

**Payment Limitation Waiver Request Checklist
Natural Resources Conservation Service (NRCS)
Environmental Quality Incentives Program (EQIP)**

Financial assistance payments through EQIP to persons or legal entities are limited to \$300,000 during any six-year period. Applicants with **projects** having **special environmental significance** can have this limit waived to raise the limitation to not more \$450,000 by the NRCS Chief for EQIP contracts that include the Agricultural Water Enhancement Program (AWEP), Chesapeake Bay Watershed Initiative (CBWI), Conservation Innovative Grants (CIG), and Conservation Cooperative Partnership Initiative (CCPI). **Projects** considered as having “**special environmental significance**” will have substantial positive impacts on critical resources on or near the project area. Determinations of projects having special environmental significance will be based on the information submitted through this request.

Applicants will need to prepare a written request for a payment limitation waiver addressed to the Chief. State Conservationists will complete an initial review to ensure that the waiver request is of the highest quality and that the waiver request is justified.

State Conservationist will forward a complete waiver package through their Regional Conservationist to the Chief. State Conservationists shall provide written notification to all applicants of the Chief's decision with appropriate appeal rights or acknowledgement of the waiver.

Applicant's Name: _____ State: _____ County _____

Program Application Number _____ NRCS Contract Amount \$ _____

Waiver request is for (check one box only): AWEP CBWI CIG CCPI EQIP

Section 1: Special Environmental Significant Project

To be considered a special environmental project, projects must meet the following criteria:

[Check appropriate block(s)]

- Methane digester, or
- Critical to the success of a group or area wide project that involves multiple producers that will result in substantial positive impact on a critical resource in or near the project area, and assists in complying with Federal State, and local regulatory requirements, or
- Innovative technology that will result in substantial positive impact on a critical resource in or near the project area, and assists in complying with Federal State, and local regulatory requirements.

Section 2: Federal, State, and Local Regulations

The project assists the participant in complying with Federal, State, Tribal, and local regulatory requirements. (Check all that apply)

- Federal regulation, Identify: _____
- State regulation, Identify: _____
- Local regulation, Identify: _____

Applicant Name _____

Section 3: Critical Resources or Activity for Projects

Projects, when implemented, must have a direct and substantial positive impact on one or more of the following critical resources: (check all that apply and describe each in the description in Section 1):

- Agricultural viability -Prime and Unique Farmland (Describe): _____
- Air Quality, nonattainment area (Describe): _____
- Climate change and energy (Describe): _____
- Coastal Resources (Coastal zones as identified per the Coastal Zone Management Act of 1972 that have a direct and significant impact on coastal waters, includes coral reef areas)
Name of coastal resource (Describe): _____
- Federal or State listed threatened, endangered, candidate species of concern, or at risk species.
List species: (Describe) _____
- Groundwater recharge or depletion area(s);
Name of recharge or depletion area (s) _____
- Historical or cultural resource; List historical or cultural resource: _____
(Submit a letter from State or Tribal Historical Preservation Officer that supports this conservation practice(s)/activity on the subject land).
- Invasive Species (List): _____
- Pollinators (List): _____
- Water Quality (Describe): _____
- Wetlands (Describe): _____
- Other critical resource issues (Describe): _____

Section 4: Description

Describe the substantial positive and direct outcomes (quantify as much as possible) expected from implementing this project, include in the description the following:

- Description of the project to be implemented and how it is critical to the success of a group or area wide project that involves multiple producers and/or describe the innovative technology that will result in significant environmental improvement as identified in Section 1;
- Include in the description how will the conservation practice(s)/activity will help the applicant comply with the Federal State and local regulatory requirements identified in Section 2; and
- Describe how the conservation practice /activity planned will benefit the critical resource identified in Section 3.

Description:

(Add additional page(s) as needed to clearly describe project and the potential outcomes)

Applicant Name _____

Section 5: Package Submission Requirements

Include the following in the submission package: (all items required)

- Completed Payment Limitation Waiver Request Worksheet.
- Aerial photograph/plan map of project area identifying location of practice(s)/project. Include map of the applicants operation including a map/drawing identifying the area of the group project or area-wide map that this project would be a part (Provide other applicable photographs if needed such as maps showing the location of the critical resources such as rivers, water bodies, wildlife habitat, etc.).
- Farm Bill Application Questionnaire/Checklist, (contract and appendix does not need to be signed).
- NRCS-CPA-1155 Conservation Plan or Schedule of Operations.
- Written request from applicant.

Section 6: Certification

State Conservationist

I have completed a review of this payment limitation waiver request and certify that the project is of special environmental significance.

State Conservationist / Director: _____ Date: _____

Regional Conservationist Concur Do Not Concur

Regional Conservationist: _____ Date: _____

**Deputy Chief for Science & Technology
(Innovative Technology request only)** Concur Do Not Concur

Deputy Chief for Science & Technology: _____ Date: _____

Deputy Chief for Programs Concur Do Not Concur

Deputy Chief for FACD: _____ Date: _____

Chief Approved Not Approved

Title 440 – Conservation Programs Manual

Chief: _____ Date: _____

If Not Approved, Reason(s):

Note: Contracts need to be obligated within the same fiscal year as the waiver. Waiver determinations to AWEP, CBWI, CCPI, CIG, and EQIP will be based on the year for which the conservation program contract or agreement is approved and the determination will apply for the entire term of the contract.