NRCS CRP Note #117
FSA Conservation Message #07-353
July, 2007

This document was prepared jointly by the Minnesota offices of the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA). It is intended to clarify and provide consistency for the eligibility determination procedures and documentation requirements of the Continuous Conservation Reserve Program (CCRP). It also clarifies each agency’s responsibilities when processing offers for the CCRP. The document does not replace the NRCS-FOTG (eFOTG), the National FSA 2-CRP (Rev. 4) Handbook or applicable CRP Notices. Updates to this document will be made as deemed necessary by NRCS and FSA State Office staff. Practices eligible for CCRP under the public wellhead protection area criteria are not included in this CRP Note.

A. Sequence of Program Sign-up Activities
The CCRP sign-up procedure starts when an interested customer makes an inquiry to FSA, NRCS or a Technical Service Provider (TSP). TSPs and conservation partners providing assistance to customers on CCRP need to coordinate their work through the local USDA staff.

CCRP activities FSA is required to complete:
- Administration of all CCRP contracts, including compliance determinations.
- Cooperation at all levels to ensure consistent implementation of CCRP policies and procedures.

All CCRP requests are referred to the local FSA office. FSA determines:
- if the customer meets eligibility requirements,
- if basic land and practice eligibility criteria are met, and
- if program policy and practice requirements are met as per Exhibit 9 of the 2-CRP (Rev. 4) Handbook.

An on-site review by FSA to determine the above may be needed. Based on the practice request submitted by the customer, FSA generates form CRP-2C and a photocopy of the approximate acreage offered, and refers the producer to NRCS. FSA gives the CRP-2C and an aerial map to NRCS.

NRCS or a TSP determines and completes the following based on a site visit:
- if the purpose(s) of the practice(s) according to Exhibit 9 in the 2-CRP (Rev. 4) Handbook are met,
- if the acreage is suitable for the offered practice(s),
- if the practice(s) is needed and feasible to solve the resource concern,
- completion of the “Documentation of Eligibility and Suitability Worksheet” for each practice listed on the CRP-2C,
- fills in block 13 of the CRP-2C, and
- returns the CRP-2C and a copy of the “Documentation” worksheets to FSA.
If the customer is still interested in enrolling the eligible offered acreage into the CCRP, **FSA** completes a CRP-1 for customer signature and **NRCS** or a **TSP** completes a conservation plan. The minimum requirements for a CRP conservation plan are as follows:

- the Environmental Evaluation Worksheet (NRCS-CPA-052) signed by NRCS or TSP,
- conservation plan map which indicates the location of all CRP practices,
- soils map of the area in the conservation plan,
- applicable land eligibility and practice eligibility worksheets that are completely filled out,
- NRCS-CPA-1155, Contract Support Document – Conservation Plan or Schedule of Operations, which includes a list of all practices (include mid-contract management practices) and the extent (number or acres) of each practice scheduled by year, practice narratives which also reference additional practice design information or job sheets and a signature page. The plan will include obtaining the signatures from:
  - all the signatories of the CRP-1 that have responsibility to implement the plan,
  - the NRCS DC,
  - the Soil and Water Conservation District (if they chose to sign),
  - Note: FSA will sign in any appropriate place as this document no longer contains a signature block for “Other Sponsoring Agency”,
- Mid-contract management job sheets as appropriate, and
- **OPTIONAL PLANNING INFORMATION AT THE TIME OF CONTRACT APPROVAL:**
  - Conservation Plan Schedule of Operations (printed out of toolkit) (CONS-68), including a narrative and detailed listing of all appropriate practice unit amounts and establishment dates. It is up to the individual field office if they wish to print and include this form in the CRP plan or not.
  - Practice design and job sheets for each practice. This information eventually is required to become part of the plan but is NOT required prior to contract approval. Job sheets do not require signatures.

The above information provides the basis for a complete CRP conservation plan.

After FSA approves the CRP contract, additional site-specific technical information will be completed by the NRCS or TSP to be included in the approved plan. These items include:

- a detailed practice design and/or a job sheet for each practice on the CRP-2C, and
- as appropriate, provides assistance with the layout and the installation of each practice.

At the county level FSA and NRCS have the option to decide if each agency will maintain a separate copy of the CRP conservation plan, or if they will jointly share one USDA copy. Where multiple copies of CRP conservation plans are maintained, any and all subsequent plan changes made via revisions and modifications must be recorded in each copy.

**B. Conservation Practices for CCRP**

All conservation practices designed by **NRCS** or a **TSP** (includes SWCDs and Department of Natural Resources (DNR)) must meet:

- The requirements of the corresponding FOTG practice standard. Sites where a practice design does not or cannot meet the requirements of the corresponding FOTG practice standard are only acceptable if a request for a waiver, signed by the participant and practice designer, is approved by the NRCS State Conservationist prior to implementation of the practice. NRCS - DCs, FSA, TSP or Minnesota DNR do not have the authority to grant waivers to NRCS practice standards.
The Minnesota Upland Treatment Policy, and
The 2-CRP Handbook requirements.

FSA and NRCS will coordinate the referral of all applicable CRP-2s for forestry practices to the Minnesota DNR, Division of Forestry (DNR) to be designed by a forester. DNR will submit the completed forestry practice design(s) and job sheet(s) to the landowner and a copy to NRCS for inclusion in the conservation plan.

Minnesota Department of Natural Resources (DNR)
Through a national level Cooperative Agreement, DNR has the responsibility for developing CCRP practice designs and job sheets and working with landowners to layout and implement the practices shown in Table 1. DNR will report completed practice installations to FSA.

Table 1: Practices Designed by MNDNR, Division of Forestry*

<table>
<thead>
<tr>
<th>Practice</th>
<th>NRCS Practice Standards</th>
<th>Practice Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>CP3 Tree Planting</td>
<td>Tree/Shrub Establishment</td>
<td>612</td>
</tr>
<tr>
<td></td>
<td>Forest Site Preparation</td>
<td>490</td>
</tr>
<tr>
<td>CP3A Hardwood Tree Planting</td>
<td>Tree/Shrub Establishment</td>
<td>612</td>
</tr>
<tr>
<td></td>
<td>Forest Site Preparation</td>
<td>490</td>
</tr>
<tr>
<td>CP11 Vegetative Cover – Trees – Already Established</td>
<td>Tree/Shrub Establishment</td>
<td>612</td>
</tr>
<tr>
<td>CP22 Riparian Buffer (Livestock exclusion &amp; fencing will be designed by NRCS)</td>
<td>Riparian Forest Buffer</td>
<td>391</td>
</tr>
<tr>
<td></td>
<td>Tree/Shrub Establishment</td>
<td>612</td>
</tr>
<tr>
<td></td>
<td>Forest Site Preparation</td>
<td>490</td>
</tr>
<tr>
<td>CP23 Wetland Restoration (upland forested acres)</td>
<td>Tree/Shrub Establishment</td>
<td>612</td>
</tr>
<tr>
<td></td>
<td>Forest Site Preparation</td>
<td>490</td>
</tr>
<tr>
<td>CP23A Wetland Restoration, Non-Floodplain (upland forested acres)</td>
<td>Tree/Shrub Establishment</td>
<td>612</td>
</tr>
<tr>
<td></td>
<td>Forest Site Preparation</td>
<td>490</td>
</tr>
<tr>
<td>CP31 Bottomland Timber Establishment on Wetlands</td>
<td>Tree/Shrub Establishment</td>
<td>612</td>
</tr>
<tr>
<td></td>
<td>Forest Site Preparation</td>
<td>490</td>
</tr>
<tr>
<td>CP37 Duck Nesting Habitat</td>
<td>Tree/Shrub Establishment</td>
<td>612</td>
</tr>
<tr>
<td></td>
<td>Forest Site Prevention</td>
<td>490</td>
</tr>
</tbody>
</table>

*Note: NRCS has the responsibility for determining the eligibility of the above practices and development of the conservation plan. MN DNR Forestry is responsible to develop the practice design, assist with the layout and the installation of these practices.

C. Certification of Completed Practices

- FSA is responsible to obtain landowner self certification of practice completion on 90% of all CRP installed practices using the AD-862.
- NRCS policy does not allow the reporting of conservation practices into the Performance Results System (PRS) without; 1) documentation (as described in the FOTG) and; 2) a technical evaluation that the “as implemented” CRP practice meets the criteria in the corresponding NRCS practice standard. FSA will allow NRCS employees access to the landowner submitted practice self certification documentation for PRS reporting purposes.
- NRCS is responsible to certify 10% (10 percent) of all practices using the AD-862.
  - NRCS Certification will be completed by September 30 of the current fiscal year,
  - Certification will be completed on prioritized practices (see table below),
By December 1 of each year the FSA CED and the NRCS DC will jointly determine the number of certifications required to accomplish this task based on the number of prior fiscal year completed CRP-1s,

NRCS will conduct current year certifications based on 10% (10 percent) of the prior year’s total,

Complete the workload associated with practice certification by September 30 of the current fiscal year, and

Priority for certification will be as follows:

<table>
<thead>
<tr>
<th>Priority</th>
<th>Practices</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>CP8, CP9, CP18C, CP23, CP23A, CP27, CP37 and including any practice requiring a structure or engineering designed practices</td>
</tr>
<tr>
<td>Medium</td>
<td>CP5A, CP15A, CP16A, CP17A, CP21</td>
</tr>
<tr>
<td>Low</td>
<td>All other practices</td>
</tr>
</tbody>
</table>

D. Completing the Process

- NRCS provides copies of all conservation planning materials to the landowner and FSA.
- FSA is responsible to review the plan and approve the CCRP contract.
- NRCS and/or DNR Forestry continues to work with participants to develop practice designs or job sheets for all approved practices.
- Based on conservation plan and practice design information FSA determines the practice components and develops an estimated cost share amount using the CRP Docket.
- FSA is responsible to determine the final acreage of each practice and update any acreage changes in the conservation plan. FSA may make changes to the acreage in the contract as necessary according to their established procedures after practice implementation.
- As requested by the participant, NRCS and/or DNR Forestry provides additional technical assistance and practice lay-out to facilitate implementation of practices.
- FSA is responsible to follow-up with approved participants to remind them of the implementation schedule and obtain bills, receipts and participant documentation for implemented practices.
- Refer to Diagram 1 for a flow chart of this process.
Diagram 1

Flow Chart for CCRP Applications

Customer requests CCRP

Customer is referred to FSA county office to determine:

- Does customer meet eligibility criteria?
  - Yes: Go To NRCS or TSP
  - No: Terminate Application

- Does basic land and practice meet eligibility criteria?
  - Yes: Go To NRCS or TSP
  - No: Terminate Application

- Are program policy and practice requirements satisfied?
  - Yes: FSA refers CRP-2C with an aerial map to NRCS or TSP.
  - No: Terminate Application

NRCS or TSP

NRCS or TSP completes Documentation of Eligibility and Suitability Worksheets for each CCRP practice listed on CRP-2C.

- Does the practice meet needs and feasibility criteria and is it suitable?
  - Yes: NRCS or TSP fills in block 13 of CRP-2C.
  - No: All above documents are referred or returned to FSA county office.

- Does the customer still want to enroll in CCRP?
  - Yes: FSA completes CRP-1.
  - No: Terminate Application

Terminate Application

NRCS or TSP

NRCS or TSP develops conservation plan & submits it with the MN-CPA-052 to FSA.

FSA determines:
- Final acreage and reviews and approves conservation plan.
- FSA COC approves CRP contract.

NRCS or TSP completes the practice design and job sheet and assists in implementation. DNR forestry completes design, job sheets, and implementation of forestry practices.

FSA adjusts contract to reflect actual design acres for enrollment.
E. Technical Service Providers
USDA may provide technical assistance both directly or through NRCS certified Technical Service Providers (TSPs). All CRP technical work is required to meet NRCS policy including the National Planning Procedures Handbook (NPPH) for conservation planning and the Field Office Technical Guide (FOTG) requirements for conservation practices and systems.

As approved by the respective state office USDA may be able to use internal agency funds to approve the use of a TSP for CRP work products. TSPs can be either conservation partners approved in a Contribution Agreement (these individuals will have NRCS designated Technical Approval Authority (TAA)), or a certified private sector individual or business (these TSPs are certified on the TechReg web site). All TSP services are provided independently of oversight from the NRCS and assume total liability and responsibility for the work products they produce. Approval for the use of reimbursed TSP services must be obtained prior to beginning any work deliverables.

Technical Service Provider (TSP) (reimbursable assistance)
The requirement to have prior approval for TSP services means that CCRP conservation planning activities will have very limited opportunity for TSP services. Prior to approving TSP services, USDA must determine if funding is available, the amount of technical assistance funds allowable for each request, and contract for the approved services.

Other Technical Assistance (non-reimbursable assistance)
Conservation partners working with NRCS can work in a non-reimbursable fashion on CCRP which includes all phases of CCRP activities. When this occurs NRCS must review and sign-off on all their work, indicating that it is technically complete and correct (NRCS can do this by delegating “Technical Approval Authority” to specific partners) and NRCS retains the technical responsibility and liability for these work products.

F. CCRP Plan Administration
Administrative Changes
NRCS will not revise CRP plans for non-technical reasons. FSA is responsible to update all CRP plans for all administrative revisions including changes in farm number, tract number, contract number and acreage adjustments.

Technical Modifications/Revisions
NRCS will record conservation plan modifications/revisions via a revised CPA-1155 that is given to FSA who is responsible to document contract revisions. The revised CPA-1155 can be completed via pen and ink changes to the existing plan. Revisions to the electronic ToolKit plan are not required. Modifications/revisions will be reviewed with the participants and contain a new signature by the participant(s) responsible to implement and maintain the plan. NRCS will complete CRP modifications/revisions for the following situations:

- extending the CRP-1,
- change of land ownership,
- modifying or changing practices,
- the addition of food plots,
- the addition of mid-contract management activities,
- emergency provisions including haying and grazing,
• when the performance is different than the original conservation plan but meets FOTG specifications.

Copies of all CPO modification/revisions will be given to FSA for review and approval.

G. STATUS REVIEWS:
NRCS will conduct annual status reviews with the participant on 10% (10 percent) of all CRP-1s approved in the previous FY.
• By January 1 of each year the FSA CED and the NRCS DC will jointly determine the number of status reviews to be completed and a listing of those contracts where a status review is being requested. The priority for status reviews will be jointly determined but could consider those practices where NRCS has not previously certified practice completion,
• When all practices in the plan are completed and the vegetative and tree cover is established the status review reported to FSA will be labeled “FINAL”,
• NRCS will complete the workload associated with annual status reviews by September 30 of the current fiscal year.

H. CCRP CONSERVATION PRACTICE DOCUMENTATION:
Refer to the attached pages for policy clarity and documentation requirements. Electronic files of the eligibility worksheets for each practice can be found on the MN NRCS homepage: http://www.mn.nrcs.usda.gov/. From the home menu click on Programs followed by Conservation Reserve Program then on Eligibility Documents.

I. APPEALS:
All determinations that adversely affect the applicant including (1) participant eligibility, (2) land, (3) location and (4) practice eligibility are appealable. FSA is responsible to notify all adversely affected applicants of their rights to appeal.

J. COORDINATION:
The key to a successful local CCRP program is coordination between USDA, local conservation partners, TSPs and others that provide assistance to participants. Coordination at the county level is critical. If a situation arises where local USDA personnel cannot agree on specific CCRP policies, including; contract sign-up procedure, practice eligibility criteria, documentation requirements, practice certifications, and status reviews the NRCS-DC will refer the issue to the NRCS (ASTC-FO) and the FSA-CED will refer the issue to the FSA DD for discussion and resolution. At their discretion the NRCS (ASTC-FO) and/or the FSA DD may request state office assistance to resolve policy questions. All CRP partners need to understand their roles and work together to provide the best possible and most efficient service to interested producers.

Comments about this document are welcome and should be directed to NRCS and/or the FSA state office CRP conservation staffs for suggested improvements to future revisions to this document.

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