

## 515.152 EQIP Eligibility Documentation Checklist

The following may be used as a guide in making eligibility determinations for EQIP applicants and is not intended to be a formal certification of eligibility. Although most eligibility requirements are included in this checklist, not all criteria may be current or relevant for each application. NRCS staff must have a working knowledge of agency policy governing program eligibility and exercise due diligence in verification of eligibility of participants, land, and other requirements in order to approve applications, obligations, payments, and other related program benefits.

Applications must remain in “pending” status in ProTracts until all eligibility requirements have been met and the applicant has indicated the subaccounts in which the application will be considered. NRCS is under no obligation to evaluate or rank an application until all eligibility requirements have been met. Refer to 440-CPM, Part 512, Subpart C, Section 512.24, for additional guidance.

<b>EQIP Eligibility Documentation Checklist</b>	
<b>PRODUCER-APPLICANT ELIGIBILITY</b>	
<b>Eligibility Criteria</b>	<b>Acceptable Documentation and Certifications</b>
<p>Must be a person (individual), legal entity, Indian Tribe, or joint operation</p>	<p><b><u>SCIMS</u></b> Each applicant must establish themselves as USDA customer and provide information for SCIMS database, including tax identification number that will be associated with the application and contract. 512.20C.</p>
<p>Additional requirements per NRCS-CPA-1200 “Conservation Program Application” and agency contracting policy</p>	<p>1. <b><u>DUNS (Dun and Bradstreet Data Universal Numbering System) Number</u></b> <u>Person – Individual</u> (business type 1): A DUNS number is <b>not</b> required. <u>Nonindividuals</u> (all other eligible business types other than type 1): <b>A DUNS number must be provided.</b> Applicants without a DUNS number must request a number for U.S. Government contractors, grantees and loan recipients from either of the following:</p> <ul style="list-style-type: none"> <li>• <u>Online at <a href="http://fedgov.dnb.com/webform/">http://fedgov.dnb.com/webform/</a></u></li> <li>• <u>Or by telephone at 1 (866) 705-5711.</u></li> </ul> <p>2. <b><u>SAMs Registration or Renewal (U.S. Contractor Registration)</u></b> All nonindividuals must register at the System for Award Management (SAM) online at <a href="https://SAM.gov">https://SAM.gov</a>. (Note: Renewal of registration on SAM is required <b>annually</b> to maintain eligibility for program payment.) References: 512.20C; National Instructions: NI 120-329 &amp; NI 120-354.</p>
	<p><b><u>Farm Records:</u></b> All applicants must establish “farm records” at the appropriate USDA Farm Service Agency (FSA) office. To obtain required information to create farm records, FSA will conduct an interview or accept manually completed forms as follows: <u>Person - Individual producers</u> (business type 1): To establish farm records, these applicants must complete and submit Form CCC-902-I, “Farm Operating Plan for an Individual.”</p>

## EQIP Eligibility Documentation Checklist

### PRODUCER-APPLICANT ELIGIBILITY

Eligibility Criteria	(S) Eligible	Acceptable Documentation and Certifications
		<p><u>Nonindividuals</u> (all other eligible business types other than type 1): To establish farm records, these applicants must complete and submit –</p> <ul style="list-style-type: none"> <li>• Form CCC-902-E “Farm Operating Plan for an Entity,” and</li> <li>• Form CCC- 901 “Members Information.”</li> </ul> <p>Reference: 512.20C</p>
Must have legal signature authority to obligate an individual, legal entity, joint operation or Indian Tribe		<p>See <a href="#">440-CPM, Part 512, Subpart C, Section 512.21</a>, for acceptable signatures and required documentation.</p> <p>For legal entities (business types 4, 5, 6, 7, 10, 17, 18), see the acceptable signature authority documentation required in <a href="#">440-CPM, Part 512, Subpart C, Section 512.21</a>.</p>
Applicant must be an “agricultural producer”		<p>Applicant self-certifies compliance when signing the NRCS-CPA-1200.</p> <p>References for verification: 515.51A; 512.22; FSA farm records.</p> <p>Note: NRCS must not establish or use any additional criteria for determination that an applicant is an agricultural producer other than what is cited in 515.51.</p> <p>Compliance with the provisions protecting the interests of tenants is outlined in the NRCS-CPA-1202 Appendix, which is a component of the contract.</p>
Must have control of the land for the term of the proposed contract period		<p>Applicant self-certifies compliance when signing the NRCS-CPA-1200. “Control” means possession of the land by ownership, written lease, or other legal agreement. When available, FSA records may be used to verify ownership. If the applicant is a tenant, the applicant must provide NRCS with written evidence or assurance of control from the landowner. Verification of control on Tribal lands may require consultation with the Bureau of Indian Affairs (BIA).</p> <p>Reference for verification: 515.51A(2); 512.22A; and 515.55</p>
Be within payment limitation requirements of the Agricultural Act of 2014 and according to 440-CPM, Part 515, Subpart J, Section 515.92		<p>Payment limitations are managed through business tools. Additional documentation or verification from the applicant is not required. ProTracts interfaces with Fund Manager and will provide notification of noncompliance with payment limitations before obligating a contract. Contracts with federally recognized Indian Tribes are not subject to payment or contract limitations.</p> <p>Reference: 515.51(5); 512.20C(1)</p>
Be in compliance with the highly erodible land (HELIC) & wetland conservation (WC) compliance provisions		<p>Applicant must have a current AD-1026, “Highly Erodible Land Conservation and Wetland Conservation Certification,” on file with the FSA. If the applicant does not have a current AD-1026 on file, he or she must complete an AD-1026 and submit to FSA. Eligibility determinations for HELIC and WC compliance are managed through ProTracts and FSA business tools.</p> <p>References: 515.51(4); 512.20C(1); 512.22D(i),and 7 CFR Part 12.</p>

## EQIP Eligibility Documentation Checklist

### PRODUCER-APPLICANT ELIGIBILITY

Eligibility Criteria	(S) Eligible	Acceptable Documentation and Certifications
Be in compliance with adjusted gross income (AGI) requirements as specified in <a href="#">7 CFR Part 1400</a>		EQIP applicants in FY 2015 and later must complete CCC-941, “Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax information.” Eligibility determinations for AGI compliance are managed through ProTracts and FSA business tools. Contracts with federally recognized Indian Tribes are not subject to AGI.  Reference: 515.51(6); 512.20C(1); 512.22D(ii)
Historically underserved and veteran designations		Historically underserved applicants must self-certify their status when applying for EQIP on the NRCS-CPA-1200. Eligibility criteria for each historically underserved (BF/R, SDF/R, LRF/R) criteria is outlined in <a href="#">440-CPM, Part 512, Subpart A, Section 512.5</a> . This self-certification is subject to spot check and documentation must be provided according to 440-CPM, Part 512, Subpart F, Section 512.55D.  Note: <b>There is no verification needed or spot check allowed for SDF/R status.</b>
Organic producers applying for the Organic Initiative		<u>See requirements in reference:</u> 440-CPM, Part 515, Subpart F, Section 515.51D(3)  Note: Organic producers may apply for general EQIP without meeting any organic-related eligibility requirement.

See next section for EQIP requirements for “land eligibility.”

## EQIP Eligibility Documentation Checklist

### LAND ELIGIBILITY

Eligibility Criteria	(S) Eligible	Acceptable Documentation
<p>To be eligible for EQIP, the land being offered for enrollment must meet land eligibility requirements. Policy and criteria for EQIP land eligibility is found in 440-CPM, Part 515, Subpart F, Section 515.52.</p>		
<p>Basic land eligibility requirement</p> <p>440-CPM, Part 515, Subpart F, Section 515.52</p>		<p>Eligible land includes agricultural land, nonindustrial private forest land, Tribal land, or other land on which agricultural products, livestock, or forest-related products are produced. Land must be “producing” as follows:</p> <p>A. Any agricultural product or other crops listed in 515.52A(1)(i). Crop acreage reports from FSA may be used to document crop history. District conservationists may also certify production on the land by visual assessment and documentation in the case file. <b>OR</b></p> <p>B. Any livestock type documented by visual observation as listed in 440-CPM, Part 515, Subpart F, Section 515.52A(1)(ii). Livestock is defined as agricultural operation involving the production, growing, raising, or reproduction of domestic livestock or livestock products. <b>OR</b></p> <p>C. Any nonindustrial private forest land (NIPF) is eligible that meets the following criteria:</p> <ul style="list-style-type: none"> <li>• Has existing tree cover or is suitable for growing trees, and</li> <li>• Is owned by any nonindustrial private individual, group, association, corporation, Indian Tribe, or other private entity.</li> </ul> <p><u>Note:</u> Lands permanently submerged under water may only be eligible if—</p> <ol style="list-style-type: none"> <li>1. The proposed practices for funding are “land-based”; and</li> <li>2. FSA has established farm records, CLU, etc. for the submerged land; and</li> <li>3. The proposed practices address an identified natural resource concern.</li> </ol>
<p>Be privately owned, Indian (Tribal) land, or public land .</p> <p>440-CPM, Part 515, Subpart F, Section 515.52A(2).</p>		<p>Eligible land includes the following:</p> <p>A. Privately owned. Ownership may be documented by deed or tax assessment or by FSA records, such as the FSA-156EZ. <b>OR</b></p> <p>B. Publically owned land may be eligible if—</p> <ul style="list-style-type: none"> <li>• The land is a working component of the participant’s ag operation; and</li> <li>• The participant has control of land for term of the contract; and</li> <li>• The proposed conservation practices are necessary and will contribute to an improvement in the identified natural resource concern;</li> </ul> <p><b>OR</b></p> <p>C. Indian land operated by a federally recognized Tribe.</p>

## EQIP Eligibility Documentation Checklist

### LAND ELIGIBILITY

Eligibility Criteria	Eligible	Acceptable Documentation
Have permission of the landowner to install a structural or vegetative practice on leased land.	☑	Landowner may provide letter or other signed document OR the landowner must sign the contract documents and be assigned 0% shares.  Reference: 440-CPM, Part 512; Subpart C, Section 512.22A(1).
Have an identified natural resource concern that can be addressed	☑	The resource concern for each land unit to be considered for contract must be recorded on the NRCS-CPA-52 and in the Application Evaluation Ranking Tool (AERT) in ProTracts.  References: 440-CPM, Part 512, Subpart B, Section 512.11A and 440-CPM, Part 515, Subpart F, Section 515.52(4).
Irrigation history  440-CPM, Part 515, Subpart F, Section 515.52(5)	☑	Applicant must provide one or more of the following: <ul style="list-style-type: none"> <li>• Written self-certification of the irrigation history, by year, and crops produced on the land with yields indicating irrigation</li> <li>• Aerial photography coverage showing evidence of irrigation history on the property</li> <li>• Copies of Farm Service Agency records such as aerial compliance photography, Farm Acreage Report, Production History Report, and Risk Management Insurance</li> <li>• Water rights certificate, water rights maps and/or well or pumping plant permits issued by a federally recognized Tribe, State, or Federal agency</li> <li>• Irrigation company share certificates and assessments that document water rights and water availability</li> <li>• Fuel bills or maintenance records documenting the use of an irrigation system with the presence of an operable irrigation system or reliable water source indicating the ability to irrigate</li> <li>• Irrigation water management plans, water use reports or other evidence of implementation of irrigation related practices</li> <li>• Other documentation as specified by state supplement to the EQIP manual</li> </ul> <p>Note: The use of manual systems of irrigation by hose, buckets, or other hand delivery systems may be used as justification of irrigation history.</p>

See next section for EQIP requirements for “practice/activity eligibility.”

## EQIP Eligibility Documentation Checklist

### PRACTICE/ACTIVITY ELIGIBILITY

Eligibility Criteria	Eligib	Acceptable Documentation
<p>To be eligible for EQIP, the conservation practices or activities being requested for financial assistance must meet program eligibility requirements. Policy and criteria for EQIP practice eligibility is found in 440-CPM, Part 515, Subpart F, Section 515.52, and 440-CPM, Part 512, Subpart G, Section 512.65.</p>		
Practice eligibility requirement – conservation benefit		<p>Conservation practices and activities requested or proposed in the EQIP application are appropriate for ranking in the selected subaccount and indicate a positive conservation benefit in CPPE?</p> <p>References: 440-CPM, Part 512, Subpart A, Section 512.0F(2); Subpart C, Section 512.25A, Subpart D, Section 512.31B(3); Subpart F, Section 512.65(9); and 440-CPM, Part 515, Subpart H, Section 515.72A; Subpart I, Sections 515.80A(2) and 515.81E.</p>
Practice eligibility requirement – meets FOTG standard or planning criteria		Proposed practice or activity is supported by practice standard or planning criteria for activities documented in the FOTG?
Is a land-based practice?		<p>Proposed practice or activity is a “land-based” practice?</p> <p>Reference: 440-CPM, Part 515, Subpart F, Section 515.52(iv), 515.81A, and CPA-1200, “Contract Appendix.”</p>
Is a “complete” practice?		<p>Any proposed practice or activity must be a complete practice as defined by the standard or planning criteria for an activity. Program payments proposed for partially completed practices or incomplete practices are not allowed (e.g., components that do not meet the practice standard).</p> <p>Reference: 440-CPM, Part 512, Subpart G, Section 512.65.</p>
Practice or activity dependent upon another practice?		<p>Any proposed practice or activity that is dependent upon another practice not yet implemented in order to address the identified resource concern. Examples: Program payment is not allowed for—</p> <ul style="list-style-type: none"> <li>• An irrigation system improvement if there is no reliable water supply available (e.g., well or surface water supply practice).</li> <li>• A water and sediment control basin that also requires an underground outlet and critical area seeding to function properly.</li> </ul> <p>Reference: 440-CPM, Part 512, Subpart G, Section 512.65.</p>

See next section for EQIP requirements for certification of “final eligibility.”

<b>EQIP Eligibility Documentation Checklist</b>		
<b>FINAL APPLICATION ELIGIBILITY</b>		
<b>Eligibility Criteria</b>	<b>Eligible</b>	<b>Acceptable Documentation</b>
To document final eligibility requirements for EQIP have been met		
Complete application		<p>Applicants must submit a completed, signed, and dated Form NRCS-CPA-1200, "Conservation Program Application."</p> <p>Note: Signature of applicant acknowledges receipt of applicable "Appendix to NRCS-CPA-1202 Conservation Program Contract"</p> <p>Reference: 512.20B(1) and 512.24.</p>
ProTracts certification  440-CPM, Part 512, Subpart C, Section 512.22C		<p>When all applicable EQIP eligibility requirements for applicant, producer, land, and practice eligibility have been documented and verified, then select the "Yes" option for "Other Eligibility" on the ProTracts participant information screen.</p> <div style="border: 1px solid black; background-color: #fce4d6; padding: 5px; display: inline-block;"> <p><b>Other Eligibility:</b>    <input type="radio"/> Yes    <input checked="" type="radio"/> No</p> </div> <p>Reference: 512.22C</p>

Refer to 440-CPM, Part 512, Subpart J, for applicant notification of program eligibility certification requirements or ineligibility notice. If applicant is found ineligible and confirmed, notification of this determination must be provided with appeal rights according to 440-CPM, Part 510, Subpart J, Section 512.90.