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THE SOIL BANK
AND
FISH AND GAME

HERSCHEL C. LOVELESS
GOVERNOR OF IOWA

State Conservation Commission

EAST 7TH AND COURT AVENUE

Des Moines 8, Iowa

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October 17, 1958

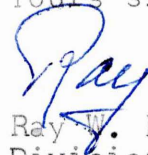
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Mr. George M. Foster, Commissioner
State Conservation Commission
401 North Market
Ottumwa, Iowa

Dear George:

Enclosed herewith is material covering our
promotional work on the wildlife phase of the
Soil Bank.

Yours sincerely,



Ray W. Beckman, Chief
Division of Fish and Game

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THE SOIL BANK
AND
FISH AND GAME

C O N T E N T S

Introduction

A Summary of provisions and operating procedures of the 1959 Conservation Reserve of The Soil Bank.

County Basic Rate of Payment per Acre for 1959 Conservation Reserve Contracts.

Iowa Conservation Reserve Program Practices for 1959.

Map of the eight A.S.C. Districts with their assigned Field Men.

County Conservation Reserve Handbook (1-SB) Amendment 11.

INTRODUCTION

In Iowa, our wildlife resources must be managed on lands that are under 98% private ownership. It is common knowledge that such fish and game must be managed on a compatible basis with agriculture. In other words, these resources can, at best, be only considered as a by-product of our agricultural processes.

It is also common knowledge that modern farming practices have greatly depleted the available wildlife habitat in Iowa. Wildlife cover has been progressively diminishing with the advent of each new agricultural practice. From improved and highly specialized farm implements to the use of herbicides for weed control our wildlife has suffered a steady loss of those basic requirements so necessary for its continued survival.

The Conservation Reserve of the Soil Bank provides an immense potential for re-establishing and creating new wildlife cover on our Iowa lands.

The Acreage Reserve phase of the Soil Bank has been discontinued and the Conservation Reserve phase will constitute the program for 1959.

The provisions of the Conservation Reserve have been greatly strengthened. The substantial increase in rental rates to be paid to farmers for contracted acres under this program will greatly aid its promotion in Iowa and other high land value states.

While some of the other phases of the Soil Bank have been more or less "stop gap" measures to curtail production, provide drought relief, etc., the Conservation Reserve phase has always embodied within its provisions the basic intent of those who first conceived the Soil Bank program and were responsible for its Congressional acceptance.

Under this program the Congress of the United States has appropriated the necessary moneys to pay farmers an annual rental on their crop lands to take them out of production and then pay up to 80% of the cost of establishing permanent wildlife cover on these lands for a contracted period of five to ten years.

These are the facts, the program is here. The organizational structure and the mechanical procedure for its administration have been established, the necessary moneys for its financing have been provided. The goal for Iowa in 1959 is 520,000 acres under contract with 946,000 acres (nearly a million) constituting the goal for 1960.

Let us stop and think of a million acres of Iowa crop lands under permanent vegetative cover for a period of from three to ten years - no mowing machines - no grazing livestock. The wildlife potential then begins to assume a monumental stature.

The A.S.C. people will carry out the program, and admittedly, all of the Conservation Reserve practices, because of their permanency will benefit wildlife. How then, do we fit into the picture?

In drawing up the Conservation Reserve program wildlife as well as the soil was recognized as a valuable resource, thus the "G" practices were provided to assure maximum benefit for fish and game under this program.

Unless we engage in a vigorous promotion of these "G" or wildlife practices, a major portion of the wildlife potential of the Soil Bank will be lost to Iowa.

Farmers will be signing Acreage Reserve contracts from September 2nd through October 24th; while they must give a general indication of the practice they intend to establish on their contracted acres at that time, they can, if they so desire, change to another of the established practices at anytime up to the time of actually inaugurating the practice on the land.

Thus, both the fall and winter months are available to us for the promotion of the "G" practices.

It is first necessary that you establish a close working relationship with your County A.S.C. Committee and their administrative personnel. This should not be difficult as the county level A.S.C. people are well aware that you can help them sell this program.

Having established this relationship the roster of farmers interested in the program should be available to you. These farmers should be made aware of the benefits that can accrue from establishing wildlife or "G" practices on lands contracted under the Conservation Reserve program. You should personally contact as many of them as possible for this purpose.

The winter months constitute the active periods for organized sportsmen's organizations. Promoting the wildlife potential of the Soil Bank is a tailor made project possessing unlimited possibilities for such organizations.

Committees formed from the working membership of these organizations can be utilized in contacting farmers listed on your county A.S.C. roster. Youth groups sponsored by the club and under the direction of a club member can be made available at planting time to aid farmers in establishing a "G" practice on their Conservation Reserve lands. Many sportsmen's organizations own a tractor drawn treeplanter that could be made available to farmers establishing a "G" practice.

Some sportsmen's groups may want to provide actual financial help to induce farmers to establish wildlife practices on their Soil Bank lands. Such financing could be utilized to help the farmer meet the 20% of the cost of the "G" practice not covered by actual A.S.C. "cost-sharing".

Bringing farmers and sportsmen together under this common cause can do much to bring about a better relationship and understanding between these groups. Sportsmen forming working relationships with farmers frequently realize material benefits from such contacts during time of open season.

You will undoubtedly be called upon to plan and lay out a Conservation Reserve Wildlife Practice for a farmer in your territory. If you feel that you need technical help for this purpose you may call on the Soil Conservation Service man assigned to the county. If any further assistance is needed, contact your District Supervisor, who will arrange for such assistance as your problem may indicate.

Keep in mind that the goal of our efforts is to increase the outdoor recreation potential of Iowa by providing larger harvestable surpluses of fish and game through an increase of suitable wildlife habitat made possible by this program. Thus, food and cover should not be the only requirements for planning a "G" practice. Certainly some thought should be given to an arrangement of planting that lends itself well to the harvest of game during time of open season.

Believing that establishment of the G-3 farm pond practice will result in more and better fishing for the state's sportsmen the Iowa State Conservation Commission will, as a special inducement for farmers to establish this practice, reimburse the cooperator costs of purchased fencing and/or seeding materials up to the amount of \$300.00 per pond area. This inducement will be over and above the federal cost-share earned by establishment of the practice. Such reimbursement shall be limited to \$500 where more than one pond is established under this practice.

The special inducements for selection of the G-3 practice, as provided by the Iowa State Conservation Commission, will also apply to farm ponds constructed under the B-7 practice, providing such completed pond meets the specifications established for ponds constructed under the G-3 practice.

It will be your responsibility to determine if the provisions of the G-3 practice have been fully complied with on each completed farm pond upon which you receive a request for our cost-sharing under the above provisions. Should you feel that you need technical help in determining compliance on the physical specifications of the G-3 practice you may contact your County Soil Conservation Service representative.

Fifty copies of the G-3 practice along with your current address and phone number has been sent to your County A.S.C. Offices.

All correspondence relative to the G-3 provisions should be directed to the office of the Superintendent of Fisheries.

A copy of the 1959 Conservation reserve program practices is included in this brochure. It is imperative that you become thoroughly familiar with these practices and their provisions.

Utilize every media of public relations available in your territory in promoting the "G" or wildlife practices of this program.

Because our basic economy is dependent upon agriculture in Iowa the Soil Bank program has a universal interest for all of our people; a thorough knowledge of the working mechanics of the Conservation Reserve program will provide you with an excellent subject for public speaking. Placing special emphasis on the wildlife potential of the program avail yourself of every opportunity to speak to farmers, sportsmen and urban civic groups on this subject.

In the event that you have or should develop a new approach to the promotion of this program that you feel is applicable to other areas of the State, we will be very pleased to have it in detail that we might pass it on to all our people activity promoting this program.

There is every indication that because of the sound principles upon which it is founded the Conservation Reserve phase of the Soil Bank will provide the basis for future national agriculture programs.

Promoting the wildlife potential of the Soil Bank has unlimited possibilities. Avail yourself of every opportunity to let the people of your territory know about the program and your work with it that both you and the Iowa State Conservation Commission might grow in stature with the Soil Bank Program.

R. W. Beckman, Chief
Division of Fish and Game

By

Frank A. Heidelbauer

COUNTY BASIC RATE OF PAYMENT PER ACRE
FOR 1959 CONSERVATION RESERVE CONTRACTS

Adair	\$17.00	Jefferson	\$17.00
Adams	17.50	Johnson	21.50
Allamakee	17.50	Jones	21.00
Appanoose	15.50	Keokuk	18.50
Audubon	19.00	Kossuth	19.50
Benton	21.50	Lee	16.50
Black Hawk	20.00	Linn	20.00
Boone	20.00	Louisa	20.50
Bremer	18.00	Lucas	15.00
Buchanan	18.00	Lyon	17.00
Buena Vista	20.00	Madison	17.50
Butler	18.50	Mahaska	20.00
Calhoun	19.50	Marion	17.50
Carroll	19.50	Marshall	22.00
Cass	18.50	Mills	18.50
Cedar	24.00	Mitchell	18.00
Cerro Gordo	19.00	Monona	17.00
Cherokee	20.00	Monroe	15.50
Chickasaw	15.50	Montgomery	18.50
Clarke	15.00	Muscatine	20.50
Clay	20.00	O'Brien	20.00
Clayton	18.00	Osceola	18.00
Clinton	23.00	Page	18.50
Crawford	18.00	Palo Alto	19.00
Dallas	19.00	Plymouth	17.50
Davis	15.50	Pocahontas	19.50
Decatur	15.00	Polk	20.00
Delaware	18.50	Pottawattamie (east)	18.50
Des Moines	20.50	Pottawattamie (west)	18.00
Dickinson	18.00	Poweshiek	20.50
Dubuque	19.00	Ringgold	15.00
Emmet	19.50	Sac	20.50
Fayette	17.50	Scott	22.50
Floyd	19.00	Shelby	19.00
Franklin	20.50	Sioux	18.00
Fremont	18.50	Story	21.50
Greene	20.00	Tama	21.50
Grundy	22.00	Taylor	16.00
Guthrie	18.00	Union	16.00
Hamilton	20.00	Van Buren	16.50
Hancock	19.00	Wapello	17.50
Hardin	20.50	Warren	17.00
Harrison	18.00	Washington	20.50
Henry	20.00	Wayne	15.00
Howard	15.00	Webster	19.50
Humboldt	20.50	Winnebago	19.50
Ida	19.00	Winneshiek	17.50
Iowa	21.00	Woodbury	17.00
Jackson	19.00	Worth	18.00
Jasper	20.00	Wright	19.50

Iowa State average

\$19.00

CONSERVATION RESERVE PROGRAM PRACTICES
FOR 1959GENERAL PROVISION:

The following rates of cost-sharing are applicable to approvals issued with respect to land for which the first year of the contract period is 1959. For land for which the first year of the contract period was 1958 or an earlier year, revised approvals of cost-sharing and approvals involving extensions of time within which to perform and report practices shall be issued at rates of cost-sharing which represent the same percentages of current costs as the rates of cost-sharing in effect at the time the contract was entered into represented of costs at that time. Current costs shall be considered to be the costs used in establishing the rates of cost-sharing which are applicable to original practice approvals which are being issued currently.

1. (A-2) Initial establishment of a permanent vegetative cover for soil protection or as a needed land-use adjustment. This practice is applicable only to land designated as Conservation Reserve. Federal cost-sharing may be authorized under this practice for seeding of eligible grasses or legumes or legume grass mixtures and the required application of approved liming materials and commercial fertilizers.

To be eligible for cost-sharing, the following Items (a) through (c) must be met, if applicable, for the completion of the practice:

- (a) Seeding of eligible grasses and legumes, as needed.
- (b) A required application of P_2O_5 (Phosphate) and K_2O (Potash) as determined by soil tests.
- (c) A required application of limestone, as determined by soil tests.

An adequate seed bed shall be prepared.

Seedings of biennials only or annual (including reseeding varieties) legumes or grasses will not qualify. The seeding mixtures recommended are listed below:

<u>Seeding Mixtures</u>	<u>Pounds Per Acre</u>	<u>Seeding Mixtures</u>	<u>Pounds Per Acre</u>
1.* Alfalfa	5	4. Birdsfoot Trefoil	4-5
Red Clover	3	Orchardgrass	3
Bromegrass	6-8		
2.* Alfalfa	6-8	5. Bromegrass or	8-10
Bromegrass or	6-8	Orchardgrass	5-7
Orchardgrass	4-5		
3. Birdsfoot Trefoil	4-5	6. Reeds Canary Grass	6-8
Timothy	2		

* Ladino Clover--one half pound per acre may be included in Mixtures 1 and 2 where soil and moisture conditions are suitable.

County Committees may approve substitutions from the above mixtures when any variety of seed is not available or other mixtures are more adapted for specific conditions, provided the cost of the substituted mixtures shall be approximately equal to the cost of the above listed mixtures and the percentage of legumes contained therein shall be comparable. No Federal cost-sharing will be allowed for the application of nitrogen.

FEDERAL COST-SHARE:

- (a) Seeding--Cost-share rates will be issued in a supplement to this list of approved practices.
- (b) Fertilizer, \$0.045 per pound of available P_2O_5 (Phosphate), and \$0.025 per pound of available K_2O (Potash).
- (c) Liming materials--These cost-share rates will be issued in a supplement to the Conservation Reserve Program Practices.

2. (A-7) Initial establishment of a stand of trees or shrubs on farmland for purposes other than the prevention of wind or water erosion. This practice is applicable only to land designated as Conservation Reserve.

No Federal cost-sharing will be allowed for planting orchard trees, Christmas trees, or for plantings for ornamental purposes. *Any shearing or shaping of trees during the contract period to produce Christmas trees will make the practice ineligible for cost-sharing.* If shrubs are used, those that benefit wildlife should be given preference where practicable. Prior approval of the site and the variety of trees to be planted must be obtained from the County Committee. The species of trees for which cost-sharing will be allowed are those recommended in the State Extension Service Pamphlet 151, Revised, "Tree Planting on the Farm". Domestic animals must be excluded from the planted area. The methods of planting and the soils to which the species are adapted may be found in the above pamphlet. The new plantings must be protected from fire and grazing.

If this practice is established around farm buildings, the following additional specifications must be met in order to be eligible for cost-sharing:

1. The area must be at least 200 feet in width (minimum width).
2. The area must be at least 300 feet in length (minimum length).
3. Maximum spacing of trees shall be no larger than 6 feet x 6 feet (trees planted 6 feet apart in rows 6 feet apart).
4. Only forest type stock shall be used (1-0, 2-0, 3-0, 2-1, 2-2).

(First figure represents the length of years in the seed bed, and the second figure the length of time in the transplant bed.)

FEDERAL COST-SHARE:

80 percent of the cost of trees or shrubs and planting per acre, excluding land preparation and cultivation. But not in excess of \$55.00 per acre for both the cost of trees or shrubs and planting.

3. (A-8) Initial establishment of a stand of trees or shrubs on farmland for the prevention of wind and water erosion. Cost-sharing is authorized under this practice for planting field shelter belts, for plantings for gully stabilization, and for plantings for stabilization of streambanks.

No Federal cost-sharing will be allowed for planting orchard trees, Christmas trees, or for plantings for ornamental purposes. Any shearing or shaping of trees during the contract period to produce Christmas trees will make the practice ineligible for cost-sharing. If shrubs are used, those that benefit wildlife should be given preference. Prior approval of the site must be obtained from the County Committee. If field shelterbelts are planted, specifications for design and species of trees shall meet the specifications established in the Soil Conservation Service Technical Guides for soil conservation districts or those recommended by the Iowa Agricultural Extension Service. The species of trees for which cost-sharing will be allowed shall meet specifications established in Soil Conservation Service Technical Guides for soil conservation districts or those recommended in Extension Service Pamphlet 151, Revised, "Tree Planting on the Farm". The new plantings must be protected from fire and grazing. Domestic animals must be excluded from the planted area. The method of planting and the soils to which the species are adapted may be found in the above references.

If this practice is established around farm buildings, the following additional specifications must be met in order to be eligible for cost-sharing:

1. The area must be at least 200 feet in width (minimum width).
2. The area must be at least 300 feet in length (minimum length).
3. Maximum spacing of trees shall be no larger than 6 feet x 6 feet (trees planted 6 feet apart in rows 6 feet apart).
4. Only forest type stock shall be used (1-0, 2-0, 3-0, 2-1, 2-2).

(First figure represents the length of years in the seed bed, and the second figure the length of time in the transplant bed.)

FEDERAL COST-SHARE

Tree Planting--80 percent of the cost of the trees or shrubs and planting per acre, excluding land preparation and cultivation, but not in excess of \$55.00 per acre for both the cost of the trees or shrubs and planting.

4. (B-7) Constructing dams or ponds as a means of protecting vegetative cover.¹ This practice is applicable only on land designated as Conservation Reserve.

The dam or pond must be constructed to provide at least 8 feet of water at the deepest point, and must have a drainage area of not less than 3 acres nor more than 10 acres if only vegetative side spillway is used. Side spillway must be adequate to carry water at a safe velocity. For ponds with larger watersheds, plans and specifications as furnished by the Soil Conservation Service technician will be followed. The watershed must be in a sod crop or, if cultivated, must be protected by suitable conservation practices. Drainage from a barnyard must not be permitted to enter the pond. The use of such water for irrigating land other than the Conservation Reserve acreage shall not be permitted during the period covered by the contract. (If the dam or pond is to serve as a source of livestock water during the contract period, the water must be piped out of the Conservation Reserve area to a suitable tank site, the minimum diameter of such pipe is to be 1-1/4 inch for galvanized iron and 3/4 inch for non-corrosive pipe.) Permanent vegetative cover must be established on the dam and banks unless in the opinion of the County Committee, weather conditions are not suitable for making seedings at the time of construction or that failure to establish vegetative cover was due to causes beyond the control of the cooperator. As a condition to approving the practice, the County Committee may require that vegetative cover be established the following season.

Dam sites must be located on soils which are water-retentive to prevent excessive seepage. In selection of the dam site, consideration will also be given to erosion hazards and the flood-control value of the dam site. Protected side spillways of sufficient size to discharge the excess water must be provided. The channel from the spillway must be extended far enough to carry the surplus water away from the fill and onto a well-sodded channel or slope

¹Farm Ponds for Iowa, Iowa State College Bulletin P-109.

leading to a natural waterway. The top of the settled fill must be 2 feet higher than the bottom of the side spillway. Earthen dams must be constructed within minimum slopes of 2-1/2 to 1 on the upstream side and 2-1/2 to 1 on the downstream side. The crown must be at least 10 feet wide. Add from 5 to 10 percent to height of fill, depending on moisture and soil conditions, to allow for settlement.

The pond and fill site must be cleared of vegetation, trash, and debris before the fill is placed. Where porous material or silt is found on the site, a core trench must be constructed under the centerline of the fill. The core trench must have a bottom width of at least 4 feet, must extend through the porous layer into a more impervious layer and must be backfilled with well compacted material of low porosity. A layer of clay 6 inches thick, placed over the surface of the reservoir, may be used in place of the core wall. Earth fill material shall be thoroughly tamped along and around pipes placed through the fill. Earth must be placed in the fill in layers of 6 to 8 inches which are well compacted with heavy equipment as each layer is placed. The fill material must not contain appreciable concentrations of vegetation, large rocks, frozen soils or other foreign substances and must be moist enough to secure adequate compaction. The development must contribute to better pasture management. No cost-sharing will be allowed for cleaning or maintaining an existing structure.

FEDERAL COST-SHARE:

The Federal cost-share for earth moved, concrete or rubble masonry placed and necessary pipe shall not exceed the sum of:

- (a) 60 percent of the cost, but not in excess of \$0.10 per cubic yard of earth moved. Cost-sharing will be allowed based upon settled fill yardage. This will include yardage of excavation made for placing conduit, core trench, or toe drains.

(b) 60 percent of the cost of concrete or rubble masonry placed.

(c) 60 percent of the cost of necessary pipe.

Total cost-sharing for (1), (2) and (3) cannot exceed \$1,500.00 per dam or pond. Total cost-sharing for all water control structures constructed on the farm under Practices 4(B-7), 6(G-2) and 7(G-3) cannot exceed the larger of \$1,500.00 or \$40.00 times the acreage in Conservation Reserve on the farm.

5. (G-1) Establishment and management of cover specifically beneficial to wildlife--This practice is applicable only to land designated as Conservation Reserve.

A. Field border plantings and travel lanes.

A border planting shall consist of a minimum of one row of shrubs such as multiflora rose, bush honeysuckle, lilac, wild plum or ninebark.

For a one-row border, a seedbed should be prepared by plowing an area 6 to 8 feet wide in the fall preceding spring planting.

For a border of two or more rows, the plowed area should be wide enough to extend at least three feet beyond the outside row.

For method of planting, follow the directions as given in U.S.D.A. Leaflet #374, Multiflora Rose. Spacing of plants in the row for any number of rows is as follows:

Multiflora Rose - 10-24 inches Bush Honeysuckle - 2-4 feet

Wild Plum - 2-3 feet Lilac - 2-4 feet

Ninebark - 2-4 feet

Width between the rows for a two-row planting should be 2 to 4 feet.

Width between the rows for more than two-row plantings should be 4 feet or more.

These plantings may be used in connection with the following Conservation

Reserve areas:

1. As border areas around trees planted under Practice 2(A-7) or 3(A-8). The border area planted to shrubs should be not less than 10 or more than 20 feet wide.
2. Permanent vegetative cover established under Practice 1(A-2).
3. Ponds or dams constructed under Practice 4(B-7).

B. Odd Area Plantings:

Odd area plantings may be made on eligible land (usually this will be cropland which is mainly suitable for planting to permanent tree, shrub, or vegetative cover). The odd area plantings may be of no less than one-fourth acre in any one planting. The pattern of planting will vary with each location. In general, it will consist of a central area planted to conifers (from approved specifications listed in Iowa State College, Agricultural Extension Service Pamphlet 151, Revised. An outer border area will be planted to shrubs (listed under 5(G-1-A) above). Each odd area so planted shall consist of at least 50 conifers and 50 shrubs. Spacing shall be not more than 4 x 4 feet for shrubs and not more than 8 x 8 feet for conifers. If a tree planter is not used, site preparation shall be accomplished the fall before the planting and shall consist of plowing and disking the entire area to be planted. The planting shall be maintained for the first two years by cultivation or mulching.

Odd area plantings may be made in connection with the following Conservation Reserve areas:

1. Permanent vegetative cover established under Practice 1(A-2).
2. Ponds or dams constructed under Practice 4(B-7). Shrub plantings should be made no closer than 15 feet to the edge of the pond.

GENERAL: All above areas shall be protected from fire and grazing. Any mowing for weed control shall not be done until after small grain harvest

unless earlier mowing is necessary to control noxious weeds. Spacing of trees and shrubs may be adjusted for special plantings when approved by the responsible technicians. Chemical sprays shall not be used without approval of the responsible technician. The responsible technician shall approve the plan for the area including selection of site and kinds and amounts of plants and seeds to be used.

Where plantings are made under A or B above, the remainder of the Conservation Reserve tract must be established and maintained as required under Practice 1(A-2), 2(A-7) and 3(A-8).

Annual food patches of one-fourth acre or more may be established in any of the areas listed above. Where this is done, they should be maintained each year by reseeding and/or stirring the ground with disk or other suitable equipment. Approved food plants include oats, rye, millet, sorghum, buckwheat, or other excluding allotment or marketing quota crops.

FEDERAL COST-SHARE:

- (1) Grass and legume seedings under this practice.--Same as cost-shares under Practice 1(A-2).
- (2) Shrub plantings.--Same as cost-share under Practice 2(A-7) or 3(A-8). 80 percent of the average cost of shrubs and planting per acre excluding land preparation and cultivation but not in excess of \$55.00 for both the cost of shrubs and planting.

6. (G-2) Water and Marsh Management to Benefit Fish and Wildlife.

A. GENERAL PROVISION

1. This practice includes the development of shallow water areas to improve habitat for waterfowl, fur animals, and other wildlife as well as restoration of drained areas (formerly marshland) by installing earth plugs or water control structures in drainage ditches.

2. The design and construction of developments under this practice will be in accordance with standards and specifications of the Soil Conservation Service.

B. PRACTICE SPECIFICATIONS

1. Marsh or water management areas shall be developed to consist of one or both of the following:

- a. Marsh development

An area where aquatic vegetation may be established. This may be accomplished by (1) plugging a drainage ditch to return to marsh conditions an area previously drained for agricultural use, or (2) constructing a dike or dam to impound water and create a marsh where none existed before, or (3) excavating an area below the water table, provided the normal winter water table is within 2 feet of the ground surface.

- b. Feeding area development

A dryland area that can be tilled and seeded annually to waterfowl food plants and subsequently be flooded for a portion of the year. Flooding may be by pumping from an adjacent water supply (drainage ditch, lake, stream, well) or by gravity from an adjacent impoundment.

2. Construction of dikes, dams, ditches and water control structures must be in accordance with specifications and/or plans of the Soil Conservation Service.
3. Marsh development areas must be at least (1/4 to 1) acre in size, and must be so constructed that they will be able to maintain an average minimum depth of (4-12) inches over 50 percent of their area.

4. Feeding area developments may be flooded progressively, but at least 50 percent of the area must be flooded to an average depth of 4 inches (opening date of waterfowl season to April 15) during the period of the contract. The area must be drained, tilled adequately, and be planted to waterfowl food plants each year during the period of the contract.
5. Waterfowl food plants to be established and methods and rates of seeding and/or planting will be selected in consultation with the responsible SCS technician.
6. Any portion of the designated Conservation Reserve acreage that will not be covered by impounded water and that is not covered by adequate vegetation must be established in permanent vegetation. This permanent vegetative cover may be established under Practice 1(A-2).

FEDERAL COST-SHARE:

The Federal cost-share for earth moved, and lumber, concrete, pipe, and similar material placed in constructing approved structures such as dams, dikes, ditches and levees shall not exceed the sum of:

- (1) 80 percent of that part of the cost of construction which does not exceed \$625.00
- (2) 40 percent of that part of the cost of construction in excess of \$625.00 but not in excess of \$1,000.00.
- (3) 20 percent of that part of the cost of construction in excess of \$1,000.00.

Total cost-sharing for (1), (2) and (3) above cannot exceed \$1,500.00 per structure.

Total cost-sharing for all water control structures constructed on the farm under Practices 4(B-7), 6(G-2) and 7(G-3) cannot exceed the larger of \$1,500.00 or \$40.00 times the acreage in Conservation Reserve on the farm.

This practice is applicable only on land designated as Conservation Reserve.

7. (G-3) CONSTRUCTING DAMS OR PONDS FOR FISH

This practice is for the initial establishment of permanent water impoundments for the production of fish and is applicable only on land designated as Conservation Reserve. Technical assistance in establishing the practice will be furnished by the Soil Conservation Service.

1. The dam or pond must be constructed to provide at least 8 feet of water under at least 20% of the surface area of the pond at spillway elevation. The pond may be constructed by excavation of earth or by construction of dams or dikes or by combinations thereof.
2. The dam or pond must have a drainage area of not less than 3 acres nor more than 10 acres if only vegetative side spillway is used. For ponds with larger watersheds, plans and specifications as furnished by the Soil Conservation Service Technician will be followed.
3. The minimum water surface area of the pond at spillway elevation shall be one-half acre.
4. The watershed must be in a sod crop, or, if cultivated, must be protected by conservation practices meeting specifications of the Soil Conservation Service.
5. The use of such water for irrigating land other than the Conservation Reserve acreage shall not be permitted during the period covered by the contract. (If the dam or pond is to serve as a source of livestock water during the contract period, the water must be piped out of the Conservation Reserve area to a suitable tank site. The minimum diameter of such pipe is to be 1-1/4 inch for galvanized iron and 3/4 inch for non-corrosive pipe.)

6. Dam must be located on site where soils which are water-retentive to prevent excessive seepage. In selection of the dam site, consideration will also be given to erosion hazards and the flood-control value of the dam site.
7. The pond and fill site must be cleared of vegetation, trash, and debris before the fill is placed. Where porous material or silt is found on the site, a core trench must be constructed under the centerline of the fill. The core trench must have a bottom width of at least 4 feet and must extend through the porous layer into clay and must be backfilled with well-compacted clay. A layer of clay 6 inches thick, placed over the surface of the reservoir, may be used in place of the core wall.
8. Earth fill material shall be thoroughly tamped along and around pipes placed through the fill. Earth must be placed in the fill in layers of 6 to 8 inches which are well compacted with heavy equipment as each layer is placed. The fill material must not contain appreciable concentrations of vegetation, large rocks, or other foreign substances, and must be moist enough to secure adequate compaction. Frozen soils will not be incorporated into the earth fill.
9. Protected side spillways of sufficient size to discharge the excess water must be provided. The channel from the spillway must be extended far enough to carry the surplus water away from the fill and onto a well-sodded channel or slope leading to a natural waterway.
10. The top of the settled fill must be 2 feet higher than the bottom of the side spillway. Earthen dams must be constructed with minimum slopes of 2-1/2 to 1 on the upstream side and 2-1/2 to 1 on the downstream side. The crown must be at least 10 feet wide. Add from 5 to 10 percent to height of fill, depending on moisture and soil conditions, to allow for settlement.

11. Permanent vegetative cover must be established on the dam and banks unless in the opinion of the County Committee, weather conditions are not suitable for making seedings at the time of construction or that failure to establish vegetative cover was due to causes beyond the control of the cooperator. As a condition to approving the practice, the County Committee may require that vegetative cover be established the following season.

12. The pond should be stocked with fish in accordance with recommendations of the Soil Conservation Service and the Iowa State Conservation Commission unless, in the opinion of the County Committee, the condition of the pond is not satisfactory for stocking during the program year. As a condition to approving the practice, the County Committee shall require that the pond be stocked the following year.

13. No cost-sharing will be allowed for cleaning or maintaining an existing structure.

14. Any portion of the designated Conservation Reserve acreage that will not be covered by impounded water and that is not covered by adequate vegetation must be established in permanent vegetation.

15. No trees may be planted on or within 50 feet of the dam or dike or in the upper desilting area of the pond.

No cost-sharing will be allowed under this practice for earthwork qualifying under Practice 4(B-7), Constructing Dams or Ponds as a Means of Protecting Vegetative Cover.

FEDERAL COST-SHARE:

The Federal cost-share for earth moved, concrete or rubble masonry placed and necessary pipe shall not exceed the sum of:

- (1) 80 percent of that part of the cost of construction which does not exceed \$625.00.

- (2) 40 percent of that part of the cost of construction in excess of \$625.00 but not in excess of \$1,000.00.
- (3) 20 percent of that part of the cost of construction in excess of \$1,000.00.

Total cost-sharing for (1), (2) and (3) cannot exceed \$1,500.00 per dam or pond. Total cost-sharing for all water control structures constructed on the farm under Practices 4(B-7), 6(G-2) and 7(G-3) cannot exceed the larger of \$1,500.00 or \$40.00 times the acreage in Conservation Reserve on the farm.

The special inducements for selection of G-3 practices, as provided by the Iowa State Conservation Commission, will also apply to farm ponds constructed under the B-7 practice, providing such completed pond meets the specifications established for ponds constructed under the G-3 practice.

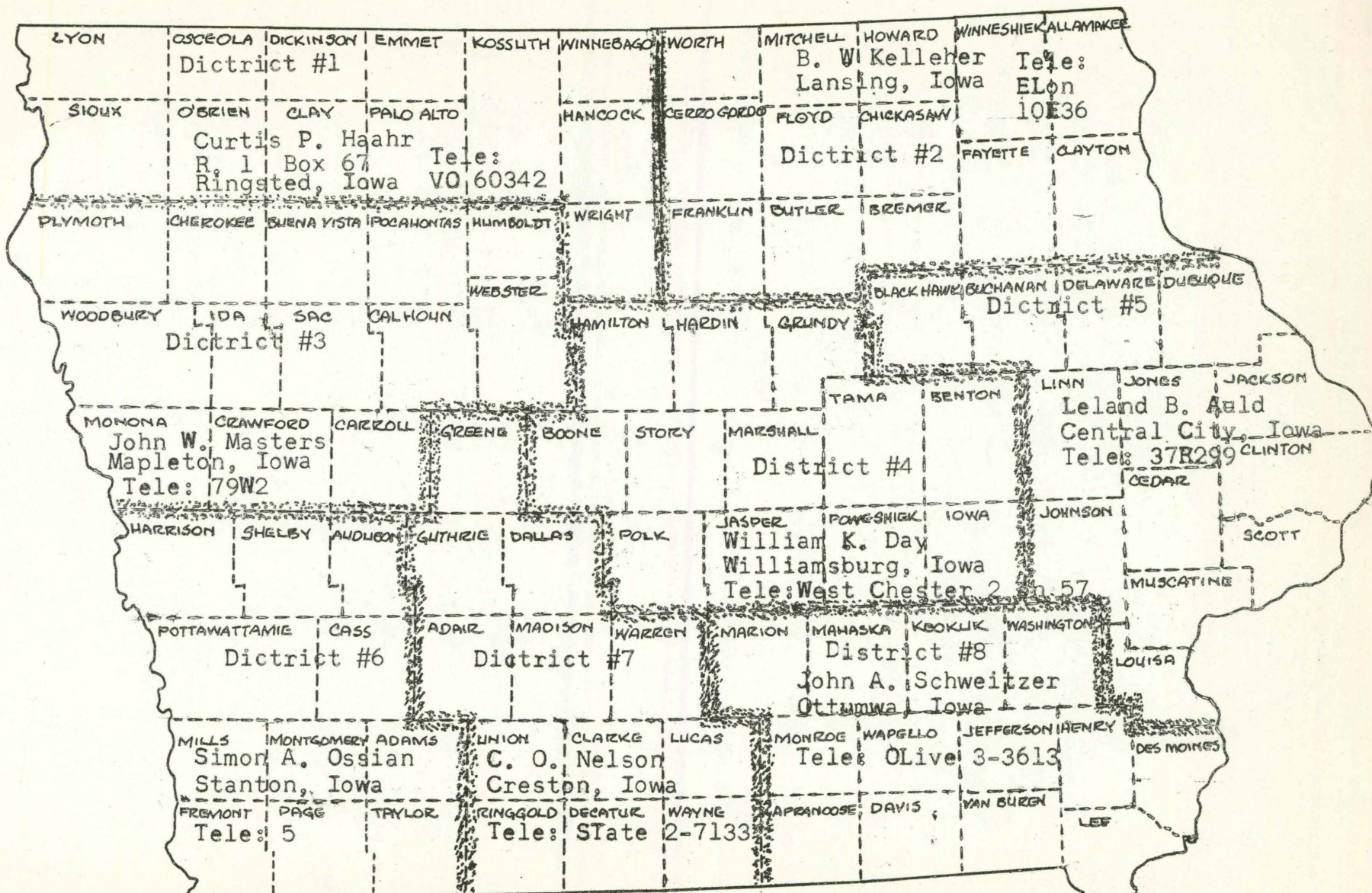
SPECIAL INDUCEMENTS FOR SELECTING G-3 PRACTICES

1. Special inducements for selection of G-3 practices are provided by the Iowa State Conservation Commission. Under the following conditions the Iowa State Conservation Commission will provide for the cost of materials for seeding and fencing fish pond areas.
2. Believing that establishment of this practice will result in more and better fishing for the state's sportsmen, the Iowa State Conservation Commission offers to share in the cost of establishing this practice. Such inducement shall be over and above the Federal cost-share earned by establishment of the practice. The special inducement shall be contingent upon the following:
 - (a) Upon submission to the Iowa State Conservation Commission and following an inspection by its agent showing proper construction, the Commission will reimburse the cooperator costs of purchased fencing and/or seeding materials in an amount not to exceed \$300.00 for the fencing and seeding of the area surrounding, of any one fish pond established under this practice. Such reimbursement shall be limited to \$500.00 where more than one pond shall be established under this practice.
 - (b) Such payments shall be made where, in addition to carrying out the provisions of G-3AB the contractor agrees to:
 - (1) Maintain such fence for the contract period (fence to completely surround area 7G3A6.)
 - (2) Allow reasonable access for public fishing.
 - (3) Allow the Iowa State Conservation Commission to stock the pond with fishes of proper size, species and species composition.

NOTE: It is recommended that land placed under Conservation Reserve adjacent to such ponds, be developed under practice G-1.

- (4) In the event of cancellations of contract prior to five years, the State shall be paid for materials and moneys furnished by them under this practice.

IOWA



Above are the eight ASC Districts with their assigned field men. The Chairman of the State ASC Committee has advised us that these men may be available as program speakers for Sportsmen's meetings.

UNITED STATES DEPARTMENT OF AGRICULTURE
Commodity Stabilization Service
Washington 25, D. C.

COUNTY CONSERVATION RESERVE HANDBOOK - (1-SB)

AMENDMENT - 11

SUBJECT: COMPLETE REVISION OF HANDBOOK - (1-SB)

1. PURPOSE.

This amendment transmits revised pages to Handbook (1-SB). Because of the numbers of pages requiring changes, even of a minor nature, we are including a complete set of new pages.

2. BACKGROUND.

To the extent feasible, in paragraphs dealing with the same subject in both the conservation reserve and the acreage reserve instructions, the wording has been made identical or parallel.

3. CHANGES.

A. Part 3 has been reworded to bring conservation reserve and acreage reserve instructions in agreement.

1. Note paragraphs 30 and 31.

B. Part 4, changes are for clarification. Paragraph 51 has new wording, providing for:

1. Changing contract period, see paragraph 46 G.

2. See paragraph 51 A 3 dealing with terminations for farms with new corn allotments.

3. Decreasing acreage under contract when the acreage reserve limitation of \$3,000 applies.

Paragraph 53 E requires the use of the revised contract form when additional land is added in 1958 or later years.

C. Part 5, changes are for clarification.

SUBJECT: COMPLETE REVISION OF HANDBOOK - (1-SB)

D. Part 6, the main revisions in wording deal particularly with the acceptability of volunteer cover.

1. Paragraph 65 is revised to provide for maximum acreage limitations for conservation reserve practices.

2. Wording is changed in paragraph 83 to provide different method of payment for CMS Under Source of Supply Contracts.

E. Part 7, changes are mostly editorial.

F. Part 8, changes are mostly editorial.

G. Part 9, changes are mostly editorial.

H. Part 10, changes are mostly editorial.

I. Part 11, no change.

K. Part 12, revisions were made to bring conservation reserve and acreage reserve instructions more closely into agreement.

L. Paragraphs 91 and 132 list family members for purposes of contracts involving family trusts.

M. Part 13, revised wording.

N. Part 14, changes farm folder to contract folder.

O. Exhibit 4 has corrected paragraph reference.

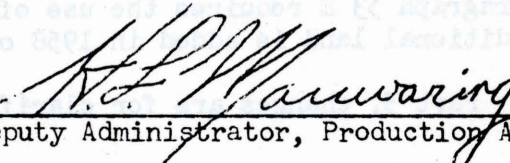
P. Exhibit 7 has corrected reference.

Q. Exhibit 8 has revised heading.

R. Exhibits 1, 3 and 6 not included in this revision.

4. DISTRIBUTION.

AA and 1-SB as shown in official distribution schedule.


Deputy Administrator, Production Adjustment

COUNTY CONSERVATION RESERVE HANDBOOK - (1-SB)

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- *-- Exhibit 13 - Letter to Farmer to Accompany Program Leaflet --*

PART 1. OBJECTIVES AND DEFINITIONS

SECTION 1. OBJECTIVES

1. GENERAL OBJECTIVES OF SOIL BANK ACT.

The Soil Bank Act of 1956 states that it is in the interest of the general welfare that the soil and water resources of the nation be not wasted and depleted in the production of burdensome agricultural surpluses. The Act declares that it is the policy of the Congress to protect and increase farm income, to protect the national soil-, water-, forest-, and wildlife resources from waste and depletion, to avoid the burdens of excessive supplies of agricultural commodities, and to provide for an adequate, balanced, and orderly flow of agricultural commodities in interstate and foreign commerce. The Act authorizes assistance to farmers to divert part of their cropland from the production of excessive supplies of agricultural commodities and to carry out a program of soil-, water-, forest-, and wildlife conservation.

2. OBJECTIVES OF CONSERVATION RESERVE PROGRAM.

The specific objective of the conservation reserve program is to assist farmers to divert some of the land currently being used for the production of agricultural commodities into specific conservation uses.

SECTION 2. DEFINITIONS

3. DEFINITIONS.

As used in these instructions and in all contracts, forms, and documents required by these instructions (unless the context or subject matter otherwise requires), the following terms shall have the following meanings:

A. "Secretary" means the Secretary of Agriculture of the United States, or the officer, employee, or other representative of the United States Department of Agriculture acting in his stead pursuant to delegated authority.

B. "Administrator, ACPS" means the Administrator or Acting Administrator of the Agricultural Conservation Program Service, United States Department of Agriculture.

- C. "Administrator, CSS" means the Administrator or Acting Administrator of the Commodity Stabilization Service, United States Department of Agriculture.
- D. "Deputy Administrator" means the Deputy Administrator for Production Adjustment, or Acting Deputy Administrator for Production Adjustment, Commodity Stabilization Service, United States Department of Agriculture.
- E. "Director" means the Director, or Acting Director, of the Soil Bank Division, Commodity Stabilization Service, United States Department of Agriculture.
- F. "State Committee" means the group of persons designated for a State by the Secretary as the Agricultural Stabilization and Conservation State committee.
- G. "County Committee" means the group of persons elected within a county as the county committee pursuant to the regulations governing the selection and functions of the Agricultural Stabilization and Conservation county and community committees.
- H. "Community Committee" means the group of persons elected within a community as the community committee pursuant to the regulations governing the selection and functions of the Agricultural Stabilization and Conservation county and community committees.
- I. "Person" means an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity, or a State political subdivision of a State, or any agency thereof.
- J. "Cash tenant", "standing-rent tenant", or "fixed-rent tenant" means a person who rents land from another for a fixed amount of cash or a fixed amount of a commodity to be paid as rent.
- K. "Share tenant" means a person, other than a share-cropper, who rents land from another person and pays as rent a share of the crops or the proceeds thereof.
- L. "Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the crops produced thereon or the proceeds thereof.

M. "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

N. "Producer" means any person who is an owner, landlord, cash tenant, standing-rent tenant, fixed-rent tenant, share tenant, or sharecropper on the farm, and includes a person who furnishes water for a share of the crop or proceeds thereof.

O. "Farm" means land which immediately prior to May 28, 1957 was properly constituted and identified as a farm under regulations issued pursuant to the Agricultural Adjustment Act of 1938, as amended, or the Soil Bank Act, and such land shall continue to constitute a farm for all programs to which (Performance Handbook-2) may apply until reconstituted as required because of changes in operation of the land occurring on or after May 28, 1957 or because the land was not properly constituted as a farm immediately prior to May 28, 1957. With respect to reconstitutions made after May 28, 1957 or the identification of land as a farm for the first time after May 28, 1957 the term "farm" shall mean:

1. All adjoining or nearby and easily accessible farm, wood or range land under the same ownership which is operated by one person, and

2. All additional farm, wood or range land under different ownership operated by such person which the county committee determines:

- a. Is nearby and easily accessible, and

- b. Is approximately equally productive, and

- c. For the past two years has been operated by such person and which will be so operated during the current year, or has been operated by such person for one year with proof satisfactory to the county committee that it will be operated by such person for at least two more years.

3. Notwithstanding the conditions set forth in 1 and 2 above:

- a. Fields and subdivisions of fields which are part of a farm shall remain a part of such farm

when operated under a short term agreement by another operator, unless and until such fields or subdivisions of fields may be properly constituted as a separate farm or part of another farm under this section.

b. Land for which one or more landlord(s) refuse(s) to sign a conservation reserve contract and which is part of a multiple-ownership farm may be constituted as a separate farm provided some eligible land in the balance of such multiple-ownership farm is covered by a conservation reserve contract.

c. Land which is properly constituted as a farm shall not be reconstituted when a change of farm operators is the only basis for such action.

4. A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

P. "Cropland" means farmland which, in the year immediately preceding the year for which a determination is being made, was tilled or was in regular crop rotation, including also land which was established in permanent vegetative cover, other than trees, since 1953 and which was classified as cropland at the time of seeding, but excluding:

1. Bearing orchards and vineyards (except the acreage of cropland therein),
2. Plowable non-crop open pasture, and
3. Any land which constitutes or will constitute, if tillage is continued, an erosion hazard in the community.

Insofar as the acreage of cropland on the farm enters into the determination of the farm acreage allotment, the cropland acreage on the farm shall not be deemed to be decreased during the period of any contract entered into pursuant to the conservation reserve program under the Soil Bank Act by reason of the establishment and maintenance of vegetative cover or water storage facilities or other soil, water, wildlife, or forest conserving uses under such contract.

Q. "Acreage Reserve" means the tract of land on a farm which is designated by a producer under the acreage reserve program as being withdrawn from the production of a particular commodity.

R. "Conservation Reserve" means the tract or tracts of land on a farm which are designated by a producer in his conservation reserve contract as being set aside for soil-, water-, wildlife-, or forest-conserving uses for a period of years specified in the contract.

S. "Contract" means a Soil Bank "Conservation Reserve Contract" (Form CSS-811 (Soil Bank)).

T. "Producer unit" means a tract of land farmed by: (1) a landlord, owner, cash tenant, or fixed-rent tenant, with his own labor or with hired labor (not with tenants or sharecroppers), or (2) a share tenant without the aid of any sharecropper, or (3) a sharecropper.

U. "Tame hay" means a stand of perennial grass or legumes which normally requires preparation of the land and seeding and from which the growth was harvested for hay or silage during either of the two years immediately preceding the first year of the contract period.

1. The varieties of perennial grasses or legumes which will be classified as tame hay in a State will be determined by the State Committee in consultation with the land grant college.

PART 2. GENERAL REQUIREMENTS APPLICABLE TO CONSERVATION RESERVE

SECTION 1. PARTICIPATION

4. PARTICIPATION.

Any producer may participate in the Conservation Reserve Program by signing a contract in which he agrees to remove land from the production of crops and devote it exclusively to conservation uses.

SECTION 2. REQUIREMENTS RELATING TO LAND
PUT IN CONSERVATION RESERVE

5. LAND ELIGIBLE.

A. Kinds Of Land. The kinds of land which are eligible to be designated as the conservation reserve are specified in items 1, 2, and 3 below:

1. Land which was tilled or was in regular crop rotation during the year immediately preceding the first year of the contract period including also land which was established in permanent vegetative cover (other than trees) since 1953, and which was classified as cropland at the time of seeding. (See exceptions in paragraph 6.)

a. Land may be considered as in crop rotation, even though it was not actually cropped or tilled during the year immediately preceding the first year of the contract period if:

(1). The land was tilled or cropped at some time during the 5 years preceding the first year of the contract period, and

(2). The county committee determines that it would normally have been tilled or in regular crop rotation during the year immediately preceding the first year of the contract period except for adverse weather or other reasons beyond the control of the operator.

(a) Since the basic purpose of the Soil Bank Program is to take cropland out of production, the county committee must satisfy itself that

the land had not in fact been retired from production and that adverse weather or other causes beyond the control of the operator was the reason the land had not been tilled or had not been in regular rotation during the year preceding the first year of the contract period.

2. Land devoted to tame hay, which does not qualify as cropland under the definition of cropland, from which a crop has been harvested for hay or ensilage during either of the two years preceding the first year of the contract period.

3. Land which was tilled or was in regular crop rotation during the year immediately preceding the first year of the contract period and which constitutes (or will constitute, if tillage is continued) an erosion hazard to the community. (Such land is not classified as cropland.)

B. Practices Transferred To CRP. Only land which qualifies as eligible land under paragraph 5 A above, at the time the contract is entered into can be designated as the conservation reserve except that on contracts which include the calendar year 1956, land otherwise eligible on which ACP practices were approved subsequent to January 1, 1956 and which are transferred to the conservation reserve program, as provided in paragraph 100, may be designated as the conservation reserve.

C. Land Subject To Oil Or Mineral Lease. Land subject to an oil or mineral lease may be put in the conservation reserve, provided the lease does not deprive the producer of control of the surface of the land for the production of crops.

6. LAND NOT ELIGIBLE.

A. Land designated as acreage reserve in any year is not eligible to be put in the conservation reserve in that year.

1. However, such land may be put in the conservation reserve upon the expiration of the acreage reserve agreement. See paragraph 53.

B. Land planted to small fruit, vineyards, nursery stock, orchard or nut trees, and the land between the rows is not eligible to be put in the conservation reserve.

C. Land which is covered by water as the result of water-impounding measures is not eligible to be put in the conservation

reserve except where 1956 is included in the contract period and the water storage facility was constructed as an ACP practice in 1956. (See paragraph 5 B above.)

D. Land owned by the Federal Government or by a corporation wholly owned by the Federal Government is not eligible to be put in the conservation reserve.

E. Land which otherwise qualifies, but which at the time the contract is entered into was planted to forest trees except where 1956 is included in the contract period and the trees were planted as an ACP practice in 1956. (See paragraph 5 B.)

F. New land brought into crop use since December 31, 1956 which is not offset by the retirement of an equal acreage of cropland into non-crop use.

G. In case of a change in ownership of a farm, the land on such farm shall not be eligible for the first year of ownership unless the county committee determines the farm would normally be operated by the new owner. If the farm has previously been operated by a tenant, the land on such farm will not be eligible for the first year of ownership unless the new owner continues to operate the farm with a tenant or the county committee determines that the farm would normally be operated by the new owner.

7. MINIMUM ACREAGE.

The minimum acreage on a farm which may be put in the conservation reserve is five acres, except that:

A. The minimum acreage shall be one acre where the entire eligible land on a farm is placed in the conservation reserve.

B. If the entire acreage put in the conservation reserve is planted to tree cover, the minimum is two acres (unless a smaller acreage has been authorized in accordance with C below).

C. The county committee may ask the State committee for authority to set the minimum conservation reserve acreage at not less than one acre in any county or in any designated area within a county in which the average tillable acreage on all farms in the county or area is relatively small.

1. If this request is approved, the county committee may set a minimum for a farm of not less than one acre where the committee determines that such action is consistent with the purposes of the program and the total tillable acreage on the farm is too small to warrant a larger minimum.

D. Where less than the minimum acreage as specified under A, B, and C above is to be devoted to one type of cover or practice, the other land required to meet the minimum acreage should have the same contract period in order that there will not be less than the minimum acreage on the farm under contract at any time.

--E. Where control of a part of the conservation reserve is transferred to a person not signatory to the original contract, the minimum acreage on each farm after reconstitution due to such transfer shall be the acreage in that part of the conservation reserve located on each farm after the reconstitution.--

8. RESTRICTIONS ON HARVESTING OR GRAZING.

A. Harvesting. No crops of any kind including Christmas trees, ornamentals, or Christmas greens shall be harvested from the designated conservation reserve acreage during the contract period, except: (For violations see paragraph 117.)

1. Wildlife or other natural products such as wild game, fish, native berries, etc., may be taken from the conservation reserve if they do not increase supplies of feed for domestic animals.

2. Timber may be harvested from the conservation reserve in accordance with sound forestry management as determined by the county committee.

B. Grazing. The conservation reserve shall not be grazed during the contract period. Except: (For violations see par. 117.)

1. Wildlife may graze the designated conservation reserve acreage.

2. Accidental grazing by domestic animals and poultry on the conservation reserve shall not be considered a violation provided the producer takes reasonable precaution to prevent recurrences of such grazing.

3. The Secretary of Agriculture may authorize grazing of the conservation reserve under certain conditions. After certification by the Governor of the State in which the farm is located of the need for grazing on the conservation reserve, the Secretary may determine that it is necessary to permit grazing thereon in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster.

a. If any part of the conservation reserve is grazed as a result of authorization under B 3 above, no annual payment will be made for that part of the reserve the year in which it is grazed,

b. Grazing may not be authorized by State and county committees except upon receipt of specific instructions from the Deputy Administrator, Production Adjustment.

9. RESTRICTIONS ON USE OF STORED WATER.

A. Irrigation. The producers who sign the conservation reserve contract shall not use any water for irrigation from a water storage facility constructed as a conservation reserve practice on the farm except to irrigate land in conservation reserve. (For violations see paragraph 118.)

B. Interpretations. The following interpretations apply to use of water from water storage facilities established on land designated as conservation reserve acreage.

1. Where the water surface is located wholly on the designated conservation reserve, the impounded water may be used for irrigation of only the conservation reserve land. The water may be used for livestock when it is piped off the conservation reserve.

2. Where part of the water surface is located off the designated conservation reserve and the structure is financed as a conservation reserve practice, the impounded water may be used for irrigation of only the conservation reserve land. The water may be used for livestock when it is piped off the conservation reserve.

3. Where part of the water surface is off the designated conservation reserve and the water storage structure is financed as an ACP practice, the impounded water may be used for the same purposes as authorized under the ACP for a water storage facility.

10. ESTABLISHMENT AND MAINTENANCE OF APPROVED CONSERVATION PRACTICES.

The producers who sign the conservation reserve contract shall agree to establish and maintain on the designated conservation reserve (or to maintain only, in case an approved cover is already established) approved protective vegetative cover or other approved conservation practices. (For violations see paragraphs 120 and 121.)

A. Only during the last six months of the final year of the contract period may the conservation reserve be planted to small fruits, vineyards, nursery stock, orchard trees, nut trees or planted in any soil bank base crop which is normally planted during the last six months of the calendar year for harvest in subsequent years.

B. Only during the last six months of the final year of the contract period, may land preparation be carried out for the next year's crop on the conservation reserve acreage. Such action is to be approved by the county committee after a determination that such land preparation would not subject the land to erosion.

11. CONTROL OF NOXIOUS WEEDS.

The producers who sign the contract shall, without reimbursement under the contract, take such steps as are prescribed by the county committee to prevent the acreage in the conservation reserve from becoming a source of spreading noxious weeds designated by the State committee. In cases where the county committee determines that land placed in the conservation reserve may become a source of spreading noxious weeds, it shall notify the producer in writing of specific action to be taken by him. Such action may include treatment of the land with chemicals, mowing or any other practical method to prevent the acreage from becoming a source of spreading noxious weeds. (For violations see paragraph 119.)

12. BREAKING OUT NON-CROPLAND

No producer shall break out any land not classified as cropland at the time the contract was entered into unless:

A. The breaking out of such land is approved by the county committee as a good farming practice.

B. For contracts entered into in 1956 or 1957 the identical acreage or an equal acreage of cropland on the farm (exclusive of land designated as acreage and conservation reserves) is put in permanent vegetative cover.

C. For contracts entered into in 1958 or subsequent years the identical acreage or an equal acreage of cropland on the farm (exclusive of land designated as acreage and conservation reserves) is put in non-crop uses.

D. This limitation does not prevent the renovation of non-crop open pasture or rangeland where the land so renovated is not added to a crop rotation system. A nurse crop may be used in such renovation as long as none of the nurse crop is removed from the land other than by pasturing.

E. For violations see paragraph 122.

13. TREATMENT OF TENANTS AND SHARECROPPERS.

The producer who signs the conservation reserve contract must afford his tenant(s) or sharecropper(s) an opportunity to participate under the contract in proportion to the number of acres in their producer unit. (For violations see paragraphs 124, 125, 126 and 127.)

14. ACCESS TO FARM AND RECORDS.

A. The county committeemen or their representatives, or any authorized representative of the Secretary, for the purpose of ascertaining the accuracy of the representations made in or in connection with any conservation reserve contract and the performance of the terms and conditions of such contract, shall have the right:

1. To enter the farm at any reasonable time in order to measure the acreage or determine the production of any agricultural commodity on the farm, and
2. To examine any records pertaining to the farm or to the acreage, production, or sale of any agricultural commodity.

B. The landlord or operator shall furnish such information relating to the farm as may be requested by the county committeemen or their representatives or authorized representatives of the Secretary.

15. COMPLIANCE WITH ACREAGE ALLOTMENTS AND SOIL BANK CORN BASE.

A. To be eligible for payments (including practice payments) for any year under the conservation reserve program, the producer must be in compliance with all acreage allotments and soil bank corn base limitations applying to the farm for that year, except that:

1. The acreage of wheat, in the case of a farm in the commercial wheat-producing area, must not exceed the farm acreage allotments for wheat or 15 acres, whichever is larger; or 30 acres where wheat is used for feed, seed or food on the farm as provided in P.L. 203, 85th Congress.

2. The acreage of peanuts must not exceed the farm acreage allotment for peanuts or one acre, whichever is larger.

B. For purposes of this provision, acreage allotment or soil bank corn base limitations shall not be deemed to have been exceeded unless under the rules and regulations governing eligibility for price support for the commodity, such acreage limitations would be determined to have been knowingly exceeded.

16. EFFECT ON ACREAGE ALLOTMENTS AND SOIL BANK CORN BASE

In the future establishment of State, county and farm acreage allotments and soil bank corn bases, the acreage on any farm which is diverted from the production of any commodity in order to carry out a contract entered into under the conservation reserve program shall be considered as acreage devoted to the commodity for the purpose of establishing future State, county and farm acreage allotments and soil bank corn bases. In other words, a producer will not have his acreage allotment or soil bank corn base reduced solely because of the fact that he participated in the conservation reserve program.

SECTION 3. SOIL BANK BASE, PERMITTED ACRES, AND ANNUAL PAYMENT RATES

17. SOIL BANK BASE AND PERMITTED ACREAGE

A. There will be a soil bank base established for each farm participating in the conservation reserve program. (See paragraph 26 and 28.)

B. The acreage permitted to be devoted to soil bank base crops each year of the contract period will be: (1) For contracts starting in 1956 and 1957, the farm soil bank base less the acreage in the conservation reserve at the regular rate, (2) For contracts starting in 1958 and subsequent years, the farm soil bank base less the total of the acreage in the acreage reserve and the acreage in the conservation reserve at the regular rate, and (3) Where both an acreage reserve agreement and a conservation reserve contract were in effect in 1957, the producer may keep the same acreage under both the acreage reserve agreement and the conservation reserve contract with the same permitted acreage as existed in 1957. If additional acreage is added in 1958 to an acreage reserve

agreement, the permitted acreage will be reduced by the number of acres by which the 1958 acreage reserve exceeds the 1957 acreage reserve agreement acreage. (See paragraph 30.)

18. REGULAR ANNUAL PAYMENT RATE LAND

The producer may put in the conservation reserve at the regular rate any amount of eligible land he wishes but not more than the soil bank base or the farm permitted acreage when an acreage reserve agreement is in effect in 1957. (See paragraphs 32, 33 and 88.)

19. NON-DIVERSION ANNUAL PAYMENT RATE LAND

In certain circumstances, eligible land may be put in the conservation reserve at what is called the "non-diversion" rate. The circumstances in which the non-diversion rate may apply are specified in paragraphs 32, 33 and 89.

SECTION 4. APPLICATION FOR CONTRACT, WORKSHEET, AND CONTRACT

20. APPLICATION FOR CONTRACT

Producers wishing to participate in the conservation reserve program will file an Application for a Conservation Reserve Contract, Form CSS-839, at their county ASC office. (See par. 34.)

21. WORKSHEET

Worksheet Form CSS-836 giving the history of crops grown on the farm and other pertinent information necessary to complete a conservation reserve contract will be prepared and signed by the producer. (See paragraph 37.)

22. CONSERVATION RESERVE CONTRACT

The producer(s) having control of the farm must execute a conservation reserve contract, Form CSS-811. (See paragraph 39.)

SECTION 5. PAYMENTS

23. ANNUAL AND COST-SHARING PAYMENTS.

For taking part in the conservation reserve program, a farmer may receive annual and cost-sharing payments.

A. The annual payment provides income for land taken out of production. The total annual payment to any farm producer in any year is limited to \$5,000 regardless of the number of farms in which he has an interest. (See paragraphs 90 and 91.)

B. The practice or cost-sharing payment helps him establish conservation measures. The cost-sharing payments to any producer in any year are limited to those practices carried out on the conservation reserve acreage on a farm in which he has an interest and an annual payment will be earned on such land by him or another producer.

24. PAYMENTS NOT SUBJECT TO CLAIMS.

Any annual payment or cost-share, or portion thereof, due any person hereunder shall be computed:

A. Without deduction of claims for advances (except as provided in paragraph 135 and except for indebtedness to the United States subject to set-off), and

B. Without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.



PART 3. SOIL BANK BASE AND PERMITTED ACREAGE

SECTION 1. SOIL BANK BASE

25. PURPOSE.

The purpose of the soil bank base is to insure that a producer who is participating in the acreage reserve or conservation reserve program does not harvest an acreage of soil bank base crops in excess of the normal acreage of these crops less the total of the acreage in the acreage reserve under all acreage reserve agreements for the farm and the acreage in the conservation reserve at the regular annual payment rate.

26. BASIC REQUIREMENTS.

A. Farm Soil Bank Base. A soil bank base shall be established for each farm participating in the acreage reserve or conservation reserve program. The soil bank base for a farm is the average acreage on the farm devoted to soil bank base crops during the two years immediately preceding the effective year of the acreage reserve agreement or the first year of the conservation reserve contract except that:

1. Where a soil bank base has been established and approved by the county committee for a farm covered by an existing conservation reserve contract, such established base shall be used as the farm soil bank base for acreage reserve program purposes.

2. Where a soil bank base has been established and approved by the county committee for a farm covered by an acreage reserve agreement which will be in effect the first year of the conservation reserve contract period, such established base shall be the farm soil bank base for the conservation reserve contract.

3. Where the soil bank base established for the farm is found to be in error, such base shall be corrected prior to the approval of any subsequent acreage reserve agreement or conservation reserve contract.

4. Adjustments are to be made as provided for in paragraph 28 B.

27. SOIL BANK BASE CROPS.

A. Soil Bank Base Crops. Soil bank base crops are crops produced for harvest on the farm other than:

1. Annual grasses pastured or cut for hay or ensilage, provided a crop of seed or grain is not harvested from such grasses;
2. Biennial legumes;
3. Perennial grasses and legumes;
4. Annual legumes except soybeans, cowpeas, peanuts, field and canning peas, and field and canning beans;
5. A garden primarily for home consumption; and
6. Orchards, vineyards, small fruits, and nursery stock.

B. Guide for Determining Soil Bank Base Crops. The following list of soil bank base crops is furnished as a guide in determining the crops that are soil bank base crops and those that are not.

<u>Crops</u>	<u>Soil Bank Base Crops</u>	<u>Non Soil Bank Base Crops</u>
1. <u>Basic crops - corn, cotton, rice tobacco and wheat</u> - The acreage as determined under the respective marketing quota and acreage allotment regulations.	X	
For 1958 and subsequent years wheat harvested for hay or ensilage.	X	
<u>Peanuts</u> - harvested for nuts or hay or hogged-off.	X	
2. <u>Other small grains</u> (including sorghums and sweet sorghums) - harvested for grain, hay or ensilage.	X	
3. <u>Small grains or other crops</u> used for cover crops or green manure and none of the crop is		

<u>Crops</u>	<u>Soil Bank Base Crops</u>	<u>Non Soil Bank Base Crops</u>
removed from the land.		X
4. <u>Small grains pastured off prior to maturity</u> (Small grains pastured off will be considered non soil bank base crops only if pastured off on or before the disposition date established by the State committee.)		X
5. <u>Grain used as a nurse crop in renovating non-crop open pasture or rangeland</u> and none of such crop is harvested other than by pasturing.		X
6. <u>Field and canning peas and beans</u> harvested for hay, seed or ensilage.	X	
7. <u>Soybeans, flax, and other oil seeds</u> harvested for hay, seed, or ensilage *--or pastured off after maturity or after the disposition date established by the State committee.--*	X	
8. <u>All vegetable and truck crops</u> including strawberries, watermelons, canteloupes, sweet and Irish potatoes, and specialty cash crops such as mint.	X	
9. <u>Sugar beets and sugar cane.</u>	X	
10. <u>Sudan, millet, annual rye grass and other annual grasses</u> if harvested for seed or grain.	X	
11. <u>Annual grasses pastured or cut for hay or ensilage</u> , but no seed or grain crop harvested.		X
12. <u>Mangels or cowbeets.</u>	X	
13. <u>Biennial legumes</u> such as sweet clover.		X

<u>Crops</u>	<u>Soil Bank Base Crops</u>	<u>Non Soil Bank Base Crops</u>
14. <u>Perennial Grasses and legumes.</u>		X
15. <u>Land devoted to a garden primarily for home consumption.</u>		X
16. <u>Annual legumes other than soybeans, cowpeas, peanuts, and field and canning peas and beans.</u>		X
17. <u>Grasses and legumes used for hay and pasture such as clovers, lespe-deza, timothy, brome, redtop, and orchard grass.</u>		X
18. <u>Orchards, vineyards, small fruits and nursery stock.</u>		X
--19. <u>Commercial flowers and bulbs.</u> X (Generally all flowers grown from seeds or bulbs qualify as Soil Bank base crops. Woody ornamentals such as azaleas, roses, and rhododendrons and non soil bank base crops.)--	X	
20. <u>Pasture, green manure or cover crops harvested.</u> If any acreage planted for pasture, green manure, or cover crop is allowed to mature and a soil bank base crop is actually harvested therefrom, the acreage shall be classified as soil bank base crop acreage.		

C. Count Acreage Only Once. In no case shall the same acreage be counted more than once in determining the farm soil bank base or in determining the acreage of soil bank base crops to be counted against the farm permitted acreage. If more than one soil bank base crop is produced on an acreage in a single year the acreage will be counted only once. If one crop was a soil bank base crop and the other a non soil bank base crop, the acreage will be counted as soil bank base crop acreage.

D. Non-Allotment Crops Planted in Alternate Rows, Alternate Strips or Fallow Strips. In determining the acreage of non-allotment soil bank base crops planted in alternate rows, alternate strips or fallow strips with idle or fallow land or

non soil bank base crops, the entire area shall be considered as planted to the soil bank base crop(s) unless the area composed of idle or fallow land and non soil bank base crops is as wide as four normal rows of row crop(s). If the area composed of idle or fallow land and non soil bank base crops is as wide as four normal rows of row crop(s), only the land actually occupied by the soil bank base crop(s) shall be considered as planted to soil bank base crop(s).

E. If any doubt exists as to whether a particular crop is a soil bank base crop, consult the State office.

28. HOW TO ESTABLISH THE FARM SOIL BANK BASE.

A. Determining the Farm Soil Bank Base. In order to determine the farm soil bank base, add: (1) the acreage devoted to the production of soil bank base crops for harvest during each of the two years immediately preceding the first year of the contract period and (2) the acreage reserve, if any, for each of these years and divide the total by two rounding up to the next whole acre. *---(Exception: In instances where the computed soil bank base exceeds the eligible acres such base shall be reduced to the number of eligible acres.)---*

1. For the purpose of determining the farm soil bank base, acreage devoted to the production of soil bank base crops for harvest is determined as follows:

a. For crops for which an acreage allotment or soil bank corn base is applicable, such acreage is determined in accordance with applicable acreage allotment and marketing quota provisions, except that:

(1) The acreage devoted to the production of peanuts will include all acreage harvested for nuts, hay, or hogged-off.

(2) The acreage devoted to the production of wheat will include wheat harvested for hay or ensilage for acreage reserve agreements and for conservation reserve contracts beginning in 1958 or subsequent years, or for contracts modified in 1958 or subsequent years, to place additional land in the conservation reserve.

(3) Where a conservation reserve contract which includes 1956 or 1957 in the contract period is modified to place additional land in the conservation reserve in 1958 or a subsequent year, the soil bank base for such farm will be re-established to reflect the acreage

of wheat harvested for hay or ensilage in the base period as a soil bank base crop.

b. For other than allotment crops, such acreage is the acreage planted or otherwise devoted to the production of such crops for other than pasture, green manure or cover crops.

(1) However, if any acreage planted for pasture, green manure, or cover crop is allowed to mature and a soil bank base crop is actually harvested therefrom, such acreage is to be considered as devoted to a soil bank base crop.

B. Adjusting Individual Crop Acreage. The acreage devoted to an individual soil bank base crop in any year used in determining the farm soil bank base for contracts for which the first year of the contract period is 1956 or 1957 may be adjusted by the county committee when necessary to make due allowance for abnormal weather conditions or for the established crop rotation system for the farm. For contracts effective for the first time in 1958 or subsequent years the acreage devoted to an individual soil bank base crop in any year used in determining the farm soil bank base may be adjusted by the county committee:

1. For abnormal weather conditions to the extent that abnormal weather conditions affected the crop acreage during such years;

2. Such acreage shall be adjusted to eliminate any acreage credit for an acreage of a soil bank base crop produced on non-cropland since December 31, 1956 which is not offset by putting an equal acreage of cropland on the farm into a non-crop use;

3. Such acreage shall be adjusted to eliminate credit for acreage in the acreage reserve where considering such acreage as devoted to a commodity would result in a soil bank base for the farm greater than the average acreage which would have been devoted to soil bank base crops in the absence of participating in the acreage reserve;

4. If in a year used in establishing the soil bank base for a farm the acreage devoted to a commodity (including acreage placed in the acreage reserve) is less than the allotment for such year but is not less than 90% of such allotment, the acreage devoted to the commodity for the year shall be

increased to equal the allotment provided the soil bank base so established shall not exceed the sum of the old farm allotments for the farm for the year immediately preceding the first year of the contract period.

29. SEPARATE FARM SOIL BANK BASES FOR ODD AND EVEN YEARS - FALLOW ROTATION SYSTEM.

A producer who grows crops in an established fallow rotation system shall be given the opportunity, prior to signing the contract, to choose whether he wants to have separate soil bank bases for the odd and even years of the contract period. If the producer does not choose to have separate bases established for the odd and even years, determine the soil bank base in accordance with paragraph 28. (Use Form CSS-836.) If the producer chooses to have a separate soil bank base for the odd years of the contract period and a separate base for the even years of the contract period, such separate bases shall be established as indicated below, in order to reflect any variation in acreage of summer fallow crops in alternate years. (Use Form CSS-836-1.) An odd year is a calendar year not evenly divisible by two.

A. All Crops Grown in a Fallow Rotation System. On farms on which all the soil bank base crops are grown in a summer fallow system:

1. The soil bank base for the odd years of the contract period is the acreage of soil bank base crops for the first odd year preceding the contract period plus the acreage reserve (if any) for that year.
2. The soil bank base for the even years of the contract period is the acreage of soil bank base crops for the first even year preceding the contract period plus the acreage reserve (if any) for that year.

Example. A farm with 300 acres of eligible land has a wheat acreage allotment of 200 acres for even years and zero acres for odd years. Acreages are as follows:

	<u>1957</u>	<u>1956</u>
Wheat	0 acres	200 acres
Barley	0 acres	100 acres
Summer Fallow	<u>300 acres</u>	<u>0 acres</u>
	300 acres	300 acres

The soil bank base is 300 for each even year of the contract period and zero for each odd year of the contract period. If the producer puts 50 acres in the conservation reserve beginning with 1957, the permitted acreage for the even years will be 250 acres (soil bank base of 300 acres less conservation reserve of 50 acres). For the odd years, the permitted acreage will be zero. The producer will receive an annual conservation reserve payment for 50 acres in even years and no payment for odd years.

B. All Crops Not Grown in a Fallow Rotation System. On farms on which all the soil bank base crops are not grown in a summer fallow system, the soil bank base is established as follows:

1. For each of the two years immediately preceding the contract period, add the acreage devoted to soil bank base crops not in the summer fallow system and the acreage reserve (if any) for crops not in the summer fallow system and divide by two.

2. The soil bank base for the odd years of the contract period is the sum of:

a. The average acreage determined in 1 above, and

b. The soil bank base crops in the summer fallow system in the first odd year before the contract period, and

c. The acreage reserve (if any) for crops grown in the summer fallow system during the first odd year before the contract period.

3. The soil bank base for the even years is determined in the same way.

FIGURE 1. EXAMPLE OF COMPUTATION OF SEPARATE SOIL BANK BASES FOR ODD AND EVEN YEARS

For Example: A farm with 250 acres of eligible land has a wheat acreage allotment of zero acres in odd years and 100 acres in even years. Acreages are as follows:

Crops not in summer fallow rotation system:

Dry Beans	40 acres	60 acres
Sudan grass for seed	60 acres	20 acres
Alfalfa	0 acres	20 acres

Crops in summer fallow rotation system:

Wheat	0 acres	50 acres
Barley	50 acres	50 acres
Acreage reserve (wheat)	0 acres	50 acres
Summer fallow	100 acres	0 acres
	<u>250 acres</u>	<u>250 acres</u>

The soil bank base for odd years is determined as follows:

Average of soil bank base crops not in summer fallow system (100 acres in 1957 plus 80 acres in 1956 divided by two).	90 acres
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Soil bank base crops in summer fallow system, 1957.	50 acres
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Acreage reserve for soil bank base crops in summer fallow system, 1957.	<u>0 acres</u>
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Soil bank base, odd years.	140 acres
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The soil bank base for even years is determined as follows:

Average of soil bank base crops <u>not</u> in summer fallow system (100 acres in 1957 plus 80 acres in 1956 divided by two).	90 acres
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Soil bank base crops in summer fallow system, 1956.	100 acres
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Acreage reserve for soil bank base crops in summer fallow system, 1956.	<u>50 acres</u>
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Soil bank base, even years.	240 acres
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SECTION 2. CONSERVATION RESERVE PERMITTED ACREAGE

30. HOW TO ESTABLISH THE CONSERVATION RESERVE PERMITTED ACREAGE.

The acreage which may be devoted to the production of soil bank

base crops for harvest in any year is called the permitted acreage and is determined as follows:

A. For a contract in effect in 1956 or 1957 and which is not modified in 1958 or a subsequent year to add additional land to the conservation reserve, the permitted acreage is the farm soil bank base less the acreage in the conservation reserve at the regular rate. *--(Could be different than the permitted acreage under an acreage reserve agreement - see acreage reserve instructions.)--*

B. For a contract starting in 1958 or a subsequent year, the permitted acreage is the farm soil bank base less the total of any acreage in the conservation reserve at the regular rate and any acreage in the acreage reserve under all agreements for the farm for the applicable year.

C. For a contract starting in 1956 or 1957 which is modified in 1958 or a subsequent year to add additional land to the conservation reserve, the permitted acreage for any year of the contract period is the farm soil bank base less the total of:

1. Land previously designated as conservation reserve at the regular rate,
2. The additional land being added to the conservation reserve at the regular rate, and
3. Any acreage on the farm in the acreage reserve for the current year (all agreements) which is charged against the permitted acreage in accordance with applicable acreage reserve regulations.

D. The permitted acreage of soil bank base crops for a farm may vary between years in a summer fallow area where the producer has chosen to have the farm soil bank base vary between years. The permitted acreage may also vary between years where the producer participates in the acreage reserve one year, but chooses not to the following year or due to changes in program regulations which are effective for the year in which additional land is placed in the conservation reserve.

31. CROPS COUNTING AGAINST CONSERVATION RESERVE PERMITTED ACREAGE.

A. Exceeding the Permitted Acreage. In determining if the farm permitted acreage of soil bank base crops has been exceeded, the acreage devoted to soil bank base crops is determined as follows:

1. For crops for which an acreage allotment or soil bank corn base is applicable, such acreage is determined in accordance with applicable acreage allotment and marketing quota provisions except that:

a. All land planted to peanuts shall be considered devoted to the production of a soil bank base crop even though harvested for hay or hogged-off, and

b. Any acreage of wheat on the farm harvested for hay or ensilage shall count as a soil bank base crop except for a contract in which 1956 or 1957 is the first year of the contract period and such contract is not modified in 1958 or a subsequent year to place additional land in the conservation reserve.

c. In connection with the conservation reserve and acreage reserve any acreage of an allotment crop disposed of prior to the disposition date for the commodity established for the farm will not be counted as soil bank base crop acreage regardless of whether or not the acreage disposed of is above or below the farm acreage allotment.

--d. Any grain crop planted for wildlife feed under a G-1 practice on designated conservation reserve acreage will not be counted against the permitted acreage, provided no part of the grain crop is harvested. Although an allotment crop planted as a part of a G-1 practice on conservation reserve will not be counted against the farm permitted acreage of soil bank base crops unless harvested, such acreage will be counted in determining the acreage of the allotment crop in accordance with applicable acreage allotment and marketing quota regulations.--

2. For soil bank base crops for which an acreage allotment or soil bank corn base is not applicable:

a. For 1956, such acreage is the harvested acreage of such crops.

b. For 1957 and later years, such acreage is the acreage planted or otherwise devoted to each crop which is not turned under, clipped or pastured off, or otherwise disposed of to the extent that the crop will not reach maturity prior to a date established by the State committee or within 15 days of the date of mailing of the

"Notice of Measured Acreage - Soil Bank Program," whichever is later, except that a crop used for a nurse crop, cover crop or a green manure crop and none of the crop is removed from the land shall not be considered as a soil bank base crop. No provision is made for disposition of a crop after harvest. A crop to be disposed of shall be destroyed in such a manner that no part of the crop can be harvested.

B. Violation of the Contract. A producer shall be considered in violation of his contract and no payment will be made in any year in which:

1. Any acreage is devoted to soil bank base crops on the farm if the conservation reserve permitted acreage for the farm for that year is zero.
2. The acreage devoted to soil bank base crops on the farm exceeds the conservation reserve permitted acreage for the farm for that year by more than one acre or three percent of the permitted acreage, whichever is larger except that:

- a. If the harvested acreage of soil bank base crops on a farm is in excess of the permitted acreage and the county committee determines the farm operator was not given a notice of such excess acreage prior to harvest or that the acreage harvested was based on an erroneous notice, the producer will not be considered as having violated his acreage reserve agreement or conservation reserve contract, provided the excess acreage is such that the operator would not have been reasonably expected to know that the permitted acreage was being exceeded and that the producer made reasonable efforts by measuring or otherwise not to harvest an acreage in excess of the permitted acreage. In such a case the annual payment will be reduced by an amount equal to the number of excess acres times the annual payment rate per acre for the farm.

32. FARM SOIL BANK BASE OF NOT MORE THAN 30 ACRES.

A. Choice of Regular or Non-Diversion Rate Where Base is Not More Than 30 Acres. On any farm for which the soil bank base is not more than 30 acres for any year of the contract period:

- *--1. The producer may put in the conservation reserve at the regular rate an amount of eligible land up to, but not more than the soil bank base, and less the total of any acreage already in the conservation reserve at the regular rate and any acreage in the acreage reserve charged against the soil bank base for the applicable year, in accordance with acreage reserve regulations.--*
2. He may put in the conservation reserve at the non-diversion rate any amount of eligible land which he does not put in at the regular rate.

Example: On a farm with a soil bank base of 25 acres (average of 1956 and 1957 soil bank base crops), the producer contracts to put 10 acres in the conservation reserve at the regular rate and 8 acres at the non-diversion rate beginning in 1957. The permitted acreage of soil bank base crops is 15 acres (soil bank base of 25 acres less the 10 acres at the regular rate).

B. Land at Regular and Non-Diversion Rates. The producer must state at the time of signing the contract how much land he is putting in the conservation reserve at the regular rate and how much he is putting in at the non-diversion rate.

33. FARM SOIL BANK BASE OF MORE THAN 30 ACRES.

A. Choice of Regular or Non-Diversion Rate Where Base is More Than 30 Acres. On any farm for which the soil bank base is more than 30 acres for any year of the contract period:

1. The producer in 1956 and 1957 could put in the conservation reserve at the regular annual payment rate any amount of eligible land on his farm but not more than the farm soil bank base.
2. For 1958 and subsequent years the maximum acreage that can be placed in the conservation reserve at the regular rate will be the soil bank base established for the farm less the total of any acreage already in the conservation reserve at the regular rate and any acreage in the acreage reserve charged against the soil bank base for the applicable year, in accordance with acreage reserve regulations.
3. Beginning in 1958 or a subsequent year, where land has been put in the conservation reserve at the regular rate, up to an equal acreage of eligible land may be put in the

conservation reserve at the non-diversion rate. If the producer chooses to put more than this amount of land in the conservation reserve at the non-diversion rate, all remaining eligible land on the farm must be put in the conservation reserve.

4. For land placed in the conservation reserve in 1958 or a subsequent year which is to be planted to trees under practice A-7, such acreage may be placed in the conservation reserve at the non-diversion rate without requiring a corresponding reduction in the soil bank base crops on the farm and irrespective of the amount of land placed in conservation reserve at the regular rate.

B. Land at Regular and Non-Diversion Rates. The producer must state at the time of signing the contract how much land he is putting in the conservation reserve at the regular rate and how much he is putting in at the non-diversion rate.

PART 4. PREPARATION AND COMPLETION OF AN APPLICATION,
WORKSHEET, AND CONTRACT

SECTION 1. PREPARATION OF APPLICATION FOR CONTRACT

34. USE OF APPLICATION FORM CSS-839

- A. Form CSS-839 is to be filed by any producers who desire to enter into a conservation reserve contract.
- B. Completion of Form CSS-839 is required before field checking or measuring is done.
- C. The operator is to estimate the number of acres in the proposed conservation reserve area and set forth the planned conservation uses.

35. FARM VISIT BY COUNTY COMMITTEE REPRESENTATIVE

A county committee representative must visit the farm to complete or prepare Soil Bank Base Worksheet, Form CSS-836. The farm operator should assist the county office representative during the farm visit, and sign Form CSS-836 upon completion of the determinations. Where sufficient information is available in county offices the crop acreage shall be entered on worksheets from county office records. In all other cases the cropland use for the base years shall be determined as accurately as possible on the farm visit.

- A. Determine that the land designated for conservation reserve is eligible land, and measure the reserve area.
- B. The acreage of the designated reserve and the soil bank base crop acreage shall be determined as accurately as possible. Acreage determinations shall be made in accordance with instructions in Performance Handbook 2.
- C. Obtain a description of the location of designated acreage sufficient to enable the designated acreage to be definitely located at a future date. If a photograph of the farm is available the acreage should be plotted on such photograph. In some cases it may be necessary to prepare a sketch of the designated acreage and surrounding land in order to properly locate the acreage for future reference.

36. CONTRACT APPLICATION REGISTER - FORM CSS-840

This form is a tentative register and is to be used for preliminary control of county commitments. Entries on Form CSS-840 are to be made in the order applications are received in the county office.

A. The producer will be notified when the proper determinations have been completed.

B. The position on the application register will be maintained only for the time allowed for signing the contract. This time shall be 15 days from the date of the notice. If the producer does not sign the contract in the time allowed, the producer must run the risk of there being uncommitted funds if he chooses to sign a contract at a later date.

C. If county funds become limited or exhausted, applications may still be accepted; however, the producers should be notified before applications are signed that no funds are available and that they will be considered for contracts in the same order in which their names appear on the register if additional funds become available.

D. State offices shall be notified as soon as it is indicated that participation requests exceed the county allocation.

E. Maintaining Funds Control for applications shall be accomplished by entering on the first page of Form CSS-840 used for the program year the following:

1. On Line 1 in Column 8 enter the total amount of "Funds Allocated to the County."

2. Enter in whole dollars on line 2 in Column 8 "1958 Annual Payments for 1956-1957 conservation reserve contracts in effect at the beginning of sign-up" for the 1958 Conservation Reserve Program. Subtract the amount entered on line 2, Column 8 from the amount entered on line 1, Column 8 to determine "Balance in County Allocation for 1958 Conservation Reserve Program Applications."

3. Enter this balance in Column 8 on line 3 and identify as "Balance in County Allocation for 1958 Conservation Reserve Program Applications."

4. Beginning with line 4 enter the applications in numerical order as received from applicants entering the following:

- a. Column 1 - Numerical number of application.
- b. Column 2 - Name of operator (last name first).
- c. Column 3 - Date the application was received.
- d. Column 4 - Farm serial number.
- e. Column 5 - Acres offered for contract in tenths of acres.
- f. Column 6 - Estimate of funds required for 1958 annual payment on acres offered in Column 5. Report in whole dollars -- omit cents.
- g. Column 7 - Estimate of total funds required to establish practices on acres offered in Column 5. Report in whole dollars -- omit cents.
- h. Column 8 - County Allocation Balance.

(1) Subtract the sum of Column 6 plus Column 7 funds required for an application line entry from the balance of Column 8 on the preceding line to determine new balance.

(2) Disapproval of an application would add to the balance in Column 8 as would an approval in an amount less than the estimate of funds shown on the farmer's sign-up request. (See Par. 50.11.) Approval of amounts larger than shown on the application would reduce the Column 8 balance by the amount of the increase.

(3) If the line entry is a contract modification for land placed under contract in the 1958 program year which reduces the amount required for either practices or annual payment, in such instances the sum of Column 6 plus Column 7 would be added to the balance for Column 8 on the preceding line thereby increasing the funds available for new applications.

(4) On the other hand if a contract modification for land placed under contract in the 1958 program year increases the amount required for either practices or annual payment, in such instances subtract the sum of the increases entered in Column 6 plus Column 7 from the balance of Column 8 on the preceding line to determine the new balance.

(5) If the line entry is a contract modification for land placed under contract in the 1956 or 1957 program year which reduces the amount required for annual payments, the sum of Column 6 only would be added to the balance for Column 8 on the preceding line thereby increasing the funds available for new applications. (N.B. - Changes for all items affected would be entered on the Form CSS-825 for the applicable program year.) On Form CSS-840 enter the applicable program year and the word "modification" in Column 1 to identify a modification of a contract; i.e., "1956 modification."

i. Column 9 - Enter the word "Approved" or "Disapproved" as soon as the county committee has acted on the application.

j. Column 10 - Enter the date on which the county committee approved or disapproved the application as reported in Column 9.

SECTION 2. PREPARATION OF WORKSHEET

37. USE OF SOIL BANK BASE WORKSHEET

Form CSS-836 will be used to record soil bank base information for the purpose of establishing the farm soil bank base in all cases except where the farm operator requests establishment of separate even and odd year bases for an established fallow rotation system. Where separate even and odd year bases are established, Form CSS-836-1 will be used as a worksheet for determining the soil bank base.

A. Preparation of Form CSS-836.1. Preparation of Heading and Part I.

a. From county office records, enter in the space provided in the heading, the State and county code and farm number.

b. From county office records, enter in Part I:

(1) The description of the location of the farm.

(2) The name and address of the operator.

(3) The name and address of the owner(s) if different from the operator.

(4) The total acres in the farm.

(5) The total acres of cropland for the farm.

2. Preparation of Part II on Reverse Side. Insofar as practicable, crops and land uses shall be recorded by individual fields. Use any information available in the county office.

a. Column (A). Enter the field identification of each field in the farm. If necessary, additional Forms CSS-836, properly identified, may be used as continuation sheets.

b. Column (B). Enter in acres and tenths, the total number of acres in each field.

c. Columns (C) and (G). For each of the base years, enter in the respective columns (C) and (G), for each field or part of a field, the name of the crop or a description of the other use of cropland to which the field was devoted.

(1) Where a field was multiple-cropped during a base year enter the names of all crops. If one of the crops was a soil bank base crop the acreage will be considered as devoted to a soil bank base crop. Where multiple crops have been listed, circle out the entries other than the

one used in determining the soil bank base. In no case shall the same acreage be counted more than once.

(2) If all or a part of a field was treated as acreage reserve, identify the acreage in the applicable column (C) or (G) as "acreage reserve." This acreage will be considered as *--devoted to soil bank base crops except as--* adjusted in accordance with paragraph 28, B, 3.

(3) If part of a field, not separately identified in columns (A) and (B), was devoted to a soil bank base crop during a base year and a part was devoted to non-soil bank base crops or cropland uses, use different lines to describe the crops or cropland uses, in columns (C) and (G), and report the acreages separately in the appropriate column (D) or (E), or (H) or (I).

d. Columns (D) and (H). Enter for each field or part of a field the number of acres (in acres and tenths) devoted to soil bank base crops.

(1) Where "acreage reserve" is shown in columns (C) or (G) enter in the respective columns (D) and (H) the acreage determined to be in such acreage reserve.

e. Columns (E) and (I). Enter for each field or part of a field, the number of acres (in acres and tenths) devoted to crops or cropland uses other than soil bank base crops.

f. Columns (D), (E), (H) and (I). Enter the total for each of these columns. Add the individual acreages as acres and tenths.

g. Tame Hay and Maximum Eligible Acres for the Conservation Reserve

(1) Enter in the space provided the acreage on the farm devoted to tame hay which is not on cropland.

(2) Enter in the space provided the total eligible acreage on the farm including the

acreage devoted to tame hay. (See paragraphs 5 and 6.)

3. Execution of Farm Operator's Certification, Part III.

Parts I and II of Form CSS-836 shall be verified by the farm operator following the completion of the farm visit by the county committee representative by signing and dating Part III and in any case not later than the time he signs the contract.

4. Correction of Errors in Reported Acreages.

Where the reported acreage for any soil bank base crop of the base years is at variance with county office records, or the county committee otherwise determines that a reported acreage is incorrect, the incorrect acreage in column (B), (D), or (H), in Part II of Form CSS-836, shall be circled and the correct acreage entered beside it in ink. For each correction enter the notation "Corr." in appropriate column (F) or (J).

5. County Committee Adjustment of Reported Acreages.

Where an adjustment is made in accordance with paragraph 28, B for an individual crop acreage reported in column (D) or (H), Part II, of Form CSS-836, the reported acreage shall be circled and the adjusted acreage entered beside it. These adjustments shall be reflected in the total line in Part II by circling the original total and entering the adjusted total beside it.

a. In each case where an individual crop acreage in column (D) or (H) is adjusted, enter the notation "weather," "new land," "acreage reserve," *---* "or 90-100% allotment," *---* as applicable, in the appropriate column (F) or (J).

b. Such adjustments shall be initialed in ink by a member of the county committee.

6. Summary of Reported Acreages, Part IV.

a. Enter in item 6 the total acres of soil bank base crops from the total line of column (D), Part II. This will be the sum of the reported acreages after necessary adjustments have been made by the county committee.

- b. Enter in item 7, the total acres of soil bank base crops, from the total line of column (H), Part II. This will be the sum of the reported acreages, after necessary adjustments have been made by the county committee.
- c. Enter in item 8, the sum of the acreages in items 6 and 7.
- d. Enter in item 9, one-half of the acreage in item 8, rounded up to the next acre. *---(Exception: In instances where the computed soil bank base exceeds the eligible acres such base shall be reduced to the number of eligible acres.)---*
- e. Make no entries in items 10, 11, and 12, at this time.

7. Approval of Form CSS-836. After Form CSS-836 has been reviewed by the county committee, necessary county committee adjustments have been made, and the farm soil bank base has been determined and entered in the proper space, Form CSS-836 shall be dated and signed by a member of the county committee in the space provided.

B. Preparation of Form CSS-836-1. Where the farm operator requests establishment of separate even and odd year bases for an established fallow rotation system, the farm soil bank base shall be determined by use of Form CSS-836-1.

1. Initial Preparation of Heading and Part I. Follow same instructions as provided for Form CSS-836 in A above.

NOTE: Correct the heading of the bottom half of the reverse side of the form by deleting the word "not."

2. Preparation of Part II on the Reverse Side.

a. Insofar as practicable, crops and cropland uses shall be recorded by individual fields. The acreages grown in a summer fallow rotation system shall be separately reported from those that are not grown in a summer fallow rotation system, as indicated by the division of Part II.

b. Reported crop information shall be entered in columns (A) through (E) and (G) through (I) in the same manner as provided for Form CSS-836 in A-2 above, except that land designated as "acreage reserve" under 1957 and 1956 acreage reserve agreements shall not be reported in Part II of

Form CSS-836-1.

3. Execution of Farm Operator's Certification, Part III.
Follow same instructions as provided for Form CSS-836,
in A-3 above.

4. Correction of Errors in Reported Acreages. Where
the 1957 or 1956 reported acreage for any soil bank
base crop is at variance with county office records,
or the county committee otherwise determines that a
reported acreage is incorrect, the incorrect acreage
in column (B), (D) or (H), in Part II of Form CSS-836-1
shall be circled and the correct acreage entered beside
it in ink. For each correction enter the notation
"Corr." in appropriate column (F) or (J).

5. County Committee Adjustment of Reported Acreages.
Follow same instructions as provided for Form CSS-836
in A 5 above.

6. Summary of Reported Acreages, Part IV.

a. Enter in item 6, columns (A) and (B), as
applicable, the number of acres entered into the
acreage reserve under 1957 and 1956 acreage reserve
agreements for commodities other than wheat.

b. Enter in item 10, columns (A) and (B), as
applicable, the number of acres entered into the
acreage reserve under 1957 and 1956 acreage
reserve agreements for wheat acreage only.

c. Enter in items 6 and 10, the acreage determined
to be in the acreage reserve in 1957 and 1956
respectively.

d. Enter in item 7, columns (A) and (B), the
acreages of soil bank base crops not grown in a
summer fallow rotation from columns (D) and (H),
Part II, Form CSS-836-1.

e. Enter in item 11, columns (A) and (B), the
acreages of soil bank base crops grown in a summer
fallow rotation, from columns (D) and (H), Part II,
Form CSS-836-1.

f. The acreages entered in items 7 and 11, as provided in subparagraphs d and e above, will be the acreages after necessary adjustments have been made by the county committee.

g. Enter in item 8, in each column (A) and (B), the sum of the acreages in items 6 and 7, in the respective column.

h. Enter in item 9, one-half of the sum of the acreages in item 8, columns (A) and (B).

i. Enter in item 12, in each column (A) and (B), the sum of the acreages in items 10 and 11, in the respective column.

j. Enter in item 13, the sum of the acreages in item 9 and item 12, column (A).

k. Enter in item 14, the sum of the acreages in item 9 and item 12, column (B).

l. Make no entries in items 15, 16, and 17, at this time.

7. Approval of Form CSS-836-1. After Form CSS-836-1 has been reviewed by the county committee, necessary county committee adjustments have been made, and the soil bank bases for even and odd years have been determined, and entered in the proper space, Form CSS-836-1 shall be dated and signed by a member of the county committee in the space provided.

38. NOTICE OF FARM SOIL BANK BASE - FORM CSS-837

A. The farm operator who has filed an application for a conservation reserve contract after July 31, 1957 shall be notified of the soil bank base established for the farm by means of Form CSS-837. The producer shall be informed by letter:

1. That funds have been allocated to cover his requested conservation reserve contract and will be held for 15 days from the date of the notice,

2. That failure to enter into such conservation reserve contract within 15 days will result in his running the risk of funds not being available if he should choose to enter into a contract at a later date, and

3. That he may appeal within 15 days for a reconsideration of the soil bank base established for the farm.

B. Preparation of Notice. Form CSS-837 shall be prepared in duplicate (one copy for filing in the county office), as follows:

1. Enter the State and county code, the farm number and, if available, the number of acres in the farm, in the spaces provided in the heading.

2. Enter the farm soil bank base in the block provided in the body of the form. Where separate even and odd year bases have been established for a fallow rotation, both bases shall be shown and properly identified as "even year" and "odd year".

3. Enter the operator's name and mailing address in the space provided in the lower left side of the form.

4. Enter the name of the county, the address of the county office, and the date of mailing, in the spaces provided.

5. Form CSS-837 shall be signed by a person designated to sign for the county committee.

C. In the event corrections are made in the soil bank base a revised notice on Form CSS-837 shall be sent to the farm operator giving the corrected base figure. The revised notice shall be marked at the top of the notice "REVISED SOIL BANK BASE."

SECTION 3. PREPARATION OF CONTRACT

39. PREPARATION OF CONSERVATION RESERVE CONTRACT, FORM CSS-811.

A. See Exhibit 2.

B. The contract shall be prepared on a typewriter when practicable and conservation reserve acreage shown in acres and tenths.

C. Each contract should be assigned a contract number when signed by the farm operator except that for a contract effective for 1958 or a subsequent year, the contract number should be assigned at the time it is approved by the county committee and entered on the contract register.

1. Where a State committee desires, it may instruct county offices to show the starting and ending years of each contract period as a part of the contract number.

Example: 26-56-61 in which case 26 represents the consecutive number assigned to the contract, 56 represents the starting year of the contract period and 61 represents the last year of the contract period.

D. The following short descriptive titles of conservation practices should be used in Part II of Form CSS-811:

Practice A-2

Perm. Cover - grass, or
Perm. Cover - legume, or
Perm. Cover - grass - legume

Practice A-4

Lime for A-2

Practice A-7

Tree Cover - pine

Practice A-8

Shelterbelt, windbreaks

Practice B-7 or C-14

Water Storage - dam, or
Water Storage - pond

Practice D-1

Winter Cover - Crimson Clover, or
Winter Cover - small grains, or
Winter Cover - Legume - grain mixture

Practice D-2

Summer Cover - Sudan Grass

Practice G-1

Wildlife - cover

Practice G-2

Wildlife - water and marsh management

Practice G-3

Wildlife - dam, or
Wildlife - pond

E. If Form CSS-811 does not have sufficient space to show all fields or producers, use additional sets of the form as continuation sheets.

1. At the top of each set, write in "Sheet ___ of ___." For example, if three sets are needed, write on the first set, "Sheet 1 of 3", on the second, "Sheet 2 of 3", and the third "Sheet 3 of 3".

2. Enter in the spaces in the upper right corner and in Part I, A, B, and C, of the additional sets the same information as on the first set.

3. On the second set, change the line numbers in Part II, Column A, to read "5", "6", "7", and "8", and on the third set, if needed, to "9", "10", "11", and "12".

4. In Part III, change the line numbers under the heading "Annual Payment Share" to correspond to the line numbers in Part II, as necessary.

--5. Prepare sufficient copies of the contract so that each person signatory thereto may be given a complete set showing each person signing the contract and the designated conservation reserve acreage.--

40. GENERAL PROVISION RELATING TO CONTRACTS.

A. All producers having control over the cropping arrangement on a farm must sign the contract.

B. Each tract of land placed in the conservation reserve must be specifically identified on the contract.

C. The contract must clearly show whether the land is placed in the conservation reserve at the regular rate or at the non-diversion rate.

D. The conservation use (practice number) to which each designated field or tract is to be devoted must be shown on the contract. In case a satisfactory cover is already established it must be clearly indicated that this cover will be maintained.

E. Contracts are not valid unless the producer(s) have indicated their acceptance of the contract provisions by signing such and initialing any subsequent changes.

41. WHO MUST SIGN THE CONTRACT.

A. The contract must be signed by:

1. The farm operator, if other than the owner.

2. The farm owner or owners.

a. Exception: If the farm operator is a cash tenant, standing-rent tenant, or fixed-rent tenant (but not a share-tenant) for the entire contract period, he may sign the contract in lieu of the owner, upon presentation of evidence satisfactory to the county committee of his control of the farm for the contract period.

b. Where parts of the farm are separately owned, each owner (or the farm operator as provided in Item a above) must sign the contract. (see Part 1, Section 2, paragraph O.)

3. All tenants having any control of the farm.

B. Sharecroppers and other producers not having any control of the farm are not required to sign the contract.

C. Signatures must conform with ACP-16 revised.

D. A copy of the contract shall be prepared and used to obtain the required signatures of absentee owners where the contract has to be sent through the mails. Such contract copy will be attached to the original after the signature has been affixed and returned.

42. FINAL DATE FOR SIGNING THE CONTRACT.

A. For 1956 the farm operator must have signed a contract by November 20, 1956, and other required signatures must have been secured by December 31, 1956.

*--B. For 1957 the farm operator must have signed and filed a contract by April 15 and other required signatures must have been secured by May 15, 1957.

C. For 1958 and subsequent years, the farm operator must sign and file an application form for a conservation reserve contract (Form CSS-839 (Soil Bank)) by April 15 and must obtain the signatures of all required signatories to Form CSS-811, Conservation Reserve Contract, by the following May 15.

1. If the State committee establishes a date earlier than April 15 as the last date for filing applications, the contract must be signed by all required signatories not later than 30 days after the closing date for filing the application for a conservation reserve contract as established by the State committee.

D. No contracts may be entered into after December 31, 1960.--*

43. WITHDRAWAL OF CONTRACT.

A person may withdraw his conservation reserve contract any time prior to the time the county committee approves the contract.

44. INFORM THE PRODUCER BEFORE SIGNING THE CONTRACT.

Inform the producer before he signs the contract that:

A. The contract will be binding on him for the contract period as long as he retains control of the land.

B. If he loses control of the land by sale or otherwise he must either get the new owner or operator to continue the contract for the balance of the contract period or

(Continued on page 43)

repay any practice payments made in connection with the land over which control is lost.

C. The contract cannot be terminated by the Government except for violation of the contract.

D. Under the Soil Bank Act a producer who knowingly and willfully grazes or harvests any crop from any acreage in violation of the contract is subject to a civil penalty.

E. The county office must be promptly notified if there is any change in the farming unit as constituted at the time the contract became effective either by the disposal of land or the acquisition of additional land.

45. APPROVAL OF CONTRACTS BY A MEMBER OF THE COUNTY COMMITTEE

Only members of the county committee are authorized to sign conservation reserve contracts on behalf of the Secretary of Agriculture.

A. Time of Approval. Contracts which are acceptable should be approved by the county committee as promptly as practical, except where absolutely necessary to delay approval in order to obtain additional information needed to determine acceptability of a contract.

B. Accuracy of Entries. Before the contract is approved the county committee should satisfy itself as to the accuracy of information on Forms CSS-836 and 811.

C. Availability of Funds. County committees must not approve contracts in excess of county allocations.

D. State Office Review. If required by the State committee, a State office representative shall review and initial the farm worksheet (CSS-836) before the contract is signed by a county committeeman.

E. Review with Producer Under Certain Conditions. The county committee should not approve a contract without further contacting the producer to explain the penalties for failure to fulfill its terms and conditions, if before approval they have reason to believe that the producer does not expect to carry out the terms and conditions of it or does not have a reasonable opportunity to do so.

F. Evidence of Loss of Control. A contract should not be approved if the county committee has knowledge at the time the contract is being considered that the designated conservation reserve acreage has been sold or is in the process of being taken by a condemnation procedure.

G. Trusts. Contracts involving family trusts or trusts involving minors, created after August 15, 1956, should not be approved if the creation of such trust would result in the settlor and beneficiaries of the family trust or the settlor and minor receiving in the aggregate annual payments in any year in excess of the \$5,000 limitation on annual payments.

H. Ownership. In case of a change in ownership of a farm, the land on such farm shall not be eligible for the first year of ownership unless the county committee determines the farm would normally be operated by the new owner. If the farm has previously been operated by a tenant, the land on such farm will not be eligible for the first year of ownership unless the new owner continues to operate the farm with a tenant or the county committee determines that the farm would normally be operated by the new owner without a tenant.

I. Irregular Tracts. The county committee may reject the designation of tracts which are of such size or shape as to make it impracticable to determine performance.

46. CONSERVATION RESERVE CONTRACT PERIOD

The contract period shall not be less than three calendar years or more than fifteen calendar years. Contracts shall run through December 31 of the last year of the contract period and shall become effective April 15 of the first year of the contract period, except as provided in A below.

A. Effect of Contract Period on Practices and Use of Designated Acres. A practice started before April 15 of the first year of the contract period and after the producer has signed a contract shall be considered as having been started during the first year of the contract period. The restrictions on the use of the designated acreage shall become effective as of the time performance of a practice thereon is started or April 15, of the first year of the contract period, whichever occurs first.

B. 1956 Effective Date. Where 1956 is included in the contract, the effective date of the contract is January 1, 1956.

C. Previously Established Vegetative Cover. Where there is already adequate vegetative cover on the conservation reserve:

1. The contract period shall be either three, five or ten years at the election of the producer, if the county committee determines that the conservation reserve is already adequately covered by approved protective vegetative cover.

a. The county committee must be satisfied that there was an adequate vegetative cover at the time the contract was signed by the producer.

b. If the contract period is for less than five years, the contract must be extended for two additional years if the county committee authorizes cost-share assistance for restoration or improvement of the practice cover.

D. Practices Other Than Trees or Shrubs for Forestry Purposes. When vegetative cover or other practices other than trees and shrubs for forestry purposes must be established:

1. If the designated acreage is to be established in a permanent vegetative cover (practice A-2), the contract period shall be five years or ten years at the election of the producer, except that the contract period for such land shall not in any case extend beyond December 31, 1969.

2. If a conservation practice is to be established under practice G-1, G-2, or G-3 or trees and shrubs under practice A-8 in connection with contracts which include land for which 1958 or a subsequent year is the first year of the contract period, the contract shall be five or ten years at the election of the producer, except that the contract period for such land shall not in any case extend beyond December 31, 1969. The contract period shall be the same for all component parts of a practice.

3. For contracts effective in 1956 and 1957:

a. Where woody vegetation was established under practice G-1 the contract period is 10 years.

b. Where water storage facilities were established under practice G-2 or G-3, not including woody vegetation, the contract period is five years.

E. Water Storage Facilities. When a water storage facility other than under G-2 or G-3 is to be established on the designated acreage, the contract period shall be for five years.

F. Trees for Forestry Purposes. When the conservation reserve is to be established in tree cover for forestry purposes under practice A-7:

1. The contract period shall be ten years.

2. However, if the State committee determines that seedlings are not available for planting one or more years of the contract period, the contract shall be extended by the number of years during which seedlings were not available. In no case may the contract period be for more than 15 years, nor may it extend beyond December 31, 1974.

a. Where 1956 is the first year of the contract period the contract shall be for eleven years whether the trees are planted in 1956 or 1957.

b. Where 1956 is the first year of the contract period and trees are not available until 1958 or a later year, the contract may be extended one year at a time, but in no case to expire later than 10 years from the year in which the trees are planted or December 31, 1974, whichever date occurs earlier.

3. Where trees are available, the producer should be required to plant the entire designated acreage if practicable for him to do so during the first year of the contract period. However, if it would cause undue hardship to require the producer to plant the entire acreage contracted for trees in the first year of the contract period, the county committee may permit the producer to extend the planting over a three-year period, if necessary, making the maximum contract period 12 years.

a. Where trees are to be planted by hand the county committee should require:

(1) at least ten acres the first year if the total designated acreage to be planted is as much as ten, (2) at least ten acres the second year or the remaining designated acreage whichever is smaller, (3) the balance of the designated acreage, if any, the third year.

b. Where trees are to be planted by machine the county committee should require: (1) at least fifty acres the first year if the total designated acreage to be planted is as much as fifty, (2) at least fifty acres the second year or the remaining designated acreage, whichever is smaller, and (3) the balance of the designated acreage, if any, the third year.

G. Additional Acreage. If it is the desire of the producer to make the contract periods for all the land on a farm in the conservation reserve (except land planted to forest trees under practice A-7) expire simultaneously, the contract period may be increased for the land previously placed in the conservation reserve or the contract period for the additional land placed in the conservation reserve may be 4, 6, 7, 8, or 9 years, except that the contract period may not be less than the minimum required period for any of the approved conservation uses to which the land is devoted.

H. Different Tracts. Different tracts of land on the same farm may be separately designated with different contract periods in accordance with items C, D and E.

47. SPECIAL PROVISIONS APPLYING WHEN THE YEAR 1956 IS PART OF THE CONTRACT PERIOD.

A. When the contract period includes the year 1956, the minimum period specified in paragraph 46 C, D, E and F shall be increased by one year. Thus, the minimum period will be (1) four years when there is already adequate vegetative cover on the conservation reserve, (2) six years when vegetative cover or other practices (except tree cover) must be established, and (3) eleven years when the conservation reserve is to be established in tree cover.

B. The farm must be in compliance with all requirements for the full calendar year 1956.

1. All practical steps must be taken to establish required conservation practice(s) (if any) in the 1956 calendar year.
2. No crops may be harvested from the conservation reserve acreage during the entire 1956 calendar year.
3. The conservation reserve acreage may not be grazed during the entire 1956 calendar year.
4. The acreage of soil bank base crops on the farm in 1956 must not exceed the permitted acreage.

48. DIVISION OF PAYMENT BETWEEN LANDLORDS, TENANTS, AND SHARECROPPERS

A. Division of Payments. The contract shall specify the division of payment on which the landlords, tenants, and sharecroppers are to share in the annual payments.

1. The basis on which the tenants and sharecroppers share in such annual payments must be approved by the county committee as being fair and equitable.
 - a. In considering whether the tenants and sharecroppers will share in the annual payment on a fair and equitable basis, the county committee shall give consideration to the respective contributions which would have been made by the landlords, tenants, and sharecroppers in the production of the crops which would have been produced on the acreage diverted from production under the contract and the basis on which they would have shared in such crops or the proceeds thereof.
 - b. If the county committee determines that with the mutual agreement of the producers involved a producer is not making a contribution to the reduction of any commodity or a smaller contribution than would normally occur in the absence of such mutual agreement, a larger share of the annual payment than would otherwise be approved may be approved for the producers who are making a greater contribution for such reduction.
2. In general, the basis for sharing the annual payments may be approved by the county committee if:
 - a. The total annual payment is allocated among the producer units in proportion to the number of acres contributed from each producer unit to the acreage diverted from production under the contract; and

b. The share of the landlord, and operator if other than the landlord, in the annual payments allocated to any producer unit farmed by a tenant or sharecropper does not result in the landlord and operator receiving substantially in excess of the return they would have received for furnishing the land and farm management less any savings in cost to them which result from not producing and less the amount of any enhancement in value of the land diverted from production as a result of conservation practices carried out on such land.

B. Factors Affecting Disapproval of Contracts. No contract shall be entered into with a producer if it shall appear:

1. That the landlord or operator has not afforded his tenants and sharecroppers an opportunity to participate under the contract in proportion to the number of acres in the respective producer units of such commodity farmed by such tenants or sharecroppers; or
2. That the landlord or operator has, as a result of participation in the soil bank program, reduced the number of tenants and sharecroppers on the farm, or the size of their producer units; or
3. That there exists between the operator or landlord and any tenant or sharecropper any lease, contract, agreement, or understanding, unfairly exacted or required by the operator or landlord and entered into in contemplation of the signing of any contract, the effect or purpose of which is:
 - a. To cause the tenant or sharecropper to pay over to the landlord or operator any payment to be paid to him under the contract; or
 - b. To change the status of any tenant or sharecropper in order to deprive him of any part of the payment or any other right or privilege of his under the contract to which his actual status with respect to the land prior thereto would have entitled him; or
 - c. To reduce the size of the tenant's or sharecropper's producer unit in contemplation of the signing of the contract; or
 - d. To increase the rent to be paid by the tenant or decrease the share of the crop or its proceeds to be

received by the sharecropper.

4. That the operator or landlord has adopted any device or scheme of any sort whatever for the purpose of depriving any tenant or any sharecropper of his payment or any other right under the contract.

a. If any of the conditions set forth above are discovered after the signing of the contract, it shall be considered a violation of the contract.

49. MAKING CORRECTIONS IN THE CONTRACT AND WORKSHEET.

A. If any acreage is determined to be different from that as shown on the worksheet and the contract, draw a line through the figure and enter the correct figure in ink in the same space.

B. Have each person who signed the contract write his initials in ink in the nearest available space on the contract for each correction.

*--50. CONTRACT REGISTER FORM CSS-825-1 AND 825-2 (1-28-58).

A. General. Forms CSS-825-1 and CSS-825-2 will be used by the ASC county offices as a record of approved contracts, practices, acres, and obligations incurred. Entering a contract on the contract register has the effect of obligating funds for this contract. Contracts approved by the county committee will be entered on Forms CSS-825-1 and 825-2 in numerical order. (See paragraph 39 C for method of contract numbering.)

1. Only one line will be used for each contract entered on the register.

B. Order of Listing. Contracts approved in 1956 will be listed and subtotaled first, followed by contracts approved in 1957. If it is deemed necessary because of the time involved to list 1958 contracts before 1956 and 1957 are listed, pages will not be numbered until 1956 and 1957 are listed. Where 1956 or 1957 contracts were corrected or modified in either contract year, such modification or correction shall be reflected and the contracts shall be posted on the CSS-825-1 and 825-2 as they existed on December 31, 1957. When a modification or correction is to be made beginning with the 1958 program year, such correction or modification shall be

listed on the "Modified Contract" register in accordance with paragraph 50.53

50.50 PREPARATION OF HEADING OF FORM CSS-825.

A. General Headings.

1. Enter the State and county names in the spaces provided.
2. Enter the conservation reserve program year in the space provided.
3. Enter the page number beginning with the numeral 1.
4. Enter the register description, i.e., "Modified," "Terminated."

50.51 POSTING FORM CSS-825-1.

Entries in this section will be made in whole dollars by rounding to the nearest whole dollar. (In rounding to whole dollars, 50 cents or less is dropped, 51 cents or more adds one dollar. Acre entries will be made in acres and tenths, except column 4 enter in whole acres.

A. Column Posting Instructions, Form CSS-825-1.

1. Column 1 - Name of Operator. Enter last name first.
2. Column 2 - Contract Number. Enter the contract number.
3. Column 3 - Farm Serial Number.
4. Column 4 - Acres in Farm. Enter the number of acres in the farm as it appears on Contract Form CSS-811.
5. Column 5 - Eligible Land. The entry in column 5 shall be the maximum eligible acres on the farm as listed on the last line of Form CSS-836 (Soil Bank) Soil Bank Base Worksheet, Part II. *--For 1956 and 1957 contracts this item will be obtained from Form CSS-812 or other available source. --*
6. Column 6 - Farm Soil Bank Base. Enter the acres as listed on Form CSS-811, Part I, Item B.

7. Column 7 - Annual Payment Payees. Enter the number of payees who will share in the annual payment. (Source, CSS-811, Part III.)

8. Column 8 - Practice Obligations. Enter the funds required to complete approved practices. The amount entered in column 8 will be the total of practice obligations for the contract as entered on Form CSS-825-2.

9. Column 9 - Acres. Enter the number of acres on which the regular rate for the annual payment is applicable.

10. Column 10 - Amount. Enter the amount of annual payment applicable to the acres entered in column 9.

11. Column 11 - Acres. Enter the number of acres on which the nondiversion rate for the annual payment is applicable.

12. Column 12 - Amount. Enter the amount of annual payment applicable to the acres entered in column 11.

13. Column 13 - Total Annual Payment. Enter the total annual payment required for the approved contract by adding entries in column 10 and column 12.

14. Column 14 - Total Dollars Required. Enter the total funds required for the approved contract, representing the sum of column 8, column 10 and column 12.

15. Columns 15 through 21 - Annual Payment by Expiration Date. These columns will provide a ready reference of annual payment obligations by expiration years.

(a). Where contract periods for all fields under contract expire the same year, enter the amount of annual payment in the column for the year the contract expires. This entry will be the same as the entry in column 13.

(b). Where contract periods for fields under contract expire in different years, enter the amount of annual payment which expires each

year in the applicable columns. Example: The contract period for field A expires in 1961 and the annual payment is \$100. The contract period for field B expires in 1967 and the annual payment is \$300. The contract period for field C expires in 1961 and the annual payment is \$150. Entries on the CSS-825-1 will be as follows: entry in column 13 will be \$550; entry in column 17 (1961) will be \$250; entry in column 21 (1967) will be \$300.

(c). The total of entries in columns 15 through 21 will equal the entry in column 13. *--Appropriate adjustments may be made in columns 15 through 21 when necessary because of rounding.--*

16. Column 22 - Total Acreage Reserve Acres on all Agreements. Enter in column 22 the total of 1958 acreage reserve acres on approved agreements for farms participating in both soil bank programs. This shall be done upon the completion of sign-up for both the 1958 acreage reserve and conservation reserve programs. Review all Forms CSS-841, Record of Soil Bank Producers, to select such producers.

17. Column 23 - Description of Contract Changes. Enter a brief description of the reason whenever a contract is changed.

18. Whole Farm in Soil Bank. When the whole farm is in the soil bank circle the entry in column 5 in accordance with instructions in footnotes 1/ and 2/ on Form CSS-825-1.

50.52 POSTING FORM CSS-825-2.

Contract entries will be on the same line on both Forms CSS-825-1 and CSS-825-2. Obligations will be entered in whole dollars by rounding to the nearest whole dollar. Acre entries will be made in acres and tenths.

A. Column 24 - Contract Number. Enter the contract number as entered in column 2 of CSS-825-1.

B. Column 25 - Acceptable Vegetative Cover in Existence at the Beginning of the Contract. Enter the number of acres identified as "Maintain" in Part II (B) of Form CSS-811. This will include, in States where approved, acceptable volunteer cover.

1. For 1956 and 1957 contracts, enter also the acres which were changed from an approved practice to some form of acceptable cover which will not require payment of cost-shares on such acres.

C. Columns 26 through 46 - Practices Approved. Enter in the appropriate columns the number of acres, and/or number of structures and the total dollars of estimated practice obligations.

1. For practices where the use of minerals is involved the estimated cost should be included in the practice obligation.

2. Where a county has two or more practices under the same national practice number, the acres and/or structures and dollar obligations will be combined for purposes of entering on the register under the appropriate national practice.

3. Cost-shares approved by the county committee for authorized re-establishment of a practice which failed due to weather or conditions beyond the control of the producer shall be entered on Form CSS-825-2 in addition to the funds obligated or paid out for prior establishments of the practice. Indicate the re-establishment cases by a footnote number in the margin and an explanation at the bottom of the page. The practice payment shall be chargeable to the first year of the contract period. In no case is any State authorized to obligate funds in excess of those shown in Instruction No. 132-2, 132-5, or 132(SB-58)-1. Request for a revision of program funds allocation limitation shall be directed to the Soil Bank Division accompanied by a report of commitments made up to the time of submitting the request.

4. For 1956 and 1957 contracts when listing practice obligations, enter the amount which has been paid out on completed components or practices, plus, or, the amount of funds required to complete, establish or re-establish the practice.

50.53 SUPPLEMENTAL CONTRACT REGISTERS.

Supplemental contract registers will be maintained to reflect net changes in acres, practices and funds obligations. They also will provide a place to list a corrected contract after modification. *--When the modification involves only a change in name of operator or the contract expiration date, the correction shall be made on the regular contract register. Applicable changes in columns 15 through 21, including correction of contract year report total, shall be made when contract expiration date is changed.--* When a contract is to be modified or terminated the contract number in columns 2 and 24 of the previous listing shall be circled. Enter in the margin the page and line number of the supplemental register on which it is listed. (Example: Pg. M-2, L. 25 indicates the contract is entered on line 25, page 2 of "Modified Contracts" register; or Pg. T-1, L. 12 indicates the contract is entered on line 12, page 1 of "Terminated Contracts" register.)

A. Modified Contracts.

1. In the upper portion of Form CSS-825-1 and 825-2 immediately to the left of the heading entries for State and county enter the words "Modified Contracts." The pages will be numbered consecutively with the number prefixed by the letter "M." (Example: M-1.)
2. On the first line list the contract exactly as it is listed on the regular contract register; however if the contract has been previously modified the corrected entries from such previous modification will be listed.
3. On the second line list the contract as modified. If the modification results in a change in status with respect to the whole farm being placed in the soil bank, the entry in column 5 should be properly identified.

*--a. Reconstitutions involving combinations of two or more farms under contract will be listed in the following manner: list the contracts to be combined on succeeding lines, and on the next line list the contract as modified.

b. When a reconstitution involves a division of a farm under contract the existing contract will be listed on the first line and the sub-divisions remaining under contract will be listed on the next succeeding lines.--*

4. On the *--next--* line list the plus or minus changes *--when they occur--* preceded by the respective plus or minus sign for the individual columns. Minus entries also may be shown in red. Identify this line in column 1 and 24 as "net change."

5. Leave a blank line before listing the next modification.

6. For reports, total the lines identified as "net change" and carry forward in the same manner as prescribed for the regular contract register, paragraph 50.54.

B. Terminated Contracts.

1. In the upper portion of Form CSS-825-1 and 825-2 immediately to the left of the heading entries for State and county, enter the words "Terminated Contracts." The pages shall be numbered consecutively with the number prefixed by the letter "T." (Example: T-1.)

2. List a terminated contract exactly as it is listed on the regular contract register except that all acreage, structure, or dollar entries shall be preceded by a minus sign. They may be entered in red. If a contract has been modified prior to termination, the listing shall be taken from the "Modified Contracts" register.

3. Totals of the minus entries in all columns shall be obtained and carried forward in the same manner as on the regular contract listing.

4. 1956 and 1957 contracts shall be posted on the regular register as they existed on December 31, 1957. Terminations occurring on or after January 1, 1958 shall be entered on the "Terminated Contracts" register.

50.54 TOTALING THE CONTRACT REGISTER.

A. Page Totaling. When a page is completed enter the totals for all columns on line 39 and transfer such totals to line 1 of the next page. The number of contracts shall be entered on lines 39 and 1 of column 1. Line 1 on the page on which the first contract is listed for a new program year will be left blank.

B. Totaling Previous Years' Contracts.

1. 1956 Contract Totals.

a. Skip the first unused line after the last 1956 contract listed.

b. Add all columns as indicated in paragraph 50.54 A above and list on the next line.

(1) Column 2 will be used to show total entries for whole farms enrolled in the soil bank.

(Continued on page 50.57)

(2) Count and enter in red in the first blank of column 2 (on the total line) the number of farms for which the entry in column 5 is circled in red.

(3) Add and enter in red in the second blank the acres from column 5 for such farms.

(4) In the next two blanks make similar entries in blue for farms where the entry in column 5 is circled in blue.

c. Identify this line in column 1 and column 24 as follows: "Total 1956 Contracts."

d. List no additional contracts on this page.

2. 1957 Contract Totals.

a. Skip the first unused line after the last 1957 contract listed.

b. Add all columns as indicated in paragraph 50.54 A above and list on the next line.

(1) Make entries for whole farms in column 2 as indicated in B, 1, b above.

c. Identify this line in column 1 and column 24 as follows: "Total 1957 Contracts."

d. List no additional contracts on this page.

C. Totaling for Reports. Form CSS-830 (2-10-58) report totals shall be obtained through the following steps:

1. Skip the first unused line after the last contract listed on the regular contract register for 1958 program year contracts.

a. Add all columns and list on the next line. Make entries for whole farms in column 2 as indicated in B, 1, b above.

b. Identify this line in columns 1 and 24 as "New Contracts - 1958."

c. Enter on next line the current cumulative totals from Modified Contracts register. Make entries for whole farms in column 2 for changes by reason of modification as indicated in B, 1, b above. Identify in columns 1 and 24 as "Modified Contracts - 1958."

d. Leave next line blank.

e. Enter the total of items b and c above ("New Contracts - 1958" plus "Modified Contracts - 1958"), identify as "1958 Report Total."

2. Enter on next line the total of 1956 contracts from the applicable page. Identify as "1956 Contracts."

3. Enter on next line the total of 1957 contracts from the applicable page. Identify as "1957 Contracts."

4. Enter the total of items 1e, 2, and 3 above ("1958 Report Total" plus "1956 Contracts" plus "1957 Contracts"), identify as "Totals."

5. Enter on the next line the current cumulative totals from Terminated Contract Register, identify as "Terminated Contracts."

6. Subtract item 5 from item 4 ("Totals" minus "Terminated Contracts"). Identify in columns 1 and 24 as "Cumulative Report Total."

7. No additional contracts should be listed on this page. Totals in item 1b above "New Contracts - 1958" will be carried forward to line 1 of the next page.--*

*-- 50.55 1956, 1957 AND 1958 CONSERVATION RESERVE CUMULATIVE REPORT OF SIGN - UP AND OBLIGATIONS - FORM CSS-830 (2-10-58).

Form CSS-830 (Soil Bank) (2-10-58) shall be used by ASC county offices to report 1958 program only and 1956, 1957 and 1958 cumulative totals of Form CSS-825-1 and CSS-825-2 to ASC State offices for all items thereon for the reports described in 50.55 A, below.

A. Reporting to the ASC State Office.

1. A cumulative report of CSS-830 (Soil Bank) (2-10-58) for 1958 program only and 1956, 1957 and 1958 Conservation Reserve Program sign-up county totals shall be made to ASC State offices as follows:

a. Report as of March 31, 1958 to be mailed to ASC State office not later than April 1, 1958.

b. Report as of April 30, 1958 to be mailed to ASC State office not later than May 1, 1958.

c. Report as of May 31, 1958 to be mailed to ASC State office not later than June 2, 1958.

d. Revised report reflecting modifications and terminations, occurring through July 15, 1958. This report is to be mailed to the ASC State office not later than July 16, 1958.

e. Additional report dates as may be established.

2. An original and one copy of the report shall be sent to State office by fast mail on Form CSS-830 (Soil Bank) (2-10-58).

3. The report shall show the name of the county and State and the ending date covered by the report. It shall also show as of the report period ended the cumulative data from Form CSS-825-1 and 825-2 (Soil Bank) (1-28-58) in the designated item spaces provided on Form CSS-830.

a. Reporting unit for acres on Form CSS-830 shall be whole acres dropping tenths and for funds whole dollars dropping cents.

*--

4. The report shall be completed after totaling the registers as described in Paragraph 50.54.

a. The total for Form CSS-830 Column "1958 Program only," Item 1 A for contracts approved during the 1958 program shall be data for the farms entering acres for the first time.

(1) Report Items 2, 3, 4, 5, and 6 for "1958 Program only" column reflect data for both farms entering acres for the first time as well as for those farms modifying a previous year's contract to place additional acres in the Conservation Reserve.

5. Check data will be used as indicated on the Form CSS-830.

6. Explain in "Comments" on the reverse side of Form CSS-830 any unusual entries, apparent discrepancies in the data entered on the report, or conflicts with items on previous reports.

7. This report has been approved by CSS Reports Control Officer and assigned Reports Control Number SB-12R.

50.56 1958 CONSERVATION RESERVE CUMULATIVE REPORT OF CONTRACT APPLICATION - FORM CSS-840. (See Paragraph 36)

A. Reports to the State office shall be for the periods ended:

- December 20, 1957
- January 10, 1958
- January 24, 1958
- February 14, 1958
- February 28, 1958
- March 14, 1958
- March 28, 1958
- April 18, 1958

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B. The State office may require more frequent reporting to ascertain if adequate progress is being made.

C. If during the sign-up period, it becomes evident that the funds allocated to the county will be insufficient to cover all acres offered for contract, the county committee shall notify the State office of their estimate of additional funds required to complete the program in the county, and such other data as the State office may require.

D. The cumulative report of contract applications shall be made by each county office to the ASC State office to report cumulative totals on Form CSS-840. An original and one copy of the report shall be forwarded:

1. Entitle report, "1958 Conservation Reserve Cumulative Report of Acres Offered for Contract and Funds Required - Form CSS-840 (Soil Bank) for Period Ended _____."
2. State and county names.
3. Cumulative total of applications for which funds are allocated.
4. Cumulative total of acres offered for contract for which funds are allocated.
5. Cumulative total of 1958 annual payment funds required for farmer's sign-up request.
6. Cumulative total of 1958 practice funds required for farmer's sign-up request.
7. This report has been assigned Reports Control Number SB 16 R.--*

(Text continued on Page 51)

SECTION 4. MODIFICATION AND TERMINATION OF CONTRACT

51. MODIFICATION OR TERMINATION OF A CONTRACT BY MUTUAL CONSENT.

Contracts may be terminated upon mutual agreement of the signers and the county committee if such termination is specifically approved by the Deputy Administrator, Production Adjustment or is within the general policies set forth below.

A. Contract Termination by County Committee.

1. The county committee should not enter into a mutual agreement with the producer to terminate a contract if the county committee has reason to believe that the producer's request was made for the purpose of evading the terms and conditions of the contract. With the approval of a State committee representative a conservation reserve contract may be terminated at the county level by the county committee under the following conditions:

a. If the county committee determines that the operator of a farm becomes physically handicapped after entering into a contract to the extent that he could not be reasonably expected to carry out the terms and conditions of the contract and to require him to do so would work an undue hardship on him.

b. If the county committee determines the operator of a farm is now or was mentally unstable at the time he signed the contract to the extent that he could not reasonably be expected to comply with the terms and conditions of such contract.

(1) The county committee may request a doctor's statement as to the physical condition of the operator.

2. In connection with contracts terminated in accordance with subparagraphs a and b above:

a. The written request of all the producers signatory to the contract, or their authorized representatives, the findings and approval of the county committee and the State committee representative including their reasons for termination of a contract shall be made a part of the contract file.

*--

acreage designated to be planted to forest trees under Practice A-7, to any longer authorized contract period provided the county committee believes the requested extension of the contract period is in accordance with the objectives of the program and in the public interest.

5. When a cover fails through no fault of the producer and restoration is authorized the producer may be authorized to re-establish the original practice or choose to change to a new type of conservation use except where the minimum contract period for the new use is more than the contract period established for the original use.

C. Contract Modification Not Requiring Mutual Agreement.

A contract may be modified for the following purposes:

1. Modification because of reconstituting the farm.
2. Extension of the contract period when required because of the ten year period requirement for practice A-7.
3. To permit producers to reduce the contract period from 10 to 5 years where tree or shrub cover was established for shelterbelts or windbreaks in 1956 or 1957 under practice A-7 or as a part of practice G-1, G-2, or G-3.
4. To allow a producer to increase the contract period for land previously placed in the conservation reserve to 4, 5, 6, 7, 8, or 9 years when additional land is placed under contract in order to make contract periods for all land on the farm expire simultaneously.

D. Modifications or Terminations by Deputy Administrator.

In those cases where the county committee concurs with a request for modification or termination of a contract based on reasons other than those set forth in A, B and C above, the request must be submitted to the State office for examination and transmitted to the Deputy Administrator, Production Adjustment for his consideration. The following information must be submitted with the request:

1. A letter from the county committee stating that a written request is on file in the county office from the producer(s) signatory to the contract requesting

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modification or termination of the contract and the reasons therefor and also the reasons why the county committee believes the request should be granted.

2. The material received from the county committee should be examined by the State office and forwarded to the Soil Bank Division, Washington, D. C., together with a statement setting forth the opinion of the State committee as to whether the contract should be modified or terminated as requested.

51.5 EXTENSION OF THE CONTRACT PERIOD.

Any change in contract period is accomplished by correcting the year in column D of Part II of CSS-811. Each person who signed the contract shall initial the period change.--*

52. CHANGE OF CONSERVATION USE.

A. Change Prior to Establishment of Permanent Practice.

1. A contract may be modified to authorize the change in use of land prior to the establishment of a permanent practice previously approved by the county committee, including those cases where:

a. An approved vegetative cover was on the land at the time the original contract was approved and no conservation reserve cost-share payments have been made in connection therewith, or

b. A temporary cover has been established and cost-share payment made prior to the establishment of an approved permanent practice, provided:

(1) The new use is one of the conservation reserve uses approved for the county.

(2) Prior approval is obtained from the county committee for such new use. When applicable a new CSS-815, Approved Practices and Application for Payment, must be prepared and sent to the operator.

(3) The county office copy of Form CSS-815 will be attached to any previously issued form and be

retained in the contract folder.

(4) The acreage to be devoted to the new use and the other acreage on the farm in the conservation reserve meets the minimum acreage requirement for the farm and the minimum acreage requirement and minimum contract period for the specific conservation use.

2. The contract will be modified as follows:

a. Draw a line through the originally approved use or practice. In case the new use is the establishment of a temporary cover for erosion control pending the establishment of the permanent cover (see paragraph 68 B) the originally approved permanent use practice should not be lined out.

b. Enter the practice for the new approved use in Part II of the contract.

c. Have each producer signatory to the contract and a member of the county committee write his initials in ink in the nearest space available on the contract opposite each modification.

d. If any person signatory to the original contract is not easily available, a supplemental contract showing the changes from the original contract may be prepared and mailed to such producer for his signature. Type on the face of such supplemental contract form the words, "The entries shown hereon modify the conservation reserve contract already in existence on the farm."

e. The supplemental contract when signed and returned to the county office by such producer shall be attached to the original contract.

3. The contract period for the new use shall be not less than the minimum contract period for the new use and in no event shall extend beyond December 31, 1969, except that the contract period for land devoted to forest trees may extend through December 31, 1974.

B. Change After Establishment of Permanent Practice.

1. A contract may be modified at any time to authorize a change in use of land on which an approved practice A-2 or G-1 has been established, provided:

- a. The new conservation reserve use is established at the producer's expense.
- b. The new use is practice A-2, A-7, A-8, B-7, C-14, G-1, G-2, or G-3 and such practice is one of the conservation uses approved for the county.
- c. Prior approval is obtained from the county committee for such new use. A new form CSS-815, Approved Practices and Application for Payment, shall be prepared and sent to the operator. Insert the words on Form CSS-815, "At no cost to the Government."
- d. The county office copy of the new CSS-815 will be attached to any previously issued CSS-815 or ACP-245 and be retained in the contract folder.
- e. The acreage to be devoted to the new use and the other acreage on the farm in the conservation reserve meets the minimum acreage requirement for the farm and the minimum acreage requirement for the specific conservation use.

2. The contract will be modified as follows:

- *--a. Make the necessary changes in applicable columns of the originally approved practices shown on the contract. --*
- b. Enter the practice for the new approved use in Part II of the contract and insert the words, "At no cost to the Government."
- c. Have each producer signatory to the contract write his initials in ink in the nearest space available on the contract opposite each modification.
- d. If any person signatory to the original contract is not easily available, a supplemental contract showing the changes from the original contract may be prepared and mailed to such producer for his signature. Type on the face of such supplemental contract form the

D. Land which is in the acreage reserve program during any year of the contract period prior to 1961 may be put in the conservation reserve upon the expiration of the acreage reserve agreement.

E. Producers wishing to add ~~*-additional-*~~ land in 1958 or a subsequent year to an existing conservation reserve contract may do so providing they will enter into a new contract covering both the acreage previously under contract and the land being added. The terms and conditions of such new contract will be the terms and conditions in effect for the calendar year for which the contract becomes effective for the additional land.

54. SALE OR LOSS OF CONTROL OF FARM.

A. If an owner, or if a cash tenant, standing-rent tenant or fixed rent tenant who has a lease for the entire contract period and who signed the contract in lieu of the owner loses control of the entire farm or any portion of it on which all or part of the designated conservation reserve is located, the contract shall terminate with respect to such person for that part of the designated conservation reserve over which control is lost.

B. In the event of such termination, the person losing control:

1. Shall be entitled to no compensation under the contract for that acreage in the conservation reserve over which control is lost, and

2. Shall refund all Federal cost-shares paid under the contract with respect to that conservation reserve acreage over which control is lost unless the producer who acquires his interest in such acreage ~~*-within a reasonable time as established by the county committee--*~~ becomes a party to a contract continuing such acreage in the conservation reserve for the balance of the contract period. The refund of cost-share payments shall be made even though the control is lost because of a sale to or acquisition by the Federal Government, a State, county, or municipality, or a utility or other company having the right of eminent domain, and land for all practical purposes is permanently retired from agricultural uses.

acquisition of additional land which together with any land on the farm covered by the contract constitutes a farm as one unit according to the applicable definition.

A. Steps To Be Taken By The County Office When Additional Land is Added To The Farm Under Contract

1. Modify the contract to reflect the soil bank base for the newly constituted farm.

a. The soil bank base for the new farm will be the sum of the soil bank base for the farm as constituted at the time the contract became effective and the soil bank base for the land being added. (The soil bank base for the land being added should be established in accordance with paragraph 28 and the base period for the land added shall be the two years preceding the year of reconstitution.)

2. The contract signers should be informed of the changes made in the farm soil bank base to make them applicable to the newly constituted farm and that the contract remains in effect modified to reflect these changes.

3. The producer should be informed that if the soil bank base is increased he may designate additional acreage at the regular rate.

a. In no case can the rate of payment for land designated under the original contract be changed when the modified contract has increased the soil bank base.

B. Steps to be Taken When a Farm is Reduced in Size. The following steps are to be taken by the county office when a farm covered by a contract is reduced in size by the sale or lease of land, or divided into two or more farms as the result of a change in the definition of a farm or otherwise:

1. Notify the contract signers that:

a. They are obligated to either repay the practice payments made with respect to that acreage in the conservation reserve over which control is lost or get the new owners and/or operators to enter into a contract covering the farm of which the land becomes a part which will continue the acreage in the conservation reserve for the balance of the contract period.

c. If the county committee determined that this method would result in the division of the remainder, as determined above, not being representative of the farming operations normally carried out on each part, the remainder may be apportioned among the respective parts in the same manner as would have been done if each part had been a completely separate farm: Provided, that the sum of the soil bank base acreages thus determined for the respective parts shall not exceed the farm soil bank base established for the farm prior to such reconstitution.

57. HOW TO PREPARE A MODIFIED CONTRACT

A. Prepare a New Worksheet (Form CSS-812 or CSS-836) if Needed

It is not necessary to prepare a new worksheet where additional land is placed in the conservation reserve on a farm which has not been reconstituted since the contract which is being modified went into effect. (See paragraph 53.)

B. Prepare Another Contract Form (Form CSS-811)

1. Fill out the contract to reflect the modification involved.

a. Transfer to the new contract form all entries on the original contract which are not affected by the modification.

2. Use the same contract number as for the original contract, followed by the letter "A". If the contract is modified a second time, use the original contract number followed by the letter "B".

C. Contracts modified to place additional land in the conservation reserve must be signed by all persons who would be required to sign it if it were a new contract.

1. Contracts modified to reflect the loss of control of some land and such modification results in a change in the annual payment rate on some of the acreage in the conservation reserve, must be signed by all persons who would be required to sign it if it were a new contract.

2. Contracts modified to reflect the loss of control of some land which does not result in a change in the annual payment rate on the acreage in the conservation reserve do

PART 5. DETERMINATION OF ACREAGE OF SOIL BANK BASE CROPS

SECTION 1. SOIL BANK BASE CROPS

59. DETERMINE ACREAGE

A. Determine acreage of soil bank base crops for the year for which the annual payment is to be made, in accordance with Performance Handbook 2 and any other applicable performance instructions. The classification of acreage planted or otherwise devoted to soil bank base crops will be determined in accordance with the classification set forth in paragraph 31.

B. The number of acres in the tract or tracts of land designated as the conservation reserve and the number of acres on the farm devoted to soil bank base crops shall be measured or otherwise determined in the same manner as acreage is determined under the acreage allotment and marketing quota programs except that:

1. In determining soil bank base crop acreage any acreage of an allotment crop which is disposed of before the disposition date applicable to the farm shall not be considered soil bank base crop acreage whether or not the acreage so disposed of was within or above the allowable allotment acreage for the farm.

C. The number of acres devoted to any of the soil bank base crops for which an acreage allotment or soil bank corn base is not applicable shall be for 1956 the harvested acreage planted to such crop (including volunteer seedings) which is not turned under, cut off, or otherwise disposed of, to the extent that the crop will not reach maturity, prior to a date which shall be at least 15 days before the date the harvesting of the latest maturing crop in the area normally begins. Such disposition date may be established in a county or an area within a county.

D. In counties, where State committees have authorized the procedure, a producer may be required to notify the county committee before the disposition date of his intention to use as a cover crop what would normally be considered a soil bank base crop if it were not disposed of by the disposition date.

D-2 - Establishment of vegetative cover for summer protection from erosion.

G-1 - Establishment and management of cover specifically beneficial to wildlife. This practice will have general applicability in all States, although the plant species, cultural, and other operations used may differ from State to State and in different sections of the same State. It includes wildlife cover and food plantings, land operations such as partial discing, and a variety of practices designed to improve wildlife habitat.

G-2 - Water and marsh management to benefit fish and wildlife. This practice includes the development of shallow water areas to improve habitat for waterfowl, fur animals, and other wildlife, as well as restoration of drained areas (formerly marshland) by installing earth plugs or water control structures in drainage ditches.

G-3 - Constructing dams or ponds for fish. This practice does not include dams or ponds which are primarily for the commercial production of fish for food.

61. DEVELOPMENT OF COUNTY LIST OF PRACTICES.

The agencies to participate, and their extent of participation in the selection, development, and approval of county conservation reserve practices, are the same as for the county agricultural conservation program (see section 485.151 of the conservation reserve program regulations, and paragraph 49 of the ACPS handbook). In particular, however, representatives of the State Fish and Game Department and the Federal Fish and Wildlife Service shall be included with the representatives invited to consult with the group responsible for the development of the county list of conservation reserve practices. The chairman of the ASC county committee shall take the initiative in arranging the necessary county meetings and full agency participation.

A. Selection of Practices. The practices to be included in the county list of conservation reserve practices will be selected from those included in the State list of conservation reserve practices.

B. Requirements and Specifications. The requirements and specifications of each practice selected for use in the county must include those that are applicable under the State list of conservation reserve practices. Additional

on land designated as the conservation reserve will be available to all eligible farmers.

63. AMENDMENTS TO COUNTY CONSERVATION RESERVE PRACTICES.

Amendments which the county group from time to time desires to make in the approved county list of conservation reserve practices, including the addition of new practices, changes in practice requirements and specifications and rates of cost-sharing, shall be developed and recommended to the State group for approval in the same manner and with the participation of the same agencies as is provided in paragraph 61.

64. ESTABLISHMENT OF COST-SHARING RATES.

The rates of cost-sharing for county conservation reserve practices shall be established and expressed in the same manner as under the agricultural conservation program (see paragraphs 54, 55, and 56 of ACPS handbook), except that:

A. Cost-sharing is not available for fencing under conservation reserve practices.

B. Rates of cost-sharing shall not exceed those specified in the State list of conservation reserve practices.

65. MAXIMUM COST-SHARE LIMITATIONS.

A. Water Storage Facilities. The maximum cost-share for a water storage facility constructed under practice B-7, C-14, G-2, or G-3, shall not exceed the sum of (1) 80 per cent of that part of the cost of constructing the water storage facility which is not in excess of \$625, (2) 40 per cent of that part of the cost of constructing the water storage facility which is in excess of \$625, but not in excess of \$1,000, and (3) 20 per cent of that part of the cost of constructing the water storage facility which is in excess of \$1,000. In no case shall the total payment thus computed exceed \$1,500 which includes components.

For contracts becoming effective in 1958 or a subsequent year, the total cost-share for all water storage facilities constructed on a farm shall not exceed the larger of \$1,500, or \$40 times the acreage in the conservation reserve.

C. G-1. The maximum cost-share for practice G-1 shall not exceed an amount determined by multiplying the number of acres devoted to the practice by the maximum amount per acre which would be approved for practice A-2, A-7, D-1, or D-2, whichever is the highest, if carried out on the same acreage. (Where annual seedings or other measures are required to be performed under practice G-1, the total of all such payments on an acreage cannot exceed the maximum amount per acre which would be approved in carrying out practice A-2, A-7, D-1, or D-2, whichever is the highest, once on the same acreage.)

SECTION 2. GENERAL

66. APPROVED PROTECTIVE VEGETATIVE COVER.

Approved protective vegetative cover (other than tree or shrub cover) to be established on the conservation reserve or to be considered as approved existing vegetative cover shall be limited to perennial grasses and perennial legumes normally seeded in the area for hay or pasture: Provided, That approved protective vegetative cover may include other grasses and legumes and volunteer vegetative cover, upon recommendation of the county group and approval by the State group.

A. If the county group believes that conditions in their county justify making a request for grasses and legumes other than perennials normally seeded in the area for hay or pasture or for volunteer vegetative cover, they must submit also a statement to the State group showing why it is not practicable in many cases to require the establishment of perennial grasses and legumes and also that the kinds of cover recommended will provide good protection from wind and water erosion for the contract period. Where practicable, such cover shall be of specific benefit to wildlife.

B. Volunteer vegetative cover will be approved only where it is determined by the State group that such cover will provide satisfactory protection against wind and water erosion for the entire contract period. (See paragraph 67.)

c. Where an approved seeding was made and it either does not become established or it fails after establishment and a satisfactory volunteer cover, which will provide adequate cover against wind and water erosion for the contract period, becomes established, such cover may be approved for the conservation reserve.

67. EXISTING VEGETATIVE COVER.

If approved vegetative cover (other than volunteer cover) is already on the land when it is placed in the conservation reserve, and such cover is determined to be adequate to provide good protection from wind and water erosion for the contract period, the establishment of a vegetative cover is not required. (No cost-sharing may be made for this type of cover.) In making such determinations, the county committee will be guided by conditions and standards prescribed by the State committee.

68. ESTABLISHMENT OF VEGETATIVE COVER.

If vegetative cover is to be established on conservation reserve acreage:

A. The cover must be adequate to provide good protection from wind and water erosion for the contract period.

B. The cover must be established as soon as practicable. If current drought or other abnormal conditions make it impracticable to establish permanent vegetative cover immediately, the county committee may defer establishment of the permanent vegetative cover until such time as conditions become favorable for seeding. Temporary cover should be required where it is determined needed to prevent serious erosion before it is practicable to establish the permanent cover.

C. Seedings of annual grasses, annual or biennial legumes and small grains, when seeded without a perennial grass or perennial legume, shall be approved only where the county committee determines that (1) they are of varieties which

reserve, cover established with cost-sharing, and other conservation reserve practices performed on the conservation reserve must be maintained in accordance with good farming practice.

73. PRACTICES CARRIED OUT BEFORE CONTRACT IS APPROVED.

A. In order to be eligible for cost-sharing for a practice or component thereof, a producer on the farm must sign a form CSS-811 requesting such practice or component before he starts to carry it out.

B. After a producer has signed a conservation reserve contract and has indicated thereon the practice to be carried out on the designated conservation reserve acreage, he may perform such practice prior to the time the contract is approved by the county committee and be eligible for practice cost-sharing, provided the conservation reserve contract is subsequently approved and the practice meets specifications.

74. USE OF ACP PROVISIONS, POLICIES AND PROCEDURES.

The pertinent provisions and policies of the ACP will be applicable to the conservation practice phase of the conservation reserve program except as otherwise provided herein.

SECTION 3. TECHNICAL PHASES OF PROGRAM

75. RESPONSIBILITY FOR TECHNICAL PHASES OF PRACTICES.

A. The Soil Conservation Service is responsible for the technical phases of practices A-8, B-7, C-14, G-2, and G-3.

1. The Soil Conservation Service will utilize to the full extent available resources of the State forestry agencies in carrying out its assigned responsibilities for practice A-8.

B. The Forest Service is responsible for the technical phases of practice A-7. The Forest Service will utilize to the fullest extent available the resources of the State Forestry Agencies.

C. For all other practices the county committee will furnish the farmer any information necessary for the proper performance thereof, except, that if in connection with the performance of

78. FARMERS' SELECTION OF PRACTICES.

A. Review Practices. Each farmer should be urged to review carefully all of the approved practices available in the county before deciding which practice or practices best fit his operations.

B. Select Practices. Practices selected should be those which the farmer intends to establish during the first year or as soon thereafter as practicable.

C. Water Storage Facility. If a farmer selects a water storage facility practice (B-7, C-14, G-2 or G-3) and part of the surface area impounded will be off of the designated acres, he should be informed that cost-sharing will be applicable only to that proportion of the surface area impounded which is on the designated acres. In such cases if the practice designated is practice B-7 or C-14, the farmer may instead request assistance under the ACP. Where all the impounded water will be on the conservation reserve, the water impounding practice can be approved only as a conservation reserve practice. (Cost-sharing cannot be divided and part paid under each program.) The actual location of the structure itself may be either on or off the designated acres, or partly on or partly off the designated acres. Where a water impounding structure or a part of the water impounded under practices B-7, C-14, G-2 or G-3 is located on Federally-owned land, the provisions of paragraphs 225 and 226 of the ACPS handbook are applicable.

D. Use of Land Capability Data. Farmers and ranchers should be urged to obtain and use soil suitability information and land use capability data from the Soil Conservation Service wherever available as a guide in determining which part of their lands to place in the conservation reserve and the conservation practices to be carried out thereon.

E. Disapproval of a Technical Phase Practice. If a farmer selects a practice requiring technical assistance and the practice is not approved, the farmer will be permitted to substitute another eligible practice or withdraw his contract.

79. NEED AND PRACTICABILITY DETERMINATIONS.

Where the farmer requests cost-sharing to install a practice for which responsibility for technical phases has been assigned to the Soil Conservation Service or Forest Service (practices A-7, A-8, B-7, C-14, G-2 and G-3), the necessary

B. Preparation of Forms ACP-245 and CSS-815. The forms ACP-245 and CSS-815 shall be prepared in accordance with current ACP instructions for preparing Form ACP-245 when used under the agricultural conservation program, except as follows:

1. For 1956 and 1957, enter immediately under the title of the form, on all copies of ACP-245, the following: "Conservation Reserve Program (CRP). (Any reference herein to Agricultural Conservation Program (ACP) means CRP.)"

a. This entry may be made by typewriter or rubber stamp impression.

2. Enter the contract number in the upper right corner of the form under the "State and County Code and Farm Number" for 1956 and 1957 and in the space provided on CSS-815 for 1958.

3. Enter the contract line number in the right side of Column B from Part II of Form CSS-811.

4. Enter in Column C the extent of the practice approved from Column E or G of the contract.

5. Enter in Column D the cost-share rate per unit from the county program.

a. If the cost-share rate in the county program is expressed as a percentage of the cost, the entry in Column D shall be the approved percentage of cost.

b. The entry in Column E shall be the total cost-share for the approved units not to exceed any limitation specified in the practice wording or otherwise applicable to the practice.

c. For practices B-7, C-14, G-2, and G-3, the words "see attached statement" or "see statement below" shall also be entered. The language of the statement shall read as follows: "The cost-share for this practice shall not exceed the sum of (1) 80 per centum of that part of the cost of constructing the practice which is not in excess of \$625, (2) 40 per centum of that part of the cost of constructing the practice which is in excess of \$625, but not in excess of \$1,000, and (3) 20 per centum of that part of the cost of constructing the practice which is in excess of

reserve program except as indicated below.

82. FURNISHING CMS BY PURCHASE ORDERS.

A. Adaptation of Form ACP-250. Form ACP-250 shall be adapted for conservation reserve program use as follows:

1. Enter immediately under the title of the form, on all copies, the following: "Conservation Reserve Program (CRP). (Any reference herein to Agricultural Conservation Program (ACP) means CRP.)"

a. This entry may be made by typewriter or rubber stamp impression.

2. Enter the contract number in the upper right part of the form.

3. At the bottom of the form delete the reference to the purchase order authority.

B. Preparation of Form ACP-250. Form ACP-250 shall be prepared according to ACP instructions in paragraphs 395 through 401 of the ACPS handbook, except:

1. Disregard the block pertaining to the small cost-share increase.

2. Advise the farmer that the purchase order is for a material or service to be used only in performing a conservation reserve program practice.

C. Adaptation of ACP Form 251. Form ACP-251 shall be adapted for conservation reserve program use as follows:

1. Enter immediately under the title of the form, on all copies, the following: "Conservation Reserve Program (CRP). (Any reference herein to Agricultural Conservation Program (ACP) means CRP.)"

a. This entry may be made by typewriter or rubber stamp impression.

2. At the bottom of the form delete the reference to the purchase order authority.

D. Preparation of Form ACP-251. Form ACP-251 shall be prepared according to ACP instructions in paragraph 402 of the

5. Contractors shall be informed that separate claims for payment must be submitted for materials delivered under the two programs.

B. Collection of Farmers' Share. Collection of the farmers' share of the cost of the CMS shall be transmitted to the ASC State office for deposit as a credit to the appropriation allotment account which bore the cost of the contract purchase.

1. Identify the purpose of the collections on Form CSS-603 as CRP-Practice collections.

C. Payment of Transportation Charges, and Charges Under Handling and Distribution Agreements. When applicable, invoices and claims for transportation charges and charges under handling and distribution agreements in connection with materials procured under source of supply contracts shall be verified and approved for payment by the county office manager or a member of the county committee, and transmitted to the ASC State office for payment through the regional disbursing office serving the ASC State office.--*

SECTION 6. POOLING ARRANGEMENTS

84. JOINT PARTICIPATION.

Producer(s) in any local area may, with the prior approval of the county and State committees, enter two or more farms jointly in the program if a plan is developed to the satisfaction of such committees that would result in better management of family farms or better land use of the farms through such joint participation than would be obtained through individual farm participation. Pooling arrangements may not be authorized for the purpose of combining acreage allotments or soil bank corn bases.

PART 7. DETERMINATION OF PRACTICE PERFORMANCE

SECTION 1. DETERMINATION OF PERFORMANCE

85. GENERAL PROVISIONS AND REQUIREMENTS.

The basic general provisions and requirements in part 10 of the ACPS handbook are applicable in determining and reporting performance of practices under the conservation reserve program. Certain provisions of part 10 of the ACPS handbook are not applicable to the conservation reserve program, and other provisions are modified to make them applicable to the conservation reserve program.

86. PROVISIONS OF THE ACPS HANDBOOK WHICH ARE NOT APPLICABLE.

The following paragraphs (as numbered in part 10 of the ACPS handbook) are not applicable to the conservation reserve program:

A. Paragraphs 419, 433 and 443 (Maximum Cost-Share Limitation for a Person).

B. Paragraph 427 (Reinstating an Approval). Approvals do not necessarily need to be cancelled due to failure to report performance by the specified date but may be extended. (See paragraph 80 B 6 b.)

C. Paragraph 428 (Reapproval Under a Subsequent Program). There is no program year limitation within which the practices must be completed.

D. Paragraphs 418, 429, 430 and 431 relative to the failure to use CMS during the program year. (See C above.)

E. Paragraphs 445 and 470 (Practices Carried Out in or by Drainage, Irrigation, Weed Control, or Soil Conservation Districts) are not applicable insofar as they relate to involuntary performance since practices may be performed on any land under contract.

F. Paragraphs 446 and 471 (Practices Carried Out on Land Owned by the United States or by a Corporation Wholly Owned by the United States). U. S. Government owned land is not eligible to be designated as conservation reserve acreage.

that some of the area of the impounded water is located on the conservation reserve.

D. Paragraphs 476 and 477 relative to cost-sharing for completed components of practices.

1. In case the component payment provision is used, the practice must be substantially completed and the agreement of the farmer in writing to complete the practice must be obtained. The completion of the practice is mandatory and the county committee shall issue on Form ACP-245 or CSS-815 an approval of cost-sharing for completion of the practice. If the practice is not completed, the advance cost-share paid shall be recovered. If a farmer plants a lesser acreage of trees than the acreage approved for practice A-7, the acreage planted may be considered in the same manner as a component of a practice if (1) he was unable to obtain or (2) the county committee permits him to extend the planting over a period of more than one year as provided in paragraph 46 F 3.

2. Exhibit 1 of the ACPS handbook must be appropriately revised when used under the conservation reserve program.

E. Paragraph 484, (Applications Within Minimum and Maximum Rates Per Acre).

1. Cost-sharing shall not be allowed for applications of materials on an acreage in excess of that approved in the contract.

F. Paragraphs 485, 486 and 487, relating to increasing the approved extent and cost-share of a practice after performance, are not applicable insofar as they would authorize cost-sharing on acreages not covered by the contract.

G. Paragraph 488 (where rate is expressed as a per cent of cost). Payment is limited to the authorized per cent of cost of performing the extent specified in the contract.

--H. Paragraphs 444 and 469 and 491 (relating to practices carried out with State or Federal aid). No reduction of the cost-share shall be made for aid furnished by a private person, or a State agency in connection with the performance of practices G-1, G-2 or G-3.--

PART 8. ANNUAL PAYMENTS

SECTION 1. ESTABLISHMENT OF RATES

88. COUNTY REGULAR RATE.

A. The State committee shall establish a regular annual payment rate per acre for each county, taking into consideration:

1. The cash value of the land for the production of commodities customarily grown on such kind of land in the county.
2. The prevailing rates for cash rentals of land used for the production of commodities customarily grown in the county.
3. The productivity of land in the county as compared with land in other counties in the State.
4. If part of the land in a county is irrigated and part non-irrigated, the county or area rate will be established on the basis of the non-irrigated cropland. If all the land in a county is irrigated, the rate for the county will be the State rate.

B. County Area Rates. The State committee may establish different regular annual payment rates for different areas within a county to reflect:

1. Substantial differences in cash value of the land for the production of commodities customarily grown on such kind of land.
2. Cash rental rates of such land.
3. The productivity of land in different areas of the county.

C. Farm Annual Rate. The rate for an individual farm is the county or area rate except where a lower rate for the farm is established. The county committee should establish a rate per acre for a farm which is lower than the rate established for the county or the area when it is determined that the land on such farm has a substantially lower productivity, cash value, or rental rate than the average of the land in the county or area for which the annual payment rate for the county or area was established by the State committee.

prior to October 1, 1957.

B. Payment will be made by means of Commodity Credit Corporation sight draft, payable to the producer or his assignee. See paragraphs 101 and 102.

C. The producer must apply for payment by June 30, of the year following the calendar year for which the annual payment is earned.

91. LIMITATION ON PAYMENT.

A. Maximum Limitation. The total of all annual payments under the Conservation Reserve Program to any producer for any program year with respect to all farms in which he has an interest shall not exceed \$5,000.

*--B. Guides for Determination of Interests. The conservation reserve program provides a maximum limitation on the total of all annual payments to any producer for any year with respect to all farms in which he has an interest. The following instructions will provide a basis for county committee determinations with respect to the application of the payment limitation. In applying the maximum limitation in cases where two or more individuals interested in participating in the program are related or are associated as described in paragraphs 1 through 6, it must be determined whether such individuals are to be treated as ONE PRODUCER or as SEPARATE PRODUCERS. Such paragraphs set forth certain guides for making this determination. While some of the guides are directed to the determination which must be made with respect to any particular farm, it is necessary to bear in mind that the payment limitation applies to the aggregate amount which the producer may receive with respect to all farms in which he has an interest as a producer. In cases where more than one guide would appear to be applicable, the guide which is most restrictive is to be applied. Any case which cannot be definitely decided in the light of these guides should be submitted through the State Committee to the Director, Soil Bank Division, CSS, for consideration. These guides shall be followed in the case of all contracts which are approved by the county committee AFTER the issuance of these instructions. With respect to contracts previously approved by the county committee, the determination as to whether there is one producer or separate producers on the farm will depend on the facts in the individual case.

1. Partnerships.

a. General. For purposes of applying the maximum limitation, a "partnership" is considered as one "producer."

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c. Creation of Partnership. A partnership may be created by, and operate under, a written partnership agreement. The existence of such an agreement would be conclusive evidence of a partnership. In the absence of such an agreement, or in the case of an undisclosed agreement, a partnership may be implied from the manner in which the participating persons conduct their operations and business. Items which may be considered are whether the operation is considered to be a partnership in the community, whether a partnership bank account is maintained, whether a partnership is carried on under a "partnership" or "firm" name, whether partnership tax returns are filed, whether the participating individuals recognize the act of one of them as binding on the rest, and whether the persons involved consider themselves to be and hold themselves out to the public as partners.

2. Corporations and Associations. Where a corporation (or an association) is interested in a farming operation, the corporation shall be considered as a producer. A stockholder who owns a majority of the stock of the corporation shall not be considered as a separate producer on the same farm nor recognized in any other capacity on the same farm as a landowner, landlord, tenant, or sharecropper for purposes of applying the limitation. The existence of a corporation or association should not be difficult to determine. Such organizations are usually evidenced by organizational documents such as articles of incorporation, certificates of association, etc. Such organizations also operate under a "corporate" or "firm" name.

3. Estates or Trusts. Where the heirs of an estate or the beneficiaries of a trust are interested in a farming operation, the estate or trust shall be treated as the producer in applying the limitation unless the estate has only one heir or the trust has only one beneficiary, in which case such sole heir or sole beneficiary shall be treated as the producer.

a. Subject to the provisions of (b) below, an individual who is NOT the sole beneficiary of the estate or trust may be considered as a separate producer or recognized in a different capacity as landlord, landowner, tenant, or sharecropper, on the same farm or on another farm, provided such separate producer status is established to the satisfaction of the county committee.

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or in the nature of the interests of the participating individuals, which has the effect of increasing the number of producers, the county committee must determine whether the change was made for the purpose of increasing the aggregate amount of compensation to be received by the participating individuals over the amount which would have been received if the maximum limitation were to be applied on the basis of the farming operation previous to the change. Any change made for such purpose constitutes a scheme or device to evade the maximum limitation and any producer who adopts or is a party to such a scheme or device must forfeit or refund any compensation payable or which has been paid.

D. Evasion of Maximum Limitation. All or any part of the annual payment which otherwise would be due any producer may be withheld, or required to be refunded, if he has adopted, or participated in adopting, any scheme or device designed to evade, or which has the effect of evading, the limitation established by this paragraph.

1. "Scheme or device" includes the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means designed to evade, or which has the effect of evading, these provisions.

a. Effective as of July 3, 1957, a family trust created after August 15, 1956 shall be considered a scheme or device to evade the \$5,000 maximum annual payment limitation if it results in the Settlor (person who creates the trust) and beneficiaries of the trust receiving in the aggregate annual payments for any year in excess of \$5,000 for all land placed in the conservation reserve. For the purpose of this provision, members of the family include husband or wife of the Settlor, children of the Settlor, their husbands and wives, and members of the immediate household. Effective with contracts entered into on or after November 15, 1957, a family shall include grandchildren of the Settlor, stepchildren of a child of the Settlor, and any minor related to the Settlor by blood or marriage.--*

SECTION 3. PREPARATION OF APPLICATION

92. PREPARATION OF FORM CSS-820.

A. Calendar Year Basis. Form CSS-820 is to be prepared for each calendar year of the contract period. Prepare Form CSS-820 with typewriter.

3. Effective with this amendment, debts due the United States or any agency thereof shall be given priority over an assignment if the debts were placed on the debt record prior to the date the assignment was filed.

F. Use of Additional Copies. If Form CSS-820 does not have sufficient space to show all fields or producers, use additional copies of the form as continuation sheets.

1. At the top of each set, write in "Sheet ___ of ___." For example, if three sets are needed, write on the first sheet, "Sheet 1 of 3", on the second, "Sheet 2 of 3", and on the third, "Sheet 3 of 3".

2. The original of each sheet must be signed in the proper spaces by the producers shown on that sheet and by a person designated by the county committee.

G. Have each producer to whom an annual payment is due sign the certification in Part II before the application is approved for payment to that producer.

H. Prior to obtaining signatures the form should be completed except for Parts II, III, and IV.

I. Signatures must conform with ACP-16 revised.

J. Call the attention of each producer to the maximum payment limitation.

SECTION 4. PREPARATION OF APPLICATION IN CASE OF VIOLATION

93. PREPARATION OF FORM CSS-820.

In cases where a violation has occurred and no annual payment is to be made to the producers on the farm, Form CSS-820 will be prepared by:

A. Entering the code and farm number, contract number and program year in the heading of form.

B. Showing on the Form CSS-820 the nature of the violation and make no further entry. Example, "Restrictions on harvesting not complied with."

PART 9. COST-SHARE PAYMENTS

SECTION 1. DETERMINATION OF COST-SHARES EARNED

95. APPLICABLE ACP PROVISIONS.

The basic general provisions and requirements in Part 11 of the ACPS Handbook are applicable in computing net cost-shares earned under the conservation reserve program. However, certain provisions of Part 11 of the ACPS Handbook are not applicable to the conservation reserve program, and others are modified to make them applicable to the conservation reserve program as indicated below. For conservation reserve program purposes, the provisions of Part 11, ACPS Handbook applicable to Forms ACP-245 and ACP-246 shall be considered to be instructions for use of Forms CSS-815 and CSS-816 respectively. For 1956 and 1957 ACP Forms 245 and 246, as adapted, shall be used. Beginning with 1958 CSS Forms 815 and 816 will be used. For conservation reserve program purposes, the practice payment rate in effect at the time the practice is approved by the county committee will be the rate for such practice. This rate shall be used for computing payment regardless of when the approved practice is established.

96. ACP PROVISIONS NOT APPLICABLE.

The following provisions of Part 11, ACPS Handbook are not applicable for the reasons stated:

A. Paragraph 503. Reference to checks drawn by the Regional Disbursing Office is not applicable since conservation reserve program payments for net cost-shares will be made by CCC sight drafts.

B. Paragraph 504. Form ACP-246 (CSS-816) is not needed except:

1. In cases where more than one person contributed to carrying out a practice.
2. In cases of debts or assignments.
3. Where a reduction of a net cost-share is necessary because of the violation of a general program provision.

For 1956 and 1957, adapt Form ACP-246 for conservation reserve use in similar manner to the adaptation of Form ACP-245.

SECTION 3. COST SHARES-~~FOR~~ PRACTICES TRANSFERRED FROM ACP

100. APPROVED SUBSEQUENT TO JANUARY 1, 1956.

Practices approved for cost-sharing under the ACP, subsequent to January 1, 1956, and which are eligible for cost-sharing under the conservation reserve program may, at the request of the farmer, be transferred to the conservation reserve program, provided the contract period includes the calendar year 1956. The transfer shall be accomplished as follows:

A. The ACP forms (ACP-245 and ACP-246, and where applicable ACP-247, and CMS forms), shall be designated as conservation reserve program forms.

B. The amount of the ACP cost-share approved as shown in column E, Form ACP-245 shall be credited to the ACP funds control ledger in the same manner as if the approval were being cancelled.

C. Delete the ACP cost-share rates in column D and the approved ACP cost-share in column E, Form ACP-245. Enter the appropriate conservation reserve program cost-share rates in column D and recompute the amount for column E. The alterations shall be initialed by a person authorized to issue Forms ACP-245.

D. On transferred approvals which were paid (prior to transfer to conservation reserve program) or advanced as CMS, the ACP appropriation shall be reimbursed by the total amount of the cost-shares paid. This total amount shall include, where applicable, cash payments to farmers, payments to vendors and contractors for CMS furnished, small cost-share increases, payment to an assignee and any amounts set off to creditor agencies. This will be accomplished by a set-off (sight draft) from the farmer's conservation reserve program payment for the practice. If the ACP payment made (including CMS and the small cost-share increase) exceeds the amount of the conservation reserve program cost-share computed for the practice, the farmer must refund the difference. To insure that necessary set-offs are not overlooked, a notation as to the amount to be set off should be made on the Form ACP-245 at the time the practice is transferred.

PART 10. USE OF SIGHT DRAFTS FOR ANNUAL PAYMENTS AND COST-SHARES

SECTION 1. PREPARATION AND ISSUANCE

101. WHEN TO USE SIGHT DRAFTS.

Annual payments and practice payments under conservation reserve contracts shall be made by CCC sight drafts, except that payment for conservation materials and services furnished under source of supply contracts shall be made in accordance with paragraph 83. Separate drafts shall be issued for practice payments and annual payments. Drafts shall be issued in accordance with CCC Sight Draft Handbook 1-FI or 45-FI in Kansas City area, and as prescribed in paragraphs 102 and 103.

102. FOR ANNUAL PAYMENTS.

Issue sight drafts to the producers, creditor agencies, and assignees for the net payments, setoffs and assignments indicated on Form CSS-820.

A. See Exhibit 5 in 1-FI or Exhibit 8 in 45-FI.

B. If one or more additional Forms CSS-820 are used as continuation sheets, issue only one draft covering the total amount due each producer.

C. If more than one sight draft is issued for annual payments under one application:

1. Add the amounts of such drafts.

2. Make sure that the total of such drafts agrees with the entry on line 6, Column (F) (or Column (D)) if there is no entry in Column (F).

D. If it has not been possible to obtain the signatures of all of the payees on an application, payment may be made to those producers whose signatures have been obtained.

1. In this case, cross out the "net payment" block for the producer whose signature has not been obtained.

2. Prepare a separate Form CSS-820 for each producer whose signature has not been obtained and send it to

1. Claim for such compensation must be made on Form CSS-835, in accordance with the instructions set forth on reverse side of Form CSS-835.

B. Assignees. Where an assignee shown on an assignment of payments, as entitled to payment otherwise due a producer, dies or becomes incompetent before receiving such payment, payment thereof shall be made as follows:

1. Death. If the assignee died, the claim shall be filed on Standard Form 1055 by the administrator or executor, if any, otherwise by an heir, the next of kin, or creditor of the decedent or his estate.
2. Incompetency. If the assignee was declared incompetent, the claim shall be filed by his guardian or committee.
3. Form for Making Claim. Claims in the case of death and incompetency shall be made on Standard Form 1055 (1-FI, paragraph 55 B). The claim should be over the signature and address of the guardian or committee and must be accompanied by a short certificate of the court showing the appointment and qualification of the guardian or committee. However, Form CSS-835 must not be used since distribution of payment otherwise due an assignee must be made in accordance with State law.

a. If a claim is filed by other than the administrator or executor of a deceased assignee, or a court appointed guardian or committee of an incompetent assignee, the claim shall be referred to the State office for forwarding to the Attorney in Charge, Office of the General Counsel, who will determine the proper claimant and the manner in which he shall be shown as payee. All papers or documents which must support the claim shall be attached to the claim when forwarded to the State office. The State office will return the papers to the county office with the attorney's determination.

SECTION 3. OVERPAYMENTS

105. COUNTY DEBT RECORD ENTRY.

Enter any overpayments made to a producer in excess of \$3.00 as provided for in Handbook 58-FI.

PART 11. COLLECTIONS OF REFUNDS, INTEREST AND PENALTIES

SECTION 1. COLLECTIONS

*--106. PROCESSING OF COLLECTIONS.

A. Collection Register. Collections applicable to the conservation reserve program (CRP) shall be recorded in the collection register (Form CSS-603) in accordance with County Administrative Handbook 1-CA. Such collections shall be identified separately in the "Purpose of Collection" column of Form CSS-603, as follows:

1. Collections which represent refund of all or part of the practice or annual payment (including refunds of erroneous or excess payments) shall be entered as "CRP-Practice-Refund" or "CRP-Annual-Refund", whichever is applicable.

2. Collections which represent interest on amounts refunded and collections representing penalties in connection with violations of conservation reserve contracts shall be entered as "CRP-Interest and Penalties".

B. Transmittal of Collections. Collections applicable to the conservation reserve program shall be transmitted to the State office in accordance with County Administrative Handbook 1-CA.

C. Sight Drafts Returned for Cancellation. Sight drafts returned to county offices in connection with overpayments, erroneous payments or violations shall continue to be cancelled according to 1-FI (45-FI in the Kansas City area).

D. Application of Partial Collections. Partial collections of amounts due in connection with violations of contracts shall be applied in the following order of precedence:

1. Interest on refund.
2. Amount of annual or cost-share payment refundable.
3. Penalty. ---*

PART 12. VIOLATIONS PROVISIONS

SECTION 1. GENERAL INFORMATION

107. GENERAL.

The discovery and handling of indicated violations under the conservation reserve program is one of the most important responsibilities of the county and community committeemen. This work, to be most effective, must be done promptly - as nearly as possible on a program year basis - and every effort should be made to bring all violations for the year to a satisfactory close before conservation reserve payments are made for the year.

108. INDICATED VIOLATIONS.

An indicated violation exists with respect to a conservation reserve contract if any member or other representative of a State or county committee has reason to believe that:

- A. An acreage has been devoted to soil bank base crops in excess of the permitted acreage;
- B. Soil bank base crops in excess of the permitted acreage have been harvested;
- C. A crop has been grazed or harvested from the conservation reserve acreage (except as allowed by the Secretary under the emergency grazing provision);
- D. There has been unauthorized use of water from a storage facility constructed as a conservation reserve practice;
- E. The required control over the spread of noxious weeds on the conservation reserve area has not been accomplished;
- F. An approved cover has not been established or re-established within the time prescribed by the county committee;
- G. There has been a failure to use reasonable care to maintain a protective cover or other approved conservation practice;

SECTION 2. COUNTY OFFICE RECORD AND HANDLING OF
VIOLATIONS AND INDICATED VIOLATIONS

109. DISCOVERY OF INDICATED VIOLATIONS.

Indicated violations may be brought to the attention of county committees through reports of county performance reporters and county or State spot checkers, reports either oral or written by any person, complaints by tenants or sharecroppers, and observation by State or county committee-men or their representatives.

109.5 RECORD OF REPORTED VIOLATIONS AND INDICATED VIOLATIONS.

A record of violations and indicated violations shall be maintained in each county office on a form prepared in accordance with Exhibit 8. A summary report of the Record of Violations and Indicated Violations showing action taken by the county committee is to be referred to the State office quarterly.

A. The county office shall, in connection with the indicated violations coming to the attention of the county office, record such indicated violation data in column (1), (2), (3), and (4) of the County Office Record of Violations and Indicated Violations.

B. The county committee shall arrange for whatever steps are necessary to determine the facts in each individual case.

1. In determining what steps should be taken in connection with indicated violations, the county committee should take into consideration the results and time of the last compliance check made on the farm and any other information of the farming operations available in the county office.

2. If any doubt exists with respect to the facts of the case, a farm inspection should be made immediately. The person making such inspection shall make a detailed report of his findings, sign and date such report.

A. Entries in Section A. The following information should be shown in Section A - Farm Data for the year in which the violation occurred.

1. Enter in column (1) the total acreage devoted to soil bank base crops for harvest on the farm.
2. Enter in column (2) the permitted acreage on the conservation reserve contract for the farm.
3. Enter in column (3) the excess acreage for the farm (column (1) minus column (2)).
4. Enter in column (4) the total amount of acreage in the designated conservation reserve subject to the forfeiture or refund of the annual payment. Only in the cases of unauthorized use of stored water could the acreage be less than the designated reserve acreage.
5. Enter in column (5) the total amount of acreage in the designated conservation reserve subject to the forfeiture or refund of the cost-sharing for approved conservation reserve practices.

B. Entries in Section C. The following information should be shown in Section C for the year or years in which the violation occurred.

1. Enter in column (1) the names of all producers that would have shared in the payments if such payments had been made.
2. Enter in column (2) the total annual payment earned on the farm by each producer.
3. Enter in column (3) the total cost-sharing earned by each producer for carrying out the approved conservation reserve practice.
4. Enter in column (4) the total amount of the forfeiture and/or refund of annual payments and cost-sharing payments to be made by each producer.
5. Enter in column (5) the amount of annual payment and/or cost-share payment to be refunded by each producer.

E. Cont'd. All available evidence on each case shall also be submitted. The report shall set forth the facts developed and the county committee's recommendation.

F. Other Action. County committee and county office manager shall take such other action with respect to the discovery and handling of violations as may be requested by the State committee and State Administrative Officer.

SECTION 4. STATE COMMITTEE NOTICE TO PRODUCER
OF VIOLATION AND RIGHT OF HEARING

112. ACTION BY STATE COMMITTEE.

If the State committee determines on the basis of information furnished that a violation of a contract has occurred, which would call for a forfeiture or refund of annual and/or cost-share payments, and civil penalty if applicable:

A. Each producer who has signed the contract will be notified in writing on Form CSS-833 (Soil Bank) (by certified or registered mail) of the nature of the violation and that he has 30 days after delivery of notice in which to request an informal hearing before the county committee.

B. A copy of the notice will be sent to the respective ASC county office.

~~*-112.5-~~ REQUEST FOR HEARING (BY PRODUCER).

If a producer, within the time allowed, files a written

3. The chairman has full authority to confine the presentation of facts and evidence to pertinent matters and may exclude irrelevant, immaterial or unduly repetitious evidence, information or questions.
4. Both the producer and the Secretary may be represented at the hearing.
5. The hearing shall be open to the public.
6. Witnesses may be sworn at the discretion of the chairman.
7. The producer or person representing him may present oral or documentary evidence and shall be given a full opportunity to present facts and information relevant to the indicated violation.
8. The chairman may request or permit persons other than those presented by the producer to give information or evidence. The producer, or his representative, shall be permitted to question such persons.
9. The county committee shall provide for the taking of such notes at the hearing as will enable it to make a summary of the testimony.
10. Testimony received at the hearing shall be recorded verbatim if (1) the producer requests such transcript and provides for its preparation and payment of the cost thereof, or (2) the county or State committee feels that the nature of the case justifies such a transcript.
11. The producer shall be advised that he may have the opportunity to appear before the State committee in connection with its determination.
12. If at the time scheduled for the hearing, the producer is absent and no appearance is made on his behalf, the chairman shall, after a lapse of such period of time as he may consider proper and reasonable, close the hearing, or may, in his discretion, accept information and evidence submitted by other persons present for the hearing.

114. bring the case to a satisfactory settlement as provided for in regulations Section 485.275 of violations procedure. A record (CSS-838) of the voluntary agreement by producers to accept forfeiture or make refunds of payments along with evidence of the violation in such case shall be submitted to the State committee for review. If a settlement is reached which is agreeable to both the county committee and the producers, all producers who signed the conservation reserve contract should sign in the space provided in Section D of the Violation Report.

A. If the State committee disapproves the action to effect a voluntary settlement in case of a violation, the producer shall be notified in writing of such disapproval within 90 days from the date the voluntary agreement form is signed by the producer.

B. Where a settlement cannot be reached as provided above, the case will be referred to the State Administrative Office for further consideration and handling. However, a settlement by agreement with the producers may be made, in accordance with these instructions, at any time prior to the time set for the informal hearing before the county committee.

115. COLLECTIONS FOR VIOLATIONS.

A. Upon receiving notification from the State committee of its determination of the amount of forfeiture, refund or penalty assessed the producer for violation of the conservation reserve contract, the county committee shall immediately request the producer in writing to refund any monies due.

B. If payment is not made within 30 days after demand is made upon the producer, the principal amount of the debt shall be entered on the debt record on the 31st day. In the event of fraud, however, entry shall be made on the debt record immediately upon determination that a fraud has been committed and the debt immediately referred to the State office.

C. If neither a collection nor set-off can be effected within 60 days after the demand is made upon the debtor, or if circumstances indicate no useful purpose will be served by delaying 60 days from date of demand, the debts

117. HARVESTING OR GRAZING CONSERVATION RESERVE.

A. Harvesting. Harvesting of any crop during the contract period from the acreage in the conservation reserve including the harvesting of Christmas trees, ornamentals, or Christmas greens, shall constitute a violation of the contract except that:

1. Wildlife and other natural products may be harvested from the conservation reserve if they do not increase supplies of feed for domestic animals.

2. Timber may be harvested from the conservation reserve in accordance with sound forestry management as determined by the county committee.

B. Unauthorized Grazing. Unauthorized grazing of the designated conservation reserve shall constitute a violation of the contract, except that:

1. Grazing by wildlife shall not be considered a violation of the contract.

2. Accidental grazing by domestic animals and poultry on the conservation reserve shall not be considered a violation of the contract provided the producer takes reasonable precautions to prevent repeated recurrences of such grazing.

~~*-C.~~ Forfeiture or Refund of Annual and Cost-Share Payments--*

Except as provided in A and B above, grazing or harvesting a crop from the designated conservation reserve shall constitute a violation of the contract and will require:

1. Forfeiture or refund of the total amount of the annual payment for the farm for the year in which the crop was harvested and for the year in which the grazing occurred payable or paid to the operator and each other producer on the farm, plus:

2. The forfeiture or refund of the amount of cost-sharing for carrying out the conservation reserve practices on the particular field, as identified on the contract, provided the cover was established prior to the time the violation occurred, on which the violation occurred, whether or not the cost-sharing was

118. UNAUTHORIZED USE OF STORED WATER.

Using any water for irrigation from a water storage facility constructed as a conservation reserve practice except to irrigate land in the designated conservation reserve shall constitute a violation of the contract and will require:

A. Forfeiture or Refund of Annual Payment. The forfeiture or refund of the total amount of the annual payment attributable to that part of the conservation reserve on which the particular water storage practice is located for the year in which the violation occurred payable or paid to the operator and each other producer on the farm plus:

B. Forfeiture or Refund of Cost-Shares. The forfeiture or refund of the entire amount of cost-sharing for carrying out such water storage practice, whether or not the practice was carried out during the year in which the violation occurred, payable or paid to the operator and each other producer on the farm.

119. FAILURE TO PREVENT SPREAD OF NOXIOUS WEEDS.

Failure to take steps prescribed in writing by the county committee to prevent a field in the conservation reserve from becoming a source of spreading noxious weeds shall constitute a violation of the contract (see par. 11, Part 2) and will require:

(Continued on page 117)

A. Forfeiture or Refund of Annual Payments. The forfeiture or refund of the total amount of the annual payment for the farm payable or paid to the operator and each other producer on the farm for the year in which the violation occurred plus:

B. Forfeiture or Refund of Cost-Shares. The forfeiture or refund of the entire amount of cost-sharing for carrying out conservation reserve practices on the particular field, as identified on the contract, payable or paid to the operator and each other producer on the farm for the year in which the violation occurred.

120. FAILURE TO ESTABLISH OR RE-ESTABLISH PRACTICES.

Failure to establish or re-establish a satisfactory protective cover or other approved practice on the designated conservation reserve in accordance with applicable specifications and within the time prescribed by the county committee shall constitute a violation of the contract and will require:

A. Forfeiture or Refund of Annual Payment. The forfeiture or refund of the total amount of the annual payment for the year in which such satisfactory protective cover or other approved conservation practice is not established or re-established, payable or paid to the operator and each other producer on the farm, and no further annual payment will be made until the required conservation practice has been established or re-established, plus

B. Refund of Annual Payment and Cost-Shares. The refund of all annual and cost-share payments made under the contract paid to the operator and each other producer on the farm, in the event that the satisfactory protective cover or other approved conservation practice is not established or re-established during the contract period.

121. FAILURE TO MAINTAIN PRACTICES.

Failure to use reasonable care to maintain a protective cover or other approved conservation practice shall constitute a violation of a contract and will require:

A. Forfeiture or Refund of Annual Payments. The forfeiture or refund of the total amount of the annual payment for the farm for the year in which such failure of maintenance occurred payable or paid to the operator and each

A. Forfeiture or Refund of Annual Payment. The forfeiture or refund of the total amount of the annual payment for the farm for the first year of the contract period during which the violation occurred and for each subsequent year of such period for which the tenant or sharecropper is deprived of the opportunity to so participate under the contract payable or paid to the operator and each other producer on the farm other than the tenant or sharecropper who is denied such opportunity to participate under the contract plus:

B. Forfeiture or Refund of Cost-Shares. The forfeiture or refund of the entire amount of cost-sharing for carrying out conservation reserve practices on the farm during the period in which the tenant or sharecropper is deprived of the opportunity to so participate payable or paid to the operator and each other producer on the farm other than the tenant or sharecropper who is denied such opportunity to participate under the program.

125. REDUCING THE NUMBER OF TENANTS AND SHARECROPPERS.

Reducing the number of tenants and sharecroppers on the farm or the size of their producer units in anticipation of or because of participation in the Soil Bank Program (conservation reserve or acreage reserve program) shall constitute a violation of the contract and will require:

A. Forfeiture or Refund of Annual Payments. The forfeiture or refund of the total amount of the annual payment for the farm for the year in which such violations occurred and for each subsequent year during which such violation is continued payable or paid to the operator and each other producer on the farm plus:

B. Forfeiture or Refund of Cost-Shares. The forfeiture or refund of the entire amount of cost-shares for carrying out conservation reserve practices on the farm for the year in which such violation occurred and for each subsequent year during which such violation is continued payable or paid to the operator and each other producer on the farm.

126. UNFAIRLY EXACTED LEASE, AGREEMENT OR UNDERSTANDING.

A lease, contract, agreement, or understanding with a tenant or sharecropper, unfairly exacted or required by the operator or landlord in contemplation of or after the signing of a conservation reserve contract, the effect or purpose of which is:

require:

A. Forfeiture or Refund of Annual Payment. The forfeiture or refund of the total amount of annual payment for the farm for the first year in which the device or scheme was used and each subsequent year of the contract period in which such device or scheme is used, payable or paid to the operator and to each other producer on the farm other than the tenants or sharecroppers adversely affected, plus:

B. Forfeiture or Refund of Cost-Shares. The forfeiture or refund of the entire amount of the cost-shares for carrying out conservation reserve practices on the farm during the first year in which the device or scheme was used and each subsequent year of the contract period in which such device or scheme is used, payable or paid to the operator and to each other producer on the farm other than the tenants or sharecroppers adversely affected.

128. FUNDS AVAILABLE FOR COMPENSATION TO TENANTS AND SHARECROPPERS.

Where a producer is required to forfeit or refund any compensation under paragraphs 124 through 127, and the State committee determines that a tenant or sharecropper signatory to the contract is entitled to any part of such compensation, the amount of compensation due such tenant or sharecropper shall be paid to him out of the funds forfeited or refunded by the operator and other producers on the farm.

129. UNAUTHORIZED USE OF CONSERVATION RESERVE.

Any land designated for the first time in 1958 or a later year as conservation reserve acreage and subsequently used for non-agricultural enterprises (including but not limited to golf courses, race tracks, amusement parks, airfields, or commercial hunting or fishing enterprises) shall constitute a violation of the contract and will require:

A. Forfeiture or Refund of Annual Payment. The forfeiture or refund of that part of the annual payment attributable to that acreage in the conservation reserve on which the violation occurred for the year in which the violation occurred payable or paid to the operator and each other producer on the farm, plus:

132. SCHEME OR DEVICE TO EVADE MAXIMUM PAYMENT LIMITATION.

A. Adopting Scheme or Device. Adopting or participation in the adopting by any producer of a scheme or device including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or by any other means designed to evade, or which has the effect of evading, the maximum payment limitations on annual payments shall constitute a violation of the contract and will require:

1. The forfeiture or refund of the total amount of the annual payment payable or paid to such producer for the year in which the violation first occurred and for each year during which the scheme or device continues in effect.

--B. Family Trust. Effective as of July 3, 1957, a family trust created after August 15, 1956 shall be considered a scheme or device to evade the \$5,000 maximum annual payment limitation if it results in the Settlor (person who creates the trust) and beneficiaries of the trust receiving in the aggregate annual payments for any year in excess of \$5,000 for all land placed in the conservation reserve. For the purpose of this provision, members of the family include husband or wife of the Settlor, children of the Settlor, their husbands and wives, and members of the immediate household. Effective with contracts entered into on or after November 15, 1957, a family shall include grandchildren of the Settlor, stepchildren of a child of the Settlor, and any minor related to the Settlor by blood or marriage.--

133. LIABILITY FOR INTEREST.

A producer liable for a refund due to violation of a contract covered in Section 7 shall be charged interest at the rate of six per centum per annum from date of written notice to the producer of the amount of the refund due except that there shall be no interest due on any amount of such refund which is remitted to the office of the county committee within 30 days from the date of such notice.

PART 13. ASSIGNMENTS

SECTION 1. ASSIGNMENT OF PAYMENTS

135. ASSIGNMENT OF ANNUAL PAYMENT OR COST-SHARES.

Any person who may be entitled to any practice payment or annual payment for the year then current under the conservation reserve program, may assign his right thereto, in whole or in part.

A. Assignment Form. Assignments must be made in writing on Form CSS-819 (Soil Bank) and in accordance with instructions set forth on that form.

B. Preparation of Assignment. Prepare Form CSS-819 in triplicate. The original shall be attached to the conservation reserve contract, Form CSS-811, and filed in the county office, one copy shall be furnished to the assignee and one copy to the assignor.

PART 14. MAINTAINING CONTRACTS AND APPLICABLE FORMS

SECTION 1. CUSTODY FILE

136. SAFETY PRECAUTIONS.

All forms applicable to the conservation reserve contract shall be filed in *--individual contract folders,--* except that the "issuing office" copy of the sight draft shall be kept in a numerical file. The folders shall be filed in the custody files which should be housed in a locked fireproof cabinet.

COUNTY CONSERVATION RESERVE HANDBOOK

EXHIBIT 2
(1-SB)

FORM CSS-811 (SOIL BANK)
(9-28-57) U.S. DEPARTMENT OF AGRICULTURE
COMMODITY STABILIZATION SERVICE

FORM APPROVED
BUDGET BUREAU NO. 40-R2889.1

SOIL BANK
CONSERVATION RESERVE CONTRACT

ACRES IN FARM: 200 STATE: Missouri COUNTY: Ralls
AERIAL PHOTO. NO.: 2K-140 CODE AND FARM NO.: 44-087-6-128 CONTRACT NO.: 26

PART I - FARM IDENTIFICATION AND ACREAGE DATA

A. LOCATION OF FARM: 5 mi. N. W. Vandalia across road from Nadine Schoolhouse.

B. FARM SOIL BANK BASE:
Regular Base: 80.0 ACRES
Fallow Rotation System:
Odd years:
Even years:

PART II - CONSERVATION RESERVE ACREAGE, PRACTICES, AND ANNUAL PAYMENT

FIELD IDENTIFICATION (A)	CHECK ONE			PRACTICE NAME	CONTRACT PERIOD		RATE PER ACRE				
	ESTABLISH AND MAINTAIN	MAINTAIN	NO		BEGIN. (C)	THRU (D)	REGULAR ACRES (E)	RATE (F)	NON-DIVERSION ACRES (G)	RATE (H)	MAXIMUM (I)
1. All of field 4, (except for pond).	X			A-2 Perm. cover - grass	1958	1962	61.0	9.00			549.00
2. No. 1/2 of field 5, as staked.	X			A-7 Tree cover - pine	1958	1967	19.0	9.00			171.00
3. N. E. Corner field 4, as staked.	X			B-7 Water storage - pond	1958	1962			1.0	2.70	2.70
4. So. 1/2 of field 2.		X		timothy and broom mixture	1958	1967	20.0	2.70			54.00

PART III - PRODUCERS SIGNATURES, CERTIFICATION AND ANNUAL PAYMENTS SHARES

The undersigned producers hereby agree to the terms and conditions of this contract and certify that all of the producers having any control of the farm during the entire contract period and all of the producers who are entitled to payment under this contract are shown in this Part III, or on the continuation sheet attached hereto, and each undersigned producer certifies that he has not entered into conservation reserve contracts, including this contract, under which the aggregate of his shares of the annual payments for any year for all farms in which he has an interest will exceed \$5,000.00, or such larger amount as may be authorized by the Secretary of Agriculture.

THE TERMS AND CONDITIONS CONTAINED IN PART V HEREOF ARE A PART OF THIS CONTRACT

NAMES AND ADDRESSES OF PRODUCERS (A)	ANNUAL PAYMENT SHARE				SIGNATURES OF PRODUCERS (F)	DATE (G)
	LINE 1 % (B)	LINE 2 % (C)	LINE 3 % (D)	LINE 4 % (E)		
5. OPERATOR John A. Doe R. R. 5, Vandalia, Mo.	25.0	50.0	50.0	50.0	John A. Doe	10/15/57
6. OWNER (IF OTHER THAN OPERATOR) Richard B. Roe Perry, Mo.	50.0	50.0	50.0	50.0	Richard B Roe	10/17/57
7. Robert Coleman R. R. 5, Vandalia, Mo.	25.0				Robert R Coleman	10/15/57
8.						

PART IV - APPROVAL FOR SECRETARY OF AGRICULTURE

SECRETARY OF AGRICULTURE:
By: D. R. Jones (ASAC COUNTY COMMITTEEMAN) 10/25/57 (DATE)

PART V - TERMS AND CONDITIONS

**SOIL BANK - CONSERVATION RESERVE PROGRAM
 APPLICATION AND ANNUAL PAYMENT STATEMENT**

CODE AND FARM NO. 44-014-5-26 CONTRACT NO. 135
 HAVE ALL ACRE ASSIGNMENTS (OR BASES) BEEN COMPUTED WITH? (CHECK ONE)
 YES NO PROGRAM YEAR 1957

PART I - COMPLIANCE DATA AND COMPUTATION OF PAYMENT

1. DESIGNATED CONSERVATION RESERVE		2. SOIL BANK BASE		3. PERMITTED ACREAGE		4. MEASURED ACREAGE		5. IF 4 IS LARGER THAN 3, ENTER DIFFERENCE	
15.0		100.0		85.0		85.5		.5	

LINE NO.	CONTRACTED ACREAGE	RATE PER ACRE	AMOUNT (COL. (B) TIMES COL. (C))	DEDUCTION IF PERMITTED ACREAGE EXCEEDED		PERCENTAGE SHARE	PAYMENT SHARE	PERCENTAGE SHARE	PAYMENT SHARE
				(FACTOR) TIMES COL. (D)	(COST) MINUS COL. (E)				
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
1	10.0	\$ 9.00	\$ 90.00	\$	\$	%\$		%\$	
2	4.0	9.00	36.00						
3	1.0	9.00	9.00						
4									
5									
6	TOTAL		\$135.00	\$ 4.50	\$130.50	60	\$ 78.30	40	\$ 52.20

In this example, no entries are required on lines 1 through 5, Columns (E) through (J). See Paragraph 92C.

See Exhibit 5 for examples of set-offs and assignments

PART II - PRODUCER'S CERTIFICATION

I hereby certify that for the program year indicated above I have complied with and will comply with all the requirements under the Conservation Reserve Program and that the gross payment shown hereon to be due me, is correct and will not cause the total of all the gross annual payments due me on all farms in which I have an interest for the program year indicated above, to exceed \$5,000. I hereby apply for the payment shown hereon to be due me.

PRODUCER (NAME AND ADDRESS)	NET PAYMENT	PRODUCER (NAME AND ADDRESS)	NET PAYMENT
John A. Doe RR 5 Fulton, Missouri	\$ 78.30	Richard B. Roe Fulton, Missouri	\$ 52.20

PART III - APPROVAL FOR PAYMENT

All requirements under the Conservation Reserve Program have been complied with and issuance of sight drafts to payees in the amounts shown in Part I hereof is approved as of the date below.

FOR ASC COUNTY COMMITTEE Charles A. Smith 1-15-58

PART IV - SIGHT DRAFTS ISSUED

DRAFT NO'S. 56227, 56228 DATE OF DRAFTS 1-15-58

Enter from Form CSS-811, Part II, total of Column (E) and (G). Make sure that this figure agrees with the total of the entries in Column (I), Form CSS-820.

Enter from Form CSS-811, Part I B. (If the base is different for odd and even years under a fallow rotation system, enter the permitted acreage for the applicable year.)

Enter from Form CSS-836 Part IV, item 12. (If the permitted acreage is different for odd and even years under a fallow rotation system, enter the permitted acreage for the applicable year.)

See Paragraph 92 and 93.

Enter measured acreage of Soil Bank base crops from Form CSS-578.

Enter acreage designated as conservation reserve, from the corresponding lines of Form CSS-811, Part II, Column (E) and (G).

Enter from corresponding lines of Form CSS-811, Part II, Column (F) or (H).

Enter the percentage share of the producer whose name is shown in the space directly below, headed "Producer (name and address)", from Form CSS-811, Part III.

Multiply line 6, Column (F) by line 6, Column (I) and enter result on line 6, Column (J).

Multiply line 6, Column (F) by line 6, Column (G) and enter result on line 6, Column (H).

Enter difference between Column (D) and Column (E), line 6.

If entry in Item 5 (in upper right part of form) is not in excess of the larger of 1 acre or 3% of the permitted acreage in Item 3, multiply the entry in Item 5 by the regular payment rate per acre shown in Column (C). Enter the result on line 6, Column (E). See paragraph 92-B2 when the entire conservation reserve is at the non-diversion rate.

Subtract set-offs or assignments, if any, from gross payment (line 6, Columns (H) and (J)), and enter net payment. See Exhibit 5 for method of showing set-offs and assignments.

Original of Form CSS-820 is signed and dated by all producers to whom payment is to be made under the contract.

Signed and dated by person officially authorized to sign.

Initials of employee who prepared Form CSS-820.

PREPARE original and one carbon copy. Retain carbon copy until original is signed by producers and returned to county office. See also paragraph 92.

Enter serial numbers and date of CCC sight drafts issued to payees. When a block of sight drafts is issued, show first and last numbers.

COUNTY CONSERVATION RESERVE HANDBOOK
 ANNUAL PAYMENT APPLICATION WHERE ALL PAYMENT SHARES ARE IN THE SAME PROPORTION

EXHIBIT 4
 (1-SB 88-94)

FORM CSS-820 (SOIL BANK) (11-20-56)		U.S. DEPARTMENT OF AGRICULTURE COMMODITY STABILIZATION SERVICE		CODE AND FARM NO. 42-006-4-10		CONTRACT NO. 48			
SOIL BANK - CONSERVATION RESERVE PROGRAM APPLICATION AND ANNUAL PAYMENT STATEMENT				HAVE ALL ACREAGE ALLOTMENTS (OR BASES) BEEN COMPLIED WITH? (CHECK ONE) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		PROGRAM YEAR 1957			
PART I - COMPLIANCE DATA AND COMPUTATION OF PAYMENT									
1. DESIGNATED CONSERVATION RESERVE 60.0		2. SOIL BANK BASE 25.0		3. PERMITTED ACREAGE 5.0		4. MEASURED ACREAGE 5.5			
5. IF 4 IS LARGER THAN 3, ENTER DIFFERENCE .5									
LINE NO. (A)	CONTRACTED ACREAGE (B)	RATE PER ACRE (C)	AMOUNT (COL. (B) TIMES COL. (C)) (D)	DEDUCTION IF PERMITTED ACREAGE EXCEEDED		PERCENTAGE SHARE (G)	PAYMENT SHARE (H)	PERCENTAGE SHARE (I)	PAYMENT SHARE (J)
				.0250 (FACTOR) TIMES COL. (D) (E)	COL. (D) MINUS COL. (E) (F)				
1	10.0	\$10.00	\$100.00	2.50	\$97.50	50.0%	\$48.75	50.0%	\$48.75
2	7.0	10.00	70.00	1.75	68.25	100.0	68.25		
3	3.0	10.00	30.00	.75	29.25			100.0	29.25
4	40.0	3.00	120.00		120.00	50.0	60.00	50.0	60.00
5									
6	TOTAL		\$320.00	\$5.00	\$315.00		GROSS \$177.00		GROSS \$138.00
PART II - PRODUCER'S CERTIFICATION				SET-OFFS-ASSIGNMENTS		SET-OFFS-ASSIGNMENTS			
I hereby certify that for the program year indicated above I have complied with and will comply with all the requirements under the Conservation Reserve Program and that the gross payment shown hereon to be due me, is correct and will not cause the total of all the gross annual payments due me on all farms in which I have an interest for the program year indicated above, to exceed \$5,000. I hereby apply for the payment shown hereon to be due me.				CSS - 1955 ACP 42-006-4-10		CCC - 1956 Wheat loan #42-006-185A			
				First State Bank, assignee Seminole, Iowa		51.00		26.00	
PRODUCER (NAME AND ADDRESS) Joseph C. Jones Seminole, Iowa				NET PAYMENT \$91.00		PRODUCER (NAME AND ADDRESS) Robert A. Smith Seminole, Iowa NET PAYMENT \$112.00			
Joseph C. Jones 12-6-57 (PRODUCER'S SIGNATURE) (DATE)						Robert A. Smith 12-6-57 (PRODUCER'S SIGNATURE) (DATE)			
PART III - APPROVAL FOR PAYMENT									
All requirements under the Conservation Reserve Program have been complied with and issuance of sight drafts in the payees in the amounts shown in Part I hereof is approved as of the date below.									
FOR ASC COUNTY COMMITTEE				John D. Gray		12-10-57			
PART IV - SIGHT DRAFTS ISSUED				DATE OF DRAFTS 12-11-57					
DRAFT NO'S. 55421 - 55425									

This exhibit illustrates:

- Entries to be made in Part I, Column (E) through (J) in those cases where:
 - The division of payment (percentage shares) among all producers is not in the same proportion with respect to all fields (line numbers), and/or
 - The permitted acreage has been exceeded (within the limits stated in Paragraph 92-B).
- The manner in which set-offs and assignments should be shown.

If the permitted acreage is more than zero and the entry in item 5 (in upper right part of form) is not in excess of the larger of 1 acre or 3 per cent of the permitted acreage:

- Divide the entry in item 5 by the total contracted acreage at the regular rate. Carry to six decimal places and round to four.
- Enter the result in the space above the word "Factor" in the heading of Column (E). (In this example the factor of .0250 is obtained by dividing .5 acres by 20.0 acres)

For each line, enter the percentage share of each producer whose name is shown in the space directly below, headed "Producer (name and address)," from Form CSS-811, Part III.

Multiply the entry on each line in Column (F) by the respective percentage share of each producer and enter the results in Columns (H) and (J). If no entries were required in Columns (E) and (F), multiply the entry on each line in Column (D) by the respective percentage share for each producer and enter the results in Columns (H) and (J).

For each line for which payment is to be made at the regular rate, multiply the entry in Column (D) by the factor and enter the result in Column (E). (See Paragraph 92 B2 when the entire conservation reserve is at the non-diversion rate).

See Paragraph 92 E regarding set-offs and assignments.

COUNTY CONSERVATION RESERVE HANDBOOK
ANNUAL PAYMENT APPLICATION WHERE ALL PAYMENT SHARES ARE NOT IN THE SAME PROPORTION
EXHIBIT 5
(1-SB 88-94)

COMPUTATION OF PAYMENT FOR
WATER STORAGE FACILITY

1. Total cost of performing the practice (excluding State or Federal Aid) \$ _____

2. a. Enter 80 per centum of item 1 if \$625 or less, or
 b. If item 1 is more than \$625 enter \$500 \$ _____

3. a. If item 1 is \$1,000 or less, enter 40 per centum of the amount which is between \$625 and \$1,000, or
 b. If item 1 is more than \$1,000 enter \$150 \$ _____

4. If item 1 is in excess of \$1,000 enter 20 per centum of amount in excess of \$1,000 \$ _____

5. Sum of items 2, 3, and 4 \$ _____ *

6. Federal cost-share earned (Column G of Form ACP-245 or CSS-815 after authorized adjustments) \$ _____

7. Federal cost-share approved (Column E of Form ACP-245 or CSS-815 after authorized adjustments) \$ _____

8. Smallest of items 5, 6, or 7 (enter as adjusted Federal cost-share earned, Column G of Form ACP-245 or CSS-815) \$ _____

* Enter sum of items 2, 3, and 4, except, that if such sum exceeds \$1,500 the entry will be \$1,500.

Maximum payment per farm - Larger of \$1,500 or \$40 per acre times number of acres in Conservation Reserve.

County Conservation Reserve Handbook

RECORD OF VIOLATIONS AND INDICATED VIOLATIONS

Alleged Violations

<u>Name of Operator</u>	<u>Farm No.</u>	<u>Contract No.</u>	<u>Date Reported</u>	<u>First Year in Which Violation Occurred</u>	<u>Subsequent Years in Which Violation Occurred</u>	<u>Check Yes or No to Indicate Whether Violation Actually Occurred</u>	<u>Date of Committee Review</u>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

A complete record of all violations and alleged violations shall be made using the applicable columns of this form.

(To be duplicated in county office.)

8-28-57 (Amend. 10)

COUNTY CONSERVATION RESERVE HANDBOOK (1-SB)

EXHIBIT 8
(1-SB 109.5)

NOTICE OF HEARING

(Date)

Conservation Reserve Contract No. _____

Name and Address of Producer

Notice to the operator shall constitute notice to all other persons who as tenants or sharecroppers are interested in the farm identified hereon.

Pursuant to your request for a hearing before the county committee in connection with the alleged violation of the above-numbered Conservation Reserve Contract, you are hereby notified that such hearing will be held at the time and place on the date shown below:

<u>Date</u>	<u>Time</u>	<u>Place</u>
-------------	-------------	--------------

(To be duplicated in county offices)

For _____ ASC County Committee
By _____

*-- PART 16. PROCEDURE FOR OBTAINING CONSERVATION RESERVE CONTRACTS FOR LAND PLACED IN THE SOIL BANK FOR 1959 AND SUBSEQUENT YEARS.

SECTION I. GENERAL PROVISIONS

149. SCOPE OF INSTRUCTIONS IN PART 16.

The procedure for establishing maximum annual per acre rates of payment and approving conservation reserve contracts for land, for which 1959 or a subsequent year is the first year of the contract period, is covered in this Part 16. Instructions in preceding parts are also applicable unless they are in conflict with these instructions in which case the instructions in this part shall be followed.

150. BASIC PROVISIONS.

A. Maximum Annual Farm Payment Rates. Two maximum annual payment rates will be established for each farm upon request of an interested producer. One maximum rate will apply if the contract period is to be less than 5 years or only a part of the eligible land in a farm is to be placed in the conservation reserve. The second maximum rate will be 10 percent higher and will apply where all of the eligible land in the farm is to be placed in the conservation reserve for at least a 5-year period. If all the eligible land in a farm is placed in the reserve the diversion rate approved for such farm will apply to all the land. The non-diversion rate, where applicable, will be 50 percent of the approved diversion rate. Where a part of a farm is already in the conservation reserve under an existing contract and the balance of the eligible land is to be placed in the reserve, the higher maximum annual payment rate will apply to such land. The rates of annual payment previously established for the land already under existing contracts will remain unchanged.

B. Participation. In order to be considered for a contract, a producer will be required to furnish certain information to the county office prior to a date established by the State committee. This information is necessary in order for the county committee to establish the maximum annual payment rates for a farm. The farmer will be furnished the maximum annual payment rates established for his farm and, if interested in participating, will be required to file an application for a contract with the county office on or before the closing date, which will be two weeks later than the closing date for requesting the establishment of maximum annual payment rates. The application must state the acreage and the annual payment rate at which it is offered.

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*--

This copy will be retained as a permanent county office record. The county office will prepare a duplicate copy omitting the information in Part I, and furnish it to the farmer to be used as an application for contract. It will not be necessary to prepare a duplicate copy if the original is not removed from the county office and the farmer completes the application for contract in the county office. The copy to be used by the farmer for an application shall have entered on it the maximum payment rates established for the farm. The farmer shall also furnish the cropland use for the two previous years on Form CSS-836 for those cases where a soil bank base has not previously been established for the farm at the time he requests the establishment of maximum farm payment rates.

153. FARM PRODUCTIVITY INDEXES.

Farm productivity indexes may be established for all farms in the county or for representative farms in the county prior to the signup period. In any event, farm productivity indexes must be established for all farms for which Part I of Form CSS-853 is timely filed with the county office.

A. Method to be Used. Farm productivity indexes shall be expressed in terms of percentum (multiples of ten, unless the county committee determines that multiples of five will be more representative of the county) which will represent the relationship of the average productivity of the land in such farm as compared to the average productivity of all non-irrigated land in the county. Example: 60%, 70%, 80%; or 65%, 70%, 75%, etc. It is intended that the ratings established by the county committee shall be judgment ratings, taking into consideration the opinions of those taking part in the ratings and the committee's general knowledge of the farms involved. It is recognized that it is not practicable to make a scientific analysis or research study to arrive at these ratings. However, it is intended that the indexes fairly represent the relative productivity of the farms. The county committee shall take into consideration any facts available to it including:

1. Available yield data.
2. Land classification suitability data.
3. Soil survey information.

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*--

- a. Amount in Column 4;
- b. 20 percent of Column 5;
- c. 20 percent of Column 6;
- d. 150 percent of county average payment rate; and
- e. \$25

This rate shall be entered in item 11B, Part II of Form CSS-853.

8. Column 8. Maximum farm payment rate for part farm. (Column 7 divided by 1.1) This rate shall be entered in item 11A, Part II of Form CSS-853.

9. Column 9. Estimated annual payment. (Obtain from applicable item 22B or 22E, Part III of Form CSS-853.)

10. Column 10. Estimated practice cost-share payment. (Obtain from item 16, Part III of Form CSS-853.)

11. Column 11. Total estimated annual and practice cost-share payment. (Total of Columns 9 and 10.)

12. Column 12. Total acres offered. (Obtain from item 12 or 13, Part II of Form CSS-853.)

13. Column 13. Competitive rating. (Obtain from item 20, Part III of Form CSS-853.)

B. Recording Data. Record the data on the listing sheet as follows:

1. Where productivity indexes are established prior to the signup period, the data for Columns 1 through 4 may be recorded as soon as the indexes are established. Data for Columns 5 through 8 should be recorded after the farmer files Part I of Form CSS-853 with the county office.

--*

*--

the maximum payment rate shown in item 11A, Part II of Form CSS-853 will be applicable to all of the land placed in the reserve.

B. Part of Eligible Land Placed in Reserve. Enter in item 11A, Part II of Form CSS-853, the rate shown in column 8 of the listing sheet. This rate will be the maximum diversion payment rate for such farm. The non-diversion rate is 50% of the diversion rate approved for the farm.

C. Rates Established By County Committee Are Final. The maximum farm payment rate established as provided in paragraph 155 shall not be changed unless an error was made in computation or transcription.

156. APPLICATIONS FOR CONTRACT.

After the maximum farm payment rates have been established, each producer who executed Part I of Form CSS-853 and timely filed such form with the county office shall be furnished a copy of the form for his use as an application for a conservation reserve contract, unless his application for contract is completed in the county office on the same form on which he completed Part I. If a copy is made, it need not show the entries in Part I. To apply for a contract, the farmer shall furnish the information required in Part II, items 12 through 15, sign and date the forms in item 17 and file it with the county office before the closing date. If Parts I and II of Form CSS-853 are filed on separate forms, the two forms should be stapled together. In case an applicant wishes to make two offers, i.e., one for all the eligible land in the farm and one for part of the eligible land, he may do so. However, each offer must be made on a separate application.

A. Reminder Notice. Consideration should be given to reminding producers of the deadline date for returning applications to the county office. This reminder may be in the form of public notice or sending reminder notices to all farmers who have not returned their application. The reminder notices should also inform the farmer that only those applications filed in the county office before the closing date will be considered for contracts.

--*

*--

Where two or more applications have the same competitive rating preference will be given in establishing the priority order as follows:

1. The farm with the lower maximum payment rate.
2. Where all eligible land in the farm is offered.
3. Land offered for the longest contract period.
4. By lot by the county committee.

F'. Completing the Listing Sheet. Complete the entries in columns 9 through 13 of the listing sheet.

1. Where the application offering all the eligible land in the farm and one offering part of the eligible land are submitted for the same farm, circle the entries for the application requiring the smaller amount of funds in column 11.

158. REPORTING APPLICATION DATA TO STATE OFFICE.

In order to make county allocations of the funds available to a State, the State office will need certain information with respect to the eligible applications received in each county office. It is important that eligible applications be listed promptly on the county office listing sheet as soon as received in order that this information will be available immediately following the final date for filing applications. The information shall be compiled from the entries on the listing sheet and telephoned or telegraphed to the State office in accordance with instructions from that office. DO NOT INCLUDE IN THIS REPORT CIRCLED ENTRIES ON THE LISTING SHEET.

159. COUNTY ALLOCATION OF FUNDS.

The State office will establish and notify each county of the amount of funds allocated to the county. No contracts shall be awarded prior to the receipt of the county allocation of funds.

160. ACCEPTANCE OF APPLICATIONS FOR CONTRACTS BY COUNTY COMMITTEE.

After the county committee has been furnished an allocation of funds, eligible applications will be accepted for contracts in the order of priority to the extent of available funds. --*

*--

b. If the producer does not choose to offer acceptable land, the application shall be considered ineligible and handled in accordance with the instructions in paragraph 157A.

B. Productivity of Conservation Reserve Area Equal to or Greater than Average for the Farm. Where the county committee determines that the productivity of the land to be placed in the reserve is equal to or greater than the average productivity for the farm the maximum farm payment rate and priority rating originally established for the farm shall not be changed. In making its determination the county committee should consider the farm reporter's finding and any other information available to it.

162. NOTIFYING FARMERS OF ACCEPTANCE OR REJECTION OF APPLICATIONS.

A. Notice of Acceptance. Notify in writing all applicants whose applications can be accepted within the funds allocated to the county. Such notice should inform the farmer that a farm visit will be made to measure the designated acreage and complete the conservation reserve contract. In cases where less than the entire eligible acreage is being placed in the conservation reserve the farmer should also be informed that the maximum farm payment rate for the land being offered will be reduced if the productivity of such land is found to be substantially below the productivity of the average land in the farm.

B. Applications Which Cannot Be Accepted Due to Exhaustion of Funds. Producers filing eligible applications which cannot be accepted due to the exhaustion of funds allocated to the county shall be so notified in writing.

1. If funds become available at a later date these producers, in the order of their priority and to the extent that the additional funds will permit, shall be notified that additional funds are available and afforded an opportunity to enter into a contract if they still desire to do so.

C. Completing Contracts for Acceptable Applications. Following the farm visit and completion of the necessary measurements, the applicant shall be given fifteen days to sign and return the completed contract to the county office.

--*

*--

Letter to Farmer to Accompany Program Leaflet

Dear Sir:

The enclosed leaflet which gives a general explanation of the Conservation Reserve Program does not include information on the annual per-acre payment rates for farms taking part in the Conservation Reserve.

The annual payment rates in this county will vary up to \$ _____ per acre, depending on the agricultural value and productivity of the land. The maximum annual payment rate per acre will be 10 percent higher where all the eligible land on a farm is placed in the Conservation Reserve for at least 5 years, as compared to the maximum rate for only part of the eligible land or if the land is offered for less than a 5-year period. In addition, the higher rate of payment - 10 percent above the regular rate for a farm - will apply to all the eligible land where the entire acreage of eligible land on a farm is placed in the Conservation Reserve. If only part of the eligible land is placed in the reserve the rate for that land not representing a reduction in Soil Bank base crops will be 50 percent of the approved payment rate.

Maximum annual payment rates will be established by the County ASC Committee for farms on which the operator or owner requests the establishment of such rates before _____, and furnishes certain required information. You may obtain the necessary form to furnish this information by contacting the county office.

After the maximum rates have been established for your farm, you will be furnished an application form for your use in applying for a Conservation Reserve contract. The final date for filing applications for contract with the county office is _____.

The county ASC office address is _____.

--*

(To Be Duplicated Without Change In County Offices.)

7/14/58

(Amend. 18)

FORM CSS-853 (SOIL BANK) 1959 (REVERSE)

PART II - FARMER'S APPLICATION FOR CONTRACT

11. MAXIMUM ANNUAL PER ACRE PAYMENT RATES FOR THIS FARM.

A. If part of the eligible land is placed under contract or the contract period is for less than 5 years. **\$ 18.00** **\$13.50**

B. If all the eligible land is placed under contract for at least 5 years. **\$ 19.80**

Contracts may be entered into only for those applications which are filed with the county office on or before:
CLOSING DATE
October 24, 1958

TO BE COMPLETED BY THE FARMER

Do not make entries in both items 12 and 13. Submit separate applications if you make a whole farm offer AND a part farm offer.

12. WHOLE FARM (ALL ELIGIBLE LAND OFFERED)		13. PART FARM (PART OF ELIGIBLE LAND OFFERED)		
A. ESTIMATED ACRES ACRES		A. ESTIMATED DIVERSION ACRES ACRES	B. ESTIMATED NON-DIVERSION ACRES ACRES	C. LENGTH OF CONTRACT REQUESTED YEARS
		10	10	10
B. LENGTH OF CONTRACT REQUESTED YEARS		D. I ESTIMATE THE AVERAGE AGRICULTURAL VALUE PER ACRE OF THE LAND OFFERED, DISREGARDING PHYSICAL IMPROVEMENTS OR GEOGRAPHICAL LOCATION, TO BE: \$150 PER ACRE		
		E. LOCATION OF LAND OFFERED Western 1/2 of 40 acre field in N.W. corner of farm adjoining county road 614		

14. OFFER THE LAND INDICATED AT THE FOLLOWING RATE (The rate offered should be in a multiple of ten cents, otherwise it will be reduced to the next lower ten cents.) **\$12 per acre**

15. I DESIRE TO DEVOTE THE LAND OFFERED TO THE FOLLOWING CONSERVATION USES.

LAND USES	ACRES	16. ESTIMATED COST-SHARE (For County Office Use Only)
A. Grass cover	10	\$80
B. Trees	10	\$100
C. Wildlife cover		
D. Marsh management		
E. Ponds		
F. Maintenance of existing cover		
G. TOTAL	20	\$180

17. I hereby apply for a conservation reserve contract for the acreage, conservation use, period of time and at the rate of annual payment offered.

10-15-58 (DATE) **J. J. Roe** (SIGNATURE) **RFD #3, Warrenton, Indiana** (ADDRESS)

PART III - FOR COUNTY OFFICE USE ONLY

18. DATE APPLICATION RECEIVED **10-16-58**

19. STATUS OF APPLICATION: ELIGIBLE INELIGIBLE

20. COMPETITIVE RATING

A. (WHOLE FARM, ALL ELIGIBLE LAND OFFERED FOR AT LEAST 5 YEARS.) ITEM 14 ÷ ITEM 11B	B. (PART FARM OR WHOLE FARM OFFERED FOR LESS THAN 5 YEARS) ITEM 14 ÷ ITEM 11A
% 88.8	% 66.7

21. PRIORITY NUMBER **32** **17**

22. ESTIMATED OBLIGATIONS:

A. Practice payments (Total from Item 16, Part II) **\$180**

B. Annual payments (Whole Farm) (Rate in Item 14 times acres in Item 12, Part II) **\$**

C. Annual payments (Part Farm) Diversion Payment (Rate in Item 14 times diversion acres in Item 13A, Part II) **\$120**

D. Non-diversion payment (1/2 rate in Item 14 times non-diversion acres in Item 13B, Part II) **\$60**

E. Total annual payments (Part Farm) (Total 22C plus 22D) **\$180**

F. Total practice and annual payments **\$360**

The determinations indicated above are approved by:
John Doe
(FOR THE COUNTY COMMITTEE)

U. S. GOVERNMENT PRINTING OFFICE : 1958 O - 474075

Entries in item 11 to be made by county office before the application form is furnished the farmer.

- Rate from county listing sheet, column 8.
- New maximum rate based on productivity of land offered (in this case 75%).
- Rate from county listing sheet, column 7.
- Final date for filing applications. Date will be established by State committee.

Where part of eligible land is offered, fill in item 13, do not fill in item 12.

- Number of acres offered at diversion rate.
- Number of acres offered at non-diversion rate.
- Number of years land offered will be placed under contract.
- Farmer's estimate of agricultural value of land offered.
- Location of land offered.

Farmers's offered rate per acre for land offered. (Non-diversion rate is 50% of diversion rate.)

- Estimated cost-share payment for establishing the practice.
- Number of acres of each conservation use the offered land will be devoted to.

Where all eligible land is offered, fill in item 12, do not fill in item 13.

- All eligible acres if whole farm offered or the balance of eligible acreage if part of eligible acreage is covered by an existing contract.
- Contract period, (number of years) land offered will be placed under contract.
- Check if conservation reserve contract is already in effect for part of farm.

- Applicant's signature, date, and address.
- Date application received in county office or if received by mail after the closing date, enter the postmarked date.
- Place a check mark in applicable box.

In this example the productivity of land offered is substantially lower than average for the farm, therefore a new competitive rating is determined and entered here.

- Result of dividing maximum farm payment rate by farmer's offered rate. (Competitive rating.)
- Priority number established for application.
- New priority number determined on basis of new competitive rating is entered here.

The entries in item 22 are self-explanatory.

FORM CSS-853 (SOIL BANK) 1959
(7-21-58)

U. S. DEPARTMENT OF AGRICULTURE
COMMODITY STABILIZATION SERVICE

FORM APPROVED
BUDGET BUREAU NO. 40-R3024

**REQUEST FOR ESTABLISHMENT OF MAXIMUM FARM PAYMENT RATES AND APPLICATION FOR CONTRACT
CONSERVATION RESERVE PROGRAM**

GENERAL INFORMATION

The average annual rental payments will be higher for land placed in the Soil Bank Conservation Reserve in 1959 than have heretofore been available. The maximum payment rates for each farm will be established by your local county committee, taking into consideration the value and productivity of the land offered. Maximum payment rates for more productive farms will be higher than for the less productive farms. The law provides that: "No Conservation Reserve contract shall be entered into which provides for annual rental payments in excess of 20 percent of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographical location thereof."

There will be two maximum payment rates established for your farm, as follows:

- (1) One will be the maximum diversion rate if only a part of the eligible land is offered or if all the eligible land is offered for a period of less than 5 years, and will apply to that land which represents a reduction in the land used for the production of soil bank base crops. For the balance of the land offered, the non-diversion rate of payment will apply and will be 50 percent of the diversion rate. If the value and productivity of the land offered is substantially less than the average for the farm, the diversion rate will be reduced proportionately.
- (2) The other maximum rate will be 10 percent higher than the diversion rate and will apply if the land is offered for a period of 5 or more years and consists of all the eligible land in the farm, or all the eligible land not already under an existing conservation reserve contract.

Your attention is directed to the fact that the average rental payment per acre will be substantially larger if you place all the eligible land in your farm in the conservation reserve than if you placed only a part of your eligible land in the conservation reserve.

Eligible land includes most land currently in crop use which has not been broken out since December 31, 1956 and includes land devoted to tame hay from which a crop has been harvested within the past two years. Soil bank base crops can be generally defined as grain and row crops.

Within the funds available contracts generally will be awarded on the basis of the best offers received. Therefore, if you choose to offer land at less than the maximum rate established for your farm it will increase the possibility of obtaining a contract.

To establish maximum payment rates for your farm: Furnish your local county committee with the information required in items 1 through 5 in Part I below. To place land in the conservation reserve it will be necessary for you to furnish the information required in Part I not later than:

DATE
October 10, 1958

To file an application for a contract: After the maximum payment rates have been established for your farm complete items 12 through 15 in Part II on the reverse side of this form, sign and date the application in item 17 and return it to the county office not later than two weeks from the date shown above. Do not forget that only applications which are filed with the county office on or before the closing date will be considered for contracts.

Closing date for filing requests for establishment of maximum farm payment rates. This date will be established by the State committee.

PART I - REQUEST FOR ESTABLISHMENT OF MAXIMUM FARM PAYMENT RATES

1. ENTER THE HARVESTED ACRES AND YIELD PER ACRE FOR THE THREE PRINCIPAL NON-IRRIGATED CROPS GROWN ON THIS FARM FOR THE TWO YEARS IMMEDIATELY PRECEDING THE YEAR THE CONTRACT PERIOD BEGINS.
2. IF THE HARVESTED ACREAGE IN ITEM 1 DOES NOT ACCOUNT FOR MORE THAN ONE-HALF OF THE CROP ACREAGE IN THE FARM, LIST OTHER USES BELOW:

NAME OF CROP	FIRST YEAR PRECEDING		SECOND YEAR PRECEDING		LAND USE	ACRES	
	HARVESTED ACRES	YIELD PER ACRE	HARVESTED ACRES	YIELD PER ACRE		FIRST YEAR PRECEDING	SECOND YEAR PRECEDING
A. Corn	15	40 bu.	15	45 bu.	Irrigated crops		
B. Soybeans	30	22 bu.	32	25 bu.	Other crops	20	20
C. Alfalfa	30	2 1/2 tons	30	3 tons	Cultivated summer fallow		
					Acreage reserve	25	25
					Cropland pasture	40	40
					Idle land or crop failure		

Acres and yield for principal crops harvested in 1958 in case of 1959 contract.

Acres and yield for 3 principal crops harvested in 1957 in case of 1959 contract.

Make no entries in item 2 if 1/2 or more of the crop acreage is listed in item 1.

3. I ESTIMATE THE AVERAGE AGRICULTURAL VALUE PER ACRE OF ALL ELIGIBLE LAND IN THIS FARM, DISREGARDING PHYSICAL IMPROVEMENTS AND GEOGRAPHICAL LOCATION TO BE: 200 PER ACRE

Farmer's estimate of average agricultural value of all eligible land in farm.

4. SIGNATURE OF OPERATOR OR OWNER: J. J. Roe
DATE: Sept. 25, 1958
5. ADDRESS: R. F. D. #3 Warrenton, Indiana

Signature of person requesting the establishment of maximum farm payment rates.

Date of signature.

6. CODE AND FARM NO.
7. LOCATION OF FARM: 4 miles east of Warrenton on country road 614

To be entered by farmer.

8. NAME AND ADDRESS OF OPERATOR
9. ADDRESS OF ASC COUNTY OFFICE
10. DATE RECEIVED IN COUNTY OFFICE

To be entered by county office.

(Over)

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