

FSA CONSERVATION MEMO 10-7
NRCS IOWA INSTRUCTION 440-382 – PRESCRIBED BURN PROCEDURES ON CRP LAND

This instruction provides guidance and direction to agency personnel of both the FSA and NRCS to harmoniously provide professional service to our clients regarding the procedures and policies to be used by the FSA and NRCS for prescribed burns conducted on CRP enrolled acreage for required Mid Contract Management (MCM).

MCM is required during certain years on all CRP contracts enrolled since 2003. No MCM activities may be performed in the last three years of the CRP contract. Due to the number of CRP contracts and the subsequent number of requests for DNR to write prescribed burn plans for CRP mid contract management, DNR predicts that they will not be able to service all requests. Therefore, to better serve our clients, the FSA and NRCS have agreed on the following.

Prescribed burn plans may be written by the landowner, volunteer fire departments, Technical Service Providers, local County Conservation Boards (CCB), Non-Governmental Organization (NGO) representatives, State agency personnel or other qualified persons. In Iowa, no formal certified training is required to write burn plans.

Prescribed burn plans will not be written by NRCS employees, as Iowa NRCS policy does not allow this. The NRCS does not approve or certify burn plans.

It is recommended (not required) that the NRCS Prescribed Burn job sheet be used as the planning tool for prescribed burns. Copies of this job sheet are available at the NRCS office and online at <ftp://ftp-fc.sc.egov.usda.gov/IA/technical/PrescribedBurning2009.pdf>.

Landowners do not have to show the USDA their burn plan in order to conduct a prescribed burn. The landowner may self-certify that the MCM burn was conducted according to a burn plan. The NRCS review of the plan is not required and FSA is not required to keep a copy of the burn plan in the FSA file.

The NRCS does not have to conduct a status review of the prescribed burn unless it is part of the 10% requested by FSA.

For the NRCS reporting of this practice to their internal PRS system, the NRCS will report the prescribed burn to the PRS reporting system only after reviewing the burn plan and determining the plan has addressed the criteria required in the Prescribed Burning - 338 Practice Standard. (See the Iowa Job Sheet for Prescribed Fire - the items marked with an asterisk are required to be addressed by plan writer to meet the NRCS standard and be reported as completed.) In these cases, a copy of the burn plan will be placed in the NRCS client's case file.

If a client certifies to FSA that the prescribed burn was conducted according to a burn plan with no NRCS review of the plan, this still satisfies the FSA's CRP Mid Contract Management requirements, however, the NRCS may not report the practice in toolkit or PRS as applied.

When the NRCS reviews a burn plan and the plan contains the required criteria, the NRCS may sign off as having reviewed the plan. This does not mean that the NRCS has approved the firing sequence, timing, direction or other prescriptions in the burn plan.

Cost Share Policy

Charges associated with development of a burn plan are not eligible for cost share.

FSA County Committee shall obtain evidence to determine proper payment. This includes, but is not limited to the following:

- Invoices
- Canceled checks
- Paid receipts
- Other evidence to determine proper payment.

After performance of the practice, the producer shall submit signed, itemized statements that include:

- Dates of work performed
- Cost per hour charged for labor
- Type of equipment used
- Charge for use of equipment
 - Example: Purchase of drip torch and/or backpack sprayer is not eligible for cost share; charges for use of a drip torch and/or backpack sprayer are eligible for cost share.
- Type and cost of materials used
- Other applicable information

Noncompliance

Unauthorized treatment such as burning during the primary nesting season (May 15 - August 1) will result in a determination of noncompliance with CRP provisions and CRP contract termination. If a good faith determination is requested and granted by the FSA County Committee, the CRP participant will be assessed a payment reduction of an amount equal to the annual rental payment for the acreage in violation.

Burning inconsistent with program regulations will result in a determination of failure to maintain or establish an eligible cover and CRP contract termination. If good faith is requested and granted by the FSA County Committee, a payment reduction will be calculated by multiplying the estimated cost per acre to carry out satisfactory control measures (burn) times the number of acres in violation, times 2.

Payment reductions shall not exceed the annual rental payments for CRP-1 on which the violation occurred.