

Program Flexibility for Drought

Who We Are

Inspired by a shared vision of agriculture as a valued component of the landscape, NRCS works in partnership with farmers, ranchers and many others to improve, restore and protect the Nation's natural resources.

Working side-by-side with these partners, we work to sustain and improve the quality of our soil, water, air and wildlife habitat, and we develop conservation plans that work for the land and for farmers and ranchers. Farm Bill programs help with the cost of putting conservation on the ground, which benefits the farm, the watershed and the community. Conservation easement programs, also in the Farm Bill, help to protect the agricultural and natural resource values of the land over the long-term.

With our help, Nebraska is balancing economic goals with a high-quality environment—ensuring productive lands to supply food, fiber, forest and energy products for the Nation and the world.

Dealing with the Effects of Drought

Many parts of Nebraska are experiencing severe to extreme drought resulting in poor site conditions for the establishment and installation of conservation practices. Drought conditions may also have caused previously installed practices to fail.

According to NRCS guidelines, a drought falls under the category of natural disaster, which gives the Agency some additional options to work with producers. The Conservation Programs Contracting Manual allows flexibility in managing contracts such as rescheduling practices that cannot be installed as originally planned and providing assistance for failed conservation practices. However, NRCS cannot add new practices to an existing contract.

Rescheduling Practices and Contract Reviews

If a practice was originally scheduled for completion in 2022, but cannot be installed due to the drought, the practice may be delayed for installation in 2023. Landowners should work with their NRCS office to document this change.

If a practice was originally scheduled for completion in 2021 but was not installed in 2021 or 2022, and the reason is documented in a contract review, the contract may be modified to reschedule the practice to be installed in 2023 due to the drought.

For all easement programs, any practice scheduled to be installed in 2022 or earlier, that cannot be installed due to the drought, can be modified to 2023.

Contract Cancellation

Producers are encouraged to work with NRCS to use the program flexibilities described above to avoid the need for contract cancellation.

The drought may cause some producers to make critical changes to their operation. This may result in the participant requesting to cancel their EQIP contract. Drought falls under the natural disaster category as a basis to request contract cancellation where cost recovery may be waived. Participants requesting cancellation due to the drought must do so according to the standard cancellation procedures and include a written statement explaining how the drought has impacted their operation and why it will prevent them from implementing the contract.

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Program Flexibility

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Practice Substitution and Cover Crop Flexibilities

A major concern with drought is the lack of available quality forage. Cover Crops grazed for forage must be managed under a prescribed grazing plan.

Producers are responsible for checking that their crop insurance policy allows cover crops to be used for forage.



Crop Residue Management

The drought may cause some producers to manage crop residue differently than normal such as cutting corn for silage. Producers need to work with NRCS to ensure that changes in residue management are within the Highly Erodible Land (HEL) compliance provisions of their conservation plan. This policy allows for granting variances in the case of natural disasters. Producers are advised to no-till next spring's crop on HEL fields with limited residue due to the drought, especially if it was harvested for silage. Producers should also consider planting a cover crop if soil moisture conditions improve.

Failed Conservation Practices

Farm Bill participants may be in the process of ordering pasture seed, cover crop seed or tree stock for practices scheduled in contracts in the next few months. The producer must consider that if they order seed or tree saplings that NRCS cannot reimburse these costs unless the seed or trees are planted. If the participant and the planner feel that site conditions will not be suitable to begin ordering seed or trees, there is flexibility to reschedule the practice later in the contract. Producers can work with NRCS to reschedule the application of planned conservation practices until more favorable conditions occur.

If a conservation practice such as Forage and Biomass Planting is planted according to NRCS specifications within established seeding time frames, it does not have to be fully established for NRCS to certify the practice and make the program payment.

Conservation practices installed earlier in the year or practices currently being installed that subsequently fail due to the drought, may be reapplied with financial assistance.

For easement programs, such as Wetland Reserve Easements, formerly the Wetlands Reserve Program, practices installed earlier in the year that failed due to the drought may be reapplied with program financial assistance, if available. Those practices determined to be within the original intent of the restoration project may undergo a contract modification. Practices determined to be outside of the original intent of the restoration project will need a new Conservation Program Contract for the specific practice using current year funds.

If the practice was installed under a contract agreement that is now considered complete, a new Conservation Program Contract will be needed to reinstall the practices using current year funds.