



Natural Resources Conservation Service

Phone:  
FAX:  
www.ks.nrcs.usda.gov

**SUBJECT:** LTP–Farm Bill Program Contract

**DATE:**

**TO:**  
Assistant State Conservationist, NRCS

**FILE CODE:**

2002 Farm Bill Programs (select one):  CSP  EQIP  WHIP

2008 Farm Bill Programs (select one):  AWEP  CSP  EQIP  WHIP

County: \_\_\_\_\_ Service Center: \_\_\_\_\_

Contract No.: \_\_\_\_\_

Decision Maker Name: \_\_\_\_\_

**Contract Cancellation:**

A contract cancellation is an equitable remedy that allows both parties to the contract to end the contractual relationship. A written cancellation request from **all** interested parties to the contract **MUST** be included.

**Contract Termination:**

A contract termination is an adverse action and must be fully documented on Form NRCS-LTP-153, Agreement Covering Non-Compliance with Provisions of Contract, or formal correspondence as to cause for the termination and the procedure Natural Resources Conservation Service (NRCS) used to ensure that the participant has been provided an opportunity to remedy the violation.

*Fill out the appropriate following sections. (Partial cancellations or terminations are not permitted.)*

Contract No. \_\_\_\_\_

Date: \_\_\_\_\_

**Contract Cancellation:**

- Reasons or justifications for cancellation (check all that apply):
    - Natural disaster preventing completion of contract provisions
    - Participant involuntarily lost control of land
    - Land is being enrolled in the Conservation Reserve Program (CRP) and/or Continuous CRP (CCRP) and will attain a higher level of conservation
    - Documented hardships:
      - Death (copy of death certificate is required)
      - Major illness
      - Bankruptcy
      - Destruction of farm or ranch property through fire or theft
    - In the public interest and beyond the producers control (eminent domain)
    - Military service
    - Environmental or archaeological concerns
    - Other economic or personal hardship:
- 

**NOTE:** The justifications listed above do not constitute an all-inclusive list. There may be other reasons for a mutual contract cancellation. However, a detailed explanation must be provided to substantiate the conditions that have materialized since the contract was obligated. Pre-existing conditions will not satisfy this requirement.

- Is a written request from the participant to cancel the contract attached?    Yes    No  
(Without a formal written request from all participant(s), this is considered a termination.)
- Are there additional participants who have received a portion of the financial assistance payments that have not provided a written request for cancellation?    Yes    No (If no, please secure cancellation request from **ALL** participants receiving a payment share.)

If yes, have they been informed of the proposed action and are they all in support of the proposed action?    Yes    No

(**ALL** participants receiving a payment share must be mailed all adverse decision correspondence.)

If yes, are all participants supportive of this action?       Yes                  No

Explain: \_\_\_\_\_

Contract No. \_\_\_\_\_

Date: \_\_\_\_\_

**Contract Termination:**

- Reason(s) or justification(s) for termination (check all that apply):
  - Participant or land becomes ineligible (explain in detail).
  
  - Participant voluntarily lost control of land
  - Participant has violated the terms of the contract and has failed to correct and comply within a reasonable timeframe as identified in the signed form NRCS-CPA-153, Agreement Covering Non-Compliance with Provisions of Contract.
  - Participant fails to install, operate, or maintain one or more practices or activities required to meet the contract objectives.
  - Participant's actions pose a threat to the health and safety of NRCS employees (explain in detail).
  
  - Participant is deemed to have knowingly misrepresented any fact affecting a program determination
  - Participant is deemed to have adopted any scheme or device that tends to defeat the program purpose
  - Participant is deemed to have made any fraudulent representation
  
- If applicable, explain in detail how attempts by NRCS to contact the participant have been unsuccessful:

Contract No. \_\_\_\_\_

Date: \_\_\_\_\_

**Answer the following:**

1) Is this contract "active" in ProTracts?      Yes      No

2) What is the contract expiration date? \_\_\_\_\_

3) Has a waiver been approved on this contract?      Yes      No

• If yes-

1. What type of waiver?

2. When does the waiver expire?

4) Have any funds been earned in the contract?      Yes      No

• If yes, does the written cancellation request indicate whether or not the existing installed practice(s) will be operated and maintained for the remaining practice life span?      Yes      No

• If yes, list the applied and paid practice/enhancement code, acres, and dollars:

Contract Item Number(s)	Code	Acres	Dollars		Contract Item Number(s)	Code	Acres	Dollars

5) \_\_\_\_\_ Conservation District (CD) is aware of this request for cancellation and has the following concern(s):  
\_\_\_\_\_

6) Has the participant made a good faith effort to implement the contract terms and conditions?      Yes      No

Explain:

7) Other relevant information related to the contract cancellation/termination:

Contract No. \_\_\_\_\_

Date: \_\_\_\_\_

**Attach the following:** *All items must be included in order for request to be processed. If these are already in eContracts, there is no need to re-enter them; however, please communicate this on the transmittal in the comments section.*

- a) **FOR CANCELLATIONS ONLY:** Copy of written request from participant (this should indicate whether or not the installed practices will be maintained for their remaining life span)
- b) **FOR TERMINATIONS ONLY:** Provide copies of technical notes, designs, stake outs, all correspondence with participants, etc.
- c) Copy of contract documents signature pages:
  - Form NRCS-CPA-1200 or CCC-1200, Conservation Program Application
  - Form NRCS-CPA-1202, Conservation Program Contract
  - Form NRCS-CPA-1202 or Form CCC-1200, Appendix
  - Form NRCS-CPA-1155, Conservation Plan or Schedule of Operations
  - If applicable, most recent Form NRCS-CPA-1156, Revision of Plan/Schedule of Operations or Modification of a Contract
- d) If applicable, Form NRCS-CPA-152, Transfer Agreement
- e) If applicable, signature authority documentation (i.e., power of attorney, entity documents)
- f) Copy of most recent Form NRCS-CPA-13, Contract Review
- g) If applicable, copy of Form NRCS-CPA-153
- h) Copy of Fund Manager “Contract Summary” Report
- i) Screen shot of ProTracts “Participant Information”

Contract No. \_\_\_\_\_

Date: \_\_\_\_\_

**Designated Conservationist's (DC) Recommendations:**

**CANCELLATION:** (Liquidated damages will not be assessed for contract cancellations)

- Contract cancellation with recovery of financial assistance payments
- Contract cancellation without recovery of financial assistance payments

**TERMINATION:** (Liquidated damages cannot be assessed on WHIP2002 contracts)

- Contract termination with repayment of funds but without liquidated damages
- Contract termination with repayment of funds and liquidated damages
- Contract termination without repayment of funds and liquidated damages

Comments:

DC Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Assistant State Conservationist for Field Operations (ASTC-FO):**

- I have read the above information and concur with this recommendation
- I have read the above information and do not concur with this recommendation and recommend the following action:

ASTC-FO Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**State Conservationist (STC):**

- I have read the above information and concur with this recommendation
- I have read the above information and do not concur with this recommendation and recommend the following action:

STC Signature: \_\_\_\_\_ Date: \_\_\_\_\_