

FSA has received numerous requests from FSA State offices, producers, USFWS, and other State wildlife agencies requesting authority for emergency haying and grazing of CRP for the following practices:

- CP8A, Grass Waterway-Noneasement
- CP23, Wetland Restoration
- CP23A, Wetland Restoration, Non-Floodplain
- CP27, Farmable Wetlands Pilot Wetland
- CP28, Farmable Wetlands Pilot Buffer
- CP37, Duck Nesting Habitat
- CP41, FWP Flooded Prairie Wetlands.

However, due to current exceptional circumstances this year, emergency haying and grazing may be authorized on these CRP practices if the conditions described below are met. This also authorizes CP25 for emergency haying, in addition to the previously authorized emergency grazing of this practice.

The State Technical Committee is authorized to approve haying and grazing of the above practices outside the primary nesting season (PNS) if:

- Written concurrence is obtained from the wildlife community and that concurrence is documented in the minutes.
- The county is designated as D0 or greater according to the U.S. Drought Monitor as of July 19, 2012, or later. States are required to submit these approvals and all documentation to DAFP within 24 hours after approval.

For counties that are not designated as D0 or greater according to the U.S. Drought Monitor, the State Technical Committee may request approval for haying and grazing of the above practices outside the PNS, if written concurrence is obtained from the wildlife community and that concurrence is documented in the minutes.

The following requirements also apply:

- The payment reduction for emergency haying and grazing is reduced from 25 percent to 10 percent for 2012 only.
- Haying and grazing of these practices during the PNS will not be authorized.
- Haying is approved through August 31, 2012; (4) grazing is approved through September 30, 2012.
- Haying and grazing is not permitted within 120 feet of a stream or other permanent water body.

Prior to implementing any form of haying or grazing, a conservation plan must be developed that is in compliance with NEPA and all other applicable federal and state laws and regulations. The site specific environmental evaluation, completed as part of the conservation planning process, for lands to be enrolled in CRP in conjunction with consultation with the appropriate USFWS office would protect species included on the threatened and endangered and critical habitat lists. If potential negative impacts of haying and grazing on listed species are identified, it is not likely the land would be approved for these activities. State Acres for Wildlife Enhancement (SAFE) targeting threatened and endangered species and critical habitat are not eligible for grazing and haying under this authority.