

cost of establishing the conservation practice.

§ 704.15 Levels and rates for cost-share payments.

(a) CCC will share not more than 50 percent of the actual or average cost of establishing the eligible conservation practices specified in the conservation plan.

(b) The average cost of performing a conservation practice shall be determined by the STC or COC, based upon the recommendation of the State and county Conservation Review Groups as identified in 7 CFR 701.2 (a) and (f), and may be the average cost in a State, a county, or a part of a county or counties.

§ 704.16 Annual rental payments.

(a) Annual rental payments shall be made in such amount and in accordance with such time schedule as may be agreed upon and specified in the CRP Contract.

(b) The annual rental payment shall be divided among the participants in the manner agreed upon in the CRP Contract.

(c) The maximum amount of rental payments which a person may receive under the CRP for any fiscal year shall not exceed \$50,000. The regulations set forth at 7 CFR part 795, 1497, and 1498 shall be applicable in determining whether certain persons as individuals or other entities are to be considered as a separate person for payment limitation purposes.

(d) Annual rental payments made by CCC will not be reduced by amounts paid to CRP participants in cash or services by other natural resources entities.

[52 FR 4269, Feb. 11, 1987, as amended 53 FR 29570, Aug. 5, 1988]

§ 704.17 Method of payment.

Payments made by the Department under this part may be made in cash, in-kind, in commodity certificates or in any combination of such methods of payment in accordance with 7 CFR part 770.

§ 704.18 Assignments.

Any participant who may be entitled to any cash payment under this pro-

gram may assign the right to receive such cash payment, in whole or in part, as provided in the regulations at 7 CFR part 1404, Assignment of Payments, except that assignments may also be made to secure or pay pre-existing indebtedness.

[52 FR 4269, Feb. 11, 1987, as amended at 61 FR 43945, Aug. 27, 1996]

§ 704.19 Payments not subject to claim.

Subject to the regulations found at 7 CFR part 13, any cost-share or annual payment or portion thereof due any person shall be allowed without regard to questions of title under State law, and without regard to any claim or lien in favor of any creditor, except agencies of the U.S. Government.

§ 704.20 Contract modifications.

(a) CCC, by mutual agreement with the participant, may modify the CRP Contract in order to:

(1) Decrease acreage placed in the CRP;

(2) Permit the production of an agricultural commodity during a crop year on all or part of the land subject to the CRP Contract; or

(3) Facilitate the practical administration of the CRP.

(4) Terminate contracts enrolled in CRP before January 1, 1995, which have been in effect for at least 5 years as determined by CCC. Contract acreage located within an average of 100 feet of a perennial stream or other permanent waterbody, on which a CRP easement is filed, that was enrolled under the wetland eligibility criteria established in signup periods eight and nine, and contract acreage on which there exist the following practices installed or developed as a result of participation in the CRP or are otherwise required by the NRCS local Field Office Technical Guide are not eligible for termination prior to the expiration date of the contract as provided in this paragraph: grass waterways; filter strips; shallow water areas for wildlife; bottomland timber established on wetlands; field windbreaks; and, shelterbelts. In addition, for any land for which an early termination is sought, the land must have an EI of 15 or less. With respect to any terminations made under this paragraph (a)(4):