

## CREP Q&A - October 28, 2021 Training Session

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### 1. Where are CREP documents located on WSCC site?

Commission document site: <https://www.scc.wa.gov/cd/for-crep-technicians>

### 2. Can you cover how FSA determines general eligibility to assign a farm and tract number? Is there a document that covers general eligibility to assign that information?

FSA will create a farm (whole operation), tract (sections of land with the same ownership) and field (individual farm or other fields) based on information provided by the participant. Deeds or assessor records are the easiest, although we will accept the producer just showing us on our map or drawing lines. If the farm is already established, we will have to confirm via assessor records, lease, etc. WA FSA handbook policy will be updated to indicate that only a deed will be accepted to establish and update farm records.

FSA will assign this information to anyone that requests it and can provide some information to establish the record.

### 3. What does JAA stand for?

JAA is a NRCS acronym for Job Approval Authority. It is based on demonstrated ability to correctly use and design a FOTG conservation practices. JAA is issued in three categories: Inventory & Evaluation (I&E), Design, and Construction/Installation. All planned conservation practices must be reviewed and approved by an NRCS or Conservation District employee with adequate levels of JAA. JAA is issued under two broad categories, engineering, and ecological science. JAA can be issued for ecological science practices from NRCS Area and State staff to NRCS and CD staff. Contact your NRCS District Conservationist for more information.

### 4. I'd like to discuss what other District Boards are looking at and approving regarding CREP projects in the afternoon sessions.

District board approval is only related to the landowner/district contract that describes obligations of each party and provides cost recovery should the contract fail. The Board has no role in approving the project or the plan.

### 5. What is PIP? Isn't it now 50% and also considered cost share now? CRP-Notice 929 and how do we calculate the 10% from the State with that?

Practice Incentive Payment. The changes to PIP in notice CRP-929 do not apply to WA CREP at this time. PIP is still part of annual rental and equal to 40% of eligible cost.

### 6. Do the IRs (Conservation Practice Implementation Requirements) need to be complete before NRCS approves the plan?

Yes, IRs for non-engineering practices need to be completed before NRCS approves the Conservation Plan. This ensures the landowner understands exactly what will be required/expected of them before committing to a contract. You can use IR forms/Specifications/Job sheets from FOTG Section 4 or you can incorporate all the listed requirements listed in each Conservation Practice Standard (under Plans and Specifications at the end of each Standard) into a narrative-style section in the conservation plan.

### 7. Who signs off on non-engineering practices-the CD or NRCS? If NRCS, does the planner need to have the proper level of JAA installation for the practice(s)?

An understanding of component installation versus FSA CP installation is needed to answer this question. A component (i.e., herbicide application for site prep or tree planting) can be approved

by the TSP (aka CD) without NRCS sign off. Once all components of the practice are installed, NRCS must sign off on the practice installation (i.e. CP22 Hedgerow). Yes, NRCS employee must have an adequate level of JAA for the practice for at least the construction/installation category.

**8. I noticed CPDS is not called out in this document. That would be helpful to have that step (when to fill out or any pointers on that) in this document.**

CPDS has been added where appropriate

**9. Who pays for replants and at what cost-share rate?**

FSA can pay for replants where the County Committee determines that the failure occurred outside of the producer's control (among other considerations, including at what point in the contract we are, continuing benefit, etc.), it would be paid at the normal c/s rates of 50% FSA, and then the Commission would pick up the remaining 50%.

**10. I am confused about 50% of the cost for MCM – I thought there was something about \$125/ac for 15-year contract and \$100/ac for 10-year contracts.**

That is true contracts approved prior to June 3, 2019. Everything post-that does not receive FSA c/s for MCM. 2CRP Revision 6 paragraph 428A

**11. Are there limited practices available for MCM? What constitutes and "as built"?**

Yes, MCM should be prescribed in the original plan and is limited to specific practices. However; if the TSP determines a different approved practice is necessary, the plan can be modified to include that activity. As built can be as simple as a written statement/ memo to file that the practice was completed adequately and filed/uploaded to CPDS or submitted with voucher (or both)

**11a. Does FSA initiate the MCM process, as in notifying land-owners, or does CD initially engage the landowner?**

FSA is required to send a letter to participants when they are in the timeframe for MCM. If the CD wants to help with that, that is a great thing to do.

**12. Who has the responsibility for noxious weed control and on what schedule? Annually or just at mid-contract management?**

It is the producer's responsibility to control noxious weeds for the lifetime of the contract. There is no one "set" time for them to take care of it. If noxious weeds are present, they must be controlled.

2CRP R6 para 427A.

See also SCC maintenance policy.

**13. Does Step 11 seem late? Shouldn't FSA have the GPS points to accurately write up the CRP-1 and CRP-2 documents?**

If you would like to get GPS points to FSA sooner, great. However; the buffer could change through this process and it can happen during step 11 as well. The intent of having the TSP go out and look early is to determine if there any red flags or deal-breakers that need to be addressed in the application and eligibility phase before getting too far into the process with the landowner.

**14. What determination should be made for contracts that didn't re-enroll upon expiration, then a few years later come in to re-enroll? Perhaps they have a new owner or**

**operator, or a new livestock operation and now want to fence off the stream, where it was not before...**

If the contract expires, and the buffer is functioning, then a new buffer is not needed and feasible. The contract is based off the conservation practice (i.e. CP22 riparian forest buffer), not a component therein. Under extenuating circumstances, and rarely, enrollments might be made on ground that has expired. The FSA District Director and the State Office would need to be included in all discussion. The handbook reference would be 2CRP R6 para 171C.

**15. How long, again, can the gap be between one contract expiring and the new one taking effect (approval by COC)?**

There should be no gap. If the new contract doesn't take effect when the previous contract expires, and the buffer is functioning, it is no longer needed and feasible. 2CRP R6 para 171C/181

**16. Does the NRCS planner who signs off on the conservation plan need to have appropriate levels of JAA for the practices at all levels (I&E, design and installation)?**

No, just JAA for I&E for all practices. If the planner is missing I&E JAA for one or more practices included in the plan, they have the option to share review of the plan with another NRCS employee who has JAA. The planner that signs off on the plan should document who else reviewed and approved on the plan signature page. In addition, the NRCS planner must ensure that all non-engineering practices have been reviewed and approved by a planner with Design JAA.

**17. Is there any general guideline about the smallest acreage project the COC would be likely to approve?**

This is somewhat going to be office by office. Generally, COCs will be apprehensive about enrolling anything smaller than one acre. CREP is far and away the most expensive CRP to FSA, and we do need to look at cost/benefit and usage of taxpayer funds.

**18. I understand the need to request funds before the work is done and only request funds for the next 6 months, but logistically it can be difficult. I may know that the work on a new installation is being done this fall and next spring, but I may not have the 848B for the completed project from FSA until a year from now. It can also be trick when the work spans a change in biennium and we get an 848B for work that was completed the previous biennium.**

The question illustrates exactly why we need better communication between LO, FSA, contractor, and CD. 848a should provide the allowed amounts, you can then base the estimate from that and request as you see the work coming in the field.

**19. Because the 0% cost share on MCM policy is new, I haven't been able to see what certifying in the software will look like, but currently, both participant and CD certify that work has been performed, and that includes a site visit by the CD. When those contracts come up for their MCM requirement, will that still apply? Just wondering for purposes of compliance, as we often don't have time to get out into the field.**

As the TSP, the CD should be certifying completion/compliance. So this will look the same as before in FSA software. 2CRP R6 para 427A

**20. What about drainage easements or other easements adjacent to the CREP eligible stream?**

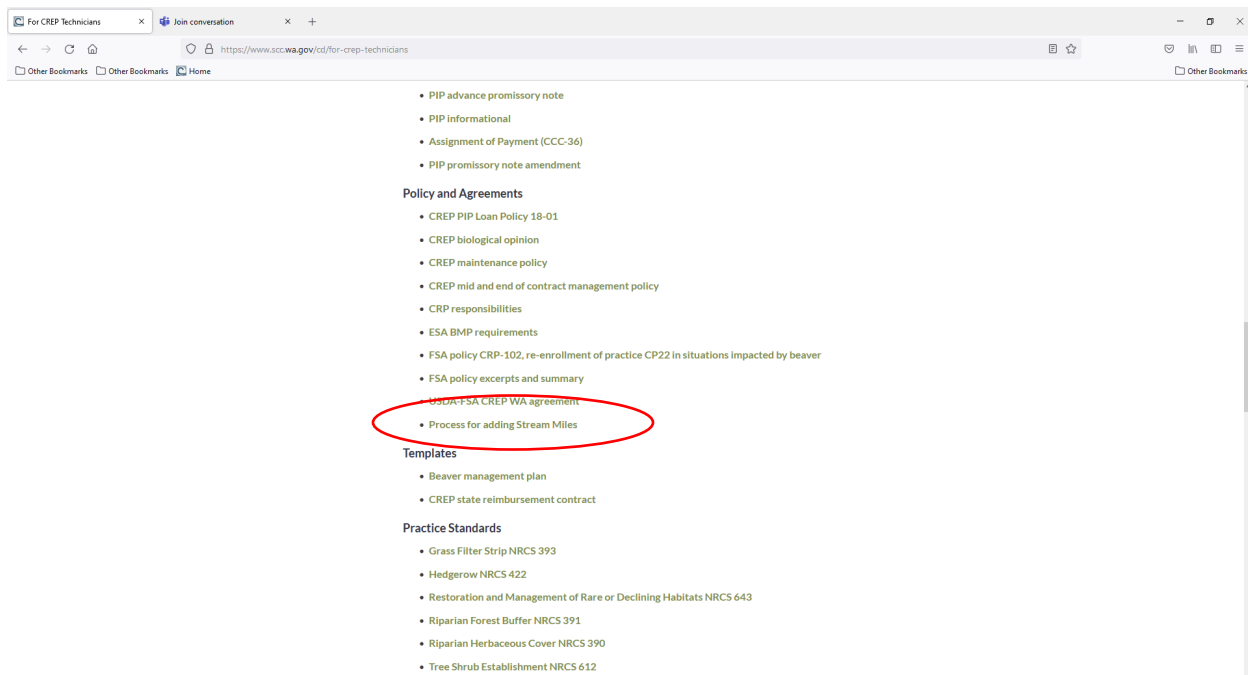
Depends on how they affect the potential buffer. However; land currently under an easement is generally ineligible. 2CRP R6 151D

- \*--land on which a Federal agency restricts the use in a mortgage or an easement
- land on which the use of the land is either restricted through deed or other restriction--\* before enrollment in CRP prohibiting the production of agricultural commodities, or requires any resource-conserving measures during any part of the proposed contract period
- land for which Tribal, State or other local laws, ordinances, or other regulations require any resources conserving or environmental protection measures or practices and the owners or operators of such land have been notified in writing of such requirements, except, such land may be eligible for enrollment in CRP if the land is:

**21. Is there an acceptable process for determining fish use/accessibility for non designated streams? At one point we could request from WDFW an assessment that we could submit to FSA to request a CP22 on a non-designated stream.**

Yes, here: [https://uploads-ssl.webflow.com/5ec2d4f7da309c68cdc0655a/5f3f3739c4fb414f2681cb1c\\_WA-Exhibit-26-Process-for-adding-Stream-Miles.docx](https://uploads-ssl.webflow.com/5ec2d4f7da309c68cdc0655a/5f3f3739c4fb414f2681cb1c_WA-Exhibit-26-Process-for-adding-Stream-Miles.docx)

<https://www.scc.wa.gov/cd/for-crep-technicians> - Look for Process for adding Stream Miles. It's there, last item under "Policy and Agreements" section.



It is WA Exhibit 26 of Revision 5 and will remain WA Exhibit 26 when pulled into Revision 6.

**22. If a site won't support conifers, can it still be enrolled as CP22?**

Potentially, as long as it doesn't currently have a functioning buffer per 181C (Revision 6). Western WA only.

**23. Will these updated forms be added to the CREP Technician page on the WSCC website?**

Yes, the updated forms are live on the site.

**24. For the Suitability and Feasibility worksheets, A soil map would be helpful for NRCS reviewers.**

That shouldn't be an issue. Soil maps are part of the initial TERRA scenarios run with contract offers and should be in the FSA contract folders.

**25. Is 250ac the limit for (the wetland CPs) for the whole state?**

Yes. The limit is statewide. There will not be free acres until FY2031. FSA will do some research to determine if there are some software solutions to prevent accidental enrollments in these practices.

**26. Is there any talk of changing the minimum and maximum widths for CREP?**

Not at this time. 2CRP R6 Exhibit 11, refers to each applicable practice.

**27. For CREP Contract Expiration Status Review, are you counting both natural regeneration and planted shrubs only or all woody species?**

Yes, all desired native woody species can be counted in the stems per acre count.

**28. Patrick can you discuss FSA's ruling on natural regeneration during establishment?**

While natural regeneration for establishment of the practice is in the 2CRP manual, it is not allowed for CREP in WA State unless the state office provides a contract specific waiver. 2CRP R6 exhibit 11 for CP22

**29. This form (CREP Contract Expiration Status Review) seems like a lot of extra questions for CP21 Filter Strip re-enrolls. Why not just use the same form for filters strips that NRCS uses for General (CRP) and CCRP that address grass species and stem density?**

We reviewed the CRP stand certification form and compared it with the CREP version for CP21. We are going to require use of the CREP Contract Expiration Status Review form. The CREP specific form combines assessment of physical condition, plant survival and distribution along with functions and consideration of future threats related to the program objectives.

**30. Can you address filter strips in more detail this afternoon? E.g. 15 ft hedgerow with 20 ft filter strip – can CREP fence be installed at 35 ft? Are there planting limitations on the filter strip?**

Yes, the fence can be installed at 35'. Filter strips included with hedgerows can't exceed 20 feet in width. 2CRP R6 Exhibit 11 page WA 97.1

**31. I realize this may be tricky to answer given that it might be decided on a case-by-case basis, but I'm wanting to know more about FSA's wiggle room (if any) with patchiness, or small areas of buffer failure noted when re-enrolls come up. Interpreting policy can be difficult, and I want to know how/when it is a good thing (i.e. natural and acceptable) and**

**when it is problematic. Again, there may be no black and white answer for this, but it's something I'm thinking about.**

There is some language in the NRCS standard relating to our CREP practices about maintaining the buffer along a certain percentage (70%) of the buffer. However, we historically have not stuck to this as it is a site-specific issue. If you are re-enrolling a contract and have concerns about the level of "patchiness" or missing spots, please loop in the other agencies and relevant folks so that a decision can be made that reflects the reality of the ground and stand.

**32. It would help to expand on cropland cropping history eligibility for CREP as we do see a lot of grass hay ground offered for the program.**

Some of this is going to be site specific. If the ground does not have a "cropland" designation already, then the COC can look to make to a marginal-pastureland determination and eligibility can be established that way. If the ground has been labeled as cropland in FSA records, then it needs to meet the requirements of paragraphs 151 and 181 in 2CRP revision 5 (including WA amendments).