

Applicants for Forest Stewardship Plan or Forest Management Practice funding must meet the eligibility requirements for the USDA NRCS Environmental Quality Incentives Program (EQIP) program. We have included these requirements below as a checklist. Please review the requirements and certify to the Common Waters Fund that you meet them.

To be eligible to participate, you must meet all of the following eligibility criteria:

- You are a producer engaged in livestock or agricultural production, including forestry, and/or are an owner of agricultural lands, nonindustrial private forest lands, or other lands on which agricultural products, livestock, or forest-related products are produced.
 - a. Producers with **agricultural** land must at minimum produce and/or sell \$1,000 of agricultural products annually.
 - b. Producers with nonindustrial private forest land must have land capable of growing trees, but are **exempt** from the \$1,000 requirement.
 - c. Nonindustrial private forest land is rural land that has existing tree cover or is suitable for/capable of growing trees.
 - d. Producers of nonindustrial private forest land include individuals, groups, associations, corporations, Indian Tribes, or others with clear decision-making authority over the land who are not principally engaged in primary processing of raw wood products and are not a corporation or other legal entity with publicly traded stock.
- You are an individual, legal entity, or joint operation with an interest in the land being enrolled.
 - e. Interest in land means you are the owner or renter of land that includes a farming or forestry operation, or you have an interest in the products produced by the operation.
- You must have control over the land you enroll for the term of the proposed contract period.
 - f. Control means title, a contract, or other agreement/legal conveyance.
 - g. For applicants who plan to implement structural and vegetative practices on property they do not own, the applicant must submit written concurrence by the landowner at the time of the application or the owner may also be signatory to the program contract with zero percent interest.
- You are in compliance with provisions for protecting the interests of tenants and sharecroppers, including the provisions for sharing payments on a fair and equitable basis.
- You are in compliance with the highly erodible land (HEL) and wetland conservation (Swampbuster) requirements of the 1985 Farm Bill, as amended in the 1990, 1996, and 2002 Farm Bills. Specifically, you have not:
 - h. Produced an agricultural commodity on highly erodible soils without following an approved conservation plan or system; or
 - i. Produced an agricultural commodity on wetlands converted after 1985, or converted wetlands after 1990 in a way that makes the production of an agricultural commodity possible. [If you are unsure, please review the Highly Erodible Land Conservation-Wetland Conservation (HELWC) provisions in USDA Form AD-1026.]
- You have not received, directly or indirectly, cost-share or incentive payments that in aggregate exceed \$300,000 during the period of fiscal years 2008 through 2012.
- You do not exceed the adjusted gross income limitations:
 - j. The applicant's (person or legal entity) average adjusted gross **non-farm** income is below \$1,000,000 (unless not less than two-thirds (66.66%) of the average adjusted gross income (AGI) is average adjusted gross **farm** income).
 - k. For legal entities, the amount of any payment shall be reduced by the proportion of direct and indirect ownership interest held by **members** who have an average adjusted gross income, average adjusted gross farm income, or average adjusted gross non-farm income in excess of \$1,000,000. Please see instructions below on filing entity Member Information Forms either with CWF or FSA/NRCS.
- You are not applying for the same practice on the same land enrolled in any USDA conservation program. There may be no overlap on any part of the land enrolled for the same practice.
- You must not have same piece of land enrolled in the Conservation Reserve Program (CRP) or the Conservation Reserve Enhancement Program (CREP) during the contract period.
- The practices or activities being applied must not conflict with the purpose of any other Common Waters Fund or USDA conservation program contracts.

It is your responsibility to verify that you meet these requirements. If you receive funding from CWF but are not in compliance with these requirements, your contract could be terminated and you will have to return your funding to CWF. We do not require but encourage you verify your eligibility and/or file appropriate paperwork with your local FSA/NRCS offices if you:

- Have participated in NRCS cost-share programs currently or in the past, particularly EQIP;
- Produce agricultural commodities (as defined in the Food Security Act – trees are not included);
- Are unsure about whether you meet any of these requirements;
- Are interested in applying for NRCS cost-share programs in the future; or,
- Wish to thoroughly document your eligibility, in case it ever comes into question.

Paperwork submitted to FSA/NRCS includes:

- Average Adjusted Gross Income (AGI) Statement: USDA Form CCC-926. Legal entities should also submit the Member's Information form: USDA Form CCC-901.
- Highly Erodible Land Conservation-Wetland Conservation (HELC-WC): USDA Form AD-1026.

Please check one below:

- I meet all of the above requirements, and my paperwork is currently on file with NRCS and/or FSA.
- I meet all of the above requirements, and I have submitted relevant paperwork to NRCS and/or FSA to confirm my eligibility.
- I meet all of the above requirements, but have not submitted paperwork to NRCS and/or FSA.

Applicant Signature

Applicant Name

Date

Legal entities: Please attach a CWF Member Information Form listing the average adjusted gross nonfarm income and each ownership interest (percent share) of each member (person or legal entity). The CWF form does not require tax identification information for individual members.