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**Transmitted via Email**

September 17, 2007

MINNESOTA BULLETIN NO. 300-7-28

SUBJECT: CRP – CONTINUOUS CRP RE-ENROLLMENT

Purpose. To provide information about re-enrolled CRP including cover requirements for CCRP re-enrolled acreage.

Expiration Date. March 31, 2008

We continue to have several questions concerning the requirements for re-enrolling Continuous CRP, including the need to upgrade existing cover on re-enrolled Continuous CRP practices. The following issues have come up and are being clarified in this bulletin:

Issue #1) Do only expiring CRP acres with tree cover need to be re-enrolled with a new conservation plan and contract by the end of FY2007? Can expired CRP acreage be enrolled at a later date after the current contract expires?

All land in an existing CRP tree cover practice could be determined (by FSA) to be non-cropland as soon as the existing CRP contract expires. Non-cropland is ineligible for CRP. All land in an expired CRP grass practice could be determined (by NRCS or FSA) to already be meeting the resource need and ineligible for CRP. Guidance in CRP Notice 549 specifically considers all **existing** contract acreage to automatically meet the needs and feasibility criteria for re-enrollment into CRP.

Issue #2) Does all expiring CRP acreage that will be re-enrolled into a Continuous CRP practice need to meet the "most current" CRP practice requirements and the appropriate MN FOTG practice standard?

Guidance in CRP Notice 549 has several examples to clarify the requirement of re-enrolled acres including, see examples in Section B "Eligible Land" on page 2.

Minnesota Guidance for Re-enrolled Acres

- Land re-enrolling into CP-21 must meet the CRP program requirements and cover requirements identified in NRCS practice standard 393, Filter Strip. Existing cover determined to be adequate by NRCS can be accepted when the cover requirements in the NRCS 393 standard are met.



- Land re-enrolling into a wetland restoration practice (CP-23, CP-23A CP-27/28) must meet the CRP program requirements and restoration requirements in NRCS practice standard 657, Wetland Restoration. Existing cover on the upland portions of these re-enrolled practices that are determined to be adequate by NRCS can be accepted when the requirements of either MN FOTG practice 327, Conservation Cover or 645, Upland Wildlife Habitat Management are met. In many cases this should allow existing grass cover that is determined to be “adequate” to meet the practice requirements without having to undergo an up-grade of the existing cover. This also means that only existing grass cover that is considered to be inadequate for either NRCS practice 327 or 645 will need to establish new grass cover.
- When existing cover is determined to be inadequate (by NRCS) to meet the required NRCS practice standard, FSA is responsible to determine if these acres are eligible for new cost share to implement the new practice (see Example #4 in CRP Notice 549 and both examples under Section D "Cost Share" on page 4.) In some instances FSA may determine that inadequate cover on acres to be re-enrolled to the same CRP practice could indicate the existing practice is in non-compliance.
- For all situations where the existing cover is determined to be inadequate, the re-enrolled acres must be re-established to implement adequate cover following the NRCS practice standard identified in CRP Note #114.

This guidance can be used for all re-enrolled acreage when requested by the participant. Those participants who have already agreed to a conservation plan on re-enrolled acreage that includes an upgrade of the cover can implement their practice(s) as planned.

At the participant’s request NRCS can re-evaluate the existing cover to determine if an adequate stand is present using the guidelines in this bulletin. If NRCS determines that the existing cover meets these requirements, a pen and ink change will be made to the conservation plan removing the need for establishment of new cover.

Participants that have already agreed to a conservation plan on re-enrolled acres **do not** need to be notified of the additional flexibility allowed by this guidance. This guidance will only be used on re-enrolled acreage only. All new Continuous CRP practices will follow the guidance in CRP Technical Note #114.

This information has been reviewed and concurred to by the MN FSA State Office. Questions on this guidance can be directed to either Greg Anderson in the FSA state office or Paul Flynn in the NRCS state office.

/s/

WILLIAM HUNT  
State Conservationist

Attachment: CRP Notice 549

cc: Greg Anderson, FSA, St. Paul, MN