

For: State and County Offices

Maintaining Base Acres After September 30, 2012

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

The Food, Conservation, and Energy Act of 2008 (the 2008 Act) expires on September 30, 2012. The 2008 Act provides that base acres shall be used to:

- compute direct and counter-cyclical payments
- limit ACRE payments.

The 2008 Act:

- prohibited the same land from being enrolled in CRP, DCP, and WRP
- specified that the total acres under CRP, CRP easement, CRP practice lifespan requirements, DCP, and cropland enrolled in **any Federal** conservation program for which payments are made in exchange for **not** producing an agricultural commodity, shall **not** exceed the total DCP cropland acres on the farm
- authorized producers to enroll acreage into DCP or ACRE that had previously been reduced because of enrollment in CRP.

Farms with CRP contracts that required a reduction in base acres when CRP-1 was approved may restore the base acres if CRP-1 expired, was voluntarily terminated, or early released **after** September 30, 2008, and **before** October 1, 2012.

Disposal Date	Distribution
March 1, 2013	State Offices; State Offices relay to County Offices

Notice DCP-263

1 Overview (Continued)

A Background (Continued)

These base acres may be restored as applicable:

- CAB's reduced from applicable CRP-15
- production flexibility contract acreage that was reduced on CCC-505 to be enrolled in CRP
- base acres that were reduced on CCC-505 to be enrolled in CRP.

Note: Based on information received from CEPD, there are no CRP-1's with an associated CRP-15 that are active.

B Purpose

This notice provides guidance to State and County Offices on actions to take to maintain base acres after September 30, 2012.

2 Actions After September 30, 2012

A Future Farm Bill

No legislation has been enacted to reauthorize or extend DCP or ACRE. FSA may still be required to maintain the number of base acres and yields on each farm and tract, based on legislation enacted at a later date.

B Action

For the reasons set forth in subparagraph A, County Offices shall:

- continue to maintain base acres and yields on farms and tracts for FY 2013
- restore base acres and yields that were reduced because of participation in CRP for contracts approved before October 1, 2012, according to 1-DCP, paragraph 67, when CRP:
 - expired
 - was voluntarily terminated
 - was early released
- reduce base acres if cropland was enrolled in CRP, EWP, GRP, Water Bank Program, or WRP for contracts approved before October 1, 2012, and limitations in 1-DCP, paragraph 64 are exceeded for the farm.

Note: Base acres changes for FY 2013 may be recorded after Farm Records Management System rollover on September 17, 2012.