

# CRP Haying and Grazing Emergency and Non-Emergency Use

## Overview

The **U.S. Department of Agriculture** (USDA) Farm Service Agency (FSA) administers the **Conservation Reserve Program** (CRP), a federally funded voluntary program that contracts with agricultural producers so that environmentally sensitive agricultural land is not farmed or ranched, but instead used for conservation benefits. Participants establish long-term, resource-conserving plant species, such as approved grasses or trees (known as “covers”), to control soil erosion, improve water quality and develop wildlife habitat. In return, FSA provides participants with rental payments and cost-share assistance. Contract duration is between 10 and 15 years. The Food Security Act of 1985, as amended, authorized CRP. The program is also governed by regulations published in 7 CFR Part 1410. The program is implemented by FSA on behalf of USDA’s Commodity Credit Corporation.

Haying and grazing of CRP acres is authorized under certain conditions to improve the quality and performance of the CRP cover or to provide emergency relief to livestock producers due to certain natural disasters. There are two types of haying and grazing authorization: non-emergency and emergency.

## Emergency Haying and Grazing

Emergency haying and grazing of CRP acres may be authorized to provide relief to livestock producers in areas affected by a severe drought or similar natural disaster. Emergency haying and grazing status is reviewed and authorized each Thursday using the U.S. Drought monitor. Counties are approved for emergency haying and grazing due to drought conditions on a county by county basis, when a county is designated as level “D2 Drought - Severe” according to the U.S. Drought Monitor. The U.S. Drought Monitor is available online at [droughtmonitor.unl.edu](http://droughtmonitor.unl.edu).

Requests for emergency haying and grazing for a county may also be initiated by the FSA County Committee due to a livestock emergency. The request must document a 40 percent or greater loss of forage production due to the disaster event.



## Primary Nesting Season

Producers located in a county that is designated as severe drought (D2) or greater before or after the last day of the primary nesting season qualify for emergency haying and grazing on all eligible acres. Additionally, producers located in counties that are eligible for a Livestock Forage Program Payment during the primary nesting season may also be eligible for emergency grazing at one half the normal carrying capacity, unless the FSA County Committee determines that forage conditions no longer warrant emergency grazing.

EMERGENCY HAYING AND GRAZING		
PERMITTED ACTIVITY	FREQUENCY	PAYMENT REDUCTION PERCENTAGE
Emergency haying outside primary nesting season	Producers have up to 60 days to complete one cutting of hay	NONE
Emergency haying during primary nesting season	NOT ALLOWED	
Emergency grazing outside primary nesting season	Up to 90 days of grazing is allowed	NONE
Emergency grazing during primary nesting season	50 percent reduction of normal carrying capacity, only if the county is eligible for LFP payments	



**Eligible Acres**

Emergency haying or grazing is limited to the acres physically located within the boundary of the eligible county or portion of a county. Under this authority, acres will only be authorized for a specified time and may end earlier than announced if conditions improve.

Producers can use the CRP acreage for their own livestock or may grant another livestock producer use of their CRP acreage. For emergency haying, producers are limited to one cutting and are permitted to sell the hay. Participants must remove all hay from CRP acreage within 15 days after baling and remove all livestock from CRP acreage no later than 1 day after the end of the emergency grazing period.

**Eligible Practices**

Emergency haying and grazing is authorized on all practices outside the primary nesting season including practices implemented under State Acres For Wildlife Enhancement (SAFE) such as CP38E SAFE-Grass when such activity is specifically authorized in the SAFE agreement.

If the county is approved for Livestock Forage Program (LFP) payments, only certain practices can be hayed on 50 percent of the eligible acres.

**Non-Emergency Haying and Grazing**

In general, non-emergency haying may be utilized every three years and non-emergency grazing may be utilized every two years. Additional grazing may be available to new and beginning farmers.

NON-EMERGENCY HAYING AND GRAZING*		
PERMITTED ACTIVITY	FREQUENCY	PAYMENT REDUCTION PERCENTAGE
Non-emergency grazing outside primary nesting season	Not more than every other year	25 percent
Non-emergency grazing during primary nesting season	Not more than every other year with a 50 percent reduction in the stocking rate	
Non-emergency grazing to control invasive species outside primary nesting season	Outside the Primary Nesting Season, as determined by conservation plan to control Kudzu and other invasive species	
Non-emergency haying or harvesting for biomass outside primary nesting season	Not more than once every 3 years with 25 percent of the acreage unharvested. No later than Aug. 31	
Non-emergency beginning farmer grazing outside primary nesting season	May be conducted annually by a beginning farmer or rancher with a contract share greater than zero	NONE
Non-emergency incidental grazing outside primary nesting season	Intermittent and seasonal grazing of buffers surrounded by fields used for agricultural production may be conducted annually for up to 60 days following crop harvest or during small grain dormancy prior to harvest.	
Non-emergency gleaning grazing	May be conducted once in the fall of the first year of CRP-1 before the cover is established for up to 60 days	

*\*Subject to a conservation plan modification for the conservation cover to ensure no long-term damage is caused.*

### Eligible Practices

All practices are eligible for non-emergency haying and grazing except for CP12 Wildlife Food Plot and several tree practices. Contact your FSA office for a full list of ineligible practices.

### Ineligible Acres

Acres ineligible for both non-emergency and emergency haying and grazing include acres devoted to:

- Useful life easements;
- Land within 20 feet of a stream or other permanent water body; and
- Any acres where haying and or grazing would cause long-term damage to the CRP cover.

### Modified Conservation Plan

Before CRP acres are declared eligible for haying or grazing, a modified conservation plan developed by NRCS or a technical service provider must be obtained. The modified conservation plan must be site specific, include the authorized duration and reflect local wildlife needs and concerns. The primary purpose must be to maintain vegetative cover, minimize soil erosion and protect water quality and wildlife habitat quality. These plans must prevent long-term damage to the conservation cover.

### File Request Before Starting

CRP participants requesting emergency or non-emergency haying and grazing **must file a request** with their county FSA office indicating the acres to be hayed or grazed **before the activity begins**.



### For More Information

This fact sheet is for informational purposes only; other eligibility requirements or restrictions may apply. To find more information about FSA programs, visit [farmers.gov](https://www.farmers.gov) or contact your local FSA office. To find your local FSA office, visit [farmers.gov/service-center-locator](https://www.farmers.gov/service-center-locator).