How NRCS Alaska Financial Assistance Programs Work

A guide to understanding the application and ranking process, your contract, and your responsibilities

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Natural Resources Conservation Service

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Introduction

The Natural Resources Conservation Service (NRCS) offers voluntary programs that provide financial and technical assistance to eligible landowners to help them manage natural resources in a sustainable manner.

This guide is relevant to the Farm Bill’s Conservation Stewardship Program (CSP) and the Environmental Quality Incentives Program (EQIP). Through these programs, NRCS provides financial assistance to plan and implement conservation practices on privately owned land. The conservation practices improve soil, water, plant, air, animal, and related natural resources.

For eligibility purposes in Farm Bill programs, NRCS in Alaska considers any land producing food or fiber, including subsistence hunting and gathering lands, as agricultural land.

Applying for and participating in federal conservation programs can be complex. This handbook is designed to help you understand the application and ranking process, your contract, and your responsibilities as a program participant. Conservation professionals in NRCS offices are available to explain the details and answer questions.

The program application package

You’ll prepare and submit your application package with the help of USDA staff, including both NRCS and the USDA Farm Service Agency (FSA).

Forms are available in our offices and online: https://forms.sc.egov.usda.gov/

At minimum, your application package will include the following components. Entities may require additional documentation. See an NRCS planner for specifics.

<table>
<thead>
<tr>
<th>Document name</th>
<th>Form number or explanation</th>
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<tbody>
<tr>
<td>Conservation Program Application and Appendix</td>
<td>Form NRCS-CPA-1200</td>
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<tr>
<td>Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information</td>
<td>Form CCC-941 (FSA) Not required for Alaska Native entities</td>
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<tr>
<td>Highly Erodible Land/Wetland Conservation Certification (HEL/WC)</td>
<td>Form AD-1026 (FSA)</td>
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<tr>
<td>Members’ Information</td>
<td>Form CCC-901: All members of an entity must meet eligibility requirements (FSA). Not required for Alaska Native entities</td>
</tr>
<tr>
<td>Signature Authority</td>
<td>All entities, including Alaska Native Tribes and Corporations, must provide approved documentation</td>
</tr>
<tr>
<td>Documentation of control of the land for the contract period</td>
<td>Deed, lease, or other written authorization from the landowner</td>
</tr>
<tr>
<td>Direct Deposit form</td>
<td>Form SF-1199: Electronic Fund Transfer for payments</td>
</tr>
<tr>
<td>Power of Attorney form (Optional)</td>
<td>Form FSA-211 or signatory verification for entities</td>
</tr>
<tr>
<td>DUNS number and System for Award Management (SAM) active registration</td>
<td>Required for all entities</td>
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Note: Items not specifically identified as FSA forms are submitted to NRCS.
The five steps to NRCS assistance

1. Conservation planning
   - Call or visit an NRCS office for information.
   - Describe your land management and discuss problems on your land that you want to correct.
   - Make an appointment for a site visit with an NRCS conservation planner.
   - Walk the property, identify your goals, objectives and natural resource concerns, and discuss alternatives with the planner.
   - Begin developing a conservation plan with the planner.

2. Application for financial assistance
   - Inquire whether financial assistance is available and request an application packet. (See table on page one.)
   - Establish farm records and complete eligibility paperwork with FSA.
   - Submit your completed application, certify your control of land, signature authority, and tax ID, information to NRCS.
   - If applying as an entity, request a DUNS number and SAM registration.
   - All eligibility requirements must be met before your application can move forward.

3. Final planning decisions
   - Several field visits may be necessary with NRCS planners, resource specialists, and engineers to examine the technical feasibility, specifications, and options to your project.
   - Cost estimates and draft designs are provided to you. You can check with local contractors for actual prices.
   - You make the final decision on the practices and the schedule of operations to be recorded in your plan.
   - NRCS compiles the final conservation plan and implementation guidance for you, and initiate any necessary interagency reviews such as a cultural resources evaluation.

4. Application evaluation, ranking, and selection
   - You determine which funding pool best fits your application. (See FAQ on right.)
   - Your application will be evaluated using a ranking tool that scores how well the project meets program objectives. (See page three.)
   - All applications competing in a funding pool will be batch ranked, and the highest ranking applications will be selected for funding.

5. Contract and implementation
   - If your application is selected for funding, you choose whether or not to move forward with contract development.
   - When the work is completed, NRCS certifies that the practice meets the implementation requirements.
   - Your payment request is processed.

IMPORTANT

Sometimes there is a waiting list to have NRCS staff help you develop a conservation plan. If you are interested in pursuing a conservation plan, please contact an NRCS office to begin the process.

TIP

Bring your last tax return with you to your appointment with FSA and NRCS. In order to receive a contract, the name you enter on the application and eligibility forms must exactly match the name you use when filing your taxes.

What is a funding pool?

FAQ A funding pool is an amount of money that NRCS has set aside for special categories of applications.

Each funding pool has its own ranking criteria and applicants will compete only with other applicants in that specific pool.
IMPORTANT

Read the appendix to your contract [CPA-1202] carefully and understand the terms of the conservation program contract before signing an application.

Is there help for new, limited-resource, and socially disadvantaged farmers?

The 2014 Farm Bill continues to address the unique circumstances and concerns of socially disadvantaged farmers, as well as beginning and limited resource farmers. It provides for voluntary participation, offers incentives, and focuses on equity in accessing USDA programs and services.

Enhancements include:

- Dedicated funds – at least 10 percent of EQIP funds are dedicated to socially disadvantaged and beginning farmers
- Higher payment rates – up to 25 percent higher than the standard practice payment rates

Check online to see if you qualify:

http://lrftool.sc.egov.usda.gov

The ranking process

All eligibility requirements must be complete prior to application evaluation. Applications are evaluated, ranked, and then selected for funding.

Evaluation criteria is specifically designed for each funding pool based on national, state, and local natural resource priorities and concerns. All eligible applications in each funding pool will be batched and ranked on dates listed on the Alaska NRCS website. Applications with the highest ranking score in each funding pool will be offered a contract until the funding threshold is reached.

Examples of ranking questions include:

- Will the proposed project improve water quality by reducing impacts from sediment, nutrients, salinity, or pesticides on land adjoining or draining to a water body?
- Will the proposed project improve soil health by increasing organic matter and carbon content, and improving soil tilth and structure?
- Will the proposed project improve wildlife habitat by implementing practices benefitting threatened and endangered, at-risk, candidate, or species of concern?
- Will the proposed project improve plant and animal communities by implementing practices that result in the management or control of noxious or invasive plant species on non-cropland?
- Will the proposed project conserve energy by reducing on-farm energy consumption?
- Will the proposed practices result in enhancement of existing conservation practices or conservation systems already in place at the time of application?

What happens next?

You will be notified by mail or by phone about whether your application was selected for funding. Since sign-up is continuous, the time from when an application is submitted to when the applicant is notified varies.
Your contract with NRCS

If your application is selected for funding, you may choose to sign a contract, which will oblige federal monies to fund the project. By signing a contract you are entering into a legal agreement where both you and NRCS have responsibilities.

The contract specifies conservation practices that you will complete, detailing when, where, and how many, as well as associated contract payments.

The contract consists of three documents, each requiring the applicant’s signature:

- **The Contract Document (CPA-1202)**, identifying the amount of money the participant will receive over the life of the contract and the period of performance, or expiration date of the contract.

- **The Appendix to the CPA-1202**, describes the responsibilities of all parties in the contract. The Appendix spells out the details of the contract.

- **The Schedule of Operations (CPA-1155)**, lists each practice to be implemented through the contract, including dates of implementation, extent of each practice planned, and amount of money (payment rate) approved for each practice.

Other documents you will be required to sign and date:

- **The Conservation Plan**, details your goals for your operation. This plan will have been completed prior to your application being evaluated.

- **The Application Ranking Summary Report** explains how your application was evaluated. This will be kept on file at the NRCS office. Modifications to a contract may affect the ranking score and will be considered when reviewing proposed changes.

- **Implementation Requirements**, such as Job Sheets, describe requirements of the work to be done specific to your project.

The terms of a contract

The above documents establish the terms of the contract. It is critical to understand your responsibilities regarding the contract.

You are responsible for securing all permits, hiring and paying any contractors, and promptly communicating with NRCS about any barriers that may change the contract’s completion schedule.

NRCS will honor the terms of the contract in order to help you successfully complete your project. NRCS must also honor terminating the contract and recovering costs from you if you don’t comply with all the terms detailed in the contract appendix. (See upper right FAQ on this page.)

NRCS is responsible for scheduling and completing technical assistance to complete designs or other technical plans not slated for Technical Service Providers (TSP) assistance. (See FAQ on page five.)

What should I know about the terms of the contract appendix?

**FAQ** The following are some of the most significant highlights of the contract appendix, but all items in the appendix are essential for a successful contract:

- Establish or implement the contracted practices to NRCS specifications, as scheduled, and operate and maintain these practices for the intended purpose and life span, as identified in the contract

- Do not start a practice before the contract is fully executed

- Apply at least one practice within 12 months

- Notify NRCS of the loss of control of land under the contract

- Discontinue work or practice implementation immediately if a previously unknown endangered species, cultural, archeological, or historical site is encountered

**IMPORTANT**

All payments received as part of a contract are reported to the United States Internal Revenue Service (IRS). You will receive a 1099 form for payments you received for the applicable tax year.

NRCS can initiate cost recovery if contract requirements are not met.
NRCS specifications

Financial assistance from NRCS is available to private landowners because there is public benefit in solving natural resource concerns. Each practice must be completed to NRCS specifications to uphold the public dollars’ investment in the contract. Success is measured by completing conservation practices, thus NRCS certifies the practice was done to specifications upon completion.

Program participant and NRCS responsibilities

You must understand your responsibilities in all phases of your contract, from planning and design, through implementation and maintenance. By understanding your role, you can avoid inconvenient and costly delays, as well as possible breach and termination of your contract. If technical assistance is provided by a Technical Service Provider (TSP), the design must meet NRCS standards and be certified by the TSP. (See FAQ on upper left.)

As the program participant, you are likely the person making decisions for the property. You may be the landowner, an operator, or a land manager. The landowner has final authority and should be included in all phases of the project.

Summary of responsibilities

Agreements between a program participant and a contractor stand alone. They are separate from the conservation contract between a program participant and NRCS.

The program participant is responsible for all conservation practice requirements.

The program participant:

► Makes planning decisions
► Makes payments for work and materials, as incurred
► Acquires permits
► Follows federal, state and local laws
► Satisfies archeological and wetland regulations
► Supervises construction
► May hire a contractor to assist with practice implementation
► Hosts a pre-implementation meeting with NRCS and, if applicable, a contractor
► Is responsible for the construction and maintenance of the conservation practice in accordance with NRCS specifications

The contractor (hired by the program participant):

► Contacts Alaska Dig Line (811) prior to starting construction
► Purchases and/or processes specified materials
► Follows plan drawings and specifications
► Is responsible for quality control and safety
► Verifies compliance with specifications
► Trains employees on job safety and health

NRCS:

► Explains conservation practices and alternatives
► May provide design assistance
► Certifies completion of practices to NRCS specifications
► Approves contract payment to program participant(s)

What is a TSP?

FAQ Technical Service Providers (TSP) are conservation professionals from the private sector, non-profit organizations, and public agencies that can provide direct technical assistance on behalf of USDA.

Technical assistance includes conservation planning and design, layout, installation, and checkout of approved conservation practices.

NRCS has traditionally provided these technical services and will continue to do so. Since the 2002 Farm Bill, however, USDA offers producers the option of reimbursement for technical assistance provided by certified TSPs for certain practices.

If you are applying for funding for a conservation activity plan (CAP), you will have to hire a TSP to develop the plan.

TIP

Here’s the bottom line on who’s responsible for what, when you participate in a Farm Bill conservation program.

► You are ultimately responsible for the proper construction and maintenance of a conservation system
► The contractor, hired by you, is responsible for constructing the system according to design and specifications, for quality control and safety
► NRCS is responsible for inspecting and certifying that the project plan and specifications are met

What are liquidated damages?

FAQ Liquidated damages are the expenses incurred that the parties to a contract agree to pay in the event of a breach. This is specified in the appendix to your contract with NRCS under Recovery of Costs.
Your information: What’s public and what’s private?
As a federal government agency, NRCS is bound by several federal laws that govern what information about your program participation is releasable and what is not.

The Freedom of Information Act
The Freedom of Information Act (FOIA) is a federal law that allows any person the right to obtain federal agency records. All United States government agencies are required to disclose records upon receiving a written request for them, except for those records that are protected from disclosure. This right of access is enforceable in court.

Any person can request access to NRCS records. Requests must be in writing and indicate that the request is made under FOIA. The NRCS FOIA officer will determine whether the requested information is exempt from mandatory disclosure. For example, information that is classified to protect national security, proprietary business information, and private personal information is protected.

The Privacy Act of 1974
The Privacy Act of 1974 was enacted to protect U.S. citizens against unwarranted invasions of their privacy stemming from the collection, maintenance, use, and disclosure of personal information by federal agencies. It also grants people the right to access their own records maintained by government agencies, unless those records are covered by an exemption. It also provides procedures for correcting errors in records.

The Privacy Act requires that federal agencies take steps to protect private information. NRCS employees must protect the integrity, security, and confidentiality of the records. All private information is kept in secure areas when not in use during office hours.

Section 1619 of the Farm Bill
Section 1619 of the Farm Bill prohibits USDA from disclosing certain information that has been provided by landowners and producers in order to participate in USDA programs, except as necessary for delivering technical assistance. Some information developed by NRCS concerning your property is also protected.

Section 1619 of the Farm Bill prohibits the release of information that falls into these categories:

▶ Information concerning the operation, practices, or the land itself.

▶ Geospatial information, such as maps, surveys, and charts. Aerial photographs may be protected only if they contain data identifying characteristics of the land.

Section 1619 does not prohibit the disclosure of payment information, including the names and addresses of USDA payment recipients. Section 1619 does not apply to statistical or aggregated information that protects the name of individual landowners, producers, or sites.

Sometimes it’s necessary for NRCS to share your information with partner agencies in order implement conservation programs. This is permitted under Section 1619, if the partner agency has signed a Memorandum of Understanding with NRCS.

FAQ
Examples of documents that may be withheld under Section 1619 of the Farm Bill include, but are not limited to:

▶ Conservation plans
▶ Wetland determinations
▶ Highly Erodible Land (HEL) determinations
▶ Acreage amounts
▶ Assistance notes
▶ National Resources Inventory data
▶ Flood damage surveys
▶ Program contract information

TIP
Share Your Conservation Story! One of the best ways to educate others about natural resource conservation is by sharing your own conservation story. A personal account of your work with NRCS will help other landowners understand how NRCS can help them, too.

Here are ways that you can help:

▶ Be featured in a conservation success story produced by NRCS
▶ Be available to be interviewed by local news media
▶ Host a site tour for visiting dignitaries, reporters, or the public

Please let your NRCS Conservationist know if you’re willing to do any of the above. He or she will connect you with our public affairs staff.
Eligibility for most USDA program benefits is contingent upon compliance with the Highly Erodible Land and Wetland Conservation provisions of the Food Security Act of 1985, as amended. These requirements are detailed in form AD-1026, which all USDA program applicants must complete and sign.

Have you, will you, or are you thinking about doing any of the following activities that have not been evaluated by NRCS on your farm?

- Land clearing
- Working new land
- Excavation
- Stump removal
- Create a new drainage system
- Constructing a building or structure
- Land leveling
- Improving, modifying or maintaining an existing drainage system
- Dredging an area
- Filling an area
- Planting an agricultural commodity on land where an NRCS determination of Highly Erodible Land (HEL) or wetland has not been made

If you answered yes to any of the above and want to remain eligible for USDA program payments, you must file an updated form AD-1026 with the USDA Farm Service Agency.