NB 300-14-6 LTP - Conservation Activity Plans

National Bulletin:	300-14-6	**Date:**	November 20, 2013
Subject:	LTP - Conservation Activity Plans		

Action Required By: Friday, December 13, 2013

Purpose. To provide State Conservationists (STCs) with guidance to manage the Environmental Quality Incentives Program (EQIP) to support implementation of conservation activity plans (CAPs) during fiscal year (FY) 2014.

Expiration Date. September 30, 2014

Background. The Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) and subsequent congressional actions authorize NRCS to provide financial assistance through EQIP to support development of CAPs. This bulletin provides program and technical guidance for support and management of 17 approved CAPs during FY 2014.

Explanation. The Science and Technology deputy area provided updated planning criteria and requirements for specific CAPs during FY 2014. Through the agency process of evaluation and feedback, some changes have been made to CAP technical criteria. Key changes include the following:

· CAP 104 Nutrient Management Plan.—This CAP is now focused on the development of a "Nutrient Management Plan" per the 590 Conservation Practice Standard (CPS) Nutrient Management. The revised CAP no longer requires associated practices to be planned as part of land treatment. The approach assumes NRCS has developed a conservation plan that includes nutrient management as one of the planned practices. The technical service provider (TSP) proficiencies for this CAP have also been revised.

· CAP 108 Feed Management Plan is new for FY 2014. The CAP 108 is a feed management plan tha is a farm-specific plan developed for a client to address manipulation and control of the quantity and quality of available nutrients, feedstuffs, and/or additives fed to livestock and poultry.

· CAP 112 Prescribed Burning Plan is new for FY 2014. The CAP 112 is a prescribed burning plan that is a site-specific plan developed with a client which addresses one or more resource concerns on land through the use of fire.

· CAP 122, Headquarters Agricultural Energy Management Plan (AgEMP) and the revised 124 CAP, Agricultural Energy Management Plan (Landscape AgEMP), have additional tables added to document the energy audit and document the energy and air quality benefits. This table or a similar table with the same information is to be documented in the delivered CAP plan.

· CAP 124 Agriculture Energy Management Plan Landscape has been revised to be in the form of an energy audit for landscape field operations. The TSP proficiency for this CAP has also been revised. The CAP 124 requires a more comprehensive energy audit of the field operations and may be completed by TSPs with same proficiencies as the CAP 122 Headquarters AgEMP.

· CAP 150 Oil Spill Prevention Control Countermeasure Plan (SPCC) is not offered during FY 2014. Per National Bulletin 210-13-09, March 8, 2013, EQIP financial assistance for developing SPCC plans was intended to help producers develop these plans by May 13, 2013, to meet U.S. Environmental Protection Agency (EPA) regulatory requirements. The agency allowed SPCC CAPs to be approved through the end of FY 2013 and intends to continue to review and approve these plans for existing program contracts. NRCS will also continue to provide technical and financial support to help producers implement approved SPPC plans and conservation practices needed to address EPA requirements to manage accidental on-farm oil spills. Additional guidance will be provided in a bulletin from the Science and Technology deputy area.

Additional technical considerations and changes for FY 2014 include—

· As in FY 2013, there is no requirement for TSPs to complete portions of Form NRCS-CPA-52, "NRCS Environmental Evaluation Worksheet," and program payment does not include time to complete this document. Qualified NRCS staff must complete the entire NRCS-CPA-52 for CAPs prior to approval of the CAP contract. The TSP proficiencies on the TSP Web site were revised in FY 2010 to reflect this change and should encourage more TSPs to seek certification to complete CAPs. NRCS has responsibility for completion of the NRCS-CPA-52.

· Some CAPs have been revised to be more focused on the typical resource concerns and practices associated with the CAP.

Plan CAP Templates: In addition to technical planning criteria, some CAPs are also supported by a "plan template," which provides a direct outline of the essential information that must be addressed in the plan. These templates also help field office staff document review and approval of completed plans. Th following CAPs are supported with plan templates:

· 106 – Forest Management Plan

· 114 – Integrated Pest Management Plan

· 134 – Conservation Plan Supporting Transition from Irrigation to Dryland Plan

· 138 – Conservation Plan Supporting Organic Transition

· 154 – Integrated Pest Management Herbicide Resistance Weed Conservation Plan

The following requirements must be met in order to support implementation of conservation activit plans during FY 2014:

· All CAP planning criteria is provided in Microsoft Word format to allow States to place the names in the footer before posting to their State Field Office Technical Guides (FOTGs), Section III. CAPs must meet the minimum technical requirements of the CAP planning criteria issued by the Science and Technology deputy area. To maintain national consistency, other than adding a State name, n other modifications to CAP planning criteria are allowed. CAP plan criteria already includes reference to requirements that all plans must comply with applicable Federal, State, Tribal, and local laws, regulations, and permit requirements. Do not add any State or locally required certifications, licensing, or planning criteria to the CAP plan criteria.

· Note the planning requirements for the 122 AgEMP CAP (Headquarters AgEMP) for headquarters require that all lands associated with farm headquarters operations be addressed in the CAP contract, and the 124 CAP AgEMP (Landscape AgEMP) requires that all lands in the agricultural operation, excluding headquarters areas, be addressed in the CAP contract. NRCS staff should advise all applicants for the 124 and 122 CAPs that they must include all farm operations identified by Farm Service Agency "Farm Records" in the application. Separate CAP applications for the 124 and 122 from the same participant on different land units should not be approved as such contracts would not meet the technical requirements of the AgEMP planning criteria.

· To assist agency efforts in developing capacity for TSP services, States should market all offered CAPs to producers and provide assistance and training to potential TSPs in becoming certified. In support of memorandums of understanding with various service provider organizations, the national TSP Team anticipates offering training to prospective TSPs during FY 2014. However States should also be providing training opportunities to TSPs. The National TSP Team will have training packets available for most CAPs in FY 2014. For additional information, contact the national TSP Team leader at (202) 720-6731.

· For each offered CAP, program payments will only be made to producers through EQIP contracts fo technically approved plans prepared by certified TSPs after all applicable policy and environmental requirements have been met. NRCS staff should refer producers to the national TSP Web site "Find a TSP," which provides lists of currently approved TSPs and includes requirements for individuals or entities wanting to become certified to develop CAPs. CAPs may not be prepared by NRCS staff or others who are not approved through the national TSP certification process.

· CAP criteria and program payments are designed to allow TSPs to develop a plan which addresses the identified resource concerns on the entire operating unit offered by the producer. CAPs are not intended to be limited to a single field when there are other areas within the operation that follow the same management and are affected by similar resource concerns. Developing multiple CAPs for different fields within the same operation undermines the ability of the TSP to develop a holistic plan and prevents the producer from effectively managing their operation and addressing the identified resource concerns. Therefore, during FY 2014, additional guidance is provided which requires each CAP include all the eligible fields that the producer controls and is included in their conservation plan.

STCs must complete the following by Friday, December 13, 2013:

· **Conservation Activity Plans (CAP)**.—States must offer CAPs through EQIP in the State programs listed per the requirements of the table in attachment A of this bulletin.

· **Posting Technical and Program Information**.—States must post technical and program information as follows:

o Upload and post all the CAP planning criteria and templates offered for FY 2014 in their respective State in the FOTG, Section 3.

o Upload and post offered CAP payment schedules to their respective State FOTG, Section 1, per Title 440, Conservation Programs Manual (CPM), Part 512, Subpart D, Section 512.34B(1).

o Upload and post appropriate CAP program announcements, offered CAPs, and payment rates to their State programs Web site per 440-CPM, Part 515, Subpart D, Section 515.32B.

· **Conservation Practice Standards (CPS) Database**.—The national data steward has made these CAPS available in the CPS database. CPS State data stewards must also make the practice code "active" in the State CPS database for each of the conservation plan activities approved for use and ensure that Toolkit users update their domain data to add these codes. The practice lifespan for each of the 17 CAPs is 1 year.

· **EQIP Financial Assistance Support**.—Each approved CAP is supported by a single, stand-alone program contract with plan development scheduled during the first calendar year after obligation. The expectation is that these agreements will be completed within the first year. Modification of CAP program contracts to reschedule and allow completion of the conservation plan beyond the first year is strongly discouraged.
· **ProTracts**.—The ProTracts application type of "planning" or "plan-organic" must be associated with each EQIP CAP application and ranking of these applications is required for FY 2014. ProTracts will not allow the application to be approved or obligated without a ranking score for applications for CAPS. Refer to attachment A, which provides guidance for which program subaccounts are appropriate to rank and fund CAPs.

· **Conservation Plan Requirement**.—All EQIP program contracts must be supported by an NRCS approved conservation plan per requirements in 440-CPM Part 512, Subpart B, prior to approval of the CAP contract. To ensure that CAPs appropriately address all relevant resource concerns, an NRCS-certified conservation plan, supported with an agency-prepared NRCS-CPA-52, must be provided to the participant prior to approval of the CAP contract.

· **One CAP per Land Unit Restriction**.—Eligible producers may submit applications for development of multiple CAPs; however, only one CAP contract may be concurrently approved and developed on an eligible land unit (e.g., field) at the same time. Once a CAP contract is completed, then another CAP application may be considered on the same land.

Note: State Conservationists must ensure that approved EQIP contracts will not allow duplication of payments for the same planning services in program contracts (i.e., contracts with both 100-series practice payments financial assistance (FA) and 900-series TA payments for the same planning services on the same land).

· **CAP Payment Schedules for FY 2014**.—The NHQ-approved EQIP FY 2014 CAP payment rates are found in attachment B. For national consistency, all CAP payment schedules include a standard program percentage rate, and historically underserved participants will be eligible for an appropriate higher payment rate. The program payment percentage rates may not be changed by States and practice payment cost caps per 440-CPM, Part 512, Subpart G, Section 512.60F, are not allowed for CAPs. If a CAP is required or will be offered in a State, STCs must include and offer all scenarios and associated payment rates for that CAP in the payment schedules. For reference, complete CAP payment schedules will be posted to the national EQIP CAP website.

· **Application Consolidation**.—Applications for CAPs must address all the identified and applicable resource concerns and include all the eligible fields that—

§ The CAP is designed to address (i.e., all farmstead, crop or pasture operations).

§ Are within the operating unit.

§ The producer has control.

§ Are included in the NRCS-certified conservation plan.

CAPs that do not cover the entire area described above will be determined ineligible, as they are not effective in assisting the producer to meet the purpose of the program.

Contact. If you have any program questions, contact the EQIP Team Leader, Financial Assistance Programs Division (FAPD), at (202) 690-2621. If you have any technical questions, contact the national agronomist at (202) 720-3783.

/s/

ANTHONY J. KRAMER
Deputy Chief for Programs

C. Wayne Honeycutt, Ph.D.
Deputy Chief for Science and Technology

A. Approved FY 2014 CAPs, associated ProTracts Subaccounts, and General Descriptions
B. Approved FY 2014 CAP Payment Rates
C. Approved FY 2014 CAP Planning Criteria and Plan Template Attachments
   a. CAP 102 CNMP Plan Criteria.docx
   b. CAP 104 Nutrient Management Plan Criteria.docx
   c. CAP 106 Forest Management Plan Criteria.docx
   d. CAP 106 Guide for Foresters Joint Management Plan Template.pdf
   e. CAP 106 Guide for Landowners Joint Management Plan Template.pdf
   f. CAP 106 Managing Your Woodlands Natl ATFS FS NRCS Joint Mgt Plant Template.docx
   g. CAP 106 Managing Your Woodlands Natl ATFS FS NRCS Joint Mgt Plant Template.pdf
   h. CAP 108 Feed Management Plan Criteria.docx
   i. CAP 110 Grazing Management Plan Criteria.docx
   j. CAP 112 Prescribed Burning Plan Development Criteria.docx
   k. CAP 114 Integrated Pest Management Plan Criteria.docx
   l. CAP 114 Integrated Pest Management Template.docx
   m. CAP 118 Irrigation Water Management Plan Criteria.docx
   n. CAP 122 AgEMP-Headquarters Plan Criteria.docx
   o. CAP 124 AgEMP-Landscape Plan Criteria.docx
   p. CAP 126 Comprehensive Air Quality Management Plan Criteria.docx
   q. CAP 130 Drainage Water Management Plan Criteria.docx
   r. CAP 134 Conservation Plan Supporting Organic Transition From Irrigation
   s. CAP 134 Transition from Irrigation to Dryland Farming Plan Template.docx
   t. CAP 138 Conservation Plan Supporting Organic Transition Plan Criteria.docx
   u. CAP 138 Organic Transition – Cropland Plan Template.docx
   v. CAP 138 Organic Transition – Grazing Plan Template.docx
   w. CAP 142 Fish and Wildlife Habitat Management Plan Criteria.docx
   x. CAP 146 Pollinator Habitat Enhancement Plan Criteria.docx
   y. CAP 154 IPM Herbicide Resistance Weed Conservation Plan Criteria.docx
   z. CAP 154 IPM Herbicide Resistance Weed Conservation Plan Template.docx