

**USDA-NRCS**  
**OMB No. 0578-0013**  
**Supporting Statement**

**7 CFR 630, Long Term Contracting, (LTC)**

This document represents a request for a continuance, with change, the information collection requirements of 7 CFR 630, Long Term Contracting (LTC) approved under OMB No. 0578-0013. The Long Term Contracting regulations at 7 CFR Part 630, and the Conservation Program regulations at 7 CFR 624, 7 CFR 625, 7 CFR 636, 7 CFR 701, 7 CFR 633, 7 CFR 1415, 7 CFR 1465, 7 CFR 1469 and 7 CFR 1491 set forth the basic policies, program provisions, and eligibility requirements for owners and operators to enter into and carry out long-term conservation program contracts with technical assistance under the various programs.

The forms included in this collection are to accommodate the following conservation programs: Agriculture Management Assistance, Environmental Quality Incentives Program, Wildlife Habitat Incentives Program, Water Bank Program, Emergency Watershed Program, Watershed Protection and Flood Prevention Program, Resource Conservation and Development Program, Healthy Forests Reserve Program, Emergency Conservation Program, Farm and Ranchland Protection Program, Grassland Reserve Program, Wetland Reserve Program, and the Conservation Security Program.

**Status of the Rules:**

The current LTC regulations are as follows:

<b>Program</b>	<b>Regulation</b>	<b>Source</b>	<b>Date</b>
Long Term Contracting	7 CFR 630	40 FR 53370	November 18, 1975
Emergency Watershed Protection Program	7 CFR 624	46 FR 56577	November 17, 1981
Emergency Conservation Program	7 CFR 701	45 FR 49522 69 FR 10302	July 25, 1980 Mar. 4, 2004
Water Bank Program	7 CFR 633	62 FR 48472	September 16, 1997
Agriculture Management Assistance Program	7 CFR 1465	68 FR 17272	April 9, 2003
Healthy Forest Reserve Program	7 CFR 625	71 FR 28547	May 17, 2006
Environmental Quality Incentives Program	7 CFR 1466	68 FR 32337	May 30, 2003
Conservation Security Program	7 CFR 1469 Amendment to Interim Final Rule	70 FR 15201	March 25, 2005
Wildlife Habitat Incentives Program	7 CFR 636	62 FR 49365	Sept. 19, 1997
Wetlands Reserve Program	7 CFR 1467	61 FR 42137	August 14, 1996

Farm and Ranch Land Protection Program	7CFR 1491	68 FR 26461	May 16, 2003
Grassland Reserve Program	7 CFR 1415	71 FR 11139	March 6, 2006

These regulations, as published and updated January 1, 2006, implemented the provisions for LTC authorized by the following Public Laws:

<b>Program</b>	<b>Authority</b>	<b>Statute</b>
Long Term Contracting	Public Law 75-430	49 Stat. 1151 (16 U.S.C. 590d
Watershed Prevention & Flood Protection Program	Public Law 83-566	68 Stat. 666 as amended (16 U.S.C. 1001, <i>et seq.</i>
Flood Control Act of 1941	Public Law 78-534	58 Stat. 889 (33 U.S.C. 701b-1)
Conservation Technical Assistance	Section 403, Public Law 95-334	(16 U.S.C. 2203, 5 U.S.C. 301)
Emergency Watershed Protection Program	Sec. 216, P.L. 81-516, P.L. 95-334, as amended	33 U.S.C. 70lb-1; Sec. 403; 16 U.S.C. 2203; 5 U.S.C. 301.
Water Bank Program	Sections 2-12	84 Stat. 1468-1471, as amended, (16 U.S.C. 1301-1311)
Healthy Forests Reserve Program	Public Law 108-148, Title V, Secs. 501-508	Title V, Healthy Forests Restoration Act of 2003, 16 U.S.C. 6571-6578.
Conservation Security Program	Subtitle D of title XII of the Food Security Act of 1985 as amended by Public Law 107-171, Title II Subtitle A	Food Security Act of 1985: 16 U.S.C. 3801-3862 as amended by Farm Security and Rural Investment Act of 2002: 7 U.S.C. 7901
Environmental Quality Incentives Program	Food Security Act of 1985, Public Law 99-198, Title XII, as amended by Federal Agriculture Improvement and Reform Act of 1996, Public Law 104-127 and the Farm Security and Rural Investment Act of 2002, Public Law 107-171	16 U.S.C. 3801 et seq.
Wildlife Habitat Incentives Program	Section 2502 of the Farm Security and Rural Investment Act of 2002 (the 2002 Act), Public Law 107-171, repealed the original WHIP statute and amended Title XII of the Food Security Act of 1985 to add a new section 1240N	16 U.S.C. 3839bb-1
Wetlands Reserve Program	Department of Agriculture Reorganization Act of 1994, Public Law 103-354	16 U.S.C. 3837, et seq.
Emergency Conservation Program	Pub. L. 95-334, 92 Stat. 420, 16 U.S.C. 2201-2205; Pub. L. 109-148, Division B, sec. 101; and Pub. L. 110-28, secs. 9003-9004	16 U.S.C. 2201-2205

Agriculture Management Assistance Program	Agricultural Risk Protection Act of 2000, Title I, Section 133 (Public Law 106-224) which amended the Federal Crop Insurance Act (7 U.S.C. 1501 et.seq.) by adding Section 524(b). Section 524(b) was further amended by the Farm Security and Rural Investment Act of 2002 (Farm Bill), Public Law 107-171, May 13, 2002	7 U.S.C. 1501 et.seq.
Grassland Reserve Program	Section 2401 of the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) amended the Food Security Act of 1985	16 U.S.C. 3838n–3838q
Farm and Ranch Land Protection Program	The Farmland Protection Policy Act of 1981 (Public Law 97-98)	16 U.S.C. 3838h–3838i
Resource Conservation and Development Program	The Soil Conservation and Domestic Allotment Act, (16 U.S.C. 590a-590F), the Bankhead-Jones Farm Tenant Act, (16 U.S.C. 1010 and 1011), and the Food and Agriculture Act of 1962, and is authorized under subtitle H, title XV of the Agriculture and Food Act of 1981, (16 U.S.C. 3451-3461), as amended. The Food Security and Rural Investment Act of 2002 permanently authorized the program.	16 U.S.C. 590a-590F 16 U.S.C. 1010 and 1011 16 U.S.C. 3451-3461

#### **Changes to the Information Collections since last submission:**

The authority to collect information under the Long Term Contracting regulations expires on September 30, 2009. This request for revision, with change, reflects the Secretary's authority to continue with the conservation programs at authorized funding levels. Selected LTC forms have been revised to facilitate their use in several different programs. Two (2) new forms are being added to the collection, NRCS-CPA-1200, Conservation Program Application/Contract, and NRCS-CPA-1202, Conservation Program Contract. These forms were originally Form CCC-1200. This change is necessary to alleviate applicant/participant confusion stemming from the use of a multi-purpose form. By separating into two distinct forms, the applicants can easily recognize that they are only making an application to participate in the conservation program and not mistakenly think that they have signed a contract document. Forms utilized within business software applications have been modified to a consistent "NRCS-CPA-XXXX" identification format.

The Healthy Forests Reserve Program conservation easement deed form number was left off, the form number was added to the packet. An additional five minutes per response had been added for completion of the form, which includes time for the signer to review the form.

### **Information Reporting Requirements:**

The information reporting requirements and burden related to this clearance request package includes reporting requirements associated with the following Long Term Contracting items:

<b>Form</b>	<b>Description</b>
NRCS-LTP-001, NRCS-LTP-156, CCC-1250, AD-1153, and NRCS-CPA-1200	Application
NRCS-LTP-002, NRCS-LTP-150, CCC-1251, AD-1154, and NRCS-CPA-1202	Long-Term Contract/Agreement for NRCS Financial Assistance Programs
NRCS-LTP-011, NRCS-LTP-011E, CCC-1252, and NRCS-CPA-1155	Conservation Plan and Schedule of Operations
NRCS-LTP-011A and CCC-1252A	Conservation Plan and Schedule of Operations
NRCS-LTP-011B, NRCS-LTP-011BE, and CCC-1252B	Conservation Plan and Schedule of Operations
NRCS-LTP-12, NRCS-LTP-12E, CCC-1253, and NRCS-CPA-1156	Modification of Conservation Plan and Schedule of Operations
NRCS-LTP-013 and NRCS-CPA-013	Status/Contract Reviews
NRCS-LTP-020 and CCC-1255 NRCS-CPA-260	Warranty Easement Deed, Conservation Easement Deed
NRCS-LTP-020A, CCC-1255A and AD-1157	Option Agreement to Purchase
NRCS-LTP-20B and AD-1157B	Option Agreement to Purchase, Amendment
NRCS-LTP-21 and CCC-1256	Subordination Agreement and Limited Lien Waiver
NRCS-LTP-024 and CCC-1257	Notification of Intent to Continue
NRCS-LTP-25 and CCC-1258	Compatible Use Agreement
NRCS-LTP-151	Notice of Agreement or Contract Violation
NRCS-LTA-152 and NRCS-CPA-152	Transfer Agreement
NRCS-LTP-153	Agreement Covering Non-Compliance with Provisions of the Contract
NRCS-FNM-140	Authorization for Materials or Services
NRCS-CPA-1245 and AD-1161	Practice Approval and Payment Application
NRCS-CPA-38	Request for Certified Wetland Determination or Delineation

### **Justification:**

#### **1. CIRCUMSTANCES MAKING COLLECTION OF INFORMATION NECESSARY:**

This program authorizes federal technical and financial long term cost sharing assistance for conservation treatment with eligible land users and entities. The financial assistance is based on a conservation plan that is made a part of an agreement or contract for a period of not less than 1 year to not more than 15 years. Under the terms of the agreement, the participant agrees to apply, or arrange to apply, the conservation treatment specified in the conservation

plan. In return for this agreement, federal financial assistance payments are made to the land user, or third party, upon successful application of the conservation treatment.

The previously listed authorizations directed the Secretary of Agriculture to formulate and carry out conservation program long term contracting activities until the authority is rescinded. These forms are needed to administer NRCS long-term contracting programs as authorized. NRCS regulations previously listed require the collection of data on these forms to ensure proper utilization of program funds. The Secretary's authority to administer contracts accepted for these programs remains until the contracts expire.

This request is necessary to implement the Conservation Program Long Term Contracting activities.

## 2. HOW MUCH, BY WHOM, AND PURPOSE INFORMATION IS TO BE USED:

The Conservation Programs that utilize the forms included in this collection are described in the following table. This also serves as a key to the program abbreviations used in other areas of this package.

Program	Description
Emergency Conservation Program (ECP) (7 CFR Part 701)	USDA Farm Service Agency's (FSA) Emergency Conservation Program (ECP) provides emergency funding and technical assistance for farmers and ranchers to rehabilitate farmland damaged by natural disasters and for carrying out emergency water conservation measures in periods of severe drought. Funding for ECP is appropriated by Congress.
Emergency Watershed Program (EWP) (7 CFR Part 624)	The EWP was initiated in 1950 and is administered by NRCS. It provides technical and financial assistance to local institutions for the removal of storm and flood debris from stream channels and for the restoration of stream channels and levees to reduce the threat to life and property. The program also provides for establishing permanent easements in floodplains with private landowners.
Environmental Quality Incentives Program (EQIP) (7 CFR Part 1466)	The Environmental Quality Incentives Program (EQIP) was reauthorized in the Farm Security and Rural Investment Act of 2002 (Farm Bill) to provide a voluntary conservation program for farmers and ranchers that promotes agricultural production and environmental quality as compatible national goals. EQIP offers financial and technical help to assist eligible participants install or implement structural and management practices on eligible agricultural land.
Resource Conservation and Development Program (RC&D)	The RC&D was initiated in 1962, and is administered by NRCS. Through this program, NRCS assists multi-county areas in enhancing conservation, water quality, wildlife habitat, recreation, and rural development. The program provides technical and limited financial assistance for the planning and installation of approved projects.

<b>Program</b>	<b>Description</b>
Water Bank Program (WBP) (7 CFR Part 633)	The WBP was authorized in 1970, and was primarily designed to preserve, restore, and improve high-priority wetlands. In the process, WBP also provided wildlife habitat for migratory waterfowl and other wildlife, improved water quality, reduced soil erosion, conserved surface waters, improved subsurface moisture, contributed to flood control, and enhanced the natural beauty of the landscape. Under the WBP, landowners entered into agreements for 10 years, with options for renewal. The program operates primarily in the northern part of the Central Flyway, and northern and southern parts of the Mississippi flyway. The WBP is administered by NRCS. Funding was eliminated in 1995, by Congress. However, there will still be contracts active through 2011. Certain expiring contracts are eligible to be enrolled in the CRP.
Watershed Protection and Flood Prevention Program (WPFPP) (7 CFR Part 622)	The WPFPP, otherwise known as P.L. 566, was initiated in 1954, and is administered by the NRCS. It assists State and local units of government in flood prevention, watershed protection, and water management. Part of this effort involves the establishment of conservation practices on private lands to reduce erosion, sedimentation, and runoff.
Healthy Forests Reserve Program (HFRP) (7 CFR 625)	The Healthy Forests Reserve Program (HFRP) is a voluntary program established for the purpose of restoring and enhancing forest ecosystems to: 1) promote the recovery of threatened and endangered species, 2) improve biodiversity; and 3) enhance carbon sequestration. The HFRP was signed into law as part of the Healthy Forests Restoration Act of 2003. Amended by the Food, Conservation and Energy Act of 2008 authorized to be carried out from 2009 through 2012
Wetland Conservation (WC or Swampbuster) (7 CFR 12)	The Wetland Conservation Provisions are part of the Food Security Act of 1985, as amended by the Food, Agriculture, Conservation, and Trade Act of 1990, and the Federal Agriculture Improvement and Reform Act of 1996. The WC or Swampbuster provisions condition receipt of USDA benefits on landowners and operators not converting wetlands for agricultural production purposes or to make possible the production of an agricultural commodity. All the programs in this collection except WHIP are subject to compliance with these provisions. Additionally, many of the programs in this collection condition eligibility for certain practices on the type of wetlands present on the farm or ranch, thereby needing a certified wetland determination completed per the regulation in 7 CFR Part 12, Subparts A and C.
Wetlands Reserve Program	The Wetlands Reserve Program is authorized as part of the Food Security Act of 1985, as amended by the Food, Agriculture, Conservation, and Trade Act of 1990, the Federal Agriculture Improvement and Reform Act of 1996 and the Farm Security and Rural Investment Act of 2002. The Wetlands Reserve Program is a voluntary program established to assist owners of eligible lands in restoring and protecting wetlands. It is the goal of the WRP to maximize wildlife habitat benefits on every acre enrolled in the program particularly for migratory birds and other wetland dependent wildlife.
Farm and Ranch Lands Protection Program	The Farm and Ranch Lands Protection Program (FRPP) was reauthorized in the Farm Security and Rural Investment Act of 2002 (Farm Bill) to protect working agricultural land from conversion to nonagricultural uses. The Farm and Ranch Lands Protection Program (FRPP) is a voluntary program that helps farmers and ranchers keep their land in agriculture. The program provides matching funds to State, Tribal, or local governments and non-governmental organizations with existing farm and ranch land protection programs to purchase conservation easements.

<b>Program</b>	<b>Description</b>
Grassland Reserve Program	GRP was authorized by the Food Security Act of 1985, as amended by the Farm Security and Rural Investment Act of 2002 (2002 Farm Bill). The USDA Natural Resources Conservation Service (NRCS) and USDA Farm Service Agency (FSA) administer the program. Funding for the GRP comes from the Commodity Credit Corporation (CCC). The Grassland Reserve Program (GRP) is a voluntary program that helps landowners and operators restore and protect grassland, including rangeland, pastureland, shrubland, and certain other lands, while maintaining the areas as grazing lands.
Conservation Security Program	The Farm Security and Rural Investment Act of 2002 (2002 Farm Bill) (Pub. L. 107-171) amended the Food Security Act of 1985 to authorize the Conservation Security Program (CSP). CSP is administered by USDA's Natural Resources Conservation Service (NRCS). CSP is a voluntary program that provides financial and technical assistance to promote the conservation and improvement of soil, water, air, energy, plant and animal life, and other conservation purposes on Tribal and private working lands. Working lands include cropland, grassland, prairie land, improved pasture, and range land, as well as forested land that is an incidental part of an agriculture operation. The program is available in all 50 States, the Caribbean Area and the Pacific Basin area. The program provides equitable access to benefits to all producers, regardless of size of operation, crops produced, or geographic location.
Grassland Reserve Program	The Grassland Reserve Program (GRP) is a voluntary program established for the purpose of allowing native grasslands and pastures to be protected from conversion to non-agricultural uses. GRP is a voluntary program that helps landowners and operators restore and protect grassland, including rangeland and pastureland, and certain other lands, while maintaining the areas as grazing lands. The program emphasizes support for grazing operations, plant and animal biodiversity, and grasslands under the greatest threat of conversion. It is authorized in the 2002 Farm Bill and is administered by the USDA Natural Resources Conservation Service (NRCS) and USDA Farm Service Agency (FSA), in cooperation with the USDA Forest Service. Funding for the GRP comes from the Commodity Credit Corporation (CCC).
Wildlife Habitat Incentives Program	WHIP is a voluntary program that provides technical and financial assistance to enable eligible participants protect, restore, develop or enhance habitat for upland wildlife, wetland wildlife, threatened and endangered species, fish and other types of wildlife in an environmentally beneficial and cost effective manner. The purpose of the program is to develop high quality wildlife habitats that support wildlife populations of local, state, and national significance.
AMA	Agricultural Management Assistance (AMA) provides cost share assistance to agricultural producers to voluntarily address issues such as water management, water quality, and erosion control by incorporating conservation into their farming operations. AMA is available only in 15 states where participation in the Federal Crop Insurance Program is historically low. Producers may construct or improve water management structures or irrigation structures; plant trees for windbreaks or to improve water quality; and mitigate risk through production diversification or resource conservation practices, including soil erosion control, integrated pest management, or transition to organic farming.

The information collected on LTC forms is obtained from conservation program participants manually and electronically for use by NRCS, other USDA agencies, and local conservation districts as follows:

Form <sup>i</sup>	Purpose	Program(s)	Form Description	Who Completes	How Completed	Number Submitted Annually
AD-1153 NRCS- CPA-1200	Application	AMA, CSP, EQIP, EWP, WPFPP, HFRP, GRP, WRP, WHIP	The basic document used by program participants to request assistance through the local USDA Service Centers (7 CFR Parts 622.20, 624.9, and 636.5.) Used by NRCS to evaluate and prioritize application and to verify eligibility.	Program Applicants with assistance from agency personnel.	Completed by hand either in the office or by requesting application be mailed to them. Faxed applications are acceptable as long as the original is sent in at a later date. This form is currently being prepared for posting on the agency's internet site through the department's electronic initiative.	2708.33, 1 per participant
AD-1154 NRCS- CPA-1202	Contract or Agreement	AMA, CSP, EWP, WPFPP, EQIP, WHIP, WBP; HFRP, WRP, GRP	Document is used by NRCS to enter into a contract or agreement with the program participant (7 CFR Parts 622.3, 624.10, and 636.8). Includes Special Contract/Agreement Provisions.	Executed by the agency, with concurrence and acceptance (signature) of the participant.	Completed by hand by agency personnel. Program participant can either come into the office to sign, or the agency can mail to the participant for signature, which can either be faxed with mailed original or returned in the mail to the agency. This form is being automated through the department's electronic initiative. Currently, this form is available to the public in a fillable format at the following NRCS website: <a href="http://forms.sc.egov.usda.gov/eforms/mainservlet">http://forms.sc.egov.usda.gov/eforms/mainservlet</a>	2708.33, 1 per participant

Form	Purpose	Program(s)	Form Description	Who Completes	How Completed	Number Submitted Annually
AD-1155, NRCS-CPA-1155	Schedule of Practices/Costs	EQIP, WHIP, AMA, CSP, CRP, EWP, EQIP, WPFPP, WBP, HFRP, GRP, WRP	Practices to be installed are described, scheduled for year of installation, and cost outlays are presented. (7 CFR Parts 622.3(c); 624.3(b); 632.21; 634.23; 636.7; 701.16; 701.40; 633; and 1410.22.)	Developed by the agency. Participant must read and agree to the terms.	Completed by agency personnel with input and concurrence from the participant. Participant can either come into the office to review, have NRCS come to their location, or have the schedule mailed/faxed to them for review. This form is available to the public in a fillable format at the following NRCS website: <a href="http://forms.sc.egov.usda.gov/eforms/mainServlet">http://forms.sc.egov.usda.gov/eforms/mainServlet</a>	3783.33, average = 1 per participant
AD-1155A	Schedule Signature Sheet	EQIP, WHIP, AMA, CSP, CRP, EWP, IEQIP, WPFPP, WBP, HFRP, GRP, WRP	Summary of schedule and cost outlays included in the schedule of practices and costs with signature blocks. (7 CFR Parts 622.3(c); 624.3(b); 632.21; 634.23; 636.7; 701.16; 701.40; 633; and 1410.22.)	Developed by the agency. Participant must read and agree to the terms. Agency, Conservation District Official, and Participant must sign.	Completed by agency personnel with input and concurrence from the participant. Agency official, conservation district official, and participant must sign. Participant can either come into the office to review, have NRCS come to their location, or have the form mailed/faxed to them for review. This form is available to the public in a fillable format at the following NRCS website: <a href="http://forms.sc.egov.usda.gov/eforms/mainServlet">http://forms.sc.egov.usda.gov/eforms/mainServlet</a>	2708.33, average = 0.75 per participant
AD-1156, NRCS-CPA-1156	Schedule Modification	EQIP, WHIP, AMA, CSP, CRP, EWP, WPFPP, WBP, HFRP, GRP, WRP	Document is used by the agency to modify, as needed, a participant's schedule of practices and costs. (7 CFR Parts 622.3(c); 624.3(b); 632.21; 634.23; 636.7; 701.16; 701.40; 633; and 1410.22.)	Developed by the agency. Participant must read and agree to the terms. Agency, Conservation District Official, and Participant must sign.	Completed by agency personnel with input and concurrence from the participant. Agency official, conservation district official, and participant must sign. Participant can either come into the office to review, have NRCS come to their location, or have the form mailed/faxed to them for review. This form is available to the public in a fillable format at the following NRCS website: <a href="http://forms.sc.egov.usda.gov/eforms/mainServlet">http://forms.sc.egov.usda.gov/eforms/mainServlet</a>	2708.33, average = 0.5 per participant

Form	Purpose	Program(s)	Form Description	Who Completes	How Completed	Number Submitted Annually
NRCS-LTP-13 NRCS-CPA-013	Status/Contract Review	EQIP, WHIP, AMA, CSP, CRP, EWP, EQIP, WPFPP, WBP,	Participant progress in contract or agreement implementation is recorded. (7 CFR Parts 622.3; 624.4; 632.24; 634.27(i); 636.2(c); 701.24; 701.43; 633; and 1410.55.)	NRCS employees conduct a review. Participant may or may not participate in the documentation process. Final review must be signed by the participant.	Completed in the field by agency personnel. If violations or a final review, then the participant must concur and sign. Participant can either come into the office to review, have NRCS come to their location, or have the form mailed/faxed to them for review. This form is available to the public in a fillable format at the following NRCS website: <a href="http://forms.sc.egov.usda.gov/eforms/main servlet">http://forms.sc.egov.usda.gov/eforms/main servlet</a>	3783.33, average = 1.5 per participant
NRCS-LTP-20 CCC-1255 NRCS-CPA-1255 NRCS-CPA-260	Warranty Easement Deed Conservation Easement Deed	EWP, GRP, WRP HFRP	Form used by the program participant to grant and convey NRCS and easement with appurtenant rights of access to the easement area(s). (7 CFR Part 624).	Developed by the agency. Participant must read and agree to the terms through signature.	Completed by hand either in the office or off-site. This form is being prepared for availability on the internet. The will be located at: <a href="http://forms.sc.egov.usda.gov/eforms/main servlet">http://forms.sc.egov.usda.gov/eforms/main servlet</a>	723.33, 1 per participant
AD-1157	Option to Purchase Easement	EWP, HFRP, GRP, WRP	Form is used by program participants as the equivalent of a real estate option to purchase. (7 CFR Part 624).	Developed by the agency. Participant must read and agree to the terms through signature.	Completed by hand either in the office or off-site. This form is being prepared for availability on the internet. The will be located at: <a href="http://forms.sc.egov.usda.gov/eforms/main servlet">http://forms.sc.egov.usda.gov/eforms/main servlet</a>	1,650, 1 per participant
AD-1157A	Option to Purchase, Amendment	EWP; HFRP, GRP, WRP	Form is used by program participants as the equivalent of a real estate option to purchase. (7 CFR Part 624).	Developed by the agency. Participant must read and agree to the terms through signature.	Completed by hand either in the office or off-site. This form is being prepared for availability on the internet. The will be located at: <a href="http://forms.sc.egov.usda.gov/eforms/main servlet">http://forms.sc.egov.usda.gov/eforms/main servlet</a>	165; 1 per participant

Form	Purpose	Program(s)	Form Description	Who Completes	How Completed	Number Submitted Annually
AD-1158	Subordination Agreement and Limited Lien Waiver	EWP, HFRP, GRP, WRP	Form is used by program participants to subordinate mortgages and obtain limited lien waivers, when applicable, to the United States with respect to any and all interests of the subordinating party in, or related to the easement area. (7 CFR 624).	Developed by the agency. Participant must read and agree to the terms through signature.	Completed by hand either in the office or off-site. This form is being prepared for availability on the internet. The will be located at: <a href="http://forms.sc.egov.usda.gov/eforms/main servlet">http://forms.sc.egov.usda.gov/eforms/main servlet</a>	1,650, 1 per participant
AD-1159	Notice of Intent to Continue	EWP, HFRP, GRP, WRP	Used by program participants who have been notified of tentative acceptance into the program to indicated NRCS their intent to continue in the program. (7 CFR Part 624).	Developed by the agency. Participant must read and agree to the terms through signature.	Completed by hand either in the office or off-site. This form is being prepared for availability on the internet. The will be located at: <a href="http://forms.sc.egov.usda.gov/eforms/main servlet">http://forms.sc.egov.usda.gov/eforms/main servlet</a>	1,650, 1 per participant
AD-1160	Compatible Use Application	EWP, WRP	Used by the program participants to request authorization from NRCS to use the easement area for specified purposes. Informs the participant that the authorization does not vest any right of any kind with the landowner. This agreement includes a plan developed by NRCS describing the compatible use of the land, frequency, timing, intensity, and duration of the use. (7 CFR 624).	Developed by the agency. Participant must read and agree to the terms through signature.	Completed by hand either in the NRCS office or offsite and mailed or faxed to the NRCS office. Authorizations are provided to the participant in writing. Program participant must sign.	3,050, 1 per participant

Form	Purpose	Program(s)	Form Description	Who Completes	How Completed	Number Submitted Annually
AD-1161 NRCS- CPA-1245	Application for Payment	AMA, CSP, EQIP, EWP, HFRP, GRP, WHIP, WRP	Used by program participants to transmit bills and certify completion of the contracted item.	Developed by the agency. Participant must read and agree to the terms through signature.	Completed by hand either in the NRCS office or offsite and mailed or faxed to the NRCS office. Authorizations are provided to the participant in writing. Program participant must sign.	3783.33; average 1 per participant
NRCS- LTP-151	Contract Violation Notification	HFRP, WBP, WRP, GRP	Used by the agency to notify a program participant of the indication of a contract or agreement violation. (7 CFR Parts; 632.42(b) (1, 2); 634.29; 636.12 and 633).	This form is completed by the NRCS.	Form is usually mailed or hand carried to the participant. Form is usually completed by hand. This form is available to the public in a fillable format at the following NRCS website: <a href="http://forms.sc.egov.usda.gov/eforms/mainServlet">http://forms.sc.egov.usda.gov/eforms/mainServlet</a>	723.33, average = 0.9 per participant
NRCS- LTP-152 NRCS- CPA-152	Agreement Termination	ACP, CSP, HFRP, WBP, EQIP, WRP, WHIP, GRP	Used by the agency and participant when the program participant loses control of all or part of the right and interest in the land. (7 CFR Parts; 632.22(f); 636.10 and 633)	Completed jointly by NRCS and the participant.	This form is usually completed by hand in the NRCS office. This form is available to the public in a fillable format at the following NRCS website: <a href="http://forms.sc.egov.usda.gov/eforms/mainServlet">http://forms.sc.egov.usda.gov/eforms/mainServlet</a>	708.33, average = 0.9 per participant
NRCS- LTP-153	Tract Non-Compliance	AMA, HFRP, WBP, EQIP, WHIP, WRP, GRP	This form is used to indicate non-compliance with the contract or agreement. (7 CFR Parts; 632.41; 634.29; 636.14 and 633).	Completed by NRCS employee.	This form is usually completed in the NRCS office and either mailed or hand delivered to the participant. This form is available to the public in a fillable format at the following NRCS website: <a href="http://forms.sc.egov.usda.gov/eforms/mainServlet">http://forms.sc.egov.usda.gov/eforms/mainServlet</a>	658.33, average = 0.9 per participant

Note: This table was completed in anticipation of methods to be used to complete the collection upon approval by OMB. These forms were placed on the agency internet site under the previous OMB authorization.



### 3. USE OF IMPROVED INFORMATION TECHNOLOGY:

The LTC conservation program forms are not all currently being processed using automated methods. The NRCS-CPA-1200 will be developed as an eForm which can be accessed and completed by program applicants on-line. Certain information will still need to be collected manually such as the participant's personally identifiable information and signature. The NRCS is actively participating in the Departmental Electronic Forms Initiative. Program participants will soon be able to access the forms, instructions, and the program special provisions; complete the appropriate form, and submit to the agency for consideration electronically.

Forms currently available via the <http://forms.sc.egov.usda.gov/eforms/mainservlet> USDA Service Center eForms Website are:

- AD1153 -- Form for landowners to apply for assistance under the EWP-FP, WPFPP, and HFRP programs.
- AD1159 -- Form for landowners to notify USDA of intent to continue in the EWP-FP, WPFPP, and HFRP programs.
- AD1161 -- Form for landowners to apply for payments due from program agreements with USDA.

An additional initiative being completed is the Customer Service Toolkit and ProTracts. The toolkit will eventually enable the NRCS employee to complete the entire planning process in the field with the program participant. ProTracts is a web-based application that automates all of the contracting functions of NRCS for specific programs. These applications include provisions for implementation of the Agricultural Management Assistance Program (AMA), Conservation Security Program (CSP), Environmental Quality Incentives Program (EQIP), and Wildlife Habitat Incentives Program (WHIP). Forms that will be made available through Customer Service Toolkit and/or ProTracts include the NRCS-CPA-1200, NRCS-CPA-1202, NRCS-CPA-1155, NRCS-CPA-1156, NRCS-CPA-1245, NRCS-CPA-013, and the NRCS-CPA-152.

In summary, NRCS has been working diligently to develop and utilize the capabilities of electronic communications and digital formats in collecting information needed to implement its conservation programs. The following is a summary of the NRCS electronic initiative:

Item	Number	% of Collection
Total Forms in the LTC Collection	21	100.0
Total Forms Available in all Electronic Formats	10	47.6
Forms Included in the Customer Service Toolkit or ProTracts	7	33.3
Total LTC Forms Available Electronically	10	47.6

### 4. EFFORTS TO IDENTIFY DUPLICATION:

NRCS has identified 22 forms that are duplicative for 11 specific purposes. These forms have been combined into AD and/or NRCS form releases to reduce redundancy and confusion about which form to use for a specific program. The forms included in this request for approval therefore, have been revised and reflect the current state of the art regarding the forms to be used by NRCS in implementing its conservation program financial and technical assistance programs.

**5. METHODS TO MINIMIZE BURDEN OF SMALL BUSINESS ENTITIES:**

The collection of information does not involve small businesses and small entities.

**6. CONSEQUENCE IF INFORMATION COLLECTION WERE LESS FREQUENT:**

Generally, contracting forms are filed one time unless the participant takes action, either voluntarily, or involuntarily, or when a revision of the information included in the application or contract is required. NRCS reviews contract forms with the participant annually to ensure contract compliance and to determine if changes are needed through the annual status review procedure (NRCS-LTP-013.) Participants do not report based on these forms. If the information is not reviewed, NRCS would not be able to perform its responsibilities in administering the conservation program Long Term Contracting Activities.

**7. SPECIAL CIRCUMSTANCES:**

Information collection on all forms utilized for Long Term Contracting are not conducted in a manner consistent with the special circumstances identified in this section.

**8. FEDERAL REGISTER NOTICE, SUMMARIZATION OF COMMENTS, AND CONSULTATION WITH PERSONS OUTSIDE THE AGENCY**

A notice for information collection was published November 30, 2007 Federal Register with a 60-day comment period, (72 FR 67696). The general public was provided 60 days in which to comment on the need, accuracy, and clarity of any proposed changes, or the need for consolidation or reduction in the information collection. The Agency received no comments.

Additionally, the NRCS has contacted several persons from outside the agency and the Department. Generally, the comments received through these telephone interviews indicated that, for the most part, the agency is collecting only that information absolutely needed for program administration. Many of the forms in this collection represent legal obligations for acquisition of permanent or 30-year easements. These forms, for the most part, are completed by NRCS employees. The only burden requirement of the producer is much as would be expected in a real estate transaction, concurrence and signature of agreement with the terms included.

NRCS has made a concerted effort to collect only the information needed for program administration and implementation. The agency has been taking steps to reduce these problems by clarifying and streamlining the instructions, re-estimating the time it takes to complete a form; reducing the amount of information that is collected; and making the forms easier to complete. Additionally, the agency has included round trip travel time in the burden estimate for those forms that cannot be executed electronically via the internet.

While the agency has not solved all of the problems associated with the forms used in this collection to provide program information, a significant improvement has been made in the amount of information collected, and in simplification and clarity.

The information recorded is based upon decisions made and provided voluntarily by owners and operators, and the collection is conducted in a manner consistent with guidelines in 5 CFR 1320.6.

#### **9. PAYMENTS OR GIFTS TO RESPONDENTS:**

Long Term Contracting payments are only disbursed to participants or third parties who earned the payments by complying with the terms and conditions of the conservation program Long Term Contract.

#### **10. CONFIDENTIALLY PROVIDED TO RESPONDENTS:**

These forms are handled according to established NRCS procedures implementing the Privacy and Freedom of Information Act of 1974 and OMB Circular A-130, "Responsibilities for the Maintenance of Records About Individuals by Federal Agencies."

#### **11. QUESTIONS OF A SENSITIVE NATURE:**

No sensitive questions regarding sexual behavior and attitudes, religious beliefs, and other matters which are commonly considered private are asked on the forms.

#### **12. ESTIMATE OF BURDEN AND COST TO RESPONDENTS:**

NRCS anticipates the total number of respondents will be 37,504. Generally, respondents will file 0.92 requests per contracting form. NRCS estimates that the total burden hours will be 25,291 hours, with a burden of 45 minutes or 0.75 hours per respondent.

The NRCS-1200 application form will be developed as an eForm and then can either be completed and submitted on-line or manually by the participant. Respondents need to identify the acreage on which they seek enrollment (forms AD-1153 or NRCS-CPA-1200) and financial assistance. NRCS employees normally assist the participant in completing these forms, however, through both the agency's and USDA's electronic initiative, it will be possible for the applicant or program participant to complete these forms by themselves. Additionally, as shown in the table presented for Question 2, on pages 8 through 12 of this

document, NRCS employees generally complete the remainder of the forms in the collection and review the documents with the program participant for concurrence and acceptance.

The burden was estimated based on a projected average of documents to be filed annually based on the funding level for the authorized conservation programs.

The burden hours are unchanged from the previous submission for the form revisions. An additional five minutes per response has been added for completion of the Healthy Forests Reserve Program Conservation Easement Deed form NRCS-CPA-260, which includes time for the signer to review the form.

The Secretary has the authority to operate the conservation programs. The number of respondents was averaged from 2006 through 2010.

Total annual cost to the respondents is \$303,492. This figure is computed based on 25,291 burden hours times a wage of \$12.00 per hour.

**13. TOTAL CAPITAL AND START-UP COSTS AND TOTAL OPERATION AND MAINTENANCE COSTS.**

There will not be any capital, start-up, or operation and maintenance costs.

**14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT:**

The estimated cost to the Federal Government is \$901,425.32. This amount is estimated as follows:

Cost Item	Total Responses No.	Cost Factor/Form (\$)	Total Cost (\$)
Cost of the Forms	37,504	0.07	\$54.18
Development and Storage	37,504	0.034	\$1,275.14
Workhour Costs	37,504	24.00	\$900,096.00
Total Costs			\$901,425.32

Workhour costs associated with NRCS employees is an estimate that employees may spend an average of 60 minutes per response, collecting, filing, and processing data on the form. The average hourly wage of an NRCS employee is \$24.00.

**15. REASONS FOR CHANGES IN BURDEN:**

The current inventory is 25,231 burden hours. As reflected in the table below, the Agency is increasing the burden on program applicants and participants by 60 hours. This increase is due to Congressional action that authorized the Healthy Forests Reserve Program (HFRP) and delegated authority to obtain permanent and 30 year easements to NRCS. Therefore, the increase is due to a program change.

Further, the following program authorities have expired:

- Agricultural Conservation Program (ACP)
- Colorado River Basin Salinity Control Program (CRSCP)
- Great Plains Conservation Program (GPCP)
- Water Quality Incentives Program (WQIP)
- Forestry Incentives Program (FIP)

The remainder of contracts authorized under these programs will continue at a steady level, dependant upon annual appropriations. Thus, the information collection needs should remain somewhat static over the next several years.

Previous Burden Hours	25,231	
New Requirements (HFRP) 10/01/05	60 PC	
Proposed Burden Hours	25,291	

The result of these actions is an approximate 24.6 percent increase in burden both internally and externally.

**16. TABULATION, ANALYSIS AND PUBLICATION PLAN:**

The information collected in conservation program long term contracting is for the performance of the Agency's functions in administering the program, and is not to be tabulated or published in any way.

**17. REASONS DISPLAY OF EXPIRATION DATE OF OMB APPROVAL IS INAPPROPRIATE:**

While the cost of developing, printing, distributing, and storing the forms is estimated to only cost 7.034 cents per form, any funds expended on this should remain available for use in any future long term contracting opportunities. Therefore, approval to not display the expiration date for OMB approval is requested.

**18. EXCEPTIONS TO 83-1 CERTIFICATION STATEMENT:**

There are no exceptions to the 83-1 certification statement.

**19. HOW IS THIS INFORMATION COLLECTION RELATED TO THE CUSTOMER SERVICE CENTER INITIATIVE? WILL THIS INFORMATION BE PART OF THEIR ONE-STOP SHOPPING OBJECTIVE?**

Information will be collected at the local USDA Service Center from each USDA program participant. This package represents an entire array of forms used in more than 10 long-term contracting conservation programs. While some of the information collected for one program may not be applicable to another program, the majority of the forms included in the information collection are non-program specific. Some forms, however, remain program-specific, especially those dealing with conservation easements.

The agency has been carefully considering how to reduce the administrative burden on USDA participants, as well as reductions within the agency and the Department. Consideration has been given to shared data resources, common computing platforms, and simplification of processes mandated by the various programs authorized by Congress through the Department. Plans are to utilize shared databases from which to obtain common data elements. Many of the forms each of the agencies currently use have been redesigned for similarity. Currently, several conservation programs, (WHIP, EQIP, CFO, etc.) have provisions for any USDA agency to accept applications for the program.

In addition to these activities, the Agency is involved in the developing a “Conservation Tool Kit” that will significantly reduce the information collection burden by allowing agency personnel to gather the data electronically, using shared data bases. (See the response to Question 3 for a full description of both the Tool Kit and the Agency participation in the USDA Electronic Initiative.)

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<sup>i</sup> NRCS-CPA-XXXX forms to be used within business tools software applications. AD-XXXX forms to remain available for use by programs administered outside of the business tools software applications.

