

ALASKA – Statewide Policy Decisions – Environmental Quality Incentives Program and the Wildlife Habitat Incentives Program

This document is to clarify policies related to Natural Resources Conservation Service (NRCS) financial assistance programs as they are implemented by US Department of Agriculture-NRCS in Alaska. Although for internal use by the employees of Alaska - NRCS, it is posted for public viewing. Questions regarding the programs should be directed to the [nearest NRCS office](#).

The NRCS State Conservationist (STC) is responsible for implementing EQIP and WHIP by directing and supervising NRCS activities and delegating the responsibilities for management of these programs at the State level, in accordance with [Title 440-Part 512, Subpart A, 512.3](#).

Environmental Quality Incentives Program (EQIP) is described under Title 440, Part 515.0

Wildlife Habitat Incentive Program (WHIP) is described under Title 440, Part 517.0

The 2008 Farm Bill expiration date has been extended to September 30, 2013. Therefore, all WHIP and EQIP program and contracting requirements continue in effect.

The STC has established an initial ranking date of **February 15, 2013** for both EQIP and WHIP. **It would be prudent to anticipate that the initial ranking may be the only one needed in FY2013.** Subsequent application rankings **may** be held on **March 15, April 19, and May 17** as long as funds and eligible applications are available.

State EQIP and WHIP applications will be accepted throughout the year according to policy in [Title 440 Part 515 Subpart H 515.70 \(1\)](#) for EQIP and [Title 440 Part 517 Subpart C 517.23 B](#) for WHIP.

EQIP Special National Initiatives (new for FY 2013)

NRCS has issued guidance for most National FY 2013 EQIP Special Initiatives in NB 300-13-3. National initiatives available in Alaska include National On-Farm Energy Initiative (NOFEI), National Seasonal High Tunnel Initiative (NSHTI), and National Organic Initiative (NOI). Specific guidance on NOFEI, NSHTI, and NOI is located in Attachments B, C, and D of NB 300-13-3. For additional information on these initiatives specific to Alaska consult their respective EQIP ranking tools in ProTracts and the EQIP payment schedules. For technical guidance on NOFEI contact Brett Nelson, Alaska State Conservation Engineer brett.nelson@ak.usda.gov . For technical guidance on NSHTI and NOI, contact Helen Denniston, Alaska State Resource Conservationist helen.denniston@ak.usda.gov .

EQIP Conservation Activity Plans (new for FY 2013)

Guidance for accepting and processing applications for Conservation Activity Plans (CAP) is found in National Bulletin 300-13-1. These are special applications that contain only one CAP and no other practice. The application type is always “Planning”. CAP applications shall be processed under the most appropriate EQIP subaccount and ranking tool. All CAP applications are ranked and funded as soon as they can be processed depending on the availability of funds.

Alaska State Program Guidance for EQIP

Conservation practices eligible for cost-share funding are listed in the Alaska EQIP and WHIP Payment Schedules for FY 2013 [Title 440 Part 512 Subpart B 512.11](#) and [Title 440 Part 512 Subpart D 512.33](#). Conservation Program Contract (CPC) case files will be assembled and maintained in the field office. The CPC includes the customer's conservation plan six-part folder, Toolkit documentation, and ProTracts records. **All contracts will be reviewed with the participant by the Designated Conservationist a minimum of once per fiscal year [Title 440 Part 512 Subpart F 512.55 \(B\)](#).**

All critical contract documents must be delivered to the state office in electronic format for backup and audit review purposes. **Please note that all Personally Identifiable Information (PII) must be encrypted and password protected according to policy.** Once all eligibility requirements have been met, and the Designated Conservationist approves a contract for funding, all the documents highlighted on the "Alaska Contract Folder Assembly Checklist" must be forwarded to the state office before the contract will be obligated. The "Alaska [Contract Folder Assembly Checklist](#)" is available on the Alaska Share Point site.

Resource Concern Priorities

State Priorities are established to guide program implementation of the EQIP and WHIP programs. .

A. EQIP National Priorities

NRCS has established the following national priorities to provide direction at the State and local levels for implementing the EQIP program and to achieve its purposes. Energy conservation is also considered a component of all national priorities in the context of applying conservation practices in an energy conserving manner.

1. Reductions of nonpoint source pollution, such as nutrients, sediment, pesticides, or excess salinity in impaired watersheds, consistent with total daily maximum loads, where available; the reduction of surface and groundwater contamination; and reduction of contamination from agricultural point sources, such as concentrated animal feeding operations.
2. Conservation of ground and surface water resources.
3. Reduction of emissions, such as particulate matter, nitrogen oxides, volatile organic compounds, and ozone precursors and depleters that contribute to air-quality impairment violations of National Ambient Air Quality Standards.
4. Reduction in soil erosion and sedimentation from unacceptable levels on agricultural land.
5. Promotion of at-risk species habitat conservation.

The STC will also utilize recommendations from the State Technical Committee, Tribal Conservation Advisory Councils, and local working groups to include State and local priorities that may be considered in the ranking evaluation process.

To assist States in addressing the national priorities, NRCS has identified specific measures that can help EQIP achieve its national priorities and statutory requirements more efficiently. These measures include identifying and implementing conservation practices that—

- a. Increase overall environmental benefits; for example, by addressing multiple resource concerns, ensuring more durable environmental benefits, and limiting adverse ancillary impacts.
- b. Encourage innovation.
- c. Comply with the statutory mandate to target nationally 60 percent of available financial assistance to livestock-related conservation practices.
- d. Employ appropriate tools to more comprehensively serve EQIP purposes; such as: comprehensive nutrient management plans, integrated pest management plans, forest management plans, irrigation water management plans, and grazing management plans.
- e. Target 10 percent of available funding to beginning or socially disadvantaged producers.

NRCS will review these priorities and measures annually and make revisions, as required, to address current and emerging resource issues. NRCS will—

- a. Use the national priorities to guide the allocation of EQIP funds to the State NRCS offices.
- b. Use the national priorities in conjunction with State and local priorities to assist with prioritization and selection of EQIP applications.
- c. Periodically review and update the national priorities, utilizing input from the public and affected stakeholders to ensure that the program continues to address national resource needs.

Where a natural disaster has created a natural resource concern, the State Technical Committee, Tribal Conservation Advisory Councils, and local working groups may recommend that resource concern as a priority for EQIP assistance to help producers implement conservation practices to prevent future occurrences.

There is no priority order of importance to the listing of National Priorities. All Priorities receive equal consideration for ranking and funding.

B. EQIP Alaska Statewide Priorities

Through consultation with the State Technical Committee, the NRCS STC has named the following as EQIP Statewide Priorities:

1. Reduction of non-point source pollution; including soil erosion control and, containment and utilization of manure and waste resulting from animal confinement.
2. Grazing land health.
3. Forestland health.
4. Protection and enhancement of traditionally and culturally utilized resources while protecting their ecological functions and values.

There is no priority order of importance to the listing of State Priorities. All Priorities receive equal consideration for ranking and funding.

C. WHIP National Priorities

1. Promote the restoration of declining or important native fish wildlife habitats;
2. Protect, restore, develop or enhance fish and wildlife habitat to benefit at-risk species (see definition in “Guidance Related to Specific Circumstances” below);
3. Reduce the impacts of invasive species on fish and wildlife habitats;
4. Protect, restore, develop or enhance declining or important aquatic wildlife species' habitats;
5. Protect, restore, develop, or enhance important migration and other movement corridors for wildlife.

There is no priority order of importance to the listing of National Priorities. All Priorities receive equal consideration for ranking and funding.

D. WHIP Alaska Statewide Objectives

1. Promote the restoration and enhancement of native wildlife and fisheries habitats of national and state significance.
2. Promote the restoration and enhancement of habitats of at-risk fish and wildlife species experiencing declining or significantly reduced populations, including rare, threatened, and endangered species.
3. Reduce the impacts of invasive species on native fish and wildlife and their habitat.
4. Promote the restoration and enhancement of fish and wildlife species and habitats which otherwise might not be funded but have important state or local significance.

E. WHIP Alaska Statewide Priorities

1. Restoration and/or enhancement of stream habitat, water bodies, and riparian ecology on *private* land for anadromous and endemic non-anadromous fish. Priorities within this category are as follows: a) fish passage barriers (removal or repair), b) in-stream habitat enhancement features not involving installation of flow passage structures, c) stream bank stabilization in areas of high priority habitat protection, d) planting riparian corridors to species found in a natural condition e) other priorities as identified by the STC.
2. Reduce habitat fragmentation and/or restore or enhance missing/degraded habitats for nationally and locally identified species of concern. This includes relocation and stabilization of trails to enhance/ protect native fish and wildlife habitat.
3. Shallow water area restoration, enhancement, or creation for wetland shorebirds, waterfowl and other wildlife.
4. Reduce the incidence of defense-of-life-and-property killings of Kenai Peninsula Brown Bear (KPBB, an Alaska designated species of concern) through the establishment of permanent electric fences and management plans at sites of human-controlled attracting conditions or uses. Sites require specific evaluations for funding considerations.

There is no priority order of importance to the listing of State Priorities. All Priorities receive equal consideration for ranking and funding.

These objectives and priorities will be met through the implementation of a Wildlife Plan of Operation (WPO) which will be developed by the participant, an NRCS conservationist or Technical Service Provider, or other conservation partner as approved by the STC. The Customer Service Toolkit is the officially required conservation planning software for NRCS. A conservation plan which, at a minimum, addresses fish and wildlife habitat as the primary resource concern will be developed and serve as a WHIP-WPO. Requirements for, and technical references to assist in the creation of, a WPO can be found in the [Title 440 Part 517 Subpart B 517.10](#)

F. EQIP and WHIP Local Priorities.

Local Work Groups have been established in each Field Office Service Center Area to give guidance in establishment of local priorities. The following resource priorities are reflected in ranking of applications:

1. Natural Resource Concerns.
2. Locally Identified Wildlife Species of Concern
3. Priority Local Subsistence Species
4. Locally identified noxious or invasive species of concern
5. Priority Conservation Practices

Handling and Processing of Applications:

A. An individual applies by completing the NRCS-CPA-1200 form. Upon receipt of the application, the NRCS employee will complete the following steps:

1. Collect the NRCS-CPA-1200; review for completeness, enter the application into the ProTracts system within 5 days.
2. Search the SCIMS database (nationwide search) to see if the individual is already entered. If they are not, enter their information into the database.
3. Collect appropriate individual and/or member information, including filling out the CCC-901A for entities.
4. Collect all pertinent land ownership/control and signature authority information from the applicant. See Conservation Program Contracting Manual (CPM) for further clarification [Title 440 Part 512 Subpart C 512.20 C \(1-3\)](#).
5. Provide the **CCC-933** and the AD-1026 to the applicant. If an applicant has a question about either of these forms, have them call their Farm Service Agency (FSA) servicing office directly. Indian Tribes and Alaska Native Corporations are exempt from AGI eligibility requirements. If the status of an entity is uncertain, provide all relevant information to the Assistant State Conservationist (Programs) for determination of status as an Alaska Native Corporation.
6. For customers who do not yet have an FSA Farm and Tract Number, develop a map in Customer Service Toolkit which shows all land in contiguous ownership with the piece of land which is proposed for entry into the program. It is preferred that a map be developed which shows all land held by the applicant. This will enable FSA to develop

Farm and Tract numbers for all land held by the applicant, so that Farm and Tract numbers do not have to be re-established if the landowner applied on a different parcel in the future.

7. Send the CCC-901A, CCC-933, AD-1026, and the map showing acreages and boundaries to the FSA servicing office for establishment of a farm number. Make sure that all necessary contact information is included, so that FSA can contact the applicant directly if they have any questions or concerns regarding the landowner's paperwork.
8. All EQIP applicants will be screened using the Alaska Statewide Screening Worksheet posted on the Alaska NRCS Share Point site.
9. All applicants will be ranked using the ProTracts Ranking Tool. This analysis will be based upon a Conservation Plan developed in Customer Service Toolkit, approved by a Certified Conservation Planner, and agreed to by the landowner.
10. Once all eligibility issues have been resolved and all critical contracting documents have been obtained, the Designated Conservationist shall set the applicant's status to **"Pre-approved"** in ProTracts. Electronic copies of all critical contract documents should then be forwarded to the Programs Technician in the state office for filing on the state office server.

B. Application Cut-Off Dates/Timeframes: Timelines and policy are based upon continued implementation of the 2008 Farm Bill. These timelines and policies are subject to change. When a new Farm Bill is enacted, all unapproved applications will be immediately placed on hold until rules have been established for implementation of the new Farm Bill.

Eligibility – EQIP and WHIP

The land and the applicant must meet all program eligibility criteria. EQIP is specifically targeted toward land which is managed for food or fiber production. See [Title 440 Part 515 Subpart F 515.51](#) and 515.52. WHIP is specifically targeted toward wildlife habitat and is not dependent on any food or fiber production. See [Title 440 Part 517 Subpart C 517.22](#).

A. EQIP Agricultural Producer Eligibility Criteria in Alaska:

1. Applicants must self-certify that they are an agricultural producer. In order to be considered an agricultural producer, an applicant must produce agricultural products on the land in which the applicant has an interest according to 7 CFR Part 1400. Beginning and Limited Resource Producers need to meet this requirement. Forest landowners must meet the requirements listed below.
2. Agricultural products include crops, plants, livestock and animal species produced or harvested for food, fiber, breeding stock, manure/compost products, forest trees, and other agro-forestry products. Plants and animals traditionally harvested in Alaska for food and fiber will be considered agricultural products for the EQIP Program.
3. In support of their application, producers must provide one of the following:
 - a. Self certification of crops produces:
 - i. A summary of the crops and/or livestock produced and/or sold
 - ii. A list of the number of acres in production by crop type,
 - iii. A list of the number of acres grazed for livestock operations,
 - iv. A map demonstrating the fields where this production took place,
 - v. Documentation of how values were obtained for the crops produced.

- b. Schedule F of their most recent IRS tax return.
4. Woodland. Forest landowners must own a minimum of seven (7) acres of forest land and must have ONE of the following:
 - a. Forest management plan or forest stewardship plan which is being implemented, or
 - b. Prior record of timber harvest or revenue from timber sales, or
 - c. Proof of capital investment on forest practices such as: tree plantings, forest stand improvement, site preparation, and other agro-forestry practices.

B. Land Eligibility

1. EQIP

- A. “Eligible land” in EQIP means the land on which an eligible participant carries out the activities specified in [Title 440 Part 515 Subpart F 515.52 B](#), Documenting Land Eligibility.
- B. Resource concerns proposed for treatment in an EQIP contract must be tied to the land where the producer carries out the agricultural production which makes them eligible for the program.

2. WHIP

- A. “Eligible land” in WHIP means agricultural land, non-industrial private forestland and Indian Land as specified in [Title 440 Part 517 Subpart C 517.22 H & I](#) for which an eligible participant maintains legal control. Legal control includes land that is owned, rented, leased or otherwise transferred to the participant through treaty or court order for the duration of the contract.
- B. Farm Bill rules prohibit the expenditure of WHIP funds on public lands except as mentioned in [Title 440 Part 517 Subpart C 517.22 H \(4\)](#). State of Alaska stream-bottom ownership laws extend public ownership of navigable streams and rivers to their ordinary high water mark (OHW) (unless previously transferred as part of land distribution in some cases, accorded to some Native Alaskan Tribes). Navigability is determined when contested, by judicial adjudication. Otherwise, title to stream bottoms (to the OHW) is retained by the State on non-federal lands. As a result of these complexities, unless the landowner can provide court recorded clear title ownership to all surfaces above and below OHW, structural aquatic WHIP projects/ features cannot be implemented in Alaska streams and rivers. Provisions for aquatic practices, including fish passage, have been made available for potential cost-share funding through the Environmental Quality Incentive Program (EQIP).

C. Alaska Native Tribes and Alaska Natives Claims Settlement Act Corporations.

Tribes are exempt from the Adjusted Gross Income (AGI) limitation for program eligibility. For the purposes of NRCS Financial Assistance Programs, an Indian Tribe means: “any Indian Tribe, band, nation, pueblo, or other organized group or community, including an Alaska Native Village or Regional Corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (ANCSA) (43 U.S.C. 1601 et seq.)” This is contained in 7 CFR Part 1400.

D. Payment Limitations.

Payments exceeding the payment limitation can be made to a Tribal venture if an official of Bureau of Indian Affairs or a Tribal official certifies in writing that no one individual directly or indirectly will receive more than the individual limitation. There is no exemption from the maximum contract dollar limitation in established by NRCS policy ProTracts.

E. EQIP Socially Disadvantaged, Limited Resource Producers and Beginning Farmers

1. Payment rates for limited resource producers and beginning farmers are higher for all practices except certain management practices which provide a flat rate incentive payment. Any applicant seeking to qualify as either Beginning or Limited Resource Farmer must certify eligibility in block 2 when they submit the NRCS-CPA-1200. Upon request, applicants that certify eligibility as a Beginning or Limited Resource Farmer will be required to provide all records necessary to support their certification. Annual spot checks will be completed on a statewide basis.
2. Socially Disadvantaged groups include any groups whose members have been subject to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. [Title 440 Part 512 Subpart A 512.5 B](#) (this item is not bold on the eDirectives page) These groups consist of the following:
 - i. American Indians and Alaskan Natives
 - ii. Asians
 - iii. Black or African Americans
 - iv. Native Hawaiians and other Pacific Islanders
 - v. Hispanics
3. Limited Resource Producer status is open for entities as well as individuals. This requires certification at the time of application that all members of the entity meet the definition of Limited Resource Producer. An entity can apply to the STC for a waiver of this requirement. This should be in the form of a letter with documentation supporting the claim that Limited Resource Producer designation is justified [Title 440 Part 512 Subpart A 512.5 C](#) (this item is not bold on the eDirectives Page)
4. A Beginning Farmer is defined as an eligible agricultural producer who has operated a farm or ranch 10 consecutive years or less. [Title 440 Part 512 Subpart A 512.5 D](#) (this item is not bold on the eDirectives page)

Accepted Evidence of Signature Authority for different Types of Entities

Operation Type	Authorized Signature	Acceptable Evidence of Authority	Acceptable Signature Examples
Individual	Individual	None Needed	<i>Joe Smith</i>
	Spouse	FSA-211 Note: Spouses must have a POA for the program applicant in order to sign program documents, unless both of the spouses sign all of the application and contract documents together. The spouse may accept either a percentage of the program payments or zero program payments.	<ul style="list-style-type: none"> • <i>by Mary Smith</i> • <i>Joe Smith by Mary Smith</i> • <i>by Mary Smith, POA</i> • <i>Mary Smith for Joe Smith</i>
	Attorney-in-Fact or Agent	FSA-211	<ul style="list-style-type: none"> • <i>by Linda Rose</i> • <i>by Linda Rose, POA (or Agent)</i> • <i>Linda Rose, POA for Joe Smith</i>
General Partnership	Any member of a general partnership may sign for the general partnership and bind all members unless the Articles of Partnership are more restrictive	<ul style="list-style-type: none"> • Articles of partnership identifying the members • IRS documents, such as a form 1065 Schedule K-1, showing members and their respective shares • Properly executed affidavit filed prior to July 20, 2004 • FSA-211 signed by all 	<ul style="list-style-type: none"> • <i>by Ed Forrest</i> • <i>by Ed Forrest, Partner</i> • <i>3F Farms, by Ed Forrest</i> • <i>By Jonathon Johnson, Agent</i> • <i>3F Farms by Jonathon Johnson, Agent</i> • <i>Jonathon Johnson, Agent for 3F Farms</i>
	Agent	<ul style="list-style-type: none"> • FSA-211 signed by all members • FSA-211 signed by a member authorized to sign for the partnership, unless re-delegation is prohibited 	
Joint Venture (JV)	Member, Attorney-in-fact, or Agent	JV's with a Tax ID number: All members must sign the document or it may be signed by an agent if designated by a FSA-211 signed by all members.	<i>by Liza Mills, POA, for Hurricane Farms Joint Venture</i>
		JV's without a Tax ID number: Each member (or their attorney-in-fact) must sign for their individual interest. An agent for the JV, as granted by a FSA-211 signed by all members, may sign only for the JV's interests.	<ul style="list-style-type: none"> • <i>Ken Oaks, member Mae Oaks, member</i> • <i>Ken Oaks, member Mae Oaks by Ken Oaks, Spouse</i>
Corporation, Limited Partnership, Limited Liability Company & Other Similar Entities	Authorized Officer or member	<ul style="list-style-type: none"> • Signed corporate minutes • The corporate charter, bylaws, or partnership agreement • A resolution by a corporation's board of directors • Properly executed affidavit filed prior to July 20, 2004 	<ul style="list-style-type: none"> • <i>Sleepy Hollow Farms Inc. by Leigh White</i> • <i>By Leigh White, President</i> • <i>By Leigh White</i> • <i>Jeff Woods, Agent, for Sleepy Hollow Farms, Inc.</i> • <i>By Jeff Woods, Agent</i>
	Attorney-in-Fact or Agent	<ul style="list-style-type: none"> • FSA-211 signed by all officers/members • FSA-211 signed by an officer/member with authorization to re-delegate • Resolution by a corporation's board of directors designating the agent 	

Operation Type	Authorized Signature	Acceptable Evidence of Authority	Acceptable Signature Examples
Estate, Trust, Conservatorship or Guardianship	<p>Administrator, executor, trustee, guardian, receiver, or conservator</p> <p>Note: These positions do not require specific signature authority designation.</p>	<ul style="list-style-type: none"> • Documents signed or certified by an officer of the issuing court that the evidence is in full force and effect • Orders of appointment • Court-approved certificate or letter of administration • Trust agreement or last will and testament that establishes the trust • Similar document approved by OGC 	<ul style="list-style-type: none"> • <i>Estate of Jason Buford by Tom Taylor, Administrator</i> • <i>By Anne Grant, Trustee</i> <p>Note: For a bankruptcy or receivership, the signature must include the signatory's name, capacity, and name of the bankrupt producer or receivership.</p>

Cost-Share/Incentives Payments

FY 2013 EQIP and WHIP Payment Schedules will be used for all FY 2013 contracts. Use of a Payment Schedule does not require submission or review of project costs; however, the DC should obtain actual installation costs whenever possible as documentation for future cost lists.

- A. For FY2006 and all other **prior** year contracts: the Designated Conservationist is responsible for reviewing participants' expenditures for all AM payments, summarizing them on the Cost Share Expenditure Worksheet, and certifying that costs submitted are reasonable, eligible, and accurate. For details on processing payments, see ALASKA BULLETIN AK 300-10-1.
- B. EQIP Manual [Title 440 Part 515 Subpart J 515.91 G & H](#) clearly delineates eligible and ineligible costs. The following are specific guidelines for Alaska NRCS, but are not meant to supersede NRCS policy as stated in the EQIP Manual.

1. Ineligible Costs:

1. Permit fees are not eligible costs.
2. Electrical power hook-up is not eligible for cost share. Cost sharing is only allowed for electric power sources which address a national or state priority resource concern, utilize a renewable power source (i.e. solar, wind), and are an integral part of an approved electric fence design, or livestock or wildlife water delivery system where other power sources are impractical or energy conservation measures are in place. In no case will EQIP assist to provide a power supply that requires installing above ground or buried electric power lines.
3. Practices whose sole purpose is to enhance production are not eligible for EQIP cost sharing.
4. Residential use water supplies are not eligible.
5. Only costs associated with the direct installation of the practice are eligible. Indirect costs and management fees are not eligible costs. Miscellaneous supplies such as gloves are not eligible. Purchase and or use of landowner personal tools (i.e. hand saws, power tools) are not expenses eligible for re-imbursement.
6. No cost-sharing will be available for berm row removal.

7. No practice cost-sharing will be allowed for forestland that is planned to be developed for cropland. Applicant may apply for EQIP once area has been developed as cropland. Land needs to have been converted out of woodland for the past 2 years to be eligible.
8. No boundary or perimeter fences will be cost shared.

2. Specific Alaska EQIP Policies regarding payments for FY 2006 and earlier contracts:

1. In-kind and donated services can be utilized by the landowner to reduce total project cost. These services are added in to the total project cost before calculation of cost share reimbursement; this can lower both the participants as well as the government cost.
2. Documentation needs to be provided showing that the applicant is not receiving more than 100% of their actual expenses.
3. Equipment will only be paid for actual use time, not simply for time available at project site.
4. Landowner and volunteer labor and equipment will not be credited more than the rates listed under the References tab located on each practice statement found on the [Alaska Share Point site](#), for both EQIP and WHIP under current Payment Schedule.

3. Producer self-certification may be accepted for structural practices, when ALL of the following circumstances apply:

1. A site specific design has been provided to the landowner prior to installation which meets NRCS standards, and provides enough detail to ensure adequate installation.
2. The landowner has been given prior authorization for self certification in the form of a letter signed by the NRCS Designated Conservationist. If the Designated Conservationist does not have approval authority for the proposed practice, concurrence of technical staff holding appropriate approval authority is required.
3. The landowner accepts full responsibility for installation, and agrees to remedy any deficiencies at their own cost.
4. Landowner provides certification in the form of a letter and provides photographs of all critical installation elements.
5. NRCS will conduct field verification during the immediate following summer and certify in writing that installation meets NRCS standards. If elements are found deficient, NRCS will notify landowner in writing with detailed information about deficiencies no later than July 31. Any deficiencies will be corrected and field verified by NRCS no later than September 30 of the year following installation.

Note: Authorization for self-certification may be revoked for failure to comply with any of the above circumstances, or at the discretion of the STC.

Guidance Related to Specific Circumstances

A. Payment Schedule: Conservation Practices qualifying for payment

1. Practices and activities eligible for payment are those listed on the NRCS Field Office Service Area's 2013 EQIP and WHIP Payment Schedules (CPM 512.11 B. and 512.33), and are available at the local NRCS Field Office or at www.ak.nrcs.usda.gov/programs.
2. All practices scheduled in a long-term contract must provide natural resource enhancement and conservation. They must meet the intent of the program, and provide

benefits toward identified natural resource concerns, and meet NRCS technical requirements. Practices which do not address a resource concern are not eligible for cost-share.

3. Beginning in FY2008, NRCS has utilized a Payment Schedule for practice payments, rather than a cost list. Rather than being reimbursed a certain percentage of their implementation cost; participants will earn payments for installation of a practice, based upon a typical scenario for installation of the practice. In 2013, the NRCS payment schedule development process allowed for the inclusion of certain cost that in past years were either not allowed or were allowed but had to be included in the contracted price. Payment schedules are now developed using nationally derived cost adjusted to locality and each practice payment is construction with specific components. Past components such as overhead, supervision of installation, mobilization of equipment, labor and profit were included but were often hidden in “contracted service pricing”. In 2013 most of these cost components are now detailed in payment schedule worksheets.
4. Payment is limited to the least cost alternative to address a specific resource concern.
5. For additional guidance, refer to the provisions and requirements of the most recent NRCS national standards and the practice-specific payment schedules located on the Alaska Share Point site [Practice Specific Payment Schedules](#)
6. Only management practices with are available for recurring payments. Management practices have a nationally approved life span of one year. Practices with a life span of more than one year are not management practices and are not eligible for recurring payments. A listing of Alaska Conservation Practice Life Spans is located on the Alaska Share Point site: [AK 2013 CONSERVATION PRACTICE LIFESPAN](#).

B. Wildlife Habitat Evaluation Guides (WHEG)

Completion of Wildlife Habitat Evaluation Guides, supporting the planned activity, is required when wildlife benefits are claimed when ranking an EQIP or WHIP application.

C. At-Risk Species, Species of Concern

At risk species are defined as any plant or animal species listed as threatened or endangered; proposed or candidate for listing under the Endangered Species Act (ESA); species likely to become candidates for listing; species listed as threatened or endangered under State Law or tribal law on tribal land; State or tribal land species of conservation concern; or other plant or animal species or community, as determined by the STC, with advice from the State Technical Committee and State Conservation Tribal Advisory Council for tribal land, that has undergone, or is likely to undergo, population decline and may become imperiled without direct intervention.

D. Locally Identified Species

Locally Identified Species are those wildlife (including fish and insects) and plant species, identified at the local level by the Local Workgroup. These species constitute species of local importance for project or resource concern assistance, planning and potential funding. Locally identified species receive weighted scoring consideration in the Local Criteria section of Alaska’s Farm Bill Program Ranking Tools (Automated Electronic Ranking Tool, AERT). These species may or may not be “at-risk” species as identified in item C. above. When locally

identified species also meet criteria as “at-risk” species, they may receive additional resource consideration under national and/or state ranking criteria.

E. Policy for Horse Operations

Policy: The NRCS STC, in consultation with the State Technical Committee, has determined for the Fiscal Year 2013 EQIP Program that NRCS will offer assistance to equine owners who meet the producer eligibility and land eligibility requirements of the EQIP program as described in [Title 440 Part 515 Subpart F 515.51 and 515.52](#).

Policy: [Title 440 515 Subpart F 515.52 \(1\) \(ii\)](#). The Alaska STC has determined for the Fiscal Year 2013 EQIP Program that horses may be considered as “Other animals as identified by the Chief”.

F. Policy for Grazing Operations

Payments will not be authorized to clear or bring land into production. According to [Title 440 Part 515 Subpart I 515.81](#) and [Title 440 Part 515 Subpart J 515.91](#), practices are ineligible for payments or incentive payments where the sole purpose is to enhance production without an identifiable conservation benefit or natural resource concern.

Eligible Land

Improved pasture land or land where adapted native and/or introduced forage species support hayland and pasture functions that meet the grazing history, prescribed grazing plan and brush management criteria described below.

Grazing History

Applicants will be eligible for payments or incentive payments for grazing related structural and land management practices only on land that has been grazed for two of the last five years prior to application for assistance. The STC may require written certification or other documentation to validate grazing history.

Prescribed Grazing Plan

Prior to contracting applications for grazing operations shall be supported by documentation of grazing history and a prescribed grazing plan developed in accordance with Alaska NRCS Practice Standard 528, Prescribed Grazing.

Fence (new for 2013)

NRCS does not pay for exterior, perimeter, or boundary fencing. Fence is ineligible if the purpose is to separate ownership or exclude livestock from transportation networks or residential, commercial, or industrial areas. Fencing will not be used to exclude wild or feral animals from property. Livestock shall be controlled by an existing fence system on the property. The participant is eligible for fence payments within their existing fence system(s).

Exceptions:

Boundary fence (property line fence) or perimeter fence is eligible:

- On expired or expiring Conservation Reserve Program land to establish a grazing operation; however, the practice may not be installed until the CRP contract has expired.

- On land to protect, restore, develop, or enhance habitat for wildlife or exclude livestock from exceptions to apply the applicant must be able to validate a grazing history on the farming operation.

Brush Management

Brush Management shall be in accordance with Alaska NRCS Standard 314, Brush Management. Brush Management may be contracted once every 10 years. This practice applies only to existing:

- Pasture land being used as part of a prescribed grazing system.
- Hayland being used as part of a prescribed grazing system.
- Cultivated cropland being converted to pasture or hayland as part of a conversion to a prescribed grazing system.

Access Control

- Access Control shall be in accordance with Alaska NRCS Standard 472, Access Control.
- Access Control may be contracted once every 10 years.

G. Policy for Multi-Purpose Buildings

This policy is based on the requirements of [Title 440 Part 515 Subpart J 515.91 B](#), Ineligible Costs.

Livestock buildings are ineligible. Any building or part of a building used for livestock housing or feeding and other uses is not eligible for payment. A producer can at his or her own expense, construct a livestock building adjacent to a covered heavy use area (HUA) and put stalls in it for housing or feeding.

A roofed HUA that provides more than incidental livestock housing is ineligible. This means that at least 75% of the building must be solely for waste storage or water quality concerns.

The STC may determine that a certain “building” is a necessary component of a CNMP or prescribed grazing system and would be eligible for payment. In addition, certain “multi-purpose” buildings may be eligible. For multi-purpose buildings, the payment rate will be pro-rated (at the amount of the least-cost alternative) to that portion of the building primarily used for animal waste handling or to achieve water quality purposes. For the purposes of this policy, a multi-purpose building is any facility that is utilized by livestock (HUAs) or is normally used seasonally or occasionally (Composting Facility, non-liquid Waste Storage Facility, etc.). As per the policy on CNMPs, a completed, approved CNMP must be in place **before contracting** will be allowed on structural components.

H. Policy for Private, Non-Industrial Forest Land

Private non-industrial forest land is eligible for EQIP financial assistance according to [Title 440 Part 515 Subpart F 515.52 A \(1\) \(iii\)](#). See [Title 440 Part 515 Subpart F 515.51](#) for determining eligibility of producers with forest land.

Components of a forest management plan may be eligible for EQIP financial assistance if they are consistent with EQIP policies and program objectives. Eligibility shall be determined by NRCS on a case by case basis. The following guidelines may be used by NRCS to evaluate eligibility.

Policy: Structural and management practices for forestland shall be considered for payments under EQIP when the practices are included in a forest management plan prepared by an Alaska Technical Service Provider Forester. A TSP Forester must meet the requirements of the Alaska State Division of Forestry for delivery of Forest Stewardship Services. Individuals with associated experience and a recognized forestry degree from a college or university accredited by the Society of American Foresters will be considered on a case by case basis. The plans must be developed in accordance with Alaska NRCS Standard 106, Forest Management Plan, or an Alaska Forest Stewardship plan and associated Conservation Plan Supplement. Practice eligibility shall be determined by NRCS in consultation with the Forester preparing the plan and after review by the NRCS Alaska State Forester. The primary purpose(s) of the practice(s) must be consistent with one or more of the purposes listed in the NRCS Alaska practice standards. Practices whose sole purpose is to enhance production are not eligible for EQIP payment.

I. All Irrigation Practices (new for 2013)

Refer to EQIP Manual, [Title 440 Part 515 Subpart F 515.52](#).

A participant will be eligible for cost-share or incentive payment for irrigation related structural and land management practices only on land that has been irrigated for two of the last five years prior to application for assistance. Producers requesting cost-share assistance with irrigation practices must provide a signed statement certifying this fact.

An application that includes any irrigation structure must also include Irrigation Water Management (449).

Irrigation Water Management will not be contracted without an approved IWM plan and a completed job sheet.

Any application not meeting the above criteria will not be eligible for ranking and the status shall not be set to “Pre-approved” in Protracts. For additional technical guidance on IWM contact Brett Nelson, Alaska State Conservation Engineer.

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Wells for either livestock are rarely a cost-effective alternative compared to other conservation measures and are generally not eligible for cost share. If a justifiable scenario arises, cost share of a well for livestock may be allowed by the STC only after it has been determined to be the least-cost alternative to address a priority resource concern, and is a vital part of a prescribed grazing plan or efficient irrigation system.

Wells for irrigation are not eligible for cost share under current program policy.

K. Practice Payment Caps

Several conservation practices have payment caps, which limit the total dollar amount which the landowner can receive. Payment caps are as follows:

590 Nutrient Management	Payment cap of \$10,000 per contract on cropland, hayland, and pastureland
	Payment cap of 1 (no.) per high tunnel
595 IPM	Payment cap of \$10,000 per contract on cropland, hayland, and pastureland
	Payment cap of 1(no) per high tunnel.
798 Seasonal High Tunnel	Payment cap of 2,178 sq ft per farm
	Payment cap of \$10,000 per year per contract
528 Prescribed Grazing	Minimum size for EQIP contract is 10 AUM (2.5 animal units for 4 months of grazing or 2 animal units for 5 months of grazing)

L. Comprehensive Nutrient Management Plans (CNMP)

If the EQIP plan of operations includes the handling/storage/treatment/application of animal waste, a CNMP is required to be completed **before the contract is approved** on any waste storage or waste handling structures or nutrient management activities. This plan is an integral part of facility planning and design, and should be in place before beginning structural designs. When modification of an existing contract entails changes to any contract item or component related to a waste storage or handling facility in an existing CNMP, the CNMP must be updated or reviewed by someone with the appropriate job approval authority.

M. All contracts with that include practices that require an engineering design (new for 2013)

Practices that require engineering designs will not be contracted until there are complete specifications, designs, and appropriate job sheets as approved by the applicant and the State Conservation Engineer. Engineering design changes during the life of the contract will require a contract modification when the design is signed by the SCE and accepted by the participant.

Cancellations and Terminations

A. Cancellation versus Termination

The following are acceptable reasons for cancelling or terminating a contract:

Contract Cancellation	Contract Termination
Natural disaster	Violation of the terms of the contract
Death	Failure to apply or maintain scheduled practices
Major illness	NRCS employee is denied access to property or personal safety is in jeopardy
Bankruptcy	Participant becomes ineligible
Destruction of farm property	Land becomes ineligible
Substantial change in operation	Participant transfers land by sale or otherwise by choice loses control of the land
Removal of resource concern	
Other acceptable personal or financial hardship	Scheme, device or fraudulent representation

1. Care needs to be exercised in the selection of the proper condition for a Termination/Cancellation.
2. The purpose of this supplement is to explain and further define procedures and required documentation for contract cancellation and terminations.
3. Procedures contained in [Title 440 Part 512 Subpart 512.58](#) Recovery of Cost and Liquidated Damages will be used by the STC to determine if payments are to be made by contract participants who cancel or have a contract termination.
4. All requests for a Termination/Cancellation will be forwarded through the appropriate Resource Conservationist for review and concurrence. They will then pass all documentation listed above to the Program and Technical Support Assistant (PTSA) who will draft the letter for signature by the STC. Once the EA has reviewed the letter it will be handed to the Assistant STC-Programs (ASTCP). After concurrence by the ASTCP is received the EA will forward all requests to the STC for final action.

B. Required Documentation

1. Cancellation requests will have the following documents:
 - a. A dated copy of the participant’s written and signed request to cancel the contract including the reason for the cancellation on Form NRCS-LTP-153, Agreement Covering Non-Compliance with Provisions of Contract.
 - b. A cancellation modification (CPA-1156) signed and dated by the participant and Designated Conservationist.
 - c. A completed Alaska Contract Cancellation/Termination Worksheet.
2. Termination requests will have the following documents:
 - a. A copy of the original ranking summary sheet for the application.
 - b. A copy of the CCC-1200 Appendix with the participant’s signature.
 - c. A list of any established conservation practices and those not yet established with payment amounts and dates.
 - d. Copies of advance notification letter(s) used to inform the participant that the contract is in potential violation.

- e. Written documentation that supports the reason for contract termination with a recommended outcome.
- f. A completed Alaska Contract Cancellation/Termination Worksheet.

C. Processing Terminations and Cancellations

1. All requests for Terminations or Cancellations will originate from the District Conservationist (DC) and be addressed to the STC and will be delivered to the Resource Conservationist (RC) with proper documentation for review. The RC will forward the request and documentation to the PTSA.
2. The PTSA will pull the State Office copy of the contract folder and type a draft letter of Termination/Cancellation stating the outcome to the participant. Upon completion of the letter, all documentation and the contract folder will be placed on the Assistant State Conservationist for Program's (ASTC (P) desk for review and a concurrence signature.
3. The Executive Assistant (EA) will take the finalized letter to the STC for approval signature.
4. Upon approval, the EA will date stamp, scan, and e-mail the letter to the DC, RC and PTSA, and make a yellow copy to place in the State Office contract folder. The EA will place the contract folder in the PTSA's inbox office for further processing.
5. When the e-mailed copy of the letter is received, the DC will submit a Termination/Cancellation modification in ProTracts and inform the ASTC (P) via email. The date of the approval letter from the STC for Termination/Cancellation will be sited in ProTracts by the DC.
6. The ASTC (P) will approve the modification for Termination/Cancellation once all information is entered into ProTracts and will print modification sheet and place it in the folder. The ASTC (P) will forward the contract folder to the Budget Officer (BO) who will verify that funding has been de-obligated in FFIS (this takes a couple of days).
7. BO stamps closed, initials, and dates the modification page and files it in the appropriate closed contract file cabinet located in front of the EA's desk.

Reference Citations

440 Part 502 Definitions, Terms, and Abbreviations, common to all conservation programs.

- 512.5 A Definitions and descriptions of Historically Underserved Individuals and Groups.
- 512.5 E Definition of “Indian Tribe” for purposes of Farm Bill programs.
- 512.22 Eligibility:
 - A. Who May be Eligible
 - B. Applicant’s Status
 - C. Other Eligibility
 - D. Basis Eligibility Requirements
 - E. Eligibility Relationships
 - F. Tribes, Alaska Native Corporations & Trusts involving Department of Interior, Bureau of Indian Affairs
- 512.25 Evaluating Applications
 - C(i) Screening
- 512.33 Payment Rates
- 512.40 Participant Responsibilities
- 512.43 Customer Case File and Components of Contract File Assembly
- 512.50, 51 Modifications
- 512.55 Annual Contract Reviews
- 512.57 Cancellations and Terminations
- 512.62 Assignment of Payments
- 512.70, 71 Contract Violations
- 512.90 Forms Summary