

Completing ACP-153A (Continued)

**C Entries Completed by County Office When Returned by Agent**

County Offices shall complete the following entries after ACP-153A has been returned by the P-A agent.

Item	Entries Reported by County Office When ACP-153A Is Returned by P-A Agent
10	This data is obtained from FSA-848B. An exception is when limited resource producers are involved according to paragraph 176. <b>Only one FSA-848B per practice is required</b> for entire group participating in P-A.
11	Enter the total deductions, if any, for partial payments, assignments, and debts. Use whole dollars according to paragraph 294.
12	Enter total ineligible contributions, if any.
13	Enter total eligible cost of the project.
14	Enter result of item 13 minus item 12.
17	Enter result of item 16 divided by item 14.
18	Enter the result of item 10 multiplied by item 17 in <b>whole numbers</b> . Total should equal item 10.
19	Enter any deductions for debts, assignments, or partial payment advanced. Enter amount in dollars and cents as necessary. See paragraph 294.
20	Enter the result of item 18 minus item 19.

**D Distributing ACP-153's and FSA-848B With ACP-153A**

Distribute ACP-153's, FSA-848B's, and ACP-153A's according to the following:

- COC retains original of ACP-153.
- Give 1 copy of ACP-153 to NRCS.
- Give 1 copy of ACP-153 and FSA-848B and 2 copies of ACP-153A to the agent.

Completing ACP-153A (Continued)

E Example of ACP-153A

The following is an example of a completed ACP-153A.

Note: See subparagraphs A, B, and C for a description of the data on ACP-153A.

<b>This form is available electronically.</b>							
<b>ACP-153A U.S. DEPARTMENT OF AGRICULTURE</b> (03-30-04) Farm Service Agency				1. SPECIAL PROJECT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	2. PAGE 1 OF 1	3. FISCAL YEAR 2004	4. AGREEMENT NO. 0010
<b>POOLING AGREEMENT WORKSHEET</b>				5. STATE PA		6. COUNTY Lebanon	
<b>PART A - DESCRIPTION</b>							
7. IDENTIFICATION OF PROJECT AREA (Brief description with attached ACP-308 Transmittal, if used) The Michael-Bush Ditch 10 miles south of town				8. PRACTICE NO. EC-4	9. TITLE Restoring Conservation Structures and other Installations		
				10. COLUMN H of AD-245 4,000	11. DEDUCTIONS 0	12. INELIGIBLE CONTRIBUTIONS 0	
				13. TOTAL COST 8,000		14. NET TOTAL (Item 13 minus Item 12) 8,000	
<b>PART B - FOR USE AFTER PROJECT IS COMPLETED</b>							
15. FARM NO.	16. CONTRI- BUTIONS (\$)	17. FACTOR	18. C/S EARNED (\$)	19. PAYMENT DEDUCTION (\$)	20. NET PAYMENT (\$)	21. CHECK NO.	22. REMARKS
A.A-45	4,000	.50	2,000		2,000		
B.4-68	2,000	.25	1,000		1,000		
C.A-23	2,000	.25	1,000		1,000		
D.							
E.							
F.							
G.							
H.							
I.							
J.							
K.							
L.							
M.							
N.							
O.							
P.							
Q.							
R.							
S.							
T.							
23. TOTALS		8,000	4,000		4,000		
<b>PART C - CERTIFICATION</b>							
I certify that the contributions listed in column 16 were made by the participants as shown.				24. AGENT'S SIGNATURE		25. DATE (MM-DD-YYYY) XX-XX-XXXX	
The extent and cost-shares will be shown on one AD-245 for the entire agreement. The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.							

417 Developing P-A's (Continued)

A How to Develop P-A's (Continued)

Step	Action
3	<p>If factors are favorable, the participants may:</p> <ul style="list-style-type: none"> <li>• organize as a group</li> <li>• designate an agent</li> <li>• attempt to get a commitment from other persons or legal entities who have an interest</li> <li>• indicate the proportionate part of the cost each participant will bear.</li> </ul> <p><b>Examples:</b> Methods that are used to divide proposed costs include the following.</p> <ul style="list-style-type: none"> <li>• Thirty farms receive water from an irrigation ditch that is to be repaired. It might be considered equitable to assess the cost against each participant based on a flat rate per acre multiplied times the acres on the farm receiving water from the ditch. For a mutual district, the contribution may be based on shares.</li> <li>• Repairing a water runoff control measure involves 1,000 units of a practice on Farm A and only 200 units on Farm B. Only 20 acres are benefitted on Farm A, but 80 acres are benefitted on Farm B. It might be equitable to base the division of costs on each participant's benefitted acreage.</li> </ul>
4	<p>The group should decide whether to request financial assistance for a practice under P-A. To request P-A, the agent must file FSA-848 and complete ACP-153.</p> <p><b>Note:</b> See Exhibit 26 for instructions on completing ACP-153A.</p> <p>The agent will take ACP-153 to obtain the participant's signature to explain in detail P-A conditions, participant responsibility, and how payment will be made.</p>

**418 Practice Provisions****A General Provisions**

Participants in P-A's are responsible for obtaining the authorities, rights, permits, easements, or other approvals necessary to perform the practice, as follows:

- all participants in P-A's are jointly and severally responsible for practice maintenance
- by signing ACP-153, each participant in P-A conveys authorities, rights, easements, or other approvals to the other P-A participants to use the land to install, maintain, and repair the practices
- each participant in P-A's must meet the policy for small payments outlined in subparagraph 132 B.

**B P-A Practice Approvals**

To approve P-A's, STC's may establish a maximum total financial assistance for which COC's can approve P-A's without prior STC approval.

**Note:** When the total financial assistance requested exceeds this established maximum total financial assistance amount, P-A's must be submitted to STC for prior approval.

**C Conditions That Make Practices Ineligible Under P-A**

Practices are ineligible for P-A's when:

- the purpose is to permit 1 producer to install a practice on the land of another, primarily for the first producer's own benefit
- only 1 eligible participant contributes to the cost of a practice or if only token contributions are made by other eligible participants, even though the practice may benefit other farms
- an identical problem exists independently on a number of farms and the type of practice would result in primary and direct benefits only to the area treated on each farm.

**D Number of FSA-848's**

Prepare one FSA-848 for all practices under each P-A.

**419 Designating P-A Agents**

**A P-A Agent Responsibilities**

The signatories to P-A shall designate an agent to:

- secure necessary easements, labor, and equipment
- serve as the contact person with COC and the assigned technical agency.

The agent may be a P-A participant or someone other than a contributing eligible participant.

**B Authority of P-A Agents**

The agent's authority is included on ACP-153.

The appointment of an agent on ACP-153 does **not** authorize the agent to sign ACP-153 for the participants.

The agent must have a power of attorney on file in the County Office to sign on behalf of a P-A applicant.

**C Payment to Agent**

If the P-A payment will be assigned to the P-A agent, then CCC-36 assignment **must** be completed. Handle assignments according to 63-FI.

## Section 2 P-A Approvals

**431 Factors to Consider When Approving P-A's****A P-A Approvals**

The factors in subparagraph B shall be taken into account **before** approving P-A's.

**B COC Consideration Factors**

When reviewing proposed P-A's, COC shall consider whether the:

- project is needed to solve a mutual disaster-related problem
- project will result in direct disaster-related benefits involving each participant's farm
- project will solve a community disaster-related problem that would not be otherwise accomplished without P-A
- proposed P-A would provide benefits to both rural and urban communities.

**432 ACP-153, ACP-153A, and ACP-308****A Preparation Guidelines**

Prepare ACP-153 for each P-A and prepare ACP-153A for each practice in P-A according to Exhibit 26.

COC shall use its discretion to set the financial assistance amount approved subject to payment limitation and allocations.

A COC member shall sign and date ACP-153.

**B Approvals**

If ACP-153 is disapproved, notify the P-A agent and all other signatories of the reason and provide them with appeal rights according to 1-APP.

If STC approval is required, COC shall send any permits or easements, needed reports, and aerial photographs or photocopies to the State Office with ACP-308. See subparagraph D.

STC shall:

- complete, sign, and date ACP-308, item 25
- return the original ACP-308 and the file to County Office
- keep a copy of ACP-308.

**Note:** If disapproved, ensure that the reason for disapproval is in ACP-308, item 25.

**433 P-A Revisions**

**A Revised ACP-153's**

If a landlord or tenant, including new persons on a farm under an approved P-A has an interest in the project, but did not sign the original P-A, the landlord or tenant may sign a revised ACP-153.

**B Completing Revised ACP-153's**

Do **both** of the following when completing revised ACP-153's:

- ENTER “**Revised**” on ACP-153 and ACP-153A and have COC member initial and date
- attach a copy of a statement of explanation to the revised ACP-153 and send a copy to all participants.

**434 Preparing FSA-848A for Approval**

**A Approved P-A Requirement**

An approved P-A is required **before** FSA-848A can be completed, according to subparagraph B.

**B Completing FSA-848A After P-A Is Approved**

The following table provides steps to complete FSA-848A **after** P-A is approved.

Step	Action
1	Complete FSA-848A in the same way as other approvals, <b>except</b> show the P-A number instead of the farm number.
2	Attach a copy of ACP-153 and 2 copies of ACP-153A to FSA-848A to report each person's or legal entity's contribution when the agent reports performance.
3	Issue FSA-848A to the P-A agent.

**435-445 (Reserved)**

**Completing ACP-153A**

**A Entries Before Releasing ACP-153A to P-A Agents**

County Offices shall make the following entries before releasing ACP-153A to P-A agents.

<b>Item</b>	<b>Entries Made by County Office Before Releasing ACP-153A to Agent</b>
1	CHECK (✓) "No" to indicate that P-A is not a special project.
2	Enter "1" of "1" if report consists of 1 page. If continuation page is needed, enter "1" of "2" on the first page and "2" of "2" on the second page. If more pages are needed, enter page numbers as required.
3	Enter FY, which should be the same FY as on corresponding ACP-153.
4	Enter agreement number from corresponding ACP-153.
5 and 6	Enter State and county names, which should be the same State and county on corresponding ACP-153.
7	Enter brief, accurate description of location.
8 and 9	Enter number and title of practice needed to address the disaster related damages.
15	Enter the farm number of each participant ensuring that the lines on this form and ACP-153 have the same identical number.

**B Entries Reported by P-A Agent**

P-A agents shall complete the following entries.

<b>Item</b>	<b>Entries Reported by P-A Agent</b>
16	Enter actual value, dollar or other, of each participant's eligible contribution.
24 and 25	P-A agent shall sign and date.