



ENVIRONMENTAL QUALITY INCENTIVE PROGRAM
Wildlife Initiative for California Tricolor Blackbird Habitat – Fiscal Year 2012

Program Description:

The Environmental Quality Incentives Program (EQIP) is a voluntary program designed to promote agricultural production, forest management, and environmental quality as compatible goals. Through EQIP, the Natural Resources Conservation Service (NRCS) provides financial and technical assistance to eligible farmers and ranchers to address soil, water and air quality, wildlife habitat, surface and groundwater conservation, energy conservation, and related natural resource concerns.

NRCS California is offering assistance to California farmers to support the protection of Tricolored Blackbird colonies nesting in grain and silage crops as a special wildlife initiative within EQIP. Tricolored blackbirds are federally listed as a Bird of Conservation Concern, a California state Species of Special Concern, and are also protected under the provisions of the Migratory Bird Treaty Act. Due to agricultural modifications to California's landscape, historical nesting habitat dominated by emergent marsh vegetation has been replaced by permanent row crops throughout the Central Valley. As a response to the lack of native habitat, Tricolored Blackbirds have adapted to colonize grain fields, particularly wheat varieties, in the spring. In the San Joaquin Valley, approximately 43 percent of the state's Tricolored blackbird population has been nesting in green chop silage crops such as Triticale and wheat where harvest schedules often conflict with the fledging dates of the juvenile birds. Due to the fact that Tricolored Blackbirds are colonial nesters, and often nest together by the thousands, the results from the harvesting activities can be devastating to the population.

In order to be eligible for participation, producers need to be able to demonstrate that they have nesting Tricolored Blackbirds on their property and that harvesting of silage will occur prior to the fledging of the birds. Fields with nesting Tricolor Blackbirds where the producer agrees to delay harvest will be eligible for financial assistance and the payment will be based on the actual acres with nesting Tricolor Blackbirds plus a buffer; actual acres and the buffer area will be determined by a biologist. This initiative is being coordinated through a partnership effort with Audubon California.

Eligible counties in California for this initiative include:

- Kern, Tulare, Kings, Fresno, Madera and Merced Counties.

Where to Apply:

For application assistance or for more information regarding the Wildlife Initiative for **Tricolored Blackbird Habitat** and other county and statewide EQIP opportunities contact your closest participating NRCS office, locations can be obtained at the NRCS California web site: <http://www.ca.nrcs.usda.gov/programs/>.

Program Application:

To be eligible for the Wildlife Initiative for Tricolored Blackbird Habitat a complete application must be submitted to the local NRCS office by close-of-business (COB) **April 6, 2012**. Program applications are accepted on a continuous basis. A complete application submitted to the local NRCS office by close-of-business (COB) **April 6, 2012** will be evaluated for funding in a ranking evaluation period between **April 7, 2012** and **May 11, 2012**. Applications submitted after the **April 6, 2012** date will be evaluated in the next ranking and funding period. Incomplete applications may be re-submitted for the next ranking and funding period. For application assistance, including a downloadable application, or for more information regarding the California programs county and statewide initiatives contact your closest NRCS office, which can be obtained at the NRCS California web site: <http://www.ca.nrcs.usda.gov/programs/>.

To be eligible for program funds, applicants must be established in Service Center Information System (SCIMS), have the following certifications completed and filed at the USDA service center: Form AD-1026, "Highly Erodible Land Conservation and Wetland Conservation Certification;" Form CCC-926, "Average Adjusted Gross Income Statement;" and Form CCC-901, "Member's Information (for legal entity and joint operations only), and meet EQIP program eligibility requirements.

To be eligible to participate in EQIP, an applicant must meet all of the following criteria:

1. Be a producer. To be considered a producer, the applicant must be—
 - a. A person, legal entity, Indian Tribe, or joint operation with signature authority and
 - b. Engaged in agricultural production or forestry management or have an interest in the agricultural or forestry operation associated with the land being offered for enrollment in EQIP.
 - Interest in the farming operation means one of the following:
 - i. Owner or renter of the land in the farming operation;
 - ii. An interest in the agricultural products, commodities, or livestock produced by the farming operation; or
 - iii. A member of a joint operation that either owns or rents land in the farming operation or has an interest in the agricultural products, commodities, or livestock produced by the farming operation.
2. Have control of the land for the term of the proposed contract period.
3. Be in compliance with the provisions for protecting the interests of tenants and sharecroppers, including the provisions for sharing EQIP payments on a fair and equitable basis.
4. Be in compliance with the highly erodible land and wetland conservation compliance.
5. Be within appropriate payment limitation requirements, as specified in the Food, Conservation, and Energy Act of 2008.

Exception: Federally-recognized Indian Tribes are exempt from payment limitation requirements. The \$300,000 contract limitation remains applicable to Indian Tribes, but there is no limit on payments so an Indian Tribe could have

multiple \$300,000 contracts. Individual tribal members must be within appropriate payment limitations.

6. Be in compliance with adjusted gross income requirements.

Exception: Federally-recognized Indian Tribes are exempt from adjusted gross income requirements

To be eligible for EQIP, the land being offered for application into the program must meet all of the following criteria:

1. Be agricultural land, nonindustrial private forest land, or other land on which agricultural products, livestock, or forest-related products are produced.

- i. Agricultural products include but are not limited to the following:

Grains or row crops; Tobacco; Seed crops; Vegetables or fruits; Hay, forage, or pasture; Orchards or vineyards; Flowers or bulbs; Ornamentals; Plant materials, including those grown in greenhouses or seasonal high tunnels; Trees; Other agricultural commodities; Other crops used for subsistence.

- ii. Livestock production is defined as farm or ranch operations involving the production, growing, raising, or reproducing of livestock or livestock products, including but not limited to, the following:

Alpacas; Beef cattle; Bison; Dairy cattle; Fish or other animals raised through aquacultural methods; Horses; Llamas; Rattles; Poultry; Sheep or goats; Swine; Turkeys; All other livestock or fowl produced as part of agricultural operations on farms or ranches identified by the State Conservationist, considering the advice of the State Technical Committee.

- iii. Nonindustrial private forest land is rural land that—

Has existing tree cover or is suitable for growing trees.

Is owned by any nonindustrial private individual, group, association, corporation, Indian Tribe, or other private legal entity.

- iv. Permanently submerged lands may be eligible only if all of the following apply:

The EQIP practice(s) to be implemented is land-based

The Farm Service Agency establishes farm records, common land unit (CLU) information, and completes HEL/WC determinations for the submerged land area

The proposed EQIP practice(s) addresses an identified natural resource concern.

Note: By statute and regulation (16 U.S.C. 3839aa-1; and §1466.8), EQIP may only be used to implement practices or support activities on eligible land. As such, areas of water in which no land-based conservation practice(s) will be implemented are not eligible.

2. Be privately owned or Indian land. Publicly owned land may be eligible if—

- i. The land is a working component of the participant's agricultural operations.

- ii. The participant has control of the land for the term of the contract.

- iii. The conservation practices to be implemented on the public land are necessary and will contribute to an improvement in the identified resource concern.

3. Have permission of the landowner to install a structural practice on land not owned by the applicant.
4. Have an identified resource concern that may be addressed.
5. Have irrigated two out of the last five years to install a water conservation or irrigation related practice.

A Complete Application Must Include:

- **Form NRCS-CPA-1200 Application and CPA-1202 Appendix:** Signed and dated by all program participants or authorized persons. Depending upon the applicant and existing records, these additional forms and documentation may need to be completed:
- **Form FSA-211:** Power of Attorney – if applicable.
- **Form AD-1026:** Highly Erodible Land Conservation - Wetland Conservation Certification.
- **Form CCC-901:** Entity Member Information, if applicable.
- **Form CCC-931:** Payment Eligibility Average Adjusted Gross Income (AGI) Certification.
- **Form SF-1199A:** Direct Deposit Sign-Up Form.
- **Form CA-LTP-5:** Producer Certification of Irrigation History, if applicable.
- **Land ownership or control:** The applicant may be required to provide evidence of control of land through ownership documents (deeds, etc) or lease information (rental agreements, permits, lease, etc) for the length of the contract.
- **Signature authority:** Self-certification of signature authority as indicated on Form CCC-901 or documents such as articles of incorporation, charter, bylaws, partnership agreements, trust agreements, wills and similar legal evidence.
- **Proof of Identity:** Authorized persons may be required to show valid state driver's license, passport or other personal identification as well as Social Security or EIN numbers, address and other information.
- **DUNS Number:** All entities/ organizations are required to obtain a DUNS number when submitting a conservation program application.

Note: Confidential and private information: Many of the program application forms or documentation requires the applicant to provide sensitive, contact, financial or other confidential information. Disclosure of this data is voluntary, but failure to provide the required information in a timely manner may result in the deferral of an application or denial of a benefit payment. By law and policy, confidential, private and sensitive information is protected by USDA and employees and agency partners are subject to penalty and disciplinary action for inappropriate or mismanagement of private data.

Approved Practice List:

The table below lists the activities approved for payment under the EQIP Wildlife Initiative for **Tricolored Blackbird Habitat** in California.

Practice	Practice Name	Scenarios	Unit
511	Forage Harvest Management	Tricolor Mgt - Triticale silage	ac
511	Forage Harvest Management	Tricolor Mgt - Silage (Other)	ac

Application Screening Criteria:

Screening Criteria	Priority
The applicant has nesting Tricolored Blackbirds present in agricultural fields, and the planned harvest of the crops is scheduled to occur before the birds have fledged.	High Priority
The applicant does not have nesting Tricolor Blackbirds present in agricultural fields.	Low Priority

I. National Ranking Criteria (25 percent of total ranking score)

Ranking Questions	Points
1. Clean and Abundant Water: Water Quality – Will the proposed project assist the producer to:	
1a. Meet regulatory requirements relating to animal feeding operations, or proactively avoid the need for regulatory measures?	15
1b. Reduce sediment, nutrients or pesticides from agricultural operations located within a field that adjoins a designated impaired water body?	10
1c. Reduce sediment, nutrients or pesticides from agricultural operations located within a field that adjoins a water body?	5
2. Clean and Abundant Water: Water Conservation – Will the proposed project assist the producer to:	
2a. Increase groundwater recharge in identified groundwater depletion areas (http://water.usgs.gov/ogw/rasa/html/TOC.html)?	15
2b. Conserve water from irrigation system improvements and result in estimated water savings of at least 5% and saved water will be available for other beneficial uses?	10



2c. Conserve water in an area where the applicant participates in a geographically established or watershed-wide project?	5
3. Clean Air: Treatment of Air Quality from Agricultural Sources – Will the proposed project assist the producer to:	
3a. Meet regulatory requirements relating to air quality or proactively avoid the need for regulatory measures?	15
3b. Reduce green house gases such as methane, nitrous oxide, and volatile organic compounds (VOC)?	15
3c. Increase carbon sequestration?	5
4. High Quality, Productive Soils Erosion Reduction – Will the proposed project assist the producer to:	
4a. Reduce erosion to tolerable limits (Soil “T”)?	15
5. Healthy Plant and Animal Communities Wildlife Habitat Conservation – Will the proposed project assist the producer to:	
5a. Benefit threatened and endangered, at-risk, candidate, or species of concern as identified in a State wildlife plan?	15
5b. Retain wildlife and plant benefits on land exiting the Conservation Reserve Program (CRP)?	15
6. High Quality, Productive Soils, Healthy Plant and Animal Communities: Special Environmental Efforts/Initiatives – Will the proposed project assist the producer to:	
6a. Eradicate or control noxious or invasive species?	10
6b. Increase, improve or establish pollinator habitat?	10
6c. Implement precision agricultural methods?	10
6d. Properly dispose of animal carcasses?	5
6e. Implement an Integrated Pest Management plan?	5
7. Energy Conservation and Renewable Energy Production – Will the proposed project assist the producer to:	
7a. Reduce energy consumption on the agricultural operation?	15
7b. Increase on-farm energy efficiency with more efficient equipment?	10
7c. Assist in producing energy from renewable resources (solar, wind, biofuel, etc)?	10

8. Business Lines – Conservation Implementation Additional Ranking Considerations - Will the proposed project result in:	
8a. Implementation of all planned conservation practices within three years of contract obligation?	10
8b. Improvement of existing conservation practices or conservation systems already in place at the time the application is accepted, or will complete an existing conservation system?	10
9. Does the applicant meet the following conditions:	
9a. If the applicant has an existing contract, has it been, and is it now, on schedule and in full compliance?	5
9b. Did the applicant successfully complete any past contract(s) in full compliance?	5
9c. Is this the applicant’s first application?	5

II. State Ranking Criteria (50 percent of total ranking score)

	Category A: Nesting Population	Points
1	The size of the nesting population as determined by state or federal resource agency biologists is greater than 25,000.	100
2	The size of the nesting population as determined by state or federal resource agency biologists is between 15,000 and 25,000.	75
3	The size of the nesting population as determined by state or federal resource agency biologists is between 5,000 and 15,000.	50
4	The size of the nesting population as determined by state or federal resource agency biologists is between 1,000 and 5,000.	25
5	The size of the nesting population as determined by state or federal resource agency biologists is less than 1,000.	10
	Category B: Percentage of Silage Fields Containing Tricolor Blackbirds	Points
1	80-100 percent of the producer’s planted silage fields contain nesting Tricolored Blackbirds.	100
2	50 – 80 percent of the producer’s planted silage fields contain nesting Tricolored Blackbirds.	50
3	Less than 50 percent of the producer’s planted silage fields contain nesting Tricolored Blackbirds.	25



III. Local Ranking Criteria (25 percent of total ranking score)

	Category A: Regulatory Compliance	Points
1	Conservation treatment will assist applicant in regulatory compliance with the Migratory Bird Treaty Act.	100
	Category B: Timing of Harvest	Points
1	Conservation treatment will delay harvest of silage fields until nesting Tricolor Blackbirds have fledged.	100