

CRP Note #126
Verification List for NRCS/TSP Conservation Plans

Subject:

Paragraphs 366 and 367 of 2-CRP (Rev. 5), along with Conservation Message #07-353 which contains the NRCS Note #117, provides the requirements and information that must be contained within the original NRCS/TSP developed conservation plan.

The intent of this Note is to provide a Conservation Plan Verification List that will help to ensure all required Conservation Plan documents and related information are addressed and contained within the original conservation plan, prior to the approval of the CRP-1.

Please note, if the conservation plan is missing or does not address any of the line items on the attached Conservation Plan Verification List, FSA County Offices will return the conservation plan to NRCS/TSP with a memo requesting the missing items.

Agency Responsibilities:

FSA is the administrating agency for CRP. Therefore, FSA makes the determinations of eligibility based on recommendations from NRCS/TSP or a technical assistant (TA) such as Validus, Inc. A TA is an agent working under a separate contract or Memorandum of Understanding (MOU) with USDA to provide assistance in regards to CRP in determining the eligibility of land and practices, implementing and certifying practices, and ensuring contract performance.

NRCS has a MOU with FSA, at the National level, to be the technical agency for CRP. NRCS assists FSA in determining land and practice eligibility, implementing and certifying practices, and ensuring contract performance. NRCS is also responsible for developing and modifying the conservation plan for FSA.

A Technical Service Provider (TSP) is an individual who is certified under NRCS to provide technical assistance on behalf of USDA. A TSP works as an employee for NRCS under a Contribution Agreement; Example: Soil & Water Conservation Service (SWCD).

See 2-CRP (Rev. 5) Exhibit 2 for Definitions and Exhibit 9 for the Agencies Agreements and MOU's.

DNR Forestry Assistance

The Forestry Service (FS) also has a MOU with CCC and FSA at the National level. This MOU provides an agreement with FS to develop tree designs for certain CRP tree practices in accordance to the NRCS Practice Standards. The FS has an agreement with DNR Forestry for the development of CRP tree design work in Minnesota. DNR Forestry developed tree designs are only 1 part of the NRCS developed conservation plan.

When a CRP offer is made, NRCS will complete a recommendation for FSA, of the needs and feasibility of the offer, along with determining whether or not the offered acreage would meet the purpose of the practice and solve the resource concern. If NRCS determines the practice is eligible for the acreage, DNR Forestry will be contacted by NRCS to write the tree design. In the event there is no DNR Forestry presence, NRCS would then be responsible to write the tree design for inclusion in the Conservation Plan or acquire a tree design from another available technical assistant.

If DNR Forestry develops the tree design, then DNR Forestry provides the tree design to NRCS. NRCS completes all other documents that must be included in the conservation plan, such as the NRCS-CPA-1155, applicable job sheets, NRCS-CPA-052, maps, etc., attaches the DNR developed tree design, obtains participant signatures and provides the completed Conservation Plan to FSA for review and approval.

Based on the MOU in Exhibit 9, only DNR Forestry can develop tree designs for the CRP practices CP3, CP3A, CP22, CP23, CP23A, CP28, CP30, CP31, CP32 and CP36.

NOTE: NRCS and TSP's are not authorized to develop tree designs for the above addressed practices unless the DNR Forestry does not have a presence in the County, in which case NRCS shall be responsible for providing the tree design.

Note that DNR does not make CRP practice eligibility determinations or write CRP conservation plans. Their responsibility is specific to developing a tree planting design, which is incorporated into the conservation plan.

FSA shall require DNR to perform a spot-check of the site at the end of the second year to determine whether or not the forestry practices are established and meet the NRCS Conservation Practice Standards.

In the event that a Continuous CRP (CCRP) offer includes either a Field Windbreak (CP5A) or Farmstead Shelter belt (CP16A) and a CP22, DNR Forestry shall be responsible to develop the tree design for the CP22. NRCS, a NRCS hired TSP or a partner entity approved by NRCS, such as SWCD, can be designated by NRCS to develop the tree design for the CP5A or CP16A. Both of these Agency tree designs shall be included in the NRCS developed Conservation Plan.

Re-Enrolling CRP/CCRP Acreage

CRP/CCRP acreage in the last year of the CRP-1 contract retains its cropland eligibility.

Exception: Acreage permanently under water unless the acreage is devoted to water. See 2-CRP (Rev. 5) Para. 151 and 181.

CRP/CCRP acreage in the last year of the CRP-1 contract that is being offered for re-enrollment in a CCRP practice automatically meets the needed and feasible eligibility requirement. However, each practice **DOES NEED** to have an updated practice eligibility determination completed by NRCS or the designated technical provider. The updated eligibility determination will include either a;

1. New Documentation of Eligibility and Suitability Worksheet or;
2. Pen and ink update, with initials and dates of technical provider, on the existing Documentation of Eligibility and Suitability Worksheet.

In both cases, NRCS will write “Re-Enrolled Practice” across the top of the Documentation of Eligibility and Suitability Worksheet. NRCS must also determine that the re-enrolled practice meets the **current** appropriate NRCS practice standard and the **current** CRP program provisions. NRCS will document these findings on the “Practice Re-Enrollment Worksheet”. Please see Addendum B of this notice.

When the existing practice does not meet the current NRCS practice standard, NRCS will schedule all appropriate activities to upgrade the practice to meet NRCS technical criteria. All scheduled activities required to meet NRCS technical criteria are eligible for CRP cost share assistance, unless otherwise specified.

Operation and Maintenance

Recent CRP appeals have shown the need for improved wording to document the program participant’s requirements for maintaining all enrolled practices and acres within the CRP conservation plan. Listed below is an “Operation and Maintenance” statement which NRCS will include as a separate CRP conservation plan narrative in all plans.

Operation and Maintenance

Operation and maintenance will include but not be limited to the following:

- Prevent disturbance of cover during the primary nesting season for wildlife established by FSA.
- Control all noxious weeds as identified by state and local laws by:
 1. Treating with chemicals per label directions.
 2. Spot mow before seed heads form.
- When possible, delay use of control measures until after August 1st to protect nesting wildlife.

Spot treatment on problem areas may be authorized by FSA during the primary nesting season.
- Prohibit and protect the enrolled acres from harvesting, haying and grazing unless specifically authorized in the contract.
- Re-seed any areas that do not have adequate permanent cover.
- Do not use the contract area for field borders, field roads, or other uses that will damage or destroy the cover.
- Do not use the field for disposal of livestock or organic waste unless that use is authorized in the additional specifications and remarks.
- Control rodent infestations that adversely affect the perennial ground cover.
- Use all chemicals according to label instructions.

FSA/NRCS VERIFICATION LIST

Participant _____ Tract # _____ Date _____

Conservation Plan

A conservation plan is a record of the producer's decisions and supporting information for the treatment of a unit of land or water as a result of the planning process. At the option of the producer, the conservation plan may include decisions to adequately treat the identified resource concerns to the sustainable level as defined by the NRCS FOTG quality criteria. The plan describes the schedule of operations and activities required to solve identified natural resource concerns. A conservation plan may contain only information related specifically to CRP, or it may be a part of an overall total resource management system in which numerous conservation programs may be used to meet the natural resource needs.

Development

An approved conservation plan is required before a CRP-1 contract can be approved.

NOTE: NRCS or TSP MUST complete a field visit, if necessary, before developing a conservation plan.

Please use this document to ensure all aspects of conservation planning have been addressed.

Verification of CRP Conservation Plan Documents:

- Ensure NRCS-CPA-1155:**
 - Contains an identifying feature(s) with the CRP-1; such as, but not limited to, producer name, tract number or state and county.
 - Contains the CRP-1 Expiration Date.
 - The Scheduling of Years contains the full CRP-1 Contract Period.
 - Contains all the practices necessary for the successful establishment and maintenance of the approved cover on all of the acres offered for CRP regardless if cost-share is paid or not.
 - Contains the practice title, including the corresponding NRCS Practice standard according to 2-CRP (Rev. 5) Exhibit 11. **Example:** CP8A Grass Waterways, Non-easement, NRCS practice standard (412).
 - Contains practice purpose narrative according to 2-CRP (Rev. 5) Exhibit 11.
 - Contains suitable planned cover for the soil types enrolled. **NOTE: This is accomplished by providing the applicable NRCS Practice Standard. Example: CP8A Grass Waterways, Non-easement, (412)**
 - Includes all of the eligible acres offered on the CRP-1.
 - Includes only practices requested on the CRP-1, including non-cost-shared practices.
 - Only includes eligible practice component codes.
 - Includes a specific Mid-Contract Management (MCM) activity for each approved practice. **NOTE:** MCM should not be scheduled in the final year, for completion. MCM can be scheduled in a time frame or range, not-to-exceed a 3-year period.
 - Includes FSA field number and acreage. **Note:** Changes to field numbers can be performed by a pen and ink modification to the conservation plan by a FSA employee which requires employee initials and date.

FSA/NRCS VERIFICATION LIST

- The Operations & Maintenance (O&M) or the referenced applicable Job Sheet, Contains:
 - Provisions which prohibits harvesting or grazing of CRP acreage for the life of the CRP-1.
 - Measures necessary to control weeds, insects, and pests for life of CRP-1.
 - The CRP cover will not be disturbed during the primary nesting or brood rearing season, (5/15-8/1 in south half of the state; 6/1-8/1 in the North half of the state).

- Includes timeframes and deadline to implement the approved practice(s) and management activities. **Note:** For most practices in Exhibit 11 of 2-CRP (Rev. 5), CRP requires practice completion within the first 12 months from the effective date of the CRP-1.
(Conservation plans may be developed for an additional 12 months, not to exceed 24 continuous months under unusual circumstances, such as planting stock is not available, extreme prolonged adverse weather conditions, sudden and temporary increase in plant material cost/expense due to supply and demand will create an adverse economic hardship on the participant. Determinations to permit an additional 12 months must be documented. In such cases, conservation plans shall be developed to require a temporary cover. Refer to 2-CRP (Rev. 5) Paragraph 426).

- Includes application rates and practice design and installation information, such as the amount and type of seed, trees, shrubs, fertilizer, etc; that are consistent with NRCS-FOTG practice specifications. **Note:** The conservation plan may reference the NRCS Job Sheet for the application rates. **The producer must be provided a copy of the Job Sheet with the conservation plan.**

- For CRP/CCRP practices with existing cover that meets the appropriate NRCS Practice Standard, the CRP C/S component codes 1001 Grasses Already Established or 1002 Trees Already Established shall be used have been scheduled. **NOTE: The Practice Re-Enrollment Worksheet” (Addendum B) MUST be included in the Planning Documents.**

Additional Planning Documents MUST be included as part of the Conservation Plan.

- NRCS CPA-052 (6, 2010) or FSA-850 which Adheres to FSA 1-EQ policy regarding environmental compliance to NEPA, NHPA, and related laws.

- Conservation Planning Incorporates all requirements for Federal, State or local permits.
NOTE: This information will be found on the NRCS-CPA-052.

- Applicable Tree Designs.
NOTE: Only DNR Forestry is authorized to write a tree design for forestry practices. NRCS/TSP shall not provide tree designs for forestry practices.
Exception: In those counties without DNR presence, NRCS will be responsible to write the tree designs.

See Addendum A to this document for CP22 Natural Regeneration Requirements

- Applicable practice Job Sheets, including MCM Job Sheets.

- Technically adequate for achieving CRP practice objective (**NRCS Documentation of Eligibility and Suitability Worksheet(s) must be included in the plan for CCRP Contracts.**)

- Includes a map of the acres to be enrolled and each practice location and acreage identified.

The Conservation Plan has been signed and agreed by (Prior to FSA Approval of the Conservation Plan):

- All signatories to CRP-1. NRCS or TSP. Conservation District.

Participant _____ Tract # _____ Date _____

Natural Regeneration of CP22

Requirements:

- The producer is to plant the approved cover at no cost to FSA or CCC according to a revised conservation plan, if the approved cover is not established through natural regeneration within 2 years of CRP-1 effective date.
- Conservation practice code 647, Early Successional Habitat Development/Management, is used to identify natural regeneration.
- DNR shall spot-check the site at the end of the second year to determine whether the riparian buffer is established and meets the standards and specifications of NRCS conservation practice code 391A, Riparian Forest Buffer.

“CRP/CCRP Practice Re-Enrollment Worksheet”

Participant _____ Tract # _____ Date _____



Documentation of Eligibility for Practice Re-Enrollment

Current NRCS Practice Standard Technical Criteria:

Do the acres offered for each re-enrolled practice meet the current NRCS practice standard criteria?

Yes No

If “NO” is indicated, the practice must have an upgrade. The conservation plan will include scheduling all required practice activities to upgrade the current condition of the practice to one which fully meets all of the NRCS practice standard requirements.

If “YES” is indicated, the practice must be developed with 1001 – Grass Already Established or 1002 – Trees Already Established.

Current CRP Program Requirements:

Do the acres offered for each re-enrolled practice meet the current CRP practice policy, limitations and requirements as found in 2-CRP (Rev. 5) Exhibit 11?

Yes No

If “NO” is indicated, revise the practice to meet the current practice policy and requirements for the applicable practice. This could result in part of a prior CCRP practice being determined ineligible for re-enrollment.
