

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Agricultural Resource
Conservation Program
2-CRP (Revision 5)**

Amendment 11

Approved by: Acting Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Paragraph 131 has been amended to:

- provide that all producers with a share greater than zero must provide a certification of average AGI before CRP-1 is approved
- add AGI tables to provide further clarification for CRP.

Subparagraph 181 F has been amended to provide examples of expiring CRP-1's eligibility for CREP enrollment.

Subparagraph 181 G has been amended to provide criteria for expiring CRP-1's that are not eligible for CREP enrollment.

Subparagraphs 214 A, 215 B, 286 B, 332 A, and 337 A have been amended to remove "paid for" from measurement services.

Paragraph 401 has been amended to:

- provide that the use of TERRA is considered a measurement service

Note: No measurement service fee is charged for the use of TERRA. If staking and referencing or in office measurement, other than TERRA, is performed, see 2-CP, paragraph 460, for fees.

- provide that before approving CRP-1's, County Offices shall ensure that CCC-931 has been filed for all producers with a share greater than zero and updated in the subsidiary file
- approve CRP-1's if the current CCC-931 has been filed for all producers with a share greater than zero and updated in the subsidiary file.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 491 C has been amended to remove the incorrect exception that references SIP.

Paragraph 554 has been amended to provide provisions for FRPP when transferring land from CRP.

Paragraph 575 has been amended to provide that refunds of SIP and PIP are required when participants CRP-1 is terminated to enroll the acreage in a State conservation program, WRP, FRPP, EWP Floodplain Easement, GRP, and HFRP.

Subparagraph 630 A has been amended to reference FRPP when transferring land from CRP.

Paragraph 633 has been amended to:

- clarify policy limitations for recreational hunting on CRP
- provide that, for acreage in CRP, barrier fencing or boundary limitations that prohibit wildlife access to or from the CRP acreage is **not** allowed.

Paragraph 637 has been amended to remove the restriction that burning is not an authorized method of destruction of the cover.

Exhibit 35 has been amended to provide CCC-770 CRP1.

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131 AGI Provisions**A Policy for CRP-1's Approved May 13, 2002, Through September 30, 2008**

Beginning May 13, 2002, an average AGI limitation became effective for certain programs, including CRP.

This provision is effective beginning with the 2003 crop year. The average AGI limitation provides that an individual or entity shall not be eligible to receive certain benefits, during a crop year, if the average AGI of the individual or entity exceeds \$2.5 million, and less than 75 percent of the average AGI of the individual or entity is derived from farming, ranching, or forestry operations. See 1-PL.

Note: If a succession occurs to CRP-1 approved May 13, 2002, through September 30, 2008, the successor must meet the AGI provisions in 1-PL.

B Policy for CRP-1's Approved Beginning October 1, 2008

The average AGI limitation provides that a person or legal entity shall be ineligible to receive certain benefits, during a crop year if the average adjusted gross nonfarm income of the person or legal entity exceeds \$1 million, unless at least 66.66 percent of the average AGI of the person or legal entity is average adjusted gross farm income. See 4-PL.

Note: If a succession occurs to CRP-1 approved beginning October 1, 2008, the successor must meet the AGI provisions in 4-PL.

C AGI Certification

*--All producers with a share greater than zero, including members of entities and joint operations, **must** provide a certification of average AGI according to 1-PL or 4-PL, as applicable. For CRP, certifications of average AGI are binding for the life of CRP-1. CCC-526, CCC-926, or CCC-931 as applicable, must be filed before CRP-1 is approved. AGI determinations for CRP are for the contract period. See subparagraph 131 G for contract revision AGI requirements.--*

D Exception for Lands of Special Significance

The Administrator may allow a waiver to the \$1 million AGI limitation on a case-by-case basis for land that is determined to be environmentally sensitive land of special significance.

Waivers must be submitted to DAFP according to Exhibit 16.

131 AGI Provisions (Continued)

***--E Determining Which AGI Rule Applies to Contract**

This table provides guidance on which:

- payment limitation and rules apply to CRP contracts
- AGI certification form should have been filed or must be filed at the time of contract approval.

Note: Follow 4-PL to determine which business types are required to file AGI certifications.

Original Contract Approved →	Before May 13, 2002				On or After May 13, 2002, and Before October 1, 2008	On or After October 1, 2008
	No		Yes			
Rex Extended	No		Yes			
Contract Extended in 2009	No	Yes	No	Yes		
AGI Rule	Not	4-PL	1-PL	4-PL	1-PL	4-PL
Required Form	Subject to AGI Provisions	CCC-926 or CCC-931	CCC-526 or CCC-526C	CCC-926 or CCC-931	CCC-526 or CCC-526C	CCC-926 or CCC-931

F AGI Requirements for Producers Associated with Original Contracts

Beginning June 4, 2012, follow this table to determine the requirements for filing an AGI certification form for producers.

Notes: See the table in subparagraph E to determine which AGI certification form should be filed.

If the producer is an entity or joint operation, all members with an ownership share are required to file the applicable AGI certification if the entity/joint operation is required to file the certification.

IF the producer's share is...	AND the producer is...	THEN the AGI certification is...
0 percent		not required.
greater than 0 percent	<ul style="list-style-type: none"> • an individual • entity without members 	required for the producer.
	<ul style="list-style-type: none"> • joint operation • entity with members 	required for: <ul style="list-style-type: none"> • the producer, except for a joint operation • each member with an ownership share greater than 0 percent.

--*

131 AGI Provisions (Continued)

***--G Contract Revisions**

This table provides guidance for the requirements for filing an AGI certification form for producers and members of entities and joint operations when a contract is revised for either of the following reasons:

- new producer is added to the CRP contract
- new members are added to an entity or joint operation that has an interest in the CRP contract.

Note: See the table in subparagraph E to determine which AGI certification form should be filed.

If the contract is revised because...	AND the new producer has...	AND the producer is...	THEN an AGI certification is...
a new producer was added to the contract	0 percent share		not required.
	has a share greater than 0 percent	<ul style="list-style-type: none"> • an individual • entity without members 	required for the year the change became effective for the producer. Example: Producer A has CRP contract #2117 with an effective date of October 1, 2010. Producer A sells the land to Producer B on September 20, 2011. Producer B informs the County Office on January 10, 2012, that he purchased the land under CRP contract #2117. Producer B must file AGI forms for 2011 (the year the change became effective).
		<ul style="list-style-type: none"> • joint operation • entity with members 	required as follows for the year the producer is added to the contract: <ul style="list-style-type: none"> • the producer, except for a joint operation • each member with an ownership share greater than 0 percent. See exception in subparagraph H.

--*

131 AGI Provisions (Continued)

***--G Contract Revisions (Continued)**

If the contract is revised because...	AND the new producer has...	AND the producer is...	THEN an AGI certification is...
an existing producer's share was increased from 0 percent		<ul style="list-style-type: none"> • an individual • entity without members 	required for year the producer was originally added to the contract with a 0 percent share.
		<ul style="list-style-type: none"> • joint operation • entity with members 	required as follows for the year the producer was originally added to the contract with a 0 percent share: <ul style="list-style-type: none"> • the producer, except for a joint operation • each member with an ownership share greater than 0 percent.
a new member is added to a joint operation or an entity with members			required for year the member was added to the operation with an ownership share greater than 0 percent. See exception in subparagraph H.

H Exception to Year AGI Certification Must be Filed

If a producer or member of an entity or joint operation was previously associated with the CRP contract, then the original AGI certification continues to apply for that producer or member if their role changes.

Example: John Farmer has 100 percent interest in a CRP contract approved in 2010.

Farmers LLC replace John Farmer as a producer on the CRP contract in 2012. John Farmer is a member of Farmers LLC and has a 100 percent ownership interest in LLC.

Because John Farmer was already associated with the contract, the 2010 AGI certification continues to be applicable for John. However, an AGI certification **must** be filed for 2012 for Farmers LLC.--*

132 Federal Crop Insurance Requirements for CRP Participants

A Federal Crop Insurance Requirements

CRP participants on:

- acreage that was enrolled on or after October 13, 1994, **must** be in compliance with the Federal Crop Insurance Reform Act to remain eligible for participation
- land enrolled on or after October 13, 1994, **must** do either of the following:
 - obtain at least the catastrophic level of insurance for each crop of economic significance grown on each farm in the county in which the producer has an interest, if insurance is available in the county for the crop
 - provide a written FSA-570 to the Secretary that waives any eligibility for emergency crop loss assistance in connection with the crop.

133-150 (Reserved)

181 Eligibility Requirements (Continued)

A Eligibility Requirements for Cropland (Continued)

- NRCS or TSP determines, based on a site visit, the:
 - acreage is suitable for the offered practice
 - practice is needed and feasible to solve the resource concern
- Note:** Expiring CRP acreage automatically meets the needed and feasible eligibility requirement.
- purpose of the practice according to Exhibit 11 is met.
 - Producer offers a per acre rental rate that is less than or equal to the calculated maximum payment rate. Offers in excess of the maximum payment rate shall be rejected.

Note: To calculate the per acre maximum payment rate, the County Office shall identify the 3 predominant soil types using TERRA for the eligible acreage offered on CRP-2C, including land that is offered under infeasible to farm criteria. See paragraphs 196, 212, and the TERRA User Guide.

*--The TERRA tool:

- provides official CRP data and calculations
- shall be used for all CRP administration purposes.--*

For cropland within an approved wellhead protection area, see subparagraph B.

Land that meets the definition of cropland shall not be enrolled in CRP as marginal pastureland. See subparagraph C for eligibility requirements for marginal pastureland.

B Eligibility Requirements for Cropland Within Wellhead Protection Areas

An approved public wellhead protection area is the area designated by the appropriate State agency with an EPA-approved Wellhead Protection Program for water being drawn for public use, as defined for public use by the Safe Drinking Water Act, as amended.

Areas, such as aquifer protection areas, surrounding shallow aquifer areas, and water source protection districts are **not** public wellhead protection areas. Acreage within these areas is **not** eligible to be enrolled under the wellhead protection area provisions.

181 Eligibility Requirements (Continued)

B Eligibility Requirements for Cropland Within Wellhead Protection Areas (Continued)

States that do not have an EPA-approved Wellhead Protection Program shall **not** enroll acreage in CRP under the wellhead protection area provisions. Contact the State water quality agency:

- to determine if there is an EPA-approved Wellhead Protection Program
- for approved public wellhead protection areas.

Before **cropland** acreage within an approved public wellhead protection area may be determined acceptable for enrollment under continuous signup, **all** of the following **must** be met:

- all of the requirements of subparagraph A
- all of the acreage **must** be located within the approved public wellhead protection area
- the acreage shall not exceed a radius of 2,000 feet from the approved public wellhead.

Exception: For Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin, enrollment may allow beyond a radius of 2,000 feet from the approved public wellhead, provide the State has established hydrologically delineated public wellhead protection areas using a 5-year or 10-year time-of-flow criteria and the State water quality agency has approved the hydrologically delineated public wellhead protection area.

At least 51 percent of the acreage must be located within an approved public wellhead protection area. The remaining 49 percent must be contiguous to the approved public wellhead protection area.

Examples: The approved public wellhead protection area designated by the appropriate State agency is a 1,000 foot radius surrounding the approved public wellhead. Therefore, the acreage enrolled in CRP shall not exceed the acreage within the 1,000 foot approved area.

The approved public wellhead protection area designated by the appropriate State agency is a 3,000 foot radius surrounding the approved public wellhead. Therefore, the acreage enrolled in CRP shall not exceed the acreage within a 2,000 radius from the approved public wellhead.

See subparagraph 66 C for a list of eligible practices for cropland within approved public wellhead protection areas.

181 Eligibility Requirements (Continued)

F Expiring Continuous Signup Land Eligibility

Cropland and marginal pastureland that is currently under CRP contract may be re-offered *--for CRP no earlier than 6 months before CRP-1 is scheduled to expire. In addition to--* meeting the eligibility requirements of paragraph 151 and subparagraph 181 A, cropland must meet the current practice standards for the practice according to Exhibit 11.

Cropland that was previously enrolled in CRP but has expired or was terminated is eligible to be enrolled under continuous signup contracts if it meets all other eligibility requirements, including needed and feasible criteria.

Note: Land that is currently under contract or has expired and the cover has been maintained is **not** eligible for SIP.

The following are eligible land examples for expiring CRP when the offer is submitted before expiration.

Example 1: CP21 is expiring and is re-offered. The average width of the practice is 80 feet. The technical agency or TSP recommends the practice should be an average width of 100 feet to meet current practice standards. The participant may re-enroll the practice provided the average width enrolled is 100 feet according to an approved conservation plan. C/S and PIP may be authorized for the additional average width required to meet the current practice standard.

Note: If the technical recommendation was for a width less than enrolled, **only** the lesser width would be eligible.

Example 2: Expiring general signup CRP-1 includes a tree practice such as CP3, CP3A, or CP11. The participant re-offers part or all of the applicable acreage as a continuous signup practice such as CP22 or CP31. CRP-1 is in compliance and NRCS or TSP determines the practice meets the current standards for the *--practice. COC or CED may approve CRP-1. SIP and PIP are **not--*** authorized.

181 Eligibility Requirements (Continued)

F Expiring Continuous Signup Land Eligibility (Continued)

Example 3: Expiring general signup CRP-1 with 1 or more practices such as CP1, CP2, CP4D, CP10, or CP11 that includes wetland restoration as part of CRP-1. The participant re-offers the restored wetland as an applicable continuous practice such as CP23, CP23A, CP27, CP28, CP31, or CP37 according to procedure. CRP-1 is determined in compliance and NRCS or TSP determines the practice meets practice standards. COC or CED may approve CRP-1 and conservation plan. SIP and PIP are **not** authorized.

Example 4: Producer offers an expiring CP21 as practice CP21 that is an average of 80 feet in width. The producer also requests to enroll land adding an average width of 40 feet to reach the maximum average width allowed according to current FOTG standards (up to an average width of 120 feet). NRCS or TSP recommends that the practice meets the practice standards at the 80-foot average width. COC or CED may accept an offer and approve CRP-1 and practice at the 80 foot average width. An offer of additional land to an existing buffer practice is **not** authorized because the current width is addressing the conservation issue. SIP and PIP are **not** authorized.

*--Land under an expiring CRP-1 is considered basically eligible to be reoffered for enrollment into CREP. The CREP agreement provisions apply to any new or expiring land offered into CREP.

Notes: Enrollment in CREP may require participant action to meet CREP agreement requirements.

Otherwise eligible land **not** currently enrolled may be added to adjacent CRP-1 acreage to meet current practice standards under the CREP project's practices, according to the CREP agreement and FSA's 2-CRP State supplement, as determined by NRCS or TSP.--*

181 Eligibility Requirements (Continued)

F Expiring Continuous Signup Land Eligibility (Continued)

*--The following are eligible land examples for expiring CRP when the offer is submitted for enrollment into CREP before expiration.

Example 1: An expiring continuous signup CRP-1 with practice CP21, Filter Strips, is offered as practice CP21 under a contract to be enrolled into CREP. The average width of the practice is 120 feet. NRCS or TSP determines the practice should be an average width of 160 feet to meet current CREP practice standards. The participant may enroll the practice and additional adjacent new land provided the average width enrolled is 160 feet according to an approved conservation plan of operations. Cost share and a practice incentive payment may be paid for the additional land required to meet the current 2-CRP practice standard for CRP-1's for the CREP.

Note: If NRCS or TSP determine that a width less than the 160 feet is needed, then **only** the lesser width would be eligible for enrollment/re-enrollment.

Example 2: Participant offers expiring CRP acreage as an eligible CREP practice. The practice is in compliance and is determined as meeting current practice standards. The participant requests to revise the conservation plan and add a 5 species seeding mix as an interseeding or re-seeding to provide enhanced wildlife habitat benefits. COC or CED may approve CRP-1 and the conservation plan; however, since the existing practice and vegetative cover meet the CREP agreement 2-CRP standards, no additional cost share expense is necessary and COC or CED will **not** approve cost share payments or practice incentive payments.--*

G Lands Ineligible for Re-Enrollment Under Continuous CRP

Lands ineligible for re-enrollment are:

- land not currently enrolled and not necessary to meet current practice standards for the existing practice according to Exhibit 11
- expiring acreage that is currently under an easement according to subparagraph 151 D, that requires a resource-conserving cover be maintained throughout the proposed contract period

181 Eligibility Requirements (Continued)

G Lands Ineligible for Re-Enrollment Under Continuous CRP (Continued)

- expiring land permanently inundated with water according to subparagraph 151 D.

Note: Land permanently inundated with water is land that is reasonably expected to be under water through the CRP-1 period.

Exception: Practices that include water as part of the practice, as applicable, are eligible, such as CP3A, CP9, CP23, CP23A, CP27, CP30, CP31, and CP37.

*--Land under expiring CRP contract that is **ineligible** for CREP enrollment includes:

- land under expiring CRP-1's for which there are provisions in the CREP agreement that exclude expiring CRP-1 acreage for enrollment
- land under expiring CRP-1 which does **not** meet the basic land, producer, and practice eligibility requirements as provided for in the CREP agreement
- cropland acres that are subject to an easement, or designated to be subject to an easement that prohibits crop production at any time during the proposed new CRP-1 period
- marginal pastureland acres that are subject to an easement, or designated to be subject to an easement that requires a resource-conserving cover be maintained during any of the proposed new CREP CRP-1 period
- land permanently inundated with water according to this subparagraph.--*

H Acreage Ineligible To Be Enrolled

See subparagraphs 151 C and D for ineligible acreage.

182 Infeasible to Farm**A Definition of Infeasible to Farm**

Infeasible to farm means an area that is too small or isolated to be economically farmed.

B Infeasible-to-Farm Policy

COC may allow enrollment of certain **cropland** that is determined infeasible to farm.

Note: Infeasible to farm criteria does not apply to marginal pastureland.

Producers may enroll up to 25 percent of the enrolled cropland acreage of a filter strip or riparian buffer as part of the filter strip or riparian buffer if COC determines the following:

- remaining cropland is infeasible to farm according to subparagraph 182 A
- more than 50 percent of the **field** is enrolled as a filter strip or riparian buffer on cropland.

Note: COC is authorized to enroll only up to 25 percent of the filter strip or riparian buffer as infeasible to farm acreage. Producers may request a waiver to enroll infeasible to farm acreage in excess of 25 percent. Waivers should be submitted to DAFP.

Example: Producer enrolls a 4.0 acre riparian buffer in field No. 1 and a 3.0 acre riparian buffer in field No. 2. Field No. 2 has 1.0 acre remaining. The producer enrolled more than 50 percent of each field. The remaining portion of Field 1 not enrolled as a buffer is .5. The infeasible-to-farm amount is 25 percent of the enrolled riparian buffer (4.0 acres x .25 = 1.0 acre). Therefore, the producer could enroll the remaining portion if that portion of the field is 1.0 or less. The .5 remaining portion of field No. 1 is eligible to be enrolled in CRP using infeasible-to-farm criteria.

211 Continuous Signup Process Information (Continued)**D Withdrawing Offers and Acreage Modifications**

For continuous signups, before CRP-1 is approved by COC or CED, producers may modify the offer in any way except changes to the following:

- practice offered to another practice that is not eligible for continuous signup
- rental rate per acre offered to exceed the calculated maximum payment rate.

Note: See paragraphs 171 and 181.

Producers who withdraw or modify acreage offered under continuous signup **before** CRP-1 is approved shall not be assessed liquidated damages.

Important: Liquidated damages are applicable after CRP-1 is approved.

If the producer modifies acreage offered after NRCS or TSP has completed CRP-2C, TSP shall review the changes and make adjustments where necessary.

A * * * measurement service, if applicable, shall be completed for all acreage determined acceptable **before** CRP-1 is approved. See paragraph 401.

Exception: Any acreage currently enrolled that is being reoffered if the acreage was previously measured and official fields.

211 Continuous Signup Process Information (Continued)

*--E COC or CED Responsibilities

Before submitting CRP-2C to NRCS or TSP, COC or CED shall determine whether all eligibility requirements in paragraph 181 are met.

Exceptions: COC or CED shall not make a determination about:--*

- suitability of the acreage for the practice offered
- need and feasibility of the practice offered to solve the resource concern
- the eligibility of the per acre rental rate offered amount until maximum payment rate amount is calculated
- county cropland limit eligibility according to Part 4.

*--If all applicable eligibility requirements in paragraph 181 are **not** met, COC or CED shall:--*

- **not** submit CRP-2C to TSP
- use CRP-26 to inform producer the offer was not acceptable.

F TSP Responsibilities

NRCS or TSP shall, for every continuous signup CRP-2C received:

- complete a site visit to determine whether the:
 - land offered is suitable for the practice offered
 - practice offered is needed and feasible to solve the resource concern
 - existing cover is functioning as the practice offered (paragraph 181)

•*--return completed CRP-2C's to COC or CED to calculate maximum payment rate.--*

214 Completing CRP-1 for Continuous Signup (Continued)

A Completing CRP-1 (Continued)

The following provides an example of land offered for enrollment under continuous signup with the producer not signing CRP-1 until all documents and information required are obtained. **The following is an example for demonstration purposes only.**

Date	Action
February 22, 2010	Producer initiates CRP-2C to enroll land in CRP under continuous signup on February 22, 2010. The land is not currently enrolled in CRP and the producer wants CRP-1 to be effective as soon as possible.
March 2, 2010	*--COC or CED determines all applicable eligibility requirements--* according to paragraph 181 have been met and submits CRP-2C to NRCS or TSP with copy of aerial map.
March 13, 2010	NRCS or TSP completes a site visit, determines the land is suitable for the practice offered, and the practice is needed and feasible to solve the resource concern.
March 15, 2010	NRCS or TSP completes the applicable items on CRP-2C and returns it to COC.
March 17, 2010	County Office calculates maximum payment rate and notifies producer that CRP-1 and CRP-2C is completed and ready for producer signature.

214 Completing CRP-1 for Continuous Signup (Continued)

A Completing CRP-1 (Continued)

Date	Action
April 3, 2010	<p>For FWP and CREP, producer completes CRP-2C, item 9 and CRP-1, item 11A with an acceptable per acre rental rate offered amount and signs CRP-1 and CRP-2C. County Office provides producer CRP-1 Appendix and informs producer:</p> <ul style="list-style-type: none"> • the offer is acceptable • starting the practice before CRP-1 approval is at the producers own risk • of all the requirements needed for CRP-1 approval, such as: <ul style="list-style-type: none"> • working with NRCS or TSP to obtain a conservation plan •*--completing a measurement service, see paragraph 401--* • signed landlord/tenant certification statement. <p>Note: See subparagraph 555 E for applicable CRP-1 Appendix.</p>
May 17, 2010	<p>County Office:</p> <ul style="list-style-type: none"> • receives all required information and forms to approve CRP-1 • completes second party review of all eligibility requirements and maximum payment rate calculations.
May 25, 2010	<p>COC or CED approves CRP-1 with an effective date of June 1, 2010.</p>
May 26, 2010	<p>County Office notifies producer of contract approval and effective date.</p>

215 Notifying Producers With Continuous Signup Offers

A Unacceptable Offers

Before submitting CRP-2C to NRCS or TSP, COC or CED shall determine whether all eligibility requirements in paragraph 181 are met.

If all applicable eligibility requirements are **not** met, COC or CED shall:

- **not** submit CRP-2C to TSP
- use CRP-26 to inform producer the offer was not acceptable.

B Acceptable Offers

If CRP-2C is returned from NRCS or TSP and all eligibility requirements are met, COC or CED shall notify producer that CRP-1 and CRP-2C **must** be completed and signed.

Important: CRP-1 and CRP-2C not signed within 30 calendar days of the date the producer is notified CRP-2C is ready for signature shall be rejected.

If producer completes CRP-1 and CRP-2C with an acceptable per acre rental rate offered amount and signs CRP-1 and CRP-2, County Office shall provide producer CRP-1 Appendix and inform producer:

- the offer is acceptable using CRP-23
- starting the practice before CRP-1 approval is at the producers own risk
- of all the requirements needed for CRP-1 approval, such as:
 - working with NRCS or TSP to obtain a conservation plan
 - completing a * * * measurement service
 - signed landlord/tenant certification statement.

Note: See subparagraph 555 E for applicable CRP-1 Appendix.

215 Notifying Producers With Continuous Signup Offers (Continued)

B Acceptable Offers (Continued)

All changes to data entered on CRP-1 and CRP-2C after producer signs CRP-1 and CRP-2C must be initialed and dated by both the employee making the change and the producer.

CRP-1's not approved within 6 months of the date the producer signs CRP-2C shall be rejected.

Note: See paragraph 213.

When CRP-1 is approved, COC shall use CRP-24 to notify producer of approval and CRP-1 effective date. See Exhibit 5.

Note: See paragraph 401 for CRP-1 approval requirements.

216-236 (Reserved)

Part 10 General Signup and Offer Process

286 Overview

A General Information About Signup and Offer Process

Signup periods will be announced by DAFP. The National Office shall provide State and County Offices:

- program information sheets for producers
- updated program provisions and procedures
- other information as requested.

During signup, producers will submit offers for the amounts they are willing to accept to enroll acreage in the program. County Offices will calculate the maximum acceptable rental rate for the acreage being submitted. This amount is referred to as the maximum payment rate and is described in detail in paragraph 101.

Offers will be ranked at the National Office using a national ranking process. Offers selected will be those that provide the greatest environmental benefits considering the cost of enrolling the acreage in the program.

B CRP Activities Flow Chart

The following is a flow chart that describes activities related to CRP signup.

Step	Activities Occurring During and After Signup and Before Offers Are Ranked
County Offices Action	
1	Provide EBI, General Signup Fact Sheets, and CRP-1 Appendix.
2	Identify acreage to be offered on map.
3	Determine producer eligibility.
4	Determine land eligibility.
5	Determine 3 predominant soil types on the acreage offered using TERRA.
6	Enter offer data in COLS.
7	Producer signs and dates COLS-generated CRP-1 and CRP-2.
8	County Office submits offer through COLS.
State Office Action	
9	Review offer detail and summary reports on CEPD’s State Office Information Center Intranet at http://dc.ffasintranet.usda.gov/DAFP/CAPDSTO.htm .
10	Review the “State Office CRP Oversight Map” information available on CEPD’s State Office Information Center Intranet.
11	Contact County Offices, if necessary, to facilitate changes in offer records when errors are detected.

286 Overview (Continued)

B CRP Activities Flow Chart (Continued)

Step	Activities Occurring During and After Signup and Before Offers Are Ranked
Activities Occurring After Records Are Reviewed	
12	Return questionable records to County Office for review and possible correction.
13	Access and review validation reports, if applicable, from CEPD's State Office Information Center Intranet and correct offers, if necessary.
14	Counties will identify erroneous or omitted offers and correct in COLS, if necessary.
Action After Selection Process	
15	Final results of acceptable and rejected offers will be published and distributed in a CRP notice and CEPD's web site.
16	County Offices shall conduct final eligibility review.
17	Producers will be notified of acceptable or rejected offers by County Office.
18	County Office shall complete a * * * measurement service for acceptable offers. *--See paragraph 401 for exceptions and using TERRA.--*
19	Conservation plan of operations will be developed by NRCS or TSP, if applicable.
20	Conservation plan of operations will be approved by the Conservation District.
21	Final approval of conservation plan of operation by COC or CED.
22	CRP-1 is approved by COC or CED.

287-292 (Reserved)

Section 3 Conducting a CRP Signup in the County Office

331 Announcing County CRP

A County Offices Announcing CRP

County Offices shall use news media to inform all owners and operators, on a county-wide basis, of the following:

- CRP eligibility requirements
- locations and dates of informational meetings
- dates for submitting offers

Note: See Exhibit 20.

- CRP provisions, including general terms and conditions
- information needed to submit offers, such as eligible cropping history, fields to be identified, and number of acres to be offered.

Mail CRP announcement to all owners and operators in the county.

Note: County Offices shall include CRP continuous signup information in the county newsletter. Special mailings are optional but not required.

B Statement of Participation

All eligible owners and operators, regardless of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status, shall have an opportunity to submit requests to place land in CRP.

332 Submitting Offers

A County Office Responsibilities

County Offices may adjust the order of events in the table to provide for a workable signup period. **Before the producer submits** an offer to participate in CRP, County Offices shall do the following.

Step	Action
1	Provide general information about program provisions, such as a Fact Sheet.
2	Explain program details, such as: <ul style="list-style-type: none"> • the EBI process • required cropping history • maximum payment rate calculations • national ranking and selection process • COC determinations • available practices and C/S rates.
3	Verify producer and cropping history eligibility for the offered acres according to Part 6. Notes: Determine whether these requirements are met before submission of data. FSA shall determine land eligibility.
4	Delineate acres to be offered.
5	* * * Measurement services to determine acres to be offered. Paid-for measurement service shall be completed for acreage offered before CRP-1 is approved. See paragraph 401. *-- Note: See 2-CP, paragraph 460 for additional guidance.--*
6	Process offers through COLS. See paragraph 333 for completing CRP-2, including calculating maximum payment rates for each eligible area the producer wants to offer.
7	Advise producers of the limitation on withdrawing and modifying offers according to paragraph 337.
8	Provide producers CRP-1 Appendix (Exhibit 29) before submitting offers.
9	Have producer sign completed CRP-1 and CRP-2. Note: Only 1 signature is required to submit an eligible offer. All signatures are required before COC or CED approves CRP-1.
10	File all applicable documents, including CRP-2, in the producer’s folder.

337 Withdrawing and Modifying Offers**A Adjustments to Acreage Offered**

A * * * measurement service shall be completed for all acreage determined acceptable before CRP-1 is approved. See 2-CP for redeterminations.

Exception: See paragraph 401.

CRP-1 shall be adjusted to reflect the measured acres. See paragraph 401.

A * * * measurement service fee is required on offered acreage using digital imagery. See 2-CP, paragraph 460.

Note: See paragraph 401 for measurement service requirements for approving CRP-1's.

B Withdrawing Offers

Producers can withdraw offers anytime before the close of signup. Withdrawals of a part of the acreage offered are not authorized after the end of the signup period. Offers withdrawn after the close of signup shall be assessed liquidated damages according to paragraph 577.

A request to withdraw a CRP offer shall be:

- in writing
- filed in producer's folder
- accepted.

C Identifying Withdrawn Offers

Identify each offer withdrawn by entering the following on CRP-2:

- the word "Withdrawn" in bold, red letters
- the signature of the person authorizing withdrawal
- the date withdrawal is made.

When an offer is withdrawn before the close of signup, if requested, provide a new CRP-1 to producers for resubmitting an offer by the final signup date. See subparagraphs 332 F and 337 B.

338 Succession to Offers

A General Policy

Succession-in-interest rights do not apply to CRP offers to participate, except for:

- immediate family members of the producer that submitted the offer, according to subparagraph B
- a person, or entity, taking title to the land offered when the producer that submitted the offer dies.

Note: See subparagraph C.

All other applicable eligibility requirements shall apply to the successor.

Note: See paragraph 555 for succession-in-interest to approved CRP-1.

B Succession by an Immediate Family Member

An immediate family member of the producer who submitted the offer may succeed to an acceptable offer, if all of the following are met:

- producer that submitted the offer met all eligibility requirements
- *--successor signs CRP-2, item 25, acknowledging acceptance of offer as originally--* submitted

Note: No modifications to the original offer are authorized. Successor cannot modify or revise the original offer.

- immediate family member succeeding to the offer meets all other eligibility requirements before CRP-1 is approved.

Successor shall be liable for any liquidated damages.

Immediate family members include parents, children, siblings, grandparents, adopted children, and spouse.

Part 12 Approving CRP-1's

401 Approving and Numbering CRP-1's

A Requirements Before Approval

Before approving CRP-1's, County Offices shall:

- ensure that a separate CRP-1 is completed for:
 - each CRP-2 or CRP-2C
 - practices with different lifespans

Note: See paragraphs 211 and 332.

- determine acres to be enrolled by completing a paid-for measurement service

Exceptions: Measurement service is not required for:

- official fields
- any acreage currently enrolled that has been reoffered and accepted, if the specific area accepted was measured before enrollment.

Notes: In early signup periods, offers were accepted by farm. Offers are now required to be by tract. If acreage currently enrolled were required to be reoffered separately because the acreage is located on more than 1 tract, the acreage is required to be measured.

--The use of TERRA is considered a measurement service. No measurement service fee is charged for the use of TERRA. If staking and referencing or in office measurement, other than TERRA, is performed, see 2-CP, paragraph 460 for fees.--

- adjust the acreage on CRP-1 as appropriate according to the completed measurement service
- ensure that DCP acres and CRP acres do not exceed cropland on the farm, according to subparagraph 401 B
- complete approved farm reconstitutions

401 Approving and Numbering CRP-1's (Continued)

A Requirements Before Approval (Continued)

- complete a second party review of all eligibility requirements and maximum payment rate calculations
- *--ensure that CCC-931 has been filed for all producers with a share greater than zero, including members of entities and joint operation, and updated in the web-based Subsidiary Eligibility System before CRP-1 approval--*

Notes: CCC-931 **must** be filed to ensure that CRP participants are aware of payment eligibility for new CRP contracts or revised CRP contracts where there is a succession. This does **not** require that a prospective CRP participant be eligible for payments, **only** that CCC-931 be filed.

--If a zero share producer revises their share, the appropriate AGI form is required. See paragraph 131.--

- review the multiple county producer list with other County Offices
- ensure county cropland limit eligibility according to Part 4.

Note: The first five CREP offers per county **must** be reviewed by STC before COC or CED approval.

- determine the total annual rental rate for the acreage being offered and all previously approved CRP-1's
- ensure that NRCS has terminated all applicable WBP agreements

Note: File a copy of the terminated WBP agreement in the producer's CRP folder.

- adjust the value of CRP-1 for the acreage being offered to reflect the total rental payment, **if any**, the producer will be eligible to earn under the current CRP-1 considering annual rental payment limitation of \$50,000 per person per FY.

Note: See paragraph 461 and Exhibit 31.

401 Approving and Numbering CRP-1's (Continued)

A Requirements Before Approval (Continued)

For general signups, a producer may change CRP practices only if all of the following conditions are met:

- original offer was accepted
- CRP-1 has not been approved
- the EBI score of the new practice is equal to or greater than the EBI score of the existing practice.

Important: When determining whether the EBI score of the new practice or practices is equal to or greater than the EBI score of the original practice or practices, COC or CED **must** use the same EBI criteria that was used for the original offer. See CRP-2 for EBI score.

For continuous signup, a producer may change practices if CRP-1 has not been approved.

401 Approving and Numbering CRP-1's (Continued)

B Approving Contracts

Approve CRP-1's if:

- offer is included on the list of acceptable offers

Note: This is not applicable to continuous signup contracts.

- for continuous signup CRP-1's, all applicable requirements according to paragraph 181 have been met
- all required signatures have been obtained on all related CRP forms and plans
- a conservation plan is approved for the acreage
- *--the current CCC-931 has been filed for all producers with a share greater than zero and updated in the web-based Subsidiary Eligibility System--*
- the conservation plan is consistent with policies in paragraph 366
- DCP contract acres and CRP acres do not exceed the cropland on the farm.

If the total acres, excluding any marginal pastureland, such as WBP noncropland acres based on the effective date of CRP-1's, exceeds DCP cropland for the farm, the producer shall designate which of the following to reduce:

- CRP acres being offered
- DCP acreage
- GRP acreage being offered.

Important: Land transitioned under TIP CRP-1R is not subject to DCP base reduction.

Notes: Reduction of CRP acres offered shall be completed before the end of the applicable signup period.

The reduction of applicable acres shall be to the extent the total CRP and DCP cropland acreage does not exceed the cropland for the farm.

Acreage enrolled in an approved CRP-1 cannot be reduced.

County Offices shall calculate the number of acres on a farm that may be enrolled in CRP or GRP without requiring a reduction to DCP base acres at the time the producer submits CRP-2, CRP-2C, or CCC-920.

401 Approving and Numbering CRP-1's (Continued)

B Approving Contracts (Continued)

When the producer determines to reduce DCP base acres on a farm because of enrollment into CRP or GRP, the producer **must** complete CCC-505 at the time the acres are being offered for CRP or GRP.

Note: Some producers may elect to modify the number of acres to be offered for CRP or GRP instead of reducing DCP base acres on the farm.

Reduce DCP acreage and complete CCC-505 according to 1-DCP.

- acreage determinations have been made and verified by a * * * measurement service

Exceptions: Measurement service is not required for:

- official fields
- any acreage currently enrolled that has been reoffered and accepted, if the area accepted was measured before enrollment.

Notes: In early signup periods, offers were accepted by farm. Offers are now required to be by tract. If acreage currently enrolled were required to be reoffered separately because the acreage is located on more than 1 tract, the acreage is required to be measured.

--The use of TERRA is considered a measurement service. No measurement service fee is charged for the use of TERRA. If staking and referencing or in office measurement, other than TERRA, is performed, see 2-CP, paragraph 460 for fees.--

- all acreage eligibility determinations have been made.

Part 15 C/S Policies

491 General C/S Policy

A Participants Eligible for C/S Payments

CRP C/S shall be paid only to participants who:

- are a signatory to CRP-1
- established the conservation practice.

See paragraph 519.

Note: Authorized payments may be assigned by the participants.

B C/S Level

Participants who elect to receive other Federal C/S assistance are obligated to refund CRP C/S payments, plus interest.

C/S assistance shall not exceed 50 percent of the eligible costs of establishing the approved practice. Participants may receive C/S assistance from non-Federal sources; however, under no circumstances may the total C/S amount received exceed 100 percent of the cost of the practice.

C/S assistance to establish permanent vegetative cover on CRP land for the sum of the acres for CP1, CP2, CP3, CP3A, CP4B, CP4D, CP18B, and CP18C divided by the acres in CRP-1, **shall not exceed** 50 percent of the price per acre at which the land placed in CRP could be sold for use as farmland at the time at which CRP-1 is signed by the producer.

Exception: Acreage devoted to CP1 for development of a permanent water source for
--wildlife implemented on acreage offered as CP10 before March 14, 2011.--
See Exhibit 11, page 39.

Use the most recent NASS survey.

491 General C/S Policy (Continued)**C C/S Funds Authorized on CRP Acres**

Acreage on which CRP C/S has been paid is not eligible for other Federal C/S during the term of the CRP contract unless approved by DAFP. This does not apply to Federal funding that is not Federal C/S funding. Requests shall be submitted to DAFP on a case-by-case basis for only the most highly meritorious cases as determined by STC.

Example: A participant with an approved contract receives assistance other than cash from FWS Partners for Wildlife program. These services are not considered C/S assistance. FWS provides the participant documentation indicating the value of their service is \$2,500. The participant also receives C/S equaling \$1,500 from a private conservation organization. The participant has other expenses related to the practice that are eligible for C/S, according to Exhibit 11, and equal to \$6,000. Since the participant did not receive C/S from FWS, the participant may receive CRP C/S assistance.

The total practice establishment cost, considering all contributions, is \$10,000. The participant may receive \$5,000 in C/S assistance from FSA because this amount is less than the participant's out-of-pocket costs.

Note: Participants who receive ECP payments during the term of the CRP contract on the same land for which they received CRP C/S payments are ineligible to retain CRP C/S unless approved by DAFP on a case-by-case basis. Approval of ECP funds by DAFP does not automatically waive this requirement. Restoration of re-enrolled CRP acreage where no C/S was paid under the existing contract should be C/S'd under CRP.

* * *

CRP participants may receive C/S funding from non-Federal sources to install conservation practices on CRP acreage. See paragraph 517.

Note: Practices shall only be approved if they are according to an approved conservation plan on CRP acreage.

D C/S Not Authorized

C/S is not authorized for:

- hand-collected seed, except when producer provides verification of PLS factor, germination, quality of seed, amount planted, and types and varieties of seed and seed mixtures
- acreage not under CRP-1

553 Revising CRP-1 Because of Inheritance (Continued)

C When the Recipient Has No Prior Interest in CRP-1

When a CRP participant inherits CRP acreage, and the recipient had no share in the contract before inheritance, use the following table for guidance.

IF the recipient's revised payment total for all CRP-1's is...	THEN...
less than \$50,000	<ul style="list-style-type: none"> • revise the inherited CRP-1 to remove the deceased participant and add the recipient • payments will be processed in the normal manner according to 1-CRP.
greater than \$50,000	<ul style="list-style-type: none"> • revise the inherited CRP-1 to remove the deceased participant, and add the recipient according to 1-CRP • revise through pay limit system using the inheritance adjustment. See 3-PL (Rev. 1).

554 Transferring Land From CRP to WRP, GRP, HFRP, or EWP Floodplain Easement

A Transferring Existing CRP-1's

*--Land that is subject to an existing CRP-1 may be accepted into WRP, FRPP, GRP, HFRP, or EWP Floodplain Easement at the discretion of NRCS.

When issuing CRP annual rental payments, the amount shall be prorated from October 1 to the filing date of the easement for WRP, FRPP, GRP, HFRP, or EWP Floodplain Easement.

Notes: Do not cancel CRP-1 until all WRP, FRPP, GRP, HFRP, or EWP Floodplain Easement documents are approved and filed. See 1-CRP, paragraph 296 to cancel CRP-1.

Refunds of C/S payments shall not be required when terminating CRP to enroll in WRP, FRPP, GRP, HFRP, or EWP Floodplain Easement. Refund of CRP-SIP and--* CRP-PIP is required.

Land terminated from CRP is no longer included in the 25 percent cropland limitation or 10 percent easement limitation.

B Transferring Portion of CRP Acreage

*--If only a portion of the land subject to CRP-1 is accepted into WRP, FRPP, GRP, HFRP, or EWP Floodplain Easement, terminate only that portion of CRP-1 that is affected by enrollment into WRP, FRPP, GRP, HFRP, or EWP Floodplain Easement as follows.

Step	Action
1	Revise CRP-1 into separate contracts using suffix number according to 1-CRP.
2	After revising CRP-1, terminate CRP-1 for the acres transferring to WRP, FRPP, GRP, HFRP, or EWP Floodplain Easement.--*

575 Refunds Not Required

A No Refunds Required

Refunds of CRP-1 payments are not required of:

- operators when the administrator or heirs of an owner's estate do not become successor-in-interest to CRP-1
 - the owner's estate if the estate or the heirs do not succeed to CRP-1
- Note:** If the owner's estate succeeds to CRP-1, and the heirs subsequently do not succeed, refunds are not required from the estate.
- heirs if the deceased has no estate and the heirs do not succeed to CRP-1
 - participants when both of the following apply:
 - an operator's estate wants to succeed to CRP-1
 - the landowner refuses to sign a revised CRP-1
 - participants when CRP-1 is being terminated to enroll the acreage in a State conservation program, WRP, FRPP, EWP Floodplain Easement, GRP, or HFRP

Exception: Refunds of SIP and PIP are required.--*

- participants when CRP-1 was approved based on an erroneous ownership or operatorship determination as provided in paragraph 638, and CRP-1 is terminated because of the erroneous determination
- participants when CRP-1 was approved based on an erroneous land eligibility determination according to paragraph 638, and CRP-1 is terminated because of the erroneous determination
- participants when COC determines that CRP-1 shall be terminated, based on provisions in subparagraph 493 B

Note: COC or CED shall clearly document in COC minutes that the costs of restoring the cover outweigh the benefits received from the restoration.

576 Requests for Waiver of Refunds**A Policy for Waivers of Refunds**

COC and STC are authorized to waive refunds when the following apply:

- a request to waive refunds is received from participants, in writing

Note: It is the producer's responsibility to request a waiver of refunds.

- the total amount of refunds per contract, calculated according to paragraph 574 does not exceed:
 - \$10,000, for COC authority to waive refunds
 - \$50,000, for STC authority to waive refunds.

Note: SED's are authorized to waive refunds for equitable relief according to subparagraph D.

B COC Waivers of Refunds

COC shall:

- ensure that participants are provided appeal rights
- document requests for waivers in COC minutes
- submit requests for waivers in excess of \$10,000 to STC or SED, as applicable
- not submit requests for waivers to STC or SED if COC does not recommend approval
- provide a report of waivers of refunds, no later than December 1 for each FY, according to subparagraph E.

***--Notes:** COC may waive liquidated damages according to paragraph 578.

COC may waive TIP liquidated damages according to subparagraph 812 C.--*

628 Using CRP Acres as Turn Rows**A Using CRP Acres as Turn Rows or Crossing Areas**

Limited use of field margins and areas within a field enrolled in CRP is authorized during the primary nesting or brood rearing season only if this activity is conducted as part of the planting, cultivating, or harvesting of a crop in an adjoining field. Use of this acreage shall be:

- limited to turning or crossing areas
- minimal, as determined by STC.

Note: Areas within a field include, but are not limited to:

- waterways
- contour grass strips
- terraces.

CRP acreage shall not be used as a lane or road under any circumstances.

629 Water as Cover**A Water as Eligible Cover**

CRP-1 may be continued on land that is under water because of natural causes or as a result of a flood control structure if the participant agrees to all of the following:

- replace the permanent vegetative cover on CRP acres if the water recedes
- not use the impounded water for irrigation water for producing agricultural commodities
- obtain a modified conservation plan from NRCS or TSP that includes the eligible uses that can be made of the acres under water.

Ponds are eligible cover on CRP if they are installed according to subparagraph 429 A.

630 Policy When Easement Placed on CRP Land**A When Easements Are Placed on CRP Land**

Land enrolled in CRP that is not encumbered by a CRP useful life easement and is subsequently encumbered by other conservation easements, except for WRP or EWP Floodplain Easements, may continue to earn CRP payments under CRP-1 if the:

- participant continues to comply with CRP provisions
- Agency certifies, in writing, that the:
 - Agency was aware of the existence of CRP-1 at the time the participant agreed to encumber the land
 - participant will be able to comply with CRP provisions.

Notes: Land encumbered by certain conservation easements, such as those placed by FWS and FLP Debt for Nature, is ineligible for subsequent enrollment and contract extension in CRP.

--See paragraph 554 for transferring land from CRP to WRP, FRPP, GRP, HFRP,-- and EWP Floodplain Easements.

631 Guidelines for Public Use of CRP Land

A Public Use of CRP Land Guidelines

The following is the procedure for continuing CRP-1 on land temporarily being used by public utilities for installing gas lines, pipes, cable, telephone poles, etc., materials used by an entity of the State for road building or Federally funded pipeline projects.

CRP-1's may be continued without reduction in payment if:

- the participant gives COC or CED details of proposed temporary use, including length of use
- COC authorizes the use

Note: Use is **not** authorized during the primary nesting season.

- NRCS or TSP certifies usage will have minimal effect, such as:
 - erosion is kept to a minimum
 - minimum effect on wildlife and wildlife habitat
 - minimum effect on water and air quality
- the participant restores cover, at the participant's expense, to disturbed land in timeframe set by COC or CED.

Note: No payment reduction will be made for compensation received by the participant from the public agency.

NRCS or TSP will determine whether the disturbance will have an adverse effect on the land. If NRCS or TSP determines that public use will have an adverse effect on CRP acreage, affected acreage shall be terminated and refunds assessed.

632 Carbon Sequestration Credits

A Selling Carbon Sequestration Credits

CRP participants may sell carbon sequestration credits associated with land enrolled in CRP. Selling carbon sequestration credits is not considered commercial use and is not, therefore, a violation of CRP-1.

--633 Recreational Hunting and Commercial Shooting Preserves on CRP Acreage--**A Recreational Hunting**

CRP participants may lease hunting rights, charge fees for access to hunters, or conduct other similar hunting operations on CRP acreage if this activity occurs during the normal hunting season for the pursuit of game that is normal to the area. Hunting **must** be conducted consistent with State laws and bag limits for the appropriate game species.

Note: CRP acreage shall not be disturbed during the primary nesting or brood rearing season regardless of hunting seasons.

***--Important:** Barrier fencing or boundary limitations that prohibit wildlife access to or from the CRP acreage is **not** allowed.--*

B Commercial Shooting Preserves

Commercial shooting preserves may be operated on CRP acreage if all of the following apply:

- the commercial shooting preserve is licensed by a State agency, such as the State Fish and Wildlife Agency or State Department of Natural Resources
- the commercial shooting preserve is operated in a manner consistent with the applicable State agency rules governing commercial shooting preserves
- CRP cover is maintained according to the conservation plan
- no barrier fencing or boundary limitations exist that prohibit wildlife access to or from the CRP acreage
- related CRP cover maintenance, as determined by STC according to FOTG and in consultation with the State Technical Committee, **must:**
 - be performed according to the conservation plan
 - provide benefit and enhancement to all wildlife normal to the area

--633 Recreational Hunting and Commercial Shooting Preserves on CRP Acreage (Continued)--**B Commercial Shooting Preserves (Continued)**

- be conducted outside the primary nesting or brood rearing season
- not adversely impact the CRP cover
- not degrade wildlife habitat benefits, water quality benefits, or erosion control measures.

Important: STC, in consultation with the State Technical Committee, **must** determine the extent and method of cover maintenance acceptable for all CRP acreage within the State that provides enhancement for all wildlife habitats.

C Mowing of CRP Cover

As provided in paragraph 427, periodic mowing and mowing for cosmetic purposes is prohibited at all times. Annual mowing of CRP for weed control is prohibited. Mowing of CRP cover, not to exceed 20 percent of the total CRP acres in a field, is permitted. This activity **must** be:

- included in the conservation plan
- part of a State-approved management plan for habitat maintenance and wildlife and land management
- conducted outside the primary nesting or brood rearing season.

Note: The location of this mowing should be changed from year to year.

Until a final status review has been completed by NRCS, TSP, or self certified by the producer, COC or CED, in consultation with NRCS, may allow participants to spray and mow the acreage under contract at any time, if this activity is required in the conservation plan to establish the approved cover.

634 Authorized Use

A Authorized Uses of CRP Acreage

COC may determine authorized uses of CRP acreage on a case-by-case basis during the life of CRP-1, except during the primary nesting or brood rearing season, if the use is not otherwise prohibited in procedure.

Example: COC may authorize using CRP acreage for a parking lot for a special event or as a camp site on a limited basis. COC has no authority to authorize the harvesting of forage or trees.

Each request shall be documented in COC minutes with justification for actions taken. Inspection fees or payment reductions may be assessed as determined by COC.

B Beehives on CRP

Consistent with the soil, water, and wildlife goals of CRP, beehives may be stored on CRP acreage.

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)**C Early Land Preparation Early Land Preparation for Fall Seeded Crops - Arid Areas (Continued)**

- be assessed a payment reduction to exclude payment for the period indicated on CRP 1G Addendum, item 3.

Notes: Arid areas are defined as acreage located west of the 100th meridian that receives less than 25 inches of annual precipitation.

See subparagraph:

- D for acreage ineligible for early land preparation
- E for participants' responsibilities.

D Acreage Ineligible for Early Land Preparation

All CRP cover may be destroyed in the final year of CRP-1 for early land preparation, according to subparagraph A, B, or C, as applicable, except for acreage that is:

- devoted to the following practices:
 - CP5, CP5A, CP8, CP8A, CP9, CP13, CP13A, CP13B, CP13C, CP13D, CP14, CP16, CP21, CP22, CP23, CP27, CP28, CP29, and CP30
 - practices on which a useful life easement is filed
- located within an average width 120 feet of a stream or other permanent waterbody to ensure continued habitat for wildlife
- considered a wetland by NRCS
- required to serve as a wetland buffer according to the practice standard in FOTG to protect the functions and values of a wetland
- located within an EPA-designated wellhead protection area
- subject to frequent flooding, as determined by NRCS or TSP.

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

E Participants' Responsibilities

Determine participants' responsibilities according to the following.

Note: Measurement service is available at the participant's expense for requests to prepare only a portion of the acres under contract.

WHEN participants, in the final year of CRP-1, intend to destroy CRP cover to...	THEN participants...
prepare for spring seeded crops	<ul style="list-style-type: none"> • shall submit requests on CRP-1G Addendum at any time during the final year of CRP-1 • are required to meet with NRCS or TSP to obtain an approved conservation plan for: <ul style="list-style-type: none"> • the chemical destruction of the CRP cover when the method of destruction could cause adverse environmental effects, as determined by NRCS or TSP • conservation compliance, if applicable • shall not prepare a seedbed for planting before CRP-1 expires • shall not hay, graze, or otherwise make commercial use of CRP acreage during the CRP-1 period. <p>Notes: Participants may mechanically remove cover from CRP acreage; however, no commercial use can be made of the forage. The participant must pay for a field visit by COC or CED to verify destruction of the cover. * * *</p> <p>All signatories to CRP-1 shall be required to sign CRP 1G Addendum before COC or CED approval.</p> <p>No payment reduction shall be assessed.</p>

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

E Participants' Responsibilities (Continued)

<p>WHEN participants, in the final year of CRP-1, intend to destroy CRP cover to...</p>	<p>THEN participants...</p>
<p>prepare a seedbed for fall-seeded crops from either of the following dates:</p> <ul style="list-style-type: none"> • May 1 through June 30 in arid areas only • July 1 through September 30 	<ul style="list-style-type: none"> • shall submit requests on CRP-1G Addendum at any time during the final year of CRP-1 • are required to meet with NRCS or TSP to obtain an approved conservation plan for: <ul style="list-style-type: none"> • the destruction of the CRP cover when the method of destruction could cause adverse environmental effects, as determined by TSP • conservation compliance, if applicable • may plant fall-seeded agricultural commodities in areas where planting these crops normally occurs before October 1, as determined by STC • may mechanically remove cover and make commercial use of CRP acreage during the CRP-1 period with a 25 percent reduction of the annual rental payment <p>Note: Participants may mechanically remove cover from CRP acreage without a reduction of the annual rental payment if no commercial use is made of the forage. The participant must pay for a field visit by COC or CED to verify destruction of the cover. * * *</p> <ul style="list-style-type: none"> • shall receive a reduced annual rental payment for the period indicated on CRP-1G Addendum, item 3 <p>Note: See subparagraph F.</p> <ul style="list-style-type: none"> • shall be in violation of CRP-1 if the participants fail to plant a fall seeded crop in a normal manner. <p>Notes: All signatories to CRP-1 shall be required to sign CRP-1G Addendum before COC or CED approval.</p> <p>CRP participants requesting to destroy CRP cover to prepare land for planting fall-seeded crops shall be informed that failure to plant a fall-seeded crop in a normal manner is a violation of CRP-1 and may result in a refund of all CRP annual rental payments, plus interest, and liquidated damages.</p>

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

F Processing Participants' Requests

County Offices shall process participants' requests for early land preparation according to the following.

Step	Action
1	Accept requests on CRP-1G Addendum. See subparagraph G. Ensure that all required signatures are obtained.
2	<p>Ensure that participants meet with NRCS or TSP to develop a conservation plan for:</p> <ul style="list-style-type: none"> • the destruction of the CRP cover when the method of destruction could cause adverse environmental effects, as determined by NRCS or TSP <p style="text-align: center;">* * *</p> <ul style="list-style-type: none"> • conservation compliance, if applicable.
3	<p>Remind participants that approval is for land preparation activities only. However, planting fall-seeded agricultural commodities is permitted when fall planting of these crops normally occurs before October 1, as determined by STC.</p> <p>Note: Unauthorized haying and grazing during the contract period are violations of CRP-1.</p>
4	<p>Ensure that participants are aware that no annual rental payment shall be earned for the period indicated on CRP-1G Addendum, item 3. Nonpayment period shall begin on the day land preparation commences, but not:</p> <ul style="list-style-type: none"> • earlier than May 1 • end June 30. <p>Enter "N/A" on CRP-1G Addendum, item 3 for requests that do not require a payment reduction.</p> <p>Note: The nonpayment period may be for a portion of a month. The payment reduction shall be based on the number of nonpayment days entered on CRP-1G Addendum, item 3.</p>

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

F Processing Participants' Requests (Continued)

Step	Action
5	Ensure that participants are aware that failure to plant a fall-seeded crop after acreage has been destroyed for such use: <ul style="list-style-type: none"> • is a violation of CRP-1 • may result in a refund of all CRP annual rental payments, plus interest, and liquidated damages.
6	Attach a copy of an aerial photograph to CRP-1G Addendum. Highlight the acreage on which the cover will be destroyed.
7	Provide each participant and NRCS or TSP with a: <ul style="list-style-type: none"> • copy of approved CRP-1G Addendum • a photocopy highlighting the acreage on which the cover will be destroyed.
8	File CRP-1G Addendum and attached photocopy in the CRP-1 folder.
9	Immediately approve requests received on eligible acreage.
10	During the normal payment cycle, after October 1, prorate the final payment to exclude payment for the nonpayment period identified on CRP-1G Addendum, item 3.

Note: Participants who want to apply chemicals to prepare eligible CRP acreage for spring seeded crops or destroy eligible CRP cover for planting fall-seeded crops after June 30 will not be assessed a payment reduction.

637 Destroying CRP Cover Before CRP-1 Expiration (Continued)

G Example of CRP-1G Addendum

The following is an example of CRP-1G Addendum.

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This form is available electronically.		
CRP-1G Addendum (05-03-12)	U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency	1. ST. & CO. Code
CRP-1 MODIFICATION TO ALLOW EARLY LAND PREPARATION		2. Contract No.
		3. Period of Nonpayment
		4. Acres
		5. Farm No.
<p>6. TERMS TO ALLOW EARLY LAND PREPARATION</p> <p>This contract modification is entered into by the Commodity Credit Corporation (CCC) and the undersigned participant(s) on the Conservation Reserve Contract number in Item 2 above. By signing this contract modification, the CCC agrees to allow the participants identified below to <i>(check one)</i>:</p> <p><input type="checkbox"/> A. Prepare CRP acreage for planting fall seeded crops.</p> <p><input type="checkbox"/> B. Apply chemicals to prepare CRP acreage for spring seeded crops.</p> <p>The participant(s), in return, agrees:</p> <ul style="list-style-type: none"> To meet with Natural Resource Conservation Service (NRCS) or Technical Service provider (TSP) to develop a conservation plan for land preparation when the method of destruction could cause adverse environmental effect. <p>For spring-seeded crops:</p> <ul style="list-style-type: none"> To not hay, graze, or otherwise make commercial use of CRP acreage during the CRP-1 period. <p>For fall-seeded crops:</p> <ul style="list-style-type: none"> To accept a 25-percent reduction in the annual rental rate if the cover is mechanically removed from CRP acreage during CRP-1 period and not destroyed. To no reduction in the annual rental payment if cover is mechanically removed from CRP acreage during CRP-1 period and no commercial use is made of the forage. The participant must pay for field visit by COC to verify destruction of the hay. To accept a reduced annual rental payment, if applicable, in the final year of the contract. To refund all CRP payments plus interest and liquidated damages if a fall seeded crop, if applicable, is not planted in a normal manner on the acreage identified on the attached aerial photograph. 		
7A. Participant's Signature (BY)	7B. Title/Relationship (Individual Signing in a representative capacity)	7C. Date (MM-DD-YYYY)
7A. Participant's Signature (BY)	7B. Title/Relationship (Individual Signing in a representative capacity)	7C. Date (MM-DD-YYYY)
7A. Participant's Signature (BY)	7B. Title/Relationship (Individual Signing in a representative capacity)	7C. Date (MM-DD-YYYY)
8A. Signature of CCC Representative	8B. Date (MM-DD-YYYY)	9. County FSA Office Name and Address (Including Zip Code)
10. Telephone Number (Including Area Code):		11. Fax Number (Including Area Code):
<p>NOTE: <i>The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1410, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to modify the CRP-1 contract by allowing early land preparation. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to modify the CRP-1 contract to allow early land preparation. The authority for collecting the following information is Pub. L. 107-171.</i></p> <p><i>This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</i></p> <p><i>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).</i></p> <p><i>To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</i></p>		

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Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

The following lists approved abbreviations not listed in 1-CM.

Approved Abbreviation	Term	Reference
CAB	crop acreage base	240
COLS	Conservation Online System	81, 286, 332, 339, Ex. 21
CP	conservation practice	Text, Ex. 11, 26
CPO	Conservation Plan of Operation	669
CPA	conservation priority area	Text, Ex. 11, 18, 26
C/S	cost share	Text and Exhibits
CREP	Conservation Reserve Enhancement Program	Text
CRP-SIP	CRP-Signing Incentive Payment	Text, Ex. 11
CSP	Conservation Stewardship Program	151, 804, 806
EA	environmental assessment	Text
EBI	environmental benefits index	Text, Ex. 26
EI	erodibility index	81, 151, 774, Ex. 2, 11, 26
EFCRP	Emergency Forestry Conservation Reserve Program	66, Part 9, 546, Ex. 2, 11
ESA	Endangered Species Act	366, 367
EQIP	Environmental Quality Incentives Program	Text
EWP	Emergency Watershed Protection Program	554, 571, 575, 630
EWRP	Emergency Wetlands Reserve Program	81, 571
FRPP	Farm and Ranch Lands Protection Program	554, 575, 630,
FONSI	Finding of No Significant Impact	665, 772
FOTG	Field Office Technical Guide	Text, Ex. 11, 26
FWP	Farmable Wetlands Pilot Program	Text, Ex. 11
GIS	Geographic Information System	550, 772, 773
HFRP	Healthy Forest Restoration Program	554, 575, 630
HUC	hydrologic unit code	Ex. 26
MPL	marginal pastureland	212, 312
NEPA	National Environmental Policy Act	366, 367, 716, 772
NHPA	National Historic Preservation Act	366, 367
NIFA	National Institute of Food and Agriculture	18, 82, 83, 522, 523, 775
NOAA	National Oceanic and Atmospheric Administration	367
NGO	Non-Government Organization	771, 772, 775

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Abbreviations Not Listed in 1-CM (Continued)

Approved Abbreviation	Term	Reference
PAS	Public Affairs Staff, FSA	772
PIP	practice incentive payment	Text, Ex. 11
PLS	pure live seed	426, 491
PNIF	private nonindustrial forestland	261, 262, Ex. 2, 11
PV	present value	264
RA	regional attorney	Text
REX	re-enrollments and extensions	335, 546, 571, Ex. 20
RKLS	Gross Potential Erosion or Potential Erosion	Ex. 26
RUSLE	Revised Universal Soil Loss Equation	52, 151, Ex. 26
SAFE	State Acres for Wildlife Enhancement	Text
SEC	State Environmental Coordinator	367, 639, 692
SHPO	State Historic Preservation Officer	367, 772, 776
SRC	State Resource Conservationist	Ex. 11
SRR	soil rental rate	Text, Ex. 11
TERRA	Tool for Environmental Resource Results Assessment	171, 181, 286
THPO	Tribal Historic Preservation Officer	367
TIP	Transition Incentive Program	401, 576, 577, Part 21
TIPA	Transition Incentive Program Agreement	126, 401, 463, 577
TSP	Technical Service Provider	Text, Ex. 2, 11, 26
USLE	Universal Soil Loss Equation	151
WBP	Water Bank Program	101, 401
WEQ	Wind Erosion Equation	52, 151
WESL	Wind Erosion Soils List	Ex. 26
WHIP	Wildlife Habitat Incentive Program	151, 181
WRI	wetland restoration incentive	461, 462, 574, Ex. 11

Redelegations of Authority

The following table lists redelegations of authority in this handbook.

Redelegation	Reference
STC may delegate an official representative to sign documents.	31
COC may delegate to CED the responsibility to approve requests for haying and grazing.	664, 680, 693, 716, 720, 721, 741

Completing CCC-770-CRP's, CRP Checklists

A Instructions

County Offices shall:

- obtain CCC-770-CRP1, CCC-770-CRP2, CCC-770-CRP3, and/or CRP-770-CRP4 from **<http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>**
- complete the applicable CCC-770-CRP1, CCC-770-CRP2, CCC-770-CRP3, and/or CRP-770-CRP4 for the applicable section
- prepare CCC-770-CRP1, CCC-770-CRP2, CCC-770-CRP3, and/or CRP-770-CRP4 and file original in participant's CRP folder
- sign and date applicable signature line.

Completing CCC-770-CRP's, CRP Checklists (Continued)

B CCC-770 CRP1

Following is a CCC-770 CRP1 that is available at
<http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>.

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This form is available electronically.				
CCC-770 CRP1 (05-03-12) CRP CONTRACT APPROVAL CHECKLIST	U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. State Office Name	
			2. County Office Name	
			3. Contract Number	
For any question listed below if the answer is "NO" then "STOP" do not complete the CRP process. Complete all necessary corrective actions needed to update the response with either "YES", or "N/A" before continuing the CRP process.				
ACTION	Handbook or Other References	YES	NO	NA
4. Have redelegations of authority been documented to support permitted actions taken by the CED in regard to CRP?	<i>2-CRP, subparagraph 34B and Exhibit 1</i>			
5. Has a second party review of all eligibility requirements and maximum rate calculations been conducted?	<i>2 CRP, subparagraph 401A</i>			
6. For changing a practice under a general signup, has the original offer been accepted, CRP-1 been approved, and EBI score of the new practice equal to or greater than the EBI of the existing practice?	<i>2-CRP, subparagraphs 401A and 429A</i>			
7. Have participants obtained the catastrophic level of crop insurance or completed an FSA-570?	<i>2-CRP, subparagraph 132A</i>			
8. Do the DCP contract acres, GRP acres, and CRP acres meet the requirement not to exceed cropland on the farm?	<i>2-CRP, paragraph 401</i>			
9. Has a conservation plan (CPO) been developed with eligible practices listed on the CRP-1, and signed by all signatories to the CRP-1 NRCS/TSP, Conservation District, and COC/Designee?	<i>2-CRP, paragraphs 253, 255, 366, 368 and 401</i>			
10. Have all required signatures been obtained on the CRP-1, CRP-2, and the conservation plan?	<i>2-CRP, subparagraph 332A, paragraph 335, subparagraph 366B and paragraph 401</i>			
11. Has NEPA, NHPA, ESA, and related acts compliance been documented on NRCS-CPA-52 or State approved equivalent form?	<i>2-CRP, subparagraph 367F</i>			
12. Does the conservation plan contain all required elements and has it been approved by the COC or designee?	<i>2-CRP, subparagraph 366B</i>			
13. Have all producers with a share greater than zero filed the CCC-526, CCC-926, or CCC-931, as applicable?	<i>2-CRP, paragraph 401</i>			
<i>If all of the above have been answered "YES", the COC or designee shall approve the CRP-1. If designee is approving, delegation of authority must be on file.</i>				
14A. Signature of Preparer		14B. Date (MM-DD-YYYY)		
15A. I concur/do not concur the above items have been verified and updated.		<input type="checkbox"/> Concur	<input type="checkbox"/> Do Not Concur	
15B. CED Signature for Spotcheck		15C. Date (MM-DD-YYYY)		
16A. I concur/do not concur the above items have been verified and updated.		<input type="checkbox"/> Concur	<input type="checkbox"/> Do Not Concur	
16B. DD Signature for Spotcheck		16C. Date (MM-DD-YYYY)		
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiocassette, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</small>				

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