

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

<b>Agricultural Resource Conservation Program 2-CRP (Revision 5)</b>	<b>Amendment 17</b>
--	---------------------

**Approved by:** Deputy Administrator, Farm Programs



**Amendment Transmittal**

**A Reason for Amendment**

Subparagraph 151 D has been amended to:

- be consistent with the technical correction to 7 CFR 1410.6
- provide that land under other easements, or other legal restrictions, that require a resource-conserving cover be maintained throughout any part of the proposed contract period is ineligible to be re-enrolled into CRP.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
	6-65, 6-66	



## 151 Eligible Land Criteria (Continued)

**C Land Enrolled in Other Programs**

If all other eligibility criteria are met, the following land may be offered for CRP:

- land currently under Pub. L. 566 or Pub. L. 534 long-term contracts, if approved for modification by NRCS
- cropland that has had a permanent cover, including trees, established under EQIP, WHIP, CSP, or the Conservation Security Program, that is no longer within practice lifespan requirements.

**Examples:** Cropland on which permanent vegetative cover has been established under EQIP and still under EQIP lifespan requirements is not eligible for enrollment in CRP.

A farm under a WHIP contract that has only a part of the otherwise eligible cropland devoted to a permanent cover may have the WHIP contract modified, if approved by NRCS, to allow enrollment of acreage not devoted to a permanent cover into CRP.

**Note:** See subparagraph D for land ineligible for enrollment in CRP.

**D Ineligible Acreage**

The following acreage is ineligible to be offered in CRP:

- Federally owned land unless the producer submitting the offer has a lease for the CRP-1 period

**Note:** Federal entities are ineligible to receive CRP payments and cannot become a successor-in-interest to CRP-1.

- land on which a Federal agency restricts the use in a mortgage or an easement
- \*--land under other easements, or other legal restrictions, that require a resource-conserving cover be maintained throughout any part of the proposed contract period--\*

## 151 Eligible Land Criteria (Continued)

**D Ineligible Acreage (Continued)**

- acreage permanently under water, including acreage currently enrolled in CRP

**Exception:** Acreage devoted to either of the following may be eligible to be offered if all other eligibility requirements are met:

- CP9, Shallow Water Area for Wildlife
  - water, according to paragraph 429.
- land under CSP, EQIP, GRP, or WHIP that meets either of the following criteria:
    - has had a permanent cover, including trees, established and is still within the practice lifespan requirements
    - is under agreement and is scheduled to have a permanent cover, including trees, established regardless of whether any practice has been started or C/S paid.

**Notes:** Canceling or modifying the contract or agreement or refunding C/S shall not make the acreage eligible to be offered for enrollment.

Certain otherwise eligible cropland acreage enrolled in a WHIP contract may be eligible for enrollment in CRP if the contract is approved for modification by NRCS. See subparagraph C.

Acreage under contract or agreement, which are management or structural in nature and does not require establishment or enhancement of a permanent cover, may be offered for enrollment if all other eligibility requirements are met. All acreage offered for enrollment in CRP that is under an EQIP contract **must** be terminated from the EQIP contract before CRP-1 is approved. The EQIP contract **must** be modified to remove this acreage according to EQIP Manual.

**Examples:** Following are examples of management or structural practices:

- strip cropping
- no-till systems
- underground pipelines
- terraces that do not require permanent cover.