

**FACT SHEET**  
**August 2013**  
**Emergency Haying and Grazing For 2013**

**Overview**

USDA Farm Service Agency's (FSA) Conservation Reserve Program (CRP) is a voluntary program available to agricultural producers to help them safeguard environmentally sensitive land. Producers enrolled in CRP establish long-term, resource-conserving covers to improve the quality of water, control soil erosion and enhance wildlife habitat. In return, FSA provides participants with rental payments and cost-share assistance. Contract duration is between 10 and 15 years.

The Food Security Act of 1985, as amended, authorized CRP. The program is also governed by regulations published in 7 CFR Part 1410. The program is implemented by FSA on behalf of USDA's Commodity Credit Corporation.

**Haying and Grazing**

Haying and grazing of CRP acreage is authorized under certain conditions to improve the quality and performance of the CRP cover or to provide emergency relief to livestock producers due to certain natural disasters. There are two types of haying and grazing authorization: managed and emergency.

**Primary Nesting Season**

Generally, CRP acreage may not be hayed or grazed during the Primary Nesting Season for certain wildlife established by state FSA committees in consultation with USDA's Natural Resources Conservation Service (NRCS) State Technical Committee. [Map of Primary Nesting Seasons found here: [http://www.fsa.usda.gov/Internet/FSA\\_File/052708\\_nestingdates.pdf](http://www.fsa.usda.gov/Internet/FSA_File/052708_nestingdates.pdf) ]

**Emergency Haying and Grazing**

Emergency haying and grazing of CRP acreage may be authorized to provide relief to livestock producers in areas affected by a severe drought or similar natural disaster.

Emergency authorization is provided by either a national FSA office authorization or by a state FSA committee determination utilizing the U.S. Drought Monitor.

**General Authorization Process**

Requests for emergency haying and grazing are initiated at the county level with review and approval at the state and national FSA offices. County eligibility is based on a county FSA committee request documenting a 40 percent or greater loss in normal hay and pasture production and either:

- For drought conditions, an average of 40 percent or greater loss of normal precipitation for the 4 most recent months plus the days in the current month before the date of request; or
- For excessive moisture conditions, an average of 140 percent or greater increase in normal precipitation during the 4 most recent consecutive months plus the days in the current month before the date of request.

Emergency haying or grazing is limited to the acreage physically located within the boundary of the eligible county or portion of a county. Under this authority, acreage will only be authorized for a specified time and may end earlier than announced if conditions improve.

### **State FSA Committee Determination (Drought only)**

County FSA committees may request emergency haying or grazing outside the primary nesting season for all or part of a county from the state FSA committee using the U.S. Drought Monitor. The state FSA committee may generally approve emergency haying and grazing on a county-by-county basis if the county is designated as level "D2 Drought - Severe" according to the U.S. Drought Monitor. The U.S. Drought Monitor is available online at:

<http://www.drought.unl.edu/dm/monitor.html>

For 2013 only, certain normally ineligible practices may also be considered by the state committee for emergency haying and grazing under certain additional safeguards to maintain the conservation and wildlife benefits (see eligible acreage for practices and safeguards)

Under this state committee determination, emergency **haying** is authorized for a single period through Aug. 31, 2013. Emergency **grazing** is authorized for a single period through Sept. 30, 2013.

### **Eligible Acreage**

Acreage eligible for emergency haying and grazing includes acreage devoted to the following practices: CP1, CP2, CP4B, CP4D, CP10, CP18B, CP18C and CP38 if included in the approved State Acres for Wildlife Enhancement (SAFE) proposal.

For 2013 only, eligible acreage has been expanded to include CP8A, CP23, CP23A, CP25, CP27, CP28, CP37, and CP41, with additional safeguards to maintain conservation and wildlife benefits. These safeguards include:

- Drought monitor threshold for grazing of "D2 Drought – Severe" or any county declared as a disaster area through the streamlined drought disaster designation process
- Drought monitor threshold during the growing season for haying of "D3 Drought – Extreme"
- Do not allow if land was hayed or grazed in previous 2 years (allow a waiver if NRCS determines that the land has had adequate regrowth and it would not be detrimental to the stand or other wildlife/conservation benefits)
- Additional safeguards as determined appropriate by the State Committee through consultation with the State Conservationist, state fish and wildlife agency or other

stakeholders to address local and regional concerns (e.g. minimum stubble heights, maximum stocking rates, proximity to water bodies, temporary erosion control measures)

- Concurrence of:
  - A super majority (2/3rds) of the State Technical Committee;
  - The State Conservationist; and
  - The relevant state fish and wildlife agency.

### **Ineligible Acreage**

Acreage ineligible for emergency haying and grazing includes acreage devoted to:

- Useful life easements;
- Land within 120 feet of a stream or other permanent water body;
- The following practices: CP3, CP3A, CP5A, CP9, CP11, CP12, CP15A, CP15B, CP17A, CP21, CP22, CP24, CP29, CP30, CP31, CP32, CP33, CP35A-I, CP36, CP38 in certain states, CP39, CP40, and CP42.

### **Modified Conservation Plan**

Before CRP acreage is declared eligible for haying or grazing, a modified conservation plan developed by NRCS or a technical service provider must be obtained. The modified conservation plan must be site specific, include the authorized duration, and reflect local wildlife needs and concerns. The primary purpose must be to maintain vegetative cover, minimize soil erosion, and protect water quality and wildlife habitat quality.

### **File Request Before Starting**

CRP participants requesting emergency or managed haying and grazing must file a request with their county FSA office indicating the acreage to be hayed or grazed before the activity begins.

### **Required Payment Reduction**

The CRP-authorizing legislation requires a payment reduction to be assessed. Generally, CRP participants are assessed a haying or grazing payment reduction of 25 percent. For 2013 only, the 25 percent haying and grazing payment reduction has been reduced to 10 percent. Sale of hay is also allowed for 2013 as long as it was not sold from the same land during the previous two years.

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