



United States Department of Agriculture

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Service

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Recommendations from the Michigan Technical Committee (MTC)  
Fiscal Year (FY) 2017 Program Implementation  
State Conservationist Decisions

1. Topics: EQIP Application Screening and Ranking

Background:

As per Title 440-Conservation Programs Manual, Part 512.25C(1), the STC or designee, with advice from the State Technical Committee and local working groups, will develop a ranking process to prioritize the applications for funding that addresses priority natural resource concerns and any other criteria required by the applicable program regulation.

Additionally, as per Title 440-Conservation Programs Manual, Part 501, the State Technical Committee provides information, analysis, and recommendations to the USDA on conservation priorities and criteria for natural resources conservation activities and programs, including application and funding criteria (i.e. screening and ranking criteria).

Presented for MTC Discussion:

Screening Tool:

- As per the screening tool attachment, the high priority criteria regarding an existing, up-to-date conservation plan must be removed based on the EQIP final rule, published May 12, 2016—Actions outside the producers' control, such as the ability for NRCS to develop a conservation plan, are inappropriate screening criteria.
- The Conservation and Stewardship Programs Subgroup (Subgroup) discussed adding language to the screening tool that would make 1) MAEAP-verified applicants, 2) applicants currently not in compliance with environmental regulations, and 3) applicants with more than one citation for non-permitted discharges low priority for EQIP funding consideration. The group did not reach a consensus on these topics.

The Subgroup discussed the following regulation and policy:

- 7 CFR Section 1466.20(b), which notes that, "In selecting EQIP applications, NRCS, with advice from the State Technical Committee, Tribal Conservation Advisory Council, or local working group, may  
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establish ranking pools to address a specific resource concern, geographic area, or agricultural operation type or develop an evaluation process to prioritize and rank applications for funding that address national, State, and local priority resource concerns, taking into account the following guidelines...

v) Compliance with Federal, State, Tribal, or local regulatory requirements concerning soil, water, and air quality; wildlife habitat; and ground and surface water conservation;"

- 7 CFR Section 1466.1, which notes that "EQIP's financial and technical assistance helps producers comply with environmental regulations;"
- Title 440-Conservation Programs Manual, Part 515.81E(1)(iv), which notes that ineligible practices are those "that the participant is obligated to implement as (a) requirement established by court order proclaimed, signed and issued by a judge through civil actions. Such orders may include a court-issued cease and desist order, consent decree, injunction, writ, or similar documents. Certain legal actions such as suspension or debarment actions, or actions related to criminal violations are not addressed in this policy." This section also refers to 7 CFR Section 1466.1 (above).

- Concerns with the remaining information on the screening tool were not raised.

**MTC Discussion & Recommendation:**

Some members of the MTC mentioned significant concerns related to the fact that some consistent violators continued to receive a high priority for EQIP funding. Some members stated that a list of these violators and some additional documentation regarding the violations is available online. Garry Lee, State Conservationist, indicated he would be interested in examining this list but would leave any reference to past violations out of the screening tool.

The revisions to the application screening tool, as noted on the attached documents, were recommended by the MTC.

State Conservationist Decision

Approved  Denied

**Presented for MTC Discussion:**

**Ranking Tool:**

The Subgroup reviewed and discussed the ranking tool, as follows:

- Revisions to local ranking questions for the Wildlife Fund Pool and Honey Bee Pollinator Fund Pool were discussed and are shown on the ranking tool attachments. No objections to these changes were raised by the group.
- As per the ranking attachment, the EQIP final rule, published 5/12/16, clarified how screening factors are used as part of the evaluation and selection of projects. Actions outside the producers' controls, such as the ability for NRCS to develop a conservation plan, are inappropriate screening criteria. This principle would apply to the ranking process as well. State Ranking Question 11 has been removed.
- Changes to wildlife-related State ranking questions were discussed and are shown on the ranking tool attachments. No objections to these changes were raised by the group.
- The group discussed removing the words "MAEAP verified" from State Ranking Question 12 because a concern was raised that this question is biased toward small operations. The group did not reach a consensus on this topic.
- Concerns with the remaining information on the ranking tool were not raised.

**MTC Discussion & Recommendation:**

Some members of the MTC expressed concerns regarding State Ranking Question 12 and whether it is biased toward small operations. Mr. Lee said he would look further into the question to see if it is size-neutral.

The revisions to the State ranking questions and local ranking questions for the Wildlife Fund Pool and Honey Bee Pollinator Fund Pool, as noted on the attached documents, were recommended by the MTC.

State Conservationist Decision

Approved  Denied

## 2. Topic: Conservation practices available for EQIP in Michigan

### Background:

As per Title 440-Conservation Programs Manual, Part 515.81B(1), conservation practices, including CAPs and approved activities, for EQIP will be made available within each State based on approval by the State Conservationist, considering the advice from the State Technical Committee.

For FY 2017 program implementation, the Subgroup discussed a recommendation that would not limit the available conservation practices in EQIP. This recommendation was made considering the diverse types and sizes of farming operations in Michigan and varying levels of existing conservation. Maximizing the available conservation practices would ensure the appropriate tools are available to address natural resource concerns.

### MTC Recommendation:

The MTC recommends that the conservation practices available in Michigan be maximized to the extent possible for the reasons noted above.

### State Conservationist Decision

Approved  Denied

## 3. Topic: EQIP Allocation Formula

### Background:

As per Title 440-Conservation Programs Manual, Part 515.61C(1), "The State Conservationist, considering the advice of the State Technical Committee or Tribal Conservation Advisory Council, must develop a formal allocation formula for allocating funds to address program and national priorities, natural resource concerns, priority geographic locations within the State or Tribal lands, to ensure that funding is targeted to appropriate priorities."

The current allocation formula first considers statutory funding requirements (10% historically underserved, 5% wildlife, and 60% livestock), and national and State initiatives. The remaining funds are distributed across four areas of the State based on soils and data from the 2012 AgCensus, including amounts of cropland, pastureland, woodland, agricultural operations, and animal operations in each of the four soil areas of the State.

The Subgroup reviewed and discussed the allocation formula.

Discussion included the following:

- Increase funds allocated to the pastureland fund codes.
- Base allocations on actual obligations from the prior year.
- Follow the current formula and allocate funds based on prior-year(s) fund code demand.
- Focus funds on identified critical areas, rather than land use.

The subgroup did not reach a consensus on a recommendation and decided to refer the topic to the Michigan Technical Committee for discussion.

MTC Recommendation:

The MTC recommends continued use of the current allocation formula.

State Conservationist Decision

Approved  Denied

#### 4. Topic: Monarch Habitat Initiative

Background:

Jim Hudgins, U.S. Fish & Wildlife Service, and Mike Parker, MDNR-Wildlife Division, made recommendations to the MTC as per the attached document, "Recommendation to MTC: Monarch Habitat Initiative."

MTC Recommendation:

The MTC recommends a specialized subgroup of the MTC be developed to address the Monarch Habitat Initiative recommendations described in the attached document.

State Conservationist Decision

Approved  Denied

  
GARRY LEE  
State Conservationist

## FY2017 EQIP APPLICATION SCREENING TOOL

Applicant Name: \_\_\_\_\_

Application Number: \_\_\_\_\_

County: \_\_\_\_\_

### **Step 1. Automatic high priority application if any of the following apply:**

- Tribal application meeting program priorities
- Conservation Activity Plan (CAP) application
- Applicant has self-certified as both a Veteran Farmer or Rancher (VFR) and Beginning Farmer or Rancher (BFR) on the NRCS-CPA-1200 and any of the following apply:
  - Will compete in the BFR fund pool.
  - Has self-certified as Socially Disadvantaged Farmer or Rancher (SDA), and will compete in the SDA fund pool.

If a box is checked above, the application is high priority. Stop here and proceed to signature. If a box is not checked above, proceed to Step 2.

### **Step 2. Automatic low priority application if any of the following apply.**

- Applicant has had a previous contract terminated within the last 3 years for reasons within their control.
- Applicant has or had a contract, and was notified of a contract violation for reasons within their control.
- Application for animal waste storage, treatment, application or handling on Animal Feeding Operation (AFO) without a current approved Comprehensive Nutrient Management Plan (CNMP).

If a box is checked above, the application is low priority. Stop here and proceed to signature. If a box is not checked above, proceed to Step 3.

### **Step 3. High priority application if any of the following apply:**

- Michigan Agriculture Environmental Assurance Program (MAEAP) fund pool application
- Applicant requested a conservation plan by the end of Conservation Plan Sign-up Period
- Applicant has an existing, up-to-date conservation plan (steps 1 through 7 of the conservation planning process are complete) that was signed and certified between October 1, 2013 and October 30, 2015.\*

If a box is checked above, the application is high priority. Stop here and proceed to signature. If a box is not checked above, proceed to Step 4.

### **Step 4. Medium priority application if the following applies:**

- The application addresses 2 or more State Priority Resource Concerns (see page 2). Check the applicable State Priority Resource Concerns on page 2.

If the box is checked above, the application is medium priority. Stop here and proceed to signature. If the box is not checked above, proceed to Step 5.

## EQIP Ranking Tool

### Proposed changes to State issues for FY2017

Questions:

(Proposed changes from FY16 are in red.)

Sub-heading Number	Question Number	Question	Points
1		WATER QUALITY DEGRADATION CONCERNS	
	1	Will the treatment you intend to implement using EQIP result in practice installation on land that is directly adjacent to surface water (surface water is defined by CP22 in 2-CRP (Rev. 4) Amend. 1 & 2), and result in improved water quality by decreasing nutrients, sediment, pathogens, or agricultural chemicals delivered to surface waters, as documented on the NRCS-CPA-52 and evidenced by a positive CPPE for the resource concern?	60
	2	Will the treatment you intend to implement using EQIP result in the treatment of an animal production system that currently has less than 6 months storage or polluted runoff, and will result in NO winter spreading of animal manures, as evidenced by the CNMP?	50
	3	Is any portion of the land included in this application within a MDEQ impaired watershed (surface water) as shown on the impaired watersheds map available on the Michigan SharePoint and as an ArcMap layer, and will practices be implemented to address the delivery of sediment, nutrients, pathogens, or agricultural chemicals to the surface waters, as documented on the NRCS-CPA-52 and evidenced by a positive CPPE for the resource concern?	60
2		SOIL EROSION CONCERNS	
	4	Will the treatment you intend to implement using EQIP result in the treatment of classic or ephemeral gullies, sheet and rill erosion, or wind erosion on land currently eroding above "T"?	50
3		DEGRADED PLANT CONDITION CONCERNS	
	5	Will the treatment you intend to implement using EQIP result in livestock being excluded from forest land or environmentally sensitive areas, or the treatment of pasture land with a "pasture condition index" of 35 or less with a prescribed grazing system?	50
	6	Will the treatment you intend to implement using EQIP specifically address the control (reduce to less than 10% of the stand) of Category A or B species listed on the NRCS-Michigan "Invasive Plant Species List" adapted from the Michigan DNR publication, "Meeting the Challenge of Invasive Plants: A Framework for Action" (Higman and Campbell, 2009)?	10
4		FISH AND WILDLIFE HABITAT CONCERNS	
	7	Will the treatment you intend to implement using EQIP result in the "Wildlife Habitat Inventory Index" being increased from less than 0.70 to greater than 0.70?	10
	8	Will this application implement any of the following practices to meet the ADDITIONAL CRITERIA FOR WILDLIFE HABITAT, including pollinators, as listed in the practice standard? 314-Brush Management, 315-Herbaceous Weed Control, 327-Conservation Cover, 380-Windbreak/Shelterbelt Establishment, 390-Riparian Herbaceous Cover, 391-Riparian Forest Buffer, 393-Filter Strip, 612-Tree/Shrub Establishment, 666-Forest Stand Improvement	35
	9	Will the treatment you intend to implement using EQIP result in additional habitat for a documented Threatened, Endangered, Special Concern Species or a Michigan At-Risk Indicator Species? (Add monarchs to the Michigan At-Risk Indicator Species list.)	10
5		CONSERVATION PLANNING	
	10	Did the applicant request a conservation plan by the end of the NRCS-MI Conservation Plan Sign-up Period?	20

**EQIP Wildlife Fund Pool-  
Ranking Tool-  
Proposed Local Issues for FY17:**

Questions:  
(Proposed changes from FY16 are in red.)

Sub-heading Number	Question Number	Question	Points
	1	Will this application create young age forest for woodcock in the Michigan American Woodcock Priority Areas?	25
	2	Will this application improve mesic conifers by planting hemlock, white pine and/or white spruce in the Mesic Conifer Priority Areas? (Upper Peninsula only)	25
	3	Will this application improve fish habitat (Riparian Buffers, Stream Habitat Improvement and Management)?	25
	4	Will this application result in aspen, birch, or jack pine regeneration in accordance with the Early Successional Habitat Development/Management or Forest Stand Improvement practice standards?	25
	5	Will this application implement one or more of the following management practices on grasslands? Prescribed Burning, Herbaceous Weed Control, Brush Management, Early Successional Habitat Development/Management	25
	6	Will this application <del>improve the management of</del> control autumn olive <del>and other invasive species</del> in grasslands?	25
	7	Will this application install a herbaceous vegetative practice within 5 miles of a historic prairie, as shown on pre-settlement vegetation maps?	25
	8	Will this application address pheasant/quail habitat improvement by planting <del>native, mast-producing (nuts, fruits and berries)</del> shrubs or a switchgrass stand for winter cover?	25
	9	<del>Will this application establish a diverse native wildflower and grass area to benefit native pollinators including monarch?</del>	25
		Maximum Points: 225    Total Points	225

**EQIP Honey Bee-Pollinator Fund Pool-  
Ranking Tool-**

**Proposed Local Issues for FY17:**

Questions:  
(Proposed changes from FY16 are in red.)

Sub-heading Number	Question Number	Question	Points
	1	Is 100% of the seeding mix species native to Michigan? (As per Michigan Flora or USDA-NRCS PLANTS Database. Not limited to Michigan genotypes.)	50
	2	a. Are there 6 <del>or more</del> -11 Michigan native wildflowers in the seeding mix?	20
		b. Are there 12 or more Michigan native wildflowers in the seeding mix?	20
		c. Does the mix contain any Michigan native milkweed species?	10
	3	Are at least 2 species blossoming during each part of the season (early, mid and late)?	70
	4	Is there a written agreement for the lifespan of the contract between the program participant and the beekeeper to maintain a hive on the participants land?	80
		Maximum Points: 250      Total Points	250