

**§ 1439.303**

**7 CFR Ch. XIV (1-1-01 Edition)**

*State-owned land* means land owned by a State Government or any department, bureau, or agency thereof, including political subdivision of a State, as determined by CCC.

*State Technical Committee* means that committee established pursuant to 16 U.S.C. 3861 to provide information, analysis, and recommendations to the Department of Agriculture.

*Technical assistance* means the assistance provided in connection with the PRP to owners or operators by FSA or other authorized designee of the Secretary in determining the eligibility of land and implementing and certifying eligible practices.

**§ 1439.303 General description.**

Under the PRP, the CCC will enter into contracts with eligible producers to provide payments to assist producers to reestablish the damaged or destroyed pasture land to an approved forage crop. Contracts will require the producer to maintain the new crop for three full years after the calendar year of installation.

**§ 1439.304 Eligible persons.**

In order to be eligible to enter into a PRP contract in accordance with this part, a person must be an owner or operator of eligible pasture land that was damaged or destroyed by drought or related conditions during calendar year 1999 and:

- (a) Must normally graze livestock on such pasture land; and
- (b) If an operator of eligible land that the operator does not own, must provide satisfactory evidence that such operator will be in control of such eligible pasture land for the full term of the PRP contract period.

**§ 1439.305 Eligible land.**

- (a) Except as otherwise provided in this section, as determined by CCC or the Deputy Administrator, to be eligible for the PRP, land must be pastureland that:
  - (1) As determined by CCC, is located within a county that was:
    - (i) Approved for participation in the 1999 Livestock Assistance Program;
    - (ii) Had a 1999 LAP payment period of at least 120 days; and

- (iii) As of March 1, 2000, was approved for assistance under the Emergency Conservation Program provided for in 7 CFR part 701 because of a 1999 drought designation, or was later approved for such participation based upon an application filed by March 1, 2000, and based upon drought damage suffered in 1999.

- (2) Has been established pasture land on which livestock is normally grazed or on which the forage crop was so damaged or destroyed by drought or related conditions in calendar year 1999 that the forage crop will not return in the 2000 grazing year, and seeding is required to reestablish the forage crop, as determined by the Deputy Administrator;

- (b) Notwithstanding paragraph (a) of this section, land, as determined by CCC or the Deputy Administrator, shall be ineligible for enrollment if the pasture land is:

- (1) Federal-operated land;
- (2) State-operated land;
- (3) Hayland; or
- (4) Rangeland, as determined by the Deputy Administrator.

**§ 1439.306 Duration of contracts.**

Contracts under this subpart and their forage crop maintenance requirements shall run through December 31, 2003; provided further that the installation of the practice must be completed no later than December 31, 2000.

**§§ 1439.307-1439.319 [Reserved]**

**§ 1439.320 Obligations of participant.**

- All participants subject to a PRP contract must agree to:
- (a) Carry out the terms and conditions of the PRP contract including carrying out all approved practices and meeting the schedule of dates for seeding and for maintenance measures provided for in the contract to establish and maintain the approved forage crop;
  - (b) Comply with all requirements of part 12 of this title;
  - (c) Do whatever else is necessary to establish and maintain the required forage crop according to the required practice requirements on the land subject to that contract and take such other actions that may be required by