



Iowa Bulletin: 440-23-5

Date: December 29, 2022

Subject: PGM – Fiscal Year (FY) 2023 Environmental Quality Incentives Program (EQIP)
ACT NOW Guidance and Timelines

Purpose. To provide the Fiscal Year (FY) 2023 Environmental Quality Incentives Program (EQIP) ACT NOW guidance and timelines to all NRCS conservation planners and partners.

Expiration Date. September 30, 2023.

Explanation. This bulletin provides EQIP ACT NOW guidance and timelines to facilitate program planning and contracting for FY2023.

1. EQIP ACT NOW Timelines for FY2023.

January 23, 2023 – Application sign-up period begins for the identified ACT NOW ranking pools listed below. Applications accepted continuously until the sign-up cutoff date. New and existing EQIP applications received prior to this date will be considered for ACT NOW funding.

March 17, 2023 – Application sign-up cutoff date for all identified ACT NOW ranking pools.

Additional EQIP ACT NOW sign-ups may occur in FY2023 dependent upon funding and need.

2. EQIP ACT NOW Ranking Threshold Criteria.

The FY2023 EQIP ACT NOW will utilize minimum ranking score thresholds for each ranking pool listed below. The ranking score thresholds will determine if an eligible application meets or exceeds the threshold criteria to qualify for ACT NOW funding.

- Socially Disadvantaged – Minimum ranking threshold = 20
- Limited Resource – Minimum ranking threshold = 20
- Organic Initiative – Minimum ranking threshold = 20
- CPAs, DIAs and CEMAs – Minimum ranking threshold = 100
- Prairie Strips – Minimum ranking threshold = 75
- Prairie Pothole – Minimum ranking threshold = 140

3. EQIP ACT NOW Guidance.

- A. Iowa Natural Resource Conservation Service (NRCS) will be utilizing ACT NOW to process conservation applications in the six ranking pools listed above to deliver a conservation product faster. ACT NOW, Title 440 Conservation Programs Manual, Part 530, Section 530.37, allows NRCS to immediately approve and obligate a ranked application in a designated ranking pool when an eligible application meets or exceeds a State-determined minimum ranking score. This means no longer having to wait for all applications to be reviewed and preapproved in a ranking pool.
- B. Applications selected through ACT NOW will be batched and processed in the order received. Selections will be made on a weekly basis beginning January 23, 2023. Applications eligible for the identified ACT NOW ranking pools listed above will be accepted on a continuous sign-up basis through March 17, 2023, at which time the ACT NOW sign-up period will close. These eligible applications will be preapproved as funds are available.

DIST: E

- C. Applications for EQIP ACT NOW will need to meet these criteria to be consider eligible. Please review the eligibility listed as a reminder or refresher.
1. All general eligibility must be met as outlined in Title 440 Conservation Program Manual (CPM) Part 530, Subpart C "Application for Assistance" which defines types of eligible applicants, producer types, how to establish farm records, certifications, which documents are required for eligibility determination, control of land (COL) requirements and signature authority.
 - a. Eligible applicants are a person, legal entity, Indian Tribe, Alaska Native corporation, or joint operation with signature authority. They have interest in the agricultural (Ag) operation, products, commodities or livestock produced.
 - b. Required documents for program eligibility are:
 1. Form NRCS-CPA-1200 "Conservation Program Application"
 2. Form AD-1026 "Highly Erodible Land Conservation and Wetland Conservation Certification"
 3. Form CCC-941 "Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information"
 4. Form CCC-902 "Farm Operating Plan" which needs to be in determined status
 5. Form FSA-211 "Power of Attorney (POA)", signature authority for individuals, or Form CCC-901 and CCC-902, signature authority for legal entities.
 - c. Control of land requirements state that participants must have possession of the land by ownership, lease or other agreement. Applicants must obtain written concurrence from the landowner to apply a structural or vegetative conservation practice or activity using form NRCS-CPA-1257 "Landowner Concurrence for Structural or Vegetative Conservation Activities."
 2. All EQIP eligibility must be met as outlined in 440 CPM § 530.402, regarding applicant eligibility, land eligibility and resource concern eligibility.
 - a. Applicant eligibility means applicants must meet the definition of an agricultural producer (440 CPM §530.20), be within EQIP payment limitations (440 CPM § 530.406) and additional eligibility requirements to check if historically underserved (HU) is self-identified on the CPA-1200.
 - b. Land eligibility means land included in the EQIP application must be agricultural or nonindustrial private forest land, COL and documented on CPA-6 notes.
 - c. Resource concern eligibility means at least one natural resource concern must be identified and addressed with an eligible conservation practice or activity.
 3. Cultural resources, Threatened and Endangered Species (T&E) and the CPA-52 must be addressed and completed prior to ranking.
- D. Due to the compressed timeline with ACT NOW, you must complete the planning and assessment requirements for ranking pool applicability early in the process. Ensure resource concerns, tracts and fields, acres and cost estimates are accurate. Complete all job sheets and practice implementation requirements (IRs), cultural resource evaluations, T&E and preliminary engineering designs. All environmental and cultural resource reviews must be completed prior to ranking. If cultural resources or preliminary engineering designs cannot be completed within the EQIP ACT NOW timeframe, then the applicant is not eligible for ACT NOW funding. It's important to let the applicant know they can still be considered in the 2nd EQIP general sign-up. Confirm application details and practices deadlines with the applicant prior to submitting the ranked application for selection. These applications should be contracted without delay once they are preapproved.

4. EQIP ACT NOW Process.

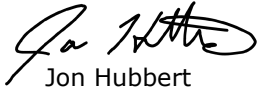
The Field Office will follow the same ranking and obligation procedures as used with general EQIP. Applications received for the identified ACT NOW ranking pools must be immediately assessed and ranked within 20 days from when the application is received. Applicants must be notified in writing as soon as possible about any records that must be filed or updated to meet EQIP eligibility (440 CPM §§ 530.141C "Intent to Proceed Letter" and 530.142E "Conservation Program Application

Checklist". Upon preapproval, applications must be submitted for 2nd level review within 10 days. Obligation must occur within one week after the review process has started.

5. Applicants Not Eligible for ACT NOW.

Applications that do not meet the minimum ACT NOW threshold ranking criteria will be considered for funding with all other eligible ranked applications during the FY2023 EQIP second round sign-up ranking deadline of May 5, 2023, as the first round FY2023 EQIP ranking deadline has passed.

Contact. If you have questions, please contact Jessica Downey, EQIP Program Coordinator, at (515) 323-2702 or at jessica.downey@usda.gov.



Jon Hubbert
State Conservationist