

Part 512 – Conservation Program Contracting

Subpart E – Contracting

ME512.45 Contract Period and Limitations

C. Program Practice Requirements

Failure to start an AMA, EQIP, or WHIP financially assisted practice within the first 12 months of the contract will constitute non-compliance with the provisions of the contract. The State Conservationist may waive this requirement with justification at the request of a participant.

- (i) Per NRCS National Circular No. 8, dated December 3, 2008, contracts which were obligated in FY2008 or later will be required to follow policy outlined in this section. Contracts which were obligated prior to FY2008 will not need a waiver retroactively, but a contract review must be completed prior to modification to reschedule practices.
- (ii) Participants must request a waiver in writing from commencing a practice within the first twelve months of a contract obligated in FY2008 or later. Form NRCS-ME-3, [Request for Waiver from Commencing a Practice Within the First Twelve Months of a NRCS Conservation Program Contract](#) may be used to request the waiver.
 - The participant's written request must include the contract number, the name and contract item number of the practice(s) which is being considered for rescheduling, the reason for the delay in implementation, and the anticipated completion date for the practice(s).
- (iii) A NRCS-CPA-13 contract review form must be completed and submitted to the State Conservationist with the waiver request. If it can be documented in the review that a practice has commenced, defined as "Evidence of commitment of labor or incurred costs as provided by the participant" (reference NRCS National Circular No. 8, dated December 3, 2008), then a waiver is not required for contract modification.
- (iv) The waiver must be approved by the State Conservationist (or designee) before a modification that will result in the rescheduling of the applicable practice(s) is approved.