

## Part 530 – Working Lands Conservation Programs Manual

### Subpart K – Management of Contracts Obligated Prior to Fiscal Year 2020

#### 530.100 General Information

A. This subpart provides guidance on the appropriate use of 440-CPM for the following parts for management of contracts obligated prior to fiscal year (FY) 2020, which are hereafter referred to as “existing parts:”

- (1) Part 507, “Conservation Stewardship Program” (CSP)
- (2) Part 508, “Conservation Stewardship Program (CMT Supported Contracts)”
- (3) Part 512, “Conservation Program Contracting”
- (4) Part 515, “Environmental Quality Incentives Program” (EQIP)

**Note:** NRCS archived Part 521, “Agricultural Management Assistance” (AMA), in February 2021. Refer to subpart P of this manual for all AMA guidance, including for contracts obligated prior to fiscal year 2021.

B. All contracts, regardless of obligation date, must follow the regulations that were in effect on the date of obligation and the requirements specified in the contract appendix. Part 530, subparts A through O, of this manual implement streamlined procedures for the administration of contracts as required by the 2018 Farm Bill and are applicable to all new contracts as well as contracts obligated prior to FY 2020, subject to the exceptions identified in this subpart. When guidance in part 530 conflicts with the applicable regulation or contract appendix, the user should follow guidance found in the appropriate existing parts referenced above, which may include the specific program part, plus part 512 as referenced. Part 530 does not apply where the requirements of this manual would result in a determination more adverse to a participant’s rights or responsibilities than would application of the policy in place at the time of contract obligation.

C. Use of Existing Parts for Contracts Obligated Prior to FY 2020

- (1) Part 507.—To verify CSP eligibility requirements for land, participants, and guidance on completing Conservation Activity Evaluation Tool (CAET) modifications.
- (2) Part 508.—To verify CSP eligibility requirements for land, participants, and guidance on completing Conservation Measurement Tool (CMT) modifications.
- (3) Part 512.—To provide further guidance when reference to part 512 is made from one of the existing program parts and part 530 is determined to be in conflict with the applicable regulation and contract appendix.
- (4) Part 515.—To verify EQIP eligibility requirements for land and participants.

D. Existing parts are not to be used for general information. Follow part 530, subpart A, “General Information,” of this manual.

E. Use professional judgement when considering exceptions to the use of part 530 and document the basis for determinations in case of appeal or audit. If in doubt consult National Headquarters (NHQ) for guidance.

**Note:** This subpart may be updated periodically to address policy needs during the transition to the 2018 Farm Bill until existing parts become obsolete and can be archived.

#### 530.101 Managing Funds

Existing parts are not to be used for managing funds. Follow part 530, subpart B, “Managing Funds,” of this manual.

### 530.102 Application for Assistance

A. For audits and quality assurance, use existing parts to determine if States followed application procedures in effect at the time of application. Use part 530 to determine whether the State has authority to take an administrative action to correct a deficiency. If no authority is specified, request NHQ assistance to address a deficiency.

B. Follow eligibility requirements in effect at the time of obligation. Use the existing parts to determine eligibility requirements when adding new participants or land to a contract. Follow Part 530, subpart C, “Application for Assistance,” of this manual for waivers and exceptions to eligibility requirements.

C. For changes to entity membership or signature authority, follow current procedures found in part 530, subpart C, of this manual.

### 530.103 Application Processing

For audits and quality assurance, use the existing parts to determine if States followed application procedures in effect at the time of application. Use part 530 to determine whether the State has authority to take an administrative action to correct a deficiency. If no authority is specified, request NHQ assistance.

### 530.104 Contract Development and Requirements

Part 530, subpart E, “Contract Development and Requirements,” of this manual, and the program-specific subparts, apply to contracts obligated prior to FY 2020. Please note the following special circumstance:

CSP contracts obligated in FY 2019 or earlier require that the participant adopt contracted enhancements by the third year of the contract. If participants fail to adopt an enhancement by the third year of the contract, follow policy in part 530, subpart I, “Contract Violations,” of this manual.

**Note:** An enhancement is considered adopted when the participant has implemented the enhancement on at least a portion of the operation.

### 530.105 Payments

Follow part 530, subpart F, “Payments,” of this manual except for the following:

- (1) For prior Farm Bill contract payment limitation information, refer to the policy in place at the time of contract obligation.
- (2) For successors to prior Farm Bill contracts, participants must file the following Farm Service Agency (FSA) forms:
  - (i) For successors to 2002 Farm Bill contracts.—Form CCC-526C, “Payment Eligibility Average Adjusted Gross Income Certification for Certain Conservation Reserve Program Contracts Approved Before October 1, 2008”
  - (i) For successors to 2008 Farm Bill contracts.—Form CCC-931C, “Average Adjusted Gross Income Certification and Consent to Disclosure of Tax Information for Successors to Conservation Program Contracts and Agreements Only”
  - (iii) For successors to 2014 Farm Bill contracts.—Form CCC-941, “Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information”

**Note:** This includes all contract participants, entity members, and successors to these contracts. Changes in the members or in member shares of an entity must be documented by the entity submitting a revised Form CCC-901, “Members

Information,” or CCC-902E, “Farm Operating Plan for an Entity,” to FSA. Failure to update the FSA business file will result in a mismatch between business tools, which will prevent obligation and payment.

**Note:** 2014 Farm Bill AGI provisions do not apply to CSP and EQIP contracts obligated in FY 2014. This includes all contract participants and entity members and successors of these contracts. AGI compliance also does not apply to AMA, Agricultural Water Enhancement Program, or Wildlife Habitat Incentive Program contracts obligated between October 1, 2013, and February 7, 2014.

### **530.106 Modifications**

(A) Follow part 530, subpart G, “Modifications,” of this manual and the program-specific subparts of this manual to determine acceptable and unacceptable modifications. This includes modifications to keep contracts in compliance and avoid contract terminations. If a contract appendix states that a contract must be terminated due to a loss of control of land or failure to notify NRCS in a timely manner, follow policy in this manual to determine if a modification may be completed to keep the contract in compliance.

B. In addition, for CSP contracts obligated in FY 2019 and earlier, the following applies:

- (1) Use part 507 for guidance on completing modifications using the CAET.
- (2) Use part 508 for guidance on completing modifications using the CMT.

### **530.107 Contract Reviews and Quality Assurance**

Follow part 530, subpart H, “Contract Reviews and Quality Assurance,” of this manual for all contracts.

**Note:** When conducting a control of land review as part of the annual contract review, NRCS is confirming that the participant has maintained control of the contracted land to date and that the participant expects to maintain control.

### **530.108 Contract Violations**

Follow part 530, subpart I, “Contract Violations,” of this manual for all contracts.

### **530.109 Program Evaluation**

Follow part 530, subpart J, “Program Evaluation,” of this manual for all contracts.

### **530.110 Program Exhibits**

Follow part 530, subpart O, “Exhibits,” of this manual, and program-specific subparts of this manual, for all contracts.