

### National Program Eligibility Requirements:

Any individual or entity interested in an NRCS financial assistance program must be an eligible applicant and control eligible land for the lifespan of the contract. Applicants are encouraged to read the document "[Applying for Federal Farm Conservation Programs](#)", available online or from any local Service Center, which details the required forms for determining eligibility.

#### Eligible Applicants:

- Have an interest in the land being offered for enrollment; and
- Are in compliance with the highly erodible land and wetland conservation compliance provisions; and
- Are within appropriate payment limitation requirements; and
- Are in compliance with annual Adjusted Gross Income requirements; and
- Are in compliance with provisions for protecting the interests of tenants and sharecroppers, including the provisions for sharing WHIP payments on a fair and equitable basis; and
- Have control of the eligible land for the term of the proposed contract. Applications for structural or vegetative practices must include the written agreement of the landowner at the time the application is filed.

#### Eligible Land:

is land on which agricultural commodities are produced or have the capacity to be produced, and land capable of supporting target wildlife species. This includes actively farmed land, idle agricultural land, and land owned or operated by land trusts and other non-governmental conservation entities including:

- Cropland
- Hayland
- Pasture
- Land used for subsistence purposes
- Private, non-industrial forestland
- Grassland, including marshlands
- Other land determined by NRCS to be suitable for fish and wildlife habitat development, on which agricultural and forest-related products or livestock have the potential to be produced.
- No public lands are eligible to participate in WHIP. Public land, if part of an eligible applicant's operation, may be eligible for other programs. Contact your local Service Center for more information if you have public land as part of your operation.

Applicants must submit a completed Conservation Programs Worksheet and a Program Application (CCC-1200), available at [www.nj.nrcs.usda.gov/programs](http://www.nj.nrcs.usda.gov/programs) or at any USDA Service Center. They must initiate or update their farm records with the Farm Service Agency **prior to** application submittal.

### Historically Underserved Instructions:

Applicants may request higher payment rates at the time of program application by indicating on their application their eligibility for one of the following categories: **beginning farmer**, **limited resource farmer**, or **socially disadvantaged farmer**. It is the responsibility of the applicant to verify that the increased payment rates are included in the contract prior to signing. If one of these special emphasis categories is selected, the applicant must have available documentation to support the selection, and is subject to a review of their qualifications at any time during the contract period.

**Limited Resource Farmers:** The specific eligibility criteria are found on the website <http://www.lrftool.sc.egov.usda.gov/>. All members of the entity must meet the limited resource farmer requirement. Prior to signing the contract, the producer may have to show the District Conservationist the following signed documents (copies acceptable) as filed with the IRS from the past two tax years. Copies will **not** be kept by NRCS.

1. Gross farm income, generally on line 11 of the Schedule F, Profit or Loss from Farming; and
2. Adjusted gross income, generally on line 33 of the 1040.

**Beginning Farmers:** The specific eligibility criteria are found on the website <http://www.lrftool.sc.egov.usda.gov/Beginning-D.htm>. All members of the entity must meet the beginning farmer requirement. Prior to signing the contract, the producer may have to show the District Conservationist at least one signed IRS 1040 from the past ten years where a Schedule F, Profit or Loss from Farming, has NOT been filed (copies acceptable). Copies will **not** be kept by NRCS.

**Socially Disadvantaged Farmers:** The eligibility criteria are found on the website <http://www.lrftool.sc.egov.usda.gov/SDFR-D.htm>. Gender alone is not a covered group. There is no validation process for participants who self certify to a socially disadvantaged group. Only one member of an entity needs to meet the criteria for the entity.

## National Program Requirements:

- No practice can be installed until the final contract document is approved by NRCS, unless a waiver is granted in advance by the State Conservationist.
- At least one practice must be commenced within 12 months of contract signature. If no practice has been started, the contract will be subject to termination.
- Land must have been irrigated at least 2 of the past 5 years to be eligible for EQIP irrigation practices.
- Conservation practices must meet the specifications of the Conservation Practice Standard for program payments to be approved.
- Payments listed in the approved conservation program contract are based on practice extent and not cost.
- All practices must be maintained and functional for the lifespan indicated in the conservation program contract, regardless of contract length.

## Funding:

All eligible applications are grouped for competitive ranking with the highest ranked applications selected for contract development based on available funds. Ranking is based on a combination of factors specific to the application, such as how well the planned project meets local and state program objectives, the qualitative impacts of the planned activities, and a practice cost efficiency calculation.

A copy of the current ranking system or systems for each program can be found at [www.nj.nrcs.usda.gov/programs](http://www.nj.nrcs.usda.gov/programs) or at the local USDA Service Center office.

Applicants with an active program contract that is behind schedule will be deferred from ranking consideration until their current contract is in compliance.

## Payments and Payment Rates:

Payments listed in the approved contract are based on realistic estimates of the practice amounts needed to achieve the desired resource benefit at the time of contracting. It is the responsibility of the applicant to verify practice amounts and the estimated costs to implement prior to signing the contract.

Payments are made after the NRCS technical representative has confirmed that the implementation meets the practice standard, and the contract holder has signed a request for payment (CCC-1245) generated by the NRCS office.

## New Jersey Special Requirements:

- Applicants must be in compliance with the terms of all other USDA-administered conservation program agreements to which they are a party before their application is ranked.
- Practices eligible for payment must be necessary to address the resource concern(s) selected for contracting, as identified by the conservation planner during the resource inventory portion of the planning process.
- Practices are considered supporting practices when they are required, due to specific site conditions, to allow the efficient implementation of other approved practices under a comprehensive resource concern system. These practices may not be contracted as "stand-alone" practices in any contract. See the NRCS-NJ Practice Catalog for more details on eligible practices ([www.nj.nrcs.usda.gov/programs](http://www.nj.nrcs.usda.gov/programs)).
- Due to limited funds, New Jersey has limited AMA contracts to a maximum of \$50,000 in federal funds.
- Practices must be implemented according to the practice schedule unless a contract modification is approved in advance.
- It is the responsibility of the contract holder to notify NRCS in advance of practice implementation, and to request prompt payment once practices are complete.
- Management practices that are eligible for multiple payment years must be contracted for three consecutive years. A payment is forfeited if the practice does not meet standards for the year scheduled, unless the State Conservationist approves a written justification request submitted in advance by the contract holder. If two years of the practice are forfeited, the contract will be in violation.
- The approved payment amount is based on the amount of the practice certified by the NRCS technical representative. Payments can not be adjusted for excessive costs related to contractors or materials used, or practice amounts beyond that required to address the resource concern.
- Specific information about each program is found on the program Fact Sheet, found at the local USDA Service Center office or [www.nj.nrcs.usda.gov/programs](http://www.nj.nrcs.usda.gov/programs).

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

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