AGI certifications.

Original Contact Approved →	Before May 13, 2002				On or After May 13, 2002, and Before October 1, 2008	On or After October 1, 2008
	No		Yes			
Rex Extended	No		Yes			
Contract Extended in 2009	No	Yes	No	Yes		
AGI Rule	Not Subject to AGI Provisions	4-PL	1-PL	4-PL	1-PL	4-PL
Required Form		CCC-926 or CCC-931	CCC-526 or CCC-526C	CCC-926 or CCC-931	CCC-526 or CCC-526C	CCC-926 or CCC-931

***--Note:** For CRP continuous contracts approved between May 13, 2002, and September 30, 2002, that were effective for program year 2002, AGI provisions are **not** applicable. See subparagraph A for additional information.--*

F AGI Requirements for Producers Associated with Original Contracts

Beginning June 4, 2012, follow this table to determine the requirements for filing an AGI certification form for producers.

Notes: See subparagraph E to determine which AGI certification form should be filed.

If the producer is an entity or joint operation, all members with an ownership share are required to file the applicable AGI certification if the entity/joint operation is required to file the certification.

IF the producer's share is...	AND the producer is...	THEN the AGI certification is...
0 percent		not required.
greater than 0 percent	<ul style="list-style-type: none"> • an individual • entity without members 	required for the producer.
	<ul style="list-style-type: none"> • joint operation • entity with members 	required for: <ul style="list-style-type: none"> • the producer, except for a joint operation • each member with an ownership share greater than 0 percent.

151 Eligible Land Criteria (Continued)

C Land Enrolled in Other Programs

If all other eligibility criteria are met, the following land may be offered for CRP:

- land currently under Pub. L. 566 or Pub. L. 534 long-term contracts, if approved for modification by NRCS
- cropland that has had a permanent cover, including trees, established under EQIP, WHIP, CSP, or the Conservation Security Program, that is no longer within practice lifespan requirements.

Examples: Cropland on which permanent vegetative cover has been established under EQIP and still under EQIP lifespan requirements is not eligible for enrollment in CRP.

A farm under a WHIP contract that has only a part of the otherwise eligible cropland devoted to a permanent cover may have the WHIP contract modified, if approved by NRCS, to allow enrollment of acreage not devoted to a permanent cover into CRP.

Note: See subparagraph D for land ineligible for enrollment in CRP.

D Ineligible Acreage

The following acreage is ineligible to be offered in CRP:

- Federally owned land unless the producer submitting the offer has a lease for the CRP-1 period

Note: Federal entities are ineligible to receive CRP payments and cannot become a successor-in-interest to CRP-1.

- land on which a Federal agency restricts the use in a mortgage or an easement
- *--land under other easements, or other legal restrictions, that require a resource-conserving cover be maintained throughout any part of the proposed contract period--*

151 Eligible Land Criteria (Continued)

D Ineligible Acreage (Continued)

- acreage permanently under water, including acreage currently enrolled in CRP

Exception: Acreage devoted to either of the following may be eligible to be offered if all other eligibility requirements are met:

- CP9, Shallow Water Area for Wildlife
 - water, according to paragraph 429.
- land under CSP, EQIP, GRP, or WHIP that meets either of the following criteria:
 - has had a permanent cover, including trees, established and is still within the practice lifespan requirements
 - is under agreement and is scheduled to have a permanent cover, including trees, established regardless of whether any practice has been started or C/S paid.

Notes: Canceling or modifying the contract or agreement or refunding C/S shall not make the acreage eligible to be offered for enrollment.

Certain otherwise eligible cropland acreage enrolled in a WHIP contract may be eligible for enrollment in CRP if the contract is approved for modification by NRCS. See subparagraph C.

Acreage under contract or agreement, which are management or structural in nature and does not require establishment or enhancement of a permanent cover, may be offered for enrollment if all other eligibility requirements are met. All acreage offered for enrollment in CRP that is under an EQIP contract **must** be terminated from the EQIP contract before CRP-1 is approved. The EQIP contract **must** be modified to remove this acreage according to EQIP Manual.

Examples: Following are examples of management or structural practices:

- strip cropping
- no-till systems
- underground pipelines
- terraces that do not require permanent cover.

181 Eligibility Requirements (Continued)

A Eligibility Requirements for Cropland (Continued)

- NRCS or TSP determines, based on a site visit, the:
 - acreage is suitable for the offered practice
 - practice is needed and feasible to solve the resource concern
- Note:** Expiring CRP acreage automatically meets the needed and feasible eligibility requirement.
- purpose of the practice according to Exhibit 11 is met.
 - Producer offers a per acre rental rate that is less than or equal to the calculated maximum payment rate. Offers in excess of the maximum payment rate shall be rejected.

Note: To calculate the per acre maximum payment rate, the County Office shall identify the 3 predominant soil types using TERRA for the eligible acreage offered on CRP-2C, including land that is offered under infeasible to farm criteria. See paragraphs 196, 212, and the TERRA User Guide.

*--The TERRA tool:

- provides official CRP data and calculations
- shall be used for all CRP administration purposes.--*

For cropland within an approved wellhead protection area, see subparagraph B.

Land that meets the definition of cropland shall not be enrolled in CRP as marginal pastureland. See subparagraph C for eligibility requirements for marginal pastureland.

B Eligibility Requirements for Cropland Within Wellhead Protection Areas

An approved public wellhead protection area is the area designated by the appropriate State agency with an EPA-approved Wellhead Protection Program for water being drawn for public use, as defined for public use by the Safe Drinking Water Act, as amended.

Areas, such as aquifer protection areas, surrounding shallow aquifer areas, and water source protection districts are **not** public wellhead protection areas. Acreage within these areas is **not** eligible to be enrolled under the wellhead protection area provisions.

181 Eligibility Requirements (Continued)

B Eligibility Requirements for Cropland Within Wellhead Protection Areas (Continued)

States that do not have an EPA-approved Wellhead Protection Program shall **not** enroll acreage in CRP under the wellhead protection area provisions. Contact the State water quality agency:

- to determine if there is an EPA-approved Wellhead Protection Program
- for approved public wellhead protection areas.

Before **cropland** acreage within an approved public wellhead protection area may be determined acceptable for enrollment under continuous signup, **all** of the following **must** be met:

- all of the requirements of subparagraph A
- *--all of the acreage **must** be located within or immediately adjacent to the approved public wellhead protection area
- the acreage shall not exceed a radius of 2,000 feet from the approved public wellhead.

Exception: Enrollment may be allowed beyond a radius of 2,000 feet from the approved public wellhead, provided the State has established hydrologically delineated public wellhead protection areas using a 5-year or 10-year time-of-flow criteria and the State water quality agency has approved the hydrologically delineated public wellhead protection area.

At least 51 percent of the acreage offered must be located within an approved public--* wellhead protection area. The remaining 49 percent must be contiguous to the approved public wellhead protection area. The remaining acreage must be contiguous to the offered acreage.

181 Eligibility Requirements (Continued)

B Eligibility Requirements for Cropland Within Wellhead Protection Areas (Continued)

*--If using a shapefile in TERRA to determine the percentage of acreage within the approved public wellhead protection area, the shapefile must contain the following attributes:

- FID
- shape
- type
- name
- code.

Important: Submit the complete shapefile to David Taylor by e-mail at david.taylor@wdc.usda.gov.

Example: The following is an example of the attributes.

Name	Type	Length	Data Example
FID	Object ID	Default	
Shape	Polygon	Default	
Type	Text	25	CREP
Name	Text	255	Ohio River Basin
Code	Text	10	orb

--*

Examples: The approved public wellhead protection area designated by the appropriate State agency is a 1,000 foot radius surrounding the approved public wellhead. Therefore, the acreage enrolled in CRP shall not exceed the acreage within the 1,000 foot approved area.

The approved public wellhead protection area designated by the appropriate State agency is a 3,000 foot radius surrounding the approved public wellhead. Therefore, the acreage enrolled in CRP shall not exceed the acreage within a 2,000 radius from the approved public wellhead.

See subparagraph 66 C for a list of eligible practices for cropland within approved public wellhead protection areas.

181 Eligibility Requirements (Continued)

F Expiring Continuous Signup Land Eligibility (Continued)

The following are eligible land examples for expiring CRP when the offer is submitted for enrollment into CREP before expiration.

Example 1: An expiring continuous signup CRP-1 with practice CP21, Filter Strips, is offered as practice CP21 under a contract to be enrolled into CREP. The average width of the practice is 120 feet. NRCS or TSP determines the practice should be an average width of 160 feet to meet current CREP practice standards. The participant may enroll the practice and additional adjacent new land provided the average width enrolled is 160 feet according to an approved conservation plan of operations. Cost share and a practice incentive payment may be paid for the additional land required to meet the current 2-CRP practice standard for CRP-1's for the CREP.

Note: If NRCS or TSP determine that a width less than the 160 feet is needed, then **only** the lesser width would be eligible for enrollment/re-enrollment.

Example 2: Participant offers expiring CRP acreage as an eligible CREP practice. The practice is in compliance and is determined as meeting current practice standards. The participant requests to revise the conservation plan and add a 5 species seeding mix as an interseeding or re-seeding to provide enhanced wildlife habitat benefits. COC or CED may approve CRP-1 and the conservation plan; however, since the existing practice and vegetative cover meet the CREP agreement 2-CRP standards, no additional cost share expense is necessary and COC or CED will **not** approve cost share payments or practice incentive payments.

G Lands Ineligible for Re-Enrollment Under Continuous CRP

Lands ineligible for re-enrollment are:

- land not currently enrolled and not necessary to meet current practice standards for the existing practice according to Exhibit 11

* * *

197 One-Time Payments**A CRP-SIP**

CRP-SIP is a one-time incentive payment made to participants that enroll certain practices **after all** of the following are met:

- CRP-1 is approved
- AD-1026 has been completed and signed
- certification of compliance with 1-PL or 4-PL, as applicable.

Exception: CRP-SIP is **not** authorized for re-enrolled continuous, FWP practices, or infeasible to farm acres.

Note: Land that is currently under contract or has expired, and the cover has been maintained, is not eligible for SIP.

Important: CRP-SIP's shall **not** be made until **all** eligibility determinations have been made according to 1-PL or 4-PL, as applicable.

Participants that enroll practices CP5A, CP8A, CP16A, CP17A, CP21, CP22, CP23, CP23A, CP27, CP28, CP29, CP30, CP31, CP33, CP36, CP37, CP38A-E, CP39, CP40, CP41, or *--CP42 (continuous signup only) may receive CRP-SIP.--*

Important: CRP-SIP is **not** applicable to any other practice.

197 One-Time Payments (Continued)

A CRP-SIP (Continued)

CRP-SIP is a one-time payment of \$10 for each eligible acre enrolled for each full year of CRP-1. CRP-SIP is calculated by multiplying the number of eligible acres enrolled times the number of full years, **not to exceed 10 years**, of CRP-1 multiplied times \$10.

Exception: For practices CP23, CP23A, CP33, and CP42, CRP-SIP is calculated by multiplying the number of eligible acres enrolled times the number of full years, not to exceed 10 years, of CRP-1 multiplied times \$15.

Note: CREP related maintenance incentives are governed by approved CREP agreements.

Examples: If CRP-1 is:

- 10 years and 7 months in length, CRP-SIP is calculated using only 10 years
- 12 years and 3 months in length, CRP-SIP is calculated using only 10 years.

The following provides additional information and examples for calculating CRP-SIP's.

Step	Action
1	<p>Determine the number of acres enrolled that are eligible for CRP-SIP. Only certain practices are eligible for CRP-SIP.</p> <p>Example: Producer enrolls 5 acres to be devoted to CP22 and 10 acres to be devoted to CP18B on the same tract. The duration of CRP-1 will be 10 years and 7 months. CRP-SIP is applicable only to the 5 acres of CP22.</p>
2	<p>Determine the number of full years of CRP-1. CRP-SIP is made for full years of CRP-1 only.</p> <p>Important: Always truncate part years of CRP-1's.</p> <p>Example: Using the CRP-1 in step 1, there are 10 full years in the approved CRP-1. Therefore, 10 years will be used to calculate CRP-SIP.</p>
3	<p>Multiply the result of step 1 times the result of step 2 times \$10.</p> <p>Example: Using the results of the examples in steps 1 and 2, the one-time CRP-SIP is \$500 = 5 acres x 10 years x \$10.</p>

197 One-Time Payments (Continued)**A CRP-SIP (Continued)**

CRP-SIP shall be:

- a one-time payment only
- rounded to the nearest whole dollar, see paragraph 462
- subject to the prompt payment provisions, see paragraph 462
- divided among participants according to the shares on CRP-1
- subject to the CRP \$50,000 FY payment limitation, see paragraph 461
- issued according to 1-FI * * *
- refunded if CRP-1 is terminated, see paragraph 571
- offset, if applicable, see paragraph 465
- assigned, if applicable, see paragraph 465
- based on a 10-year contract only.

Note: The revision to SIP applies to all new offers except for CREP. CREP-related * * * incentives are governed by approved CREP agreements.

CRP-SIP is a separate payment from all of the following:

- annual rental payment
- C/S payment
- PIP
- CP23 one-time incentive payment for CRP-1's approved before November 3, 2008.

197 One-Time Payments (Continued)

B PIP

PIP is a one-time incentive payment made to participants that enroll land in CRP to be devoted to continuous signup practices **after all** of the following are met:

- CRP-1 is approved
- AD-1026 has been completed and signed
- participant signs AD-245, page 2, and reports completion of practice
- technical agency or producer certifies performance on AD-862
- all necessary documents to calculate total C/S amount are obtained
- certification of compliance with 1-PL or 4-PL, as applicable.

PIP is:

- authorized for re-enrolled continuous signup practices only if new C/S is approved
- **not** authorized for infeasible to farm acres.

Important: PIP's shall **not** be made until **all** eligibility determinations have been made according to 1-PL or 4-PL, as applicable.

PIP is a one-time incentive payment:

- applicable to all continuous signup practices, including re-enrolled continuous signup practices, except CP15B

Notes: See subparagraph 66 D for eligible practices for continuous signup.

--CREP related incentives are governed by approved CREP agreements.--

- equal to 40 percent of the total **eligible** cost of practice installation.

Important: Do **not** include ineligible costs when calculating PIP.

Note: Partial PIP payments are not authorized.

197 One-Time Payments (Continued)

B PIP (Continued)

Determine the total **eligible** cost of practice installation. Do **not include** ineligible costs when calculating PIP. The following table provides additional information and examples for calculating PIP's.

Note: PIP cannot exceed 100 percent of the producer's out-of-pocket cost.

Example No. 1	
Step	Action
1	Bob Smith enrolled 10 acres as CP22. The average cost to establish hardwood trees is \$150 per acre for the needed components. Bob Smith submits an invoice that totals \$200 per acre to establish the required components for the practice. The eligible cost used to determine C/S cannot exceed \$150 per acre. The difference between the \$200 per acre invoice and the \$150 average cost is considered ineligible cost . Bob Smith received C/S of \$750 (10 ac. x \$150 = \$1,500 cost x .50 = \$750). AD-862, item H1, total eligible installation cost, is \$1,500 and item H2, cost-share, is \$750. Bob Smith receives 100 percent shares on CRP-1.
2	Multiply AD-862, item H2, cost-share, times 80 percent (\$750 x .80 = \$600). PIP is \$600.
Example No. 2	
Step	Action
1	John Jones and Bob Smith enroll 5 acres to be devoted to CP22 and 10 acres to be devoted to CP18B on the same tract. John Jones total eligible cost to install CP22 and CP18B was \$5,500. John Jones received \$4,000 from the State Department of Natural Resources. John Jones' out-of-pocket cost was \$1,500. Bob Smith did not have any out-of-pocket cost. The value of the contribution from the State Department of Natural Resources plus John Jones out-of-pocket cost did not exceed the established eligible cost. John Jones received \$1,500 C/S assistance (\$5,500 x .50 = \$2,750, limited to \$1,500, John Jones out-of-pocket cost). AD-862, item H1, total eligible installation cost, is \$5,500 and item H2, cost-share, is \$1,500. John Jones and Bob Smith shares on CRP-1 are 50/50.
2	Multiply AD-862, item H2, cost-share, times 80 percent (\$1,500 x .80 = \$1,200). John Jones out-of-pocket cost was \$1,500. PIP is limited to \$1,200. John Jones' PIP is limited to \$600.

197 One-Time Payments (Continued)

B PIP (Continued)

PIP shall be:

- a one-time payment only, regardless if C/S is paid for reestablishment
- rounded to the nearest whole dollar, see paragraph 462
- subject to the prompt payment provisions, see paragraph 462
- divided among participants according to the shares on CRP-1
- subject to the CRP \$50,000 FY payment limitation, see paragraph 461
- issued according to 1-FI * * *
- refunded if CRP-1 is terminated, see paragraph 571
- offset, if applicable, see paragraph 465
- assigned, if applicable, see paragraph 465.

PIP is a separate payment from all of the following:

- annual rental payment
- C/S payment
- CRP-SIP
- *--CP23 one-time incentive payment for CRP-1's approved before November 3, 2008, or according to approved CREP agreements.--*

213 CRP-1 Period for Continuous Signup (Continued)

C Effective Date of CRP-1 for Land Currently Enrolled in CRP

Land currently enrolled in CRP may be offered for re-enrollment through continuous signup if all of the following are met:

- the land enrolled in CRP is in the last year of CRP-1

***--Note:** The land may be offered for re-enrollment no earlier than 6 months before CRP-1 is scheduled to expire.--*

Important: If the land enrolled in CRP is **not** in the last year of CRP-1, the land is **not** eligible to be offered for re-enrollment.

- the acreage offered meets **all** of the applicable eligibility requirements according to paragraph 181
- CRP-1 effective date is October 1 of the year the existing CRP-1 expires.

Important: Land enrolled in CRP in the last year of CRP-1 is **not** eligible to be re-enrolled with an effective date other than October 1 of the year the ***--existing CRP-1 expires. The CRP-1 effective dates for re-enrolled land is not authorized.--***

D Expiration Date of CRP-1

Expiration date of CRP-1's under continuous signup provisions shall be September 30 of the applicable year, as determined by the duration of CRP-1, regardless of the effective date of CRP-1.

213 CRP-1 Period for Continuous Signup (Continued)**E Example 1 of 10-Year CRP-1**

Producer offers land not currently enrolled in CRP for enrollment through continuous signup. CRP-1 was approved by COC or CED on July 22, 2010. The effective date shall be *--August 1, 2010, unless the producer chooses to defer the effective date and the expiration date shall be September 30, 2020. The producer may elect to defer the effective date up to 6 months.

Using this same example, a 6-month deferment would result in an effective date of February 1, 2011, and the expiration date for CRP-1 shall be September 30, 2021.--*

Assuming an effective date of August 1, 2010, the producer would receive CRP payments for 10 years and 2 months if all eligibility requirements were met. Assuming an effective date of February 1, 2011, the producer would receive CRP payments for 10 years and 8 months.

Note: Each payment, including the first year prorated payment, will be paid after October 1 of each applicable year. See paragraph 198.

Part 12 Approving CRP-1's

401 Approving and Numbering CRP-1's

A Requirements Before Approval

Before approving CRP-1's, County Offices shall:

- ensure that a separate CRP-1 is completed for:
 - each CRP-2 or CRP-2C
 - practices with different lifespans
- Note:** See paragraphs 211 and 332.
- determine acres to be enrolled by completing a paid-for measurement service

Exceptions: Measurement service is not required for:

- official fields
- any acreage currently enrolled that has been reoffered and accepted, if the specific area accepted was measured before enrollment.

Notes: In early signup periods, offers were accepted by farm. Offers are now required to be by tract. If acreage currently enrolled were required to be reoffered separately because the acreage is located on more than 1 tract, the acreage is required to be measured.

--The use of TERRA is considered a measurement service. No measurement service fee is charged for the use of TERRA. If staking and referencing or in office measurement, other than TERRA, is performed, see 2-CP, paragraph 460 for fees.--

- adjust the acreage on CRP-1 as appropriate according to the completed measurement service
- ensure that DCP acres and CRP acres do not exceed cropland on the farm, according to subparagraph 401 B
- complete approved farm reconstitutions

401 Approving and Numbering CRP-1's (Continued)

A Requirements Before Approval (Continued)

- complete a second party review of all eligibility requirements and maximum payment rate calculations
- ensure that CCC-931 has been filed for all producers with a share greater than zero, including members of entities and joint operation, and updated in the web-based Subsidiary Eligibility System before CRP-1 approval

Notes: CCC-931 **must** be filed to ensure that CRP participants are aware of payment eligibility for new CRP contracts or revised CRP contracts where there is a succession. This does **not** require that a prospective CRP participant be eligible for payments, **only** that CCC-931 be filed.

If a zero share producer revises their share, the appropriate AGI form is required. See paragraph 131.

- review the multiple county producer list with other County Offices
- ensure county cropland limit eligibility according to Part 4.

Note: The first five CREP offers per county **must** be reviewed by STC before COC or CED approval.

- determine the total annual rental rate for the acreage being offered and all previously approved CRP-1's
- ensure that NRCS has terminated all applicable WBP agreements

Note: File a copy of the terminated WBP agreement in the producer's CRP folder.

* * *

Part 14 CRP Funds

--461 Maximum Annual Non-C/S Payment Limitations*A Payment Limitation Attributed to Year Earned**

The maximum annual non C/S payment limitation that an eligible person or entity can receive under CRP is \$50,000 per FY based on the FY the payment is **earned**.

4-PL rules defining a person or legal entity apply to CRP contracts approved on or after October 1, 2008. 1-PL rules defining a "person" apply to CRP contracts approved before October 1, 2008.

This limitation does not apply to a State, political subdivision, or agency approved under a special enhancement program. Annual rental payments made to a State under a State CRP enhancement agreement shall be credited against the payment limitation of the producer who entered into the State CRP enhancement agreement with the State.

Important: State CRP enhancement agreements are **not** CREP agreements.

The Finality Rule does not apply to CRP annual rental or incentive payments. See paragraph 465.

B Calculating Maximum Annual Payment Limitations for Non-C/S Payments

The maximum annual non-C/S share payment a person or legal may receive is equal to the lesser of:

- (annual rental payments) + (CRP-SIP's) + (PIP's) + applicable CREP incentive payments
- \$50,000.

When the sum of the (annual rental payments) + (CRP-SIP's) + (PIP's) + applicable CREP incentive payments exceeds \$50,000, the:

- the payment shall be reduced to \$50,000
- the amount exceeding \$50,000 shall never be paid.--*

Important: All incentive payments made by CCC under a CREP agreement shall be included when calculating the FY annual payment limitation. States with approved CREP agreements shall provide procedure for calculating applicable incentive payments and ensuring the FY annual payment limitation is not exceeded.

***--461 Maximum Annual Non-C/S Payment Limitation (Continued)**

C Attribution of Payments to Year Earned

Payments are attributed based on the year the payment is **earned**.

For payment limitation purposes, a payment is attributed for:

- the annual rental payment in the FY program performance occurs
- CRP-SIP in FY COC approves CRP-1
- PIP in FY the participant completes the practice, as evidenced by the producer's signature date on AD-245.

Example 1: A producer's CRP-1 continuous contract (300 acres at \$90 per acre annual payment for 10 years) is approved on September 1, 2013. The contract becomes effective on October 1, 2013. The first annual payment is due October 2014. SIP is \$30,000. CRP-PIP is \$40,000.

For payment limitation purposes, a payment is attributed for:

- the annual rental payment in FY 2014 (performance occurs in FY 2014)
- CRP-SIP in FY 2013 (the year the contract is approved)
- PIP in FY 2015 (assuming the practice is completed in FY 2015).

Note: This means for payment limitation purposes, the CRP-SIP is attributed to FY 2013, the first annual rental payment is attributed to FY 2014, and the CRP-PIP is attributed to FY 2015.

Event	Date	Fiscal Year		Pay Limit Year		
		Issued	Earned	2013	2014	2015
Contract Approved	September 1, 2013					
SIP Payment Issued	October 20, 2013	2014	2013	\$30,000		
1st Annual Rental	October 1, 2014	2015	2014		\$27,000	
Practice Completed/PIP Payment Issued	January 15, 2015	2015	2015			\$24,000
2 nd Annual Rental	October 1, 2015	2016	2015			\$27,000
Total Paid				\$30,000	\$27,000	\$50,000
Total Reductions due to Payment Limitation				\$0	\$0	\$1,000 on Annual Rental

Note: \$27,000 in annual rental payments is attributed in subsequent FY's for the remaining 8 payments.--*

461 Maximum Annual Non-C/S Payment Limitation (Continued)

* * *

D Successor-in-Interest CRP-1's

Following are ways payment limitation provisions apply when CRP-1 is revised because of successor-in-interest.

- *--The revised CRP-1 amount cannot exceed the annual contract payment CRP-1 amount.
- The annual payment on CRP-1 shall be reduced for the successor on the revised CRP-1 if the maximum payment limitation will be exceeded.

Note: CRP payments may continue to heirs of owners according to 1-PL or 4-PL as applicable. See paragraph 555 for succession-in-interest provisions.--*

E Multi-County Producers

See 1-PL or 4-PL, as applicable, to control CRP payments for participants who have farming interest in more than 1 county.

462 Making CRP Payments (Continued)**D PIP**

PIP is a one-time incentive payment made to participants that enroll land in CRP to be devoted to continuous signup practices. See paragraph 197.

Provided the participant is in compliance with the terms and conditions of CRP-1, disburse PIP's according to the shares on approved CRP-1.

PIP's shall be made, when authorized:

- after:
 - CRP-1 is approved
 - certification of compliance with adjusted gross income limitation has been received according to 1-PL or 4-PL, as applicable
 - AD-1026 has been completed and signed
 - participant signs AD-245, page 2, and reports completion of practice
 - NRCS or TSP certifies performance on AD-862
 - all necessary documents to calculate total C/S amount are obtained
 - certification of compliance with 1-PL or 4-PL, as applicable
 - partial PIP's are not authorized

Note: PIP's shall **not** be made until all eligibility determinations have been made according to 1-PL or 4-PL, as applicable.

- according to 1-FI and 1-CRP using program code "XXCRPPRI".

Note: See paragraph 465 for finality rule.

462 Making CRP Payments (Continued)

E CP23 and CP23A One-Time WRI Payment for CRP-1's Approved Before November 3, 2008

CP23 and CP23A one-time WRI payment is an incentive payment to encourage the restoration of cropped wetlands. See Exhibit 11.

Provided the participant is in compliance with the terms and conditions of CRP-1, disburse CP23 and CP23A one-time WRI payment according to the shares on approved CRP-1 only for CRP-1's approved before November 3, 2008.

***--Exception:** Payments for CREP CRP-1 participants must adhere to the written CREP agreements. Changes made in PIP/SIP/WRI for CRP's general and continuous signup do not automatically apply to CREP's unless those agreements indicate that these payments shall be made "according to 2-CRP" or "consistent with National CRP directives" or similarly worded reference. CREP agreements which include specific payment provisions such as "25% WRI hydrology restoration payments shall be paid for practices CP23 and CP23A" must be adhered to as written.--*

CP23 and CP23A one-time WRI payment shall be made, when authorized:

- after:
 - CRP-1 is approved
 - certification of compliance with adjusted gross income limitation has been received according to 1-PL or 4-PL, as applicable
 - AD-1026 has been completed and signed
 - participant signs AD-245, page 2, and reports completion of practice
 - technical agency certifies performance on AD-862
 - all necessary documents to calculate total C/S amount are obtained
 - certification of compliance with 1-PL or 4-PL, as applicable

Note: CP23 and CP23A one-time WRI payments shall **not** be made until all eligibility determinations have been made according to 1-PL or 4-PL, as applicable.

- according to 1-FI and 1-CRP using program code "XXCRPWRI".

Note: See paragraph 465 for finality rule.

462 Making CRP Payments (Continued)**F Prompt Payment**

CRP participants who are issued CRP payments more than 30 calendar days after payments are authorized shall receive interest under the Prompt Payment Act according to 61-FI. See 50-FI for prompt payment interest rates.

463 Dividing Payments Among Participants for Successor-in-Interest CRP-1's**A CRP Rental Payments**

Earned CRP annual rental payments **shall** be paid according to the division of shares agreed to by the participants on CRP-1.

B Dividing CRP Payments Among Predecessor and Successor Participants

Annual rental payments shall be divided between predecessors and eligible successors as agreed to among the participants if both of the following are met:

- COC determines there is no scheme and device to defeat or circumvent the purpose of any program provision, including payment limitation and permitted entity provisions
- eligible successors-in-interest sign a revised CRP-1 within 60 calendar days of notification by COC or CED.

If there is no agreement among predecessors and eligible successors, annual rental payments shall be divided based on the earlier of the date the:

- deed is recorded on the land records
- successor acquired right of occupancy, through foreclosure proceedings, of the land under CRP-1.

Note: This provision only applies to land acquired through foreclosure proceedings. See paragraph 555 for succession-in-interest provisions.

463 Dividing Payments Among Participants for Successor-in-Interest CRP-1's (Continued)**B CRP Rental Payments for Succession-in-Interest (Continued)**

CRP participants shall be responsible for either:

- refunding any payments that may become due if CRP-1 is not assumed
- ensuring that the successor-in-interest agrees to and signs, if applicable, the version of CRP-1 Appendix in effect when the preceding CRP-1 was signed.

If acreage under CRP-1 is sold to a successor and the successor sells the acreage before the County Office becomes aware of the initial sale, the newest owner may be allowed to succeed to CRP-1.

Note: If the original owner received payments earned after the sale of the land, refunds of that amount, plus interest, shall be collected from the original owner. Issue applicable payments to new owner.

If a successor terminates CRP-1 and the predecessor has earned part of the annual rental payment, the successor shall be responsible for refunds, including the amount earned by the predecessor.

Note: Ensure that the payment is issued to the predecessor even though CRP-1 is terminated. No interest will be paid.

When dividing CRP annual rental payments between previous owners and new owners, select all participants for special payment processing according to 1-CRP, paragraph 355.

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

E Participants' Responsibilities (Continued)

<p>WHEN participants, in the final year of CRP-1, intend to destroy CRP cover to...</p>	<p>THEN participants...</p>
<p>prepare a seedbed for fall-seeded crops from either of the following dates:</p> <ul style="list-style-type: none"> • May 1 through June 30 in arid areas only • July 1 through September 30 	<ul style="list-style-type: none"> • shall submit requests on CRP-1G Addendum at any time during the final year of CRP-1 • are required to meet with NRCS or TSP to obtain an approved conservation plan for: <ul style="list-style-type: none"> • the destruction of the CRP cover when the method of destruction could cause adverse environmental effects, as determined by TSP • conservation compliance, if applicable • may plant fall-seeded agricultural commodities in areas where planting these crops normally occurs before October 1, as determined by STC • may mechanically remove cover and make commercial use of CRP acreage during the CRP-1 period with a 25 percent reduction of the annual rental payment <p>Note: Participants may mechanically remove cover from CRP acreage without a reduction of the annual rental payment if no commercial use is made of the forage. The participant must pay for a field visit by COC or CED to verify destruction of the cover. * * *</p> <ul style="list-style-type: none"> • shall receive a reduced annual rental payment for the period indicated on CRP-1G Addendum, item 3 <p>Note: See subparagraph F.</p> <ul style="list-style-type: none"> • shall be in violation of CRP-1 if the participants fail to plant a fall seeded crop in a normal manner. <p>Notes: All signatories to CRP-1 shall be required to sign CRP-1G Addendum before COC or CED approval.</p> <p>CRP participants requesting to destroy CRP cover to prepare land for planting fall-seeded crops shall be informed that failure to plant a fall-seeded crop in a normal manner is a violation of CRP-1 and may result in a refund of all CRP annual rental payments, plus interest, and liquidated damages.</p>

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

F Processing Participants' Requests

County Offices shall process participants' requests for early land preparation according to the following.

Step	Action
1	Accept requests on CRP-1G Addendum. See subparagraph G. Ensure that all required signatures are obtained.
2	Ensure that participants meet with NRCS or TSP to develop a conservation plan for: <ul style="list-style-type: none"> • the destruction of the CRP cover when the method of destruction could cause adverse environmental effects, as determined by NRCS or TSP • conservation compliance, if applicable.
3	Remind participants that approval is for land preparation activities only. However, planting fall-seeded agricultural commodities is permitted when fall planting of these crops normally occurs before October 1, as determined by STC. <p>Note: Unauthorized haying and grazing during the contract period are violations of CRP-1.</p>
4	Ensure that participants are aware that no annual rental payment shall be earned for the period indicated on CRP-1G Addendum, item 3. Nonpayment period shall begin on the day land preparation commences, but: <ul style="list-style-type: none"> •*--no earlier than May 1--* • ends June 30. Enter "N/A" on CRP-1G Addendum, item 3 for requests that do not require a payment reduction. <p>Note: The nonpayment period may be for a portion of a month. The payment reduction shall be based on the number of nonpayment days entered on CRP-1G Addendum, item 3.</p>

691 County Eligibility (Continued)**C Applying for National Authorization (Continued)**

COC shall ensure that an eligible livestock producer, to whom the acreage is rented or leased, is located in an approved county or part of a county, as applicable.

All requests and CEPD determinations, and STC determinations, as applicable, shall be recorded in the COC minutes.

COC shall clearly document in the COC minutes the following:

- justification for the request to release CRP for emergency haying or grazing
- monthly review of conditions in the county and the basis used to determine whether continued haying or grazing is warranted.

STC, or designee, shall thoroughly review COC requests for completeness and make a recommendation before submitting requests to CEPD. Failure to submit complete requests with STC, or designee, recommendation will delay the CEPD response.

After CEPD approves COC's request, COC shall notify all participants in the county or part of the county, as applicable, of the authorization to hay or graze CRP acreage by the fastest means possible.

Note: Unless otherwise indicated, all emergency haying authorizations shall end August 31, and all emergency grazing authorizations shall end September 30.

691 County Eligibility (Continued)

D STC Determinations

COC’s may request emergency haying or grazing for all or part of a county to STC using the U.S. Drought Monitor.

STC shall:

- make determinations on a county-by-county basis
- report approvals to CEPD by COB each day.

Note: STC approval notification shall be in the following format.

County Name	Date Grazing Approved	Date Haying Approved

STC shall **not** approve counties for emergency haying or grazing based on the U.S. Drought Monitor during the primary nesting and brood rearing season.

*--STC shall **not** take action to approve counties for emergency haying or grazing based on the U.S. Drought Monitor during the primary nesting and brood rearing season to be effective after the primary nesting season ends.

Exception: STC may take action during the last week of the primary nesting season using the most recent data available from the U.S. Drought Monitor.--*

STC approvals of emergency haying shall end no later than August 31, and approvals of emergency grazing shall end no later than September 30.

E County Eligibility Criteria for STC Determination

For emergency haying and grazing, county eligibility is based on COC submitting evidence that the county is designated as level “D2 Drought-Severe” according to the U.S. Drought Monitor.

The U.S. Drought Monitor is available on the internet at <http://www.drought.unl.edu/dm/monitor.html>.

693 Emergency Haying and Grazing Provisions (Continued)

A General Provisions (Continued)

•*--shall leave at least 50 percent of each field or contiguous CRP fields unhayed for wildlife--*

- shall not hay or graze the same acreage
- shall not sell the hay
- shall limit haying to 1 cutting
- shall not hay or graze during the primary nesting or brood rearing season

Notes: For States listed in the NWF Settlement Agreement, the haying and grazing dates in subparagraph 665 A apply.

STC shall establish only 1 primary nesting season for managed harvesting, emergency haying and grazing, and routine grazing.

- shall be assessed a payment reduction based on the number of acres actually hayed or grazed times the CRP annual rental rate payment times 25 percent, as applicable
- shall remove all hay or livestock from all CRP fields by a date determined by STC
- who do not own or lease livestock, may rent or lease the haying or grazing privilege to an eligible livestock producer.

CRP participants who rent or lease the haying or grazing privilege to an eligible livestock producer shall:

- identify the acreage to be hayed or grazed on an aerial photocopy.
- inform the County Office of the producer's name.

Eligible livestock producers who are renting or leasing eligible acreage from a CRP participant, before any haying or grazing occurs, shall:

- sign a statement that he or she will not sublease CRP acreage
- receive notification of approval, in writing, from COC or CED.

Note: A copy of the notification shall be given to the CRP participant.

Participants who hay or graze CRP acreage without approval, or fail to follow these provisions, will be subject to the noncompliance provisions according to paragraph 695.

693 Emergency Haying and Grazing Provisions (Continued)

B Participant Provisions

CRP participants shall:

- file a request to hay or graze CRP acreage before haying or grazing begins
- take the following actions.

Step	Action
1	Identify the acreage to be hayed or grazed on an aerial photocopy.
2	Obtain a modified conservation plan to include haying or grazing requirements, as determined by NRCS or TSP. The haying or grazing plan must be site specific and reflect the local wildlife needs and concerns.
3	Record intended use on CRP-117. See Exhibit 47.
4	Sign agreement in Exhibit 52. Note: All participants are required to sign the agreement before haying or grazing begins.
5	Leave at least 50 percent of each field or contiguous CRP fields unhayed for wildlife. Leave at least 25 percent of each field or contiguous fields ungrazed for wildlife, or graze no more than 75 percent of the stocking rate determined by NRCS or TSP.
6	*--Receive notification of approval in writing from COC or CED. Livestock producers who rent or lease acreage from the CRP participant shall: <ul style="list-style-type: none"> • sign a statement agreeing not to sublease the CRP acreage • receive notification of approval from COC or CED.--* Note: A copy of the notification must be given to the CRP participant.
7	Require CRP participants, who hayed or grazed CRP acres or rented or leased haying or grazing privileges, to report the number of acres actually hayed or grazed, and sign and date CRP-118. See Exhibit 49.
8	Re-establish the CRP cover, at their own expense, if the cover fails as a result of emergency haying or grazing.
9	Be assessed a payment reduction according to paragraph 694.
10	Haying shall be limited to 1 cutting.
11	CRP participants must remove all hay from all fields by a date to be determined by STC.
12	Haying shall not be conducted after August 31. Grazing shall not be conducted after September 30.

742 Summary of Haying and Grazing (Continued)

A Summary of Each Type of Haying and Grazing (Continued)

Haying and Grazing Provisions Table		
Type/Provisions Activity/For	Components	Percent Payment Reduction
Managed Grazing for Contracts Approved Before July 28, 2010	<ul style="list-style-type: none"> • Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E, if included in the approved SAFE proposal. • No more frequently than 1 in 3 years. See paragraph 665. • Emergency haying or grazing restart the clock. • Not authorized during the primary nesting season. • Up to 120 calendar days after the end of the primary nesting season. • Request approval before grazing eligible acreage. • Spot-check 10 percent of contracts approved. 	25
Emergency Haying	<ul style="list-style-type: none"> • Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E. If included in the approved SAFE proposal. • Shall leave 50 percent of field or contiguous fields unhayed. • Shall not sell the hay. • Authority ends August 31. • Request approval before haying eligible acreage. • Spot-check 10 percent of contracts approved. 	25
Emergency Grazing	<ul style="list-style-type: none"> • Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E. If included in the approved SAFE proposal. • May graze 75 percent of field or contiguous fields, or graze entire field or contiguous fields at no more than 75 percent of the stocking rate. • Authority ends September 30. • Request approval before grazing eligible acreage. • Spot-check 10 percent of contracts approved. 	25

742 Summary of Haying and Grazing (Continued)

A Summary of Each Type of Haying and Grazing (Continued)

Haying and Grazing Provisions Table		
Type/Provisions Activity/For	Components	Percent Payment Reduction
Routine Grazing	<ul style="list-style-type: none"> • Acreage devoted to practice CP1, CP2, CP4D, CP10, CP18B, CP18C, or CP38E, if included in the approved SAFE proposal. Note: CP10 is only eligible for contracts approved before March 14, 2011. • STC shall consult with the State Technical Committee to determine routine grazing frequency and duration. See subparagraph 716 A. •*--Emergency haying or grazing restarts the clock.--* • Not authorized during the primary nesting season. • Request approval before grazing eligible acreage. • Spot-check 10 percent of contracts approved. 	25
Routine Grazing - Incidental	<ul style="list-style-type: none"> • Acreage devoted to practice CP8A, CP13C, CP15A, CP21, or CP33. • Incidental to gleaning crop residue in the surrounding field or before harvest of a small grain. • Not authorized during the primary nesting season. • Authorized up to 60 calendar days after the start of incidental grazing. • Request approval before grazing eligible acreage. • Spot-check 10 percent of contracts approved. 	25

Part 20 CREP

771 General CREP Information

A Background

On February 19, 1997, CCC issued a final rule in 7 CFR 1410.50(b) that provides that CCC may enter into agreements with States to use CRP to cost-effectively further “specific conservation and environmental objectives of that State and the nation.”

CREP has been established to provide a flexible and cost-effective means to address agricultural resource problems by targeting Federal and State resources to specific geographic regions of substantial environmental sensitivity for a 10- to 15-year period.

CREP as part of CRP is administered under the same statutes and Federal regulations. Administration and management of CREP at the national level is the responsibility of the FSA CREP Program Manager. After CREP agreements are entered into with State governments or Indian Tribes, eligible cropland and marginal pastureland may be offered and enrolled on a continuous signup basis. * * * The State CREP supplement to 2-CRP is drafted by the FSA State Office after the CREP agreement is signed by the Secretary and the State Governor and **must** receive approval by the Program Manager before publication.

***--Notes:** CREP policies and procedures generally adhere to those of CRP’s continuous signup except where modified by specific provisions outlined in CREP agreements and related State supplements to this handbook.

Payments for CREP CRP-1 participants must adhere to the written CREP agreements. Changes made in PIP/SIP/WRI for CRP’s general and continuous signup do not automatically apply to CREP’s unless those agreements indicate that these payments shall be made “according to 2-CRP” or “consistent with National CRP directives” or similarly worded reference. CREP agreements which include specific payment provisions such as “25% WRI hydrology restoration payments shall be paid for practices CP23 and CP23A” must be adhered to as written unless amended by a modified CREP agreement and State directive.--*

771 General CREP Information (Continued)

B CREP Primary Goals

The primary goal of CREP is to establish a unique CRP program initiative through which the resources of both a State or Tribal government, or NGO, and CCC/FSA can be targeted in a coordinated manner to address specific high priority conservation and environmental objectives of that State and the nation.

CREP agreements are to be designed for specific geographic areas within a State that have been adversely impacted by agricultural activities through the use of approved conservation buffer and related practices. CREP conservation practices **must** be designed to achieve substantial on-site and off-site natural resource benefits targeting 1 or more of the following goals:

- restore/establish wildlife habitat
- enhance water quality
- reduce soil erosion
- enhance air quality
- restore/establish wetlands
- promote conservation forestry
- increase control of critical invasive species
- enhance critical threatened and endangered plant and animal species survival
- achieve a net water savings in ground and/or surface waters and conserve energy.

The achievement of multiple natural resource benefits through CREP contracts is strongly encouraged.

Important: All cropland and marginal pastureland proposed for a CREP project **must** meet all eligibility criteria according to paragraph 151. CREP agreements **cannot:**

- be used to create new categories of eligible land, or modify cropping history or producer eligibility provisions in paragraph 151
- provide for FSA to exceed total county cropland limits, unless standard 25 percent waivers are approved as outlined in paragraph 81
- be used to assist State and/or local governmental agencies toward meeting requirements of a court order, settlement agreement, or other legal mandate.

C USDA Assistance

To meet CREP goals, USDA provides financial, educational, and technical assistance to help producers voluntarily implement conservation practices that will enhance the environment in an economically efficient manner. This assistance will be provided after a CREP agreement is signed by the State Governor, or designee, or Tribal Representative and the Secretary of Agriculture, or designee, to implement a State's CREP.

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

The following lists approved abbreviations not listed in 1-CM.

Approved Abbreviation	Term	Reference
CAB	crop acreage base	240
COLS	Conservation Online System	81, 286, 332, 339, Ex. 21
CP	conservation practice	Text, Ex. 11, 26
CPO	Conservation Plan of Operation	669
CPA	conservation priority area	Text, Ex. 11, 18, 26
C/S	cost share	Text and Exhibits
CREP	Conservation Reserve Enhancement Program	Text
CRP-SIP	CRP-Signing Incentive Payment	Text, Ex. 11
CSP	Conservation Stewardship Program	151, 804, 806
EA	environmental assessment	Text
EBI	environmental benefits index	Text, Ex. 26
EI	erodibility index	81, 151, 774, Ex. 2, 11, 26
EFCRP	Emergency Forestry Conservation Reserve Program	66, Part 9, 546, Ex. 2, 11
ESA	Endangered Species Act	366, 367
EQIP	Environmental Quality Incentives Program	Text
EWP	Emergency Watershed Protection Program	554, 571, 575, 630
EWRP	Emergency Wetlands Reserve Program	81, 571
FID	Feature ID field	181
FRPP	Farm and Ranch Lands Protection Program	554, 575, 630,
FONSI	Finding of No Significant Impact	665, 772
FOTG	Field Office Technical Guide	Text, Ex. 11, 26
FWP	Farmable Wetlands Pilot Program	Text, Ex. 11
GIS	Geographic Information System	550, 772, 773
HFRP	Healthy Forest Restoration Program	554, 575, 630
HUC	hydrologic unit code	Ex. 26
MPL	marginal pastureland	212, 312
NEPA	National Environmental Policy Act	366, 367, 716, 772
NHPA	National Historic Preservation Act	366, 367
NIFA	National Institute of Food and Agriculture	18, 82, 83, 522, 523, 775
NOAA	National Oceanic and Atmospheric Administration	367
NGO	Non-Government Organization	771, 772, 775

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Abbreviations Not Listed in 1-CM (Continued)

Approved Abbreviation	Term	Reference
PAS	Public Affairs Staff, FSA	772
PIP	practice incentive payment	Text, Ex. 11
PLS	pure live seed	426, 491
PNIF	private nonindustrial forestland	261, 262, Ex. 2, 11
PV	present value	264
RA	regional attorney	Text
REX	re-enrollments and extensions	335, 546, 571, Ex. 20
RKLS	Gross Potential Erosion or Potential Erosion	Ex. 26
RUSLE	Revised Universal Soil Loss Equation	52, 151, Ex. 26
SAFE	State Acres for Wildlife Enhancement	Text
SEC	State Environmental Coordinator	367, 639, 692
SHPO	State Historic Preservation Officer	367, 772, 776
SRC	State Resource Conservationist	Ex. 11
SRR	soil rental rate	Text, Ex. 11
TERRA	Tool for Environmental Resource Results Assessment	171, 181, 286
THPO	Tribal Historic Preservation Officer	367
TIP	Transition Incentive Program	401, 576, 577, Part 21
TIPA	Transition Incentive Program Agreement	126, 401, 463, 577
TSP	Technical Service Provider	Text, Ex. 2, 11, 26
USLE	Universal Soil Loss Equation	151
WBP	Water Bank Program	101, 401
WEQ	Wind Erosion Equation	52, 151
WESL	Wind Erosion Soils List	Ex. 26
WHIP	Wildlife Habitat Incentive Program	151, 181
WRI	wetland restoration incentive	Text, Ex. 11

Redelegations of Authority

The following table lists redelegations of authority in this handbook.

Redelegation	Reference
STC may delegate an official representative to sign documents.	31
COC may delegate to CED the responsibility to approve requests for haying and grazing.	664, 680, 693, 716, 720, 721, 741

National CRP Practices (Continued)

CP27 Farmable Wetlands Pilot Wetland

A Purpose

The purpose of this practice is to restore the functions and values of wetlands that have been devoted to agricultural use. Hydrology and vegetation **must** be restored to the maximum extent possible, as determined by USDA.

B Program Policy

Apply this practice to eligible wetlands that are suitably located and adapted to the restoration of wetland functions and values. The restoration of the wetland hydrology and vegetation is required to the maximum extent possible.

For cropland to be eligible to be enrolled in CRP under FWP and be devoted to CP27, all of the following **must** be met:

- COC determines both of the following:
 - cropland meets cropping history requirements
 - an associated buffer (CP28) is offered

* * *

National CRP Practices (Continued)**CP27 Farmable Wetlands Pilot Wetland (Continued)****C Size Requirements**

The maximum acceptable size of any 1 CP27 is 40 acres. Wetlands greater than 40 acres in size are not eligible for enrollment in CRP under FWP.

Note: The total of all wetlands may exceed 40 acres.

Example: A producer offers a 41 acre wetland. Because the total wetland is greater than 40 acres in size, the entire 40 acre wetland is ineligible for enrollment in CRP under FWP.

D C/S Eligibility

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

- only be enrolled under FWP
- only be enrolled with an eligible associated buffer (CP28)
- meet the cropping history requirements
- be included in the approved conservation plan
- be maintained for the life of CRP-1
- restore the functional capability and values of the wetland.

E Authorized Payment

Payments, including annual rental, CRP-SIP, PIP, 20 percent SRR incentive, and C/S are authorized for CP27.

National CRP Practices (Continued)**CP31 Bottomland Timber Establishment on Wetlands (Continued)****H Practice Maintenance**

The practice shall be maintained without additional C/S for the life of CRP-1.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the CRP contract appropriate for the stand as determined by the State Forester. C/S is authorized for tree thinning.

I Technical Responsibility

NRCS, State Forester, or TSP shall have technical responsibility for this practice. The State Forester has responsibility for determining if selection of a cottonwood species component is silviculturally appropriate.

J Practice Requirements

In addition to the practice standards in NRCS FOTG, the following requirements apply.

- The seeded area shall not be harvested or grazed by domestic livestock for the life of CRP-1.
- Noxious weeds and other undesirable plants, insects, and pests shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands.
- The practice **must** be established and maintained according to the practice standards in FOTG.

K Planting Timespan

Planting or sowing of the approved permanent cover shall be completed within 12 months of the effective date of CRP-1. See paragraph 426 for exceptions.

L Natural Regeneration

Natural regeneration by nuts or seed is not permitted under this practice.

M Management Activities

This practice shall have periodic management activities performed, according to the conservation plan, during the life of CRP-1, as determined by COC. See paragraph 428.

C/S is authorized for management activities.

* * *

National CRP Practices (Continued)

CP33 Habitat Buffers for Upland Birds

A Purpose

The purpose of this practice is to provide food and cover for quail and upland birds in cropland areas. Secondary benefits may include reducing soil erosion from wind and water, increasing soil and water quality, protecting and enhancing the on-farm ecosystem.

Apply this practice around the field edges of eligible cropland that is suitably located and adaptable to the establishment of wildlife habitat for primarily quail and upland bird species. Upland habitat buffers will be allowed to re-vegetate by natural herbaceous succession, and/or will be established to adapted species of native, warm-season grass, legumes, wildflowers, forbs, and limited shrub and tree plantings, as specified according to an approved conservation plan. The conservation plan **must** be designed according to the NRCS FOTG.

B Total Acres Enrolled

--Total acres enrolled shall not exceed 500,000 acres:--

- nationwide
- for the practice.

Allocations of acreage by State shall **not** be exceeded.

* * *

National CRP Practices (Continued)**CP33 Habitat Buffers for Upland Birds (Continued)****C Monitoring Plans**

A monitoring and evaluation plan **must** be developed in consultation with the State Technical Committee, including FWS, State Fish and Game agencies, and other interested quail parties. The plan **must** provide the ability to establish baseline data on quail populations and estimate increased quail population and impact on other populations as a result of this practice, including the following:

- verification that suitable Northern Bobwhite quail cover is established
- verification that appropriate cover management practices are implemented on a timely basis
- States **must** control acreage within their allocation
- implementing a Statewide sampling process that will provide reliable estimates of the number of quail per acre (or some other appropriate measure):
 - before this practice is implemented (baseline)
 - resulting from the established CRP cover.

Monitoring and evaluation plans **must** be in place before signup for this practice may begin.

States are not authorized to enroll acres in this practice unless an approved monitoring plan is in place. A monitoring protocol developed by Dr. Wes Burger of Mississippi State University in collaboration with the Southeast Quail Working Group at the request of FSA is recommended. Other technically adequate plans are acceptable.

D Eligible Land

This practice is limited to the following:

- cropland otherwise eligible according to paragraph 151
- cropland around field edges suitable for quail and upland birds.

National CRP Practices (Continued)**CP36 Longleaf Pine - Establishment****A Purpose**

The primary purpose of CP36 is to re-establish longleaf pine stands at densities that benefit wildlife species and protect water quality.

B Cropland Eligibility

Apply CP36 to otherwise eligible cropland that is located in:

- Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia
- the Longleaf Pine National CRP CPA (see Exhibit 18).

CP36 may be enrolled on a continuous basis provided the following conditions are met:

- the offered acreage is on cropland and meets the eligibility requirement in paragraph 151
- the site is within the Longleaf Pine National CRP CPA (see Exhibit 18)
- the site is suitable for longleaf pine planting (soils and other site conditions)
- the practice is needed and feasible

Note: The suitability of a soil for CP36 establishment may be determined by looking up that soil's "Long Leaf Pine Suitability Indicator" in FSA's Soil Database Management System. The Soil Database Management System may be accessed from FSA's Intranet Application Page.

- the cumulative acres for all CP36 acreage enrolled in the State does **not** exceed the State's allocation (see subparagraph 5 A).

National CRP Practices (Continued)

CP36 Longleaf Pine - Establishment (Continued)

C State Acreage Allocation

--Total acres enrolled shall not exceed 250,000 acres.--

* * *

D Payment Eligibility

The payment rate shall be the weighted average SRR for the 3 predominant soils of the offered acreage and the appropriate maintenance rate.

CRP-SIP's and PIP's are available for CP36. A one-time:

- up-front CRP-SIP will be issued after CRP-1 is approved and eligibility criteria is met
- CRP-PIP, equal to 40 percent of the eligible installation costs for certain practices on continuous CRP land, will be issued after CP36 is installed, eligible costs are verified, and other payment eligibility criteria are met.

Note: CRP-PIP is in addition to the up to 50 percent C/S for eligible practice components.

National CRP Practices (Continued)

CP37 Duck Nesting Habitat (Continued)

F State Allocations

--Total enrollment shall not exceed 300,000 acres.--

G C/S Policy

The following provides C/S policies for this practice.

IF the component is...	AND the justification is...	THEN C/S is...
earthmoving	to construct dams, levees, dugouts, or dikes needed to develop or restore the hydrology of the site	authorized using technical practices codes
eligible seeding for grassland ecosystem	for soils that are developed under a grassland ecosystem that will not be covered by water anytime during a normal growing season and substantiated as needed by COC for: <ul style="list-style-type: none"> • establishment of permanent native grass species • establishment of permanent introduced grasses and legumes and native shrub species, where determined necessary to improve wildlife habitat • planting annuals as a nurse crop to prevent erosion while permanent cover is becoming established 	314, 315, 327, 340, 512, 550, 587, 612, 644, 645, 647, 657, 658, and 659.
seedbed preparation	substantiated as needed by COC, not including clearing rocks or other obstructions from the area to be seeded	

National CRP Practices (Continued)

CP37 Duck Nesting Habitat (Continued)

G C/S Policy (Continued)

IF the component is...	AND the justification is...	THEN C/S is...
breaking tile	restore natural water flow	authorized using technical practices codes *-314, 315,--* 327, 340, 512, 550, 587, 612, 644, 645, 647, 657, 658, and 659.
structures, such as pipe, chutes, and outlets	to regulate flow necessary to install an effective practice, as determined by NRCS or TSP	
temporary cover	<ul style="list-style-type: none"> required in the practice specifications needed until the required seeds or plant stock is available needed because the normal planting period for the permanent cover crop has passed that a soil condition, such as chemical residue, will not allow establishment of the permanent cover immediately 	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides, pesticides, and insecticides	specified as necessary in the approved conservation plan to establish the cover, but not for use as part of the maintenance of the cover	
mineral or nutrient	substantiated as needed by COC to establish the approved cover	
fencing or roads		
clearing rocks or other obstructions from the area to be seeded		
clean tilling of firebreaks, fuelbreaks, or firelanes		
grass species	establishment for ornamental purposes	
herbicides, pesticides, and insecticides	to maintain cover	
mineral or nutrient	to maintain cover or enhance production	