

### COMPATIBLE USE AUTHORIZATION

1. To be completed by NRCS; check appropriate box:

**This transaction is for CCC**

**This transaction is for NRCS EWP**

2. County: Jefferson

3. Contract NO.: \_\_\_\_\_

4. Agreement NO.: 6665260900XG5

5. Expiration Date: 12/31/2029

A. Person Responsible for Agreement Activities (Name and Address):

A 1. Person Responsible for Agreement

(Telephone Number): \_\_\_\_\_

DARRELL D BRUNS  
PO BOX 552, BEATRICE NE 68310

B. Purpose:

Haying - Exp. Date 12/31/2027

**511 - Forage Harvest Management**

**00N - Forage Harvest - Cut and remove forages from the fields as hay, green-chop or silage in a timely manner in order to meet management objectives.**

C. Location Description (Attach a copy of map showing approximate area of compatible use.):

Landowner Easement Acres: 132.56

Activity Code	Narrative ID	Land Unit Information
511	00N	Tract 7283 Land Unit: WRP2016

D. Beginning Condition of Site:

In the upland and lowland areas of the site are well established with native grasses that include big blue, switchgrass and blue grama and forbes such as sunflowers, milkweed, and goldenrod. In the wetland areas you can find vegetation such as cattails and rushes, there are some sedges and rushes seen on the easement.

E. Statement of Affect and Compatibility:

Wetlands provide management challenges due to their productivity. In the absence of regular disturbances plant communities can become dense due to their prolific growth throughout the seasons. Undesirable or invasive plant species can overwhelm other desirable species. Haying is vitally important for managing wetlands because it provides the needed disturbance to help maintain a diverse plant community. Haying will help remove thatch, cut off invasive trees and shrubs, along with encourage summer and fall growing native forbs. Lowering the vegetation heights may encourage waterfowl usage in the meadow during the fall, winter, and early spring.

F. Special Conditions, Specifications and Other Details Including Information From Consultation with FWS, CD and State Wildlife Agency:

Haying:

1. The landowner will follow this order of rotation for the NRCS haying plan.

2025: All Hayed Fields were Deferred  
2026: South Field Hayed  
2027: North Field Hayed

2. Haying may only occur between July 15th and September 1st.
3. A minimum stubble height of five (5) inches must be left after haying.
4. All baled hay will be removed from the easement area within 30 days from the time of baling.
5. Since this site has both haying and grazing CUA's approved for overlapping years, haying, and grazing may **not** occur on the same acres during the same years.
6. Haying is not permitted on areas planted to trees and/or shrubs.
7. Haying will be conducted during July 15th to September 1st to allow for the successful control of targeted species while limiting impact to non-target species.
8. This practice is scheduled to begin in 2025 upon approval of this CUA from the State Office.

Deferring:

1. The landowner will follow this order of rotation for the NRCS deferring plan.

2025: All Hayed Fields were Deferred  
2026: South Field Deferred  
2027: North Field Deferred

2. During this time grazing and haying should not take place on these fields to give one field a year adequate time to increase tiller density on perennial grasses as well as increase habitat for ground nesting birds.

## COMPATIBLE USE AUTHORIZATION

### B. Purpose:

Maintenance/Management Activities - Exp. Date 12/31/2029

#### 315 - Herbaceous Weed Treatment

**00N** - Herbaceous Weed Treatment - Remove or treat herbaceous weeds including invasive, noxious and prohibited plants using chemical, biological or mechanical methods, either alone or in combination to meet management objectives.

Maintenance/Management Activities - Exp. Date 12/31/2029

#### 314 - Brush Management

**00N** - Brush Management - Remove woody (nonherbaceous or succulent) vegetation including invasive and noxious species using mechanical, chemical and biological methods; either alone or in combination. Brush management will be applied in a manner to achieve the desired control of the target woody species and protection of desired species.

### C. Location Description (Attach a copy of map showing approximate area of compatible use.):

Landowner Easement Acres: 132.56

Activity Code	Narrative ID	Land Unit Information
315	00N	Tract 7283 Land Unit: WRP2016
314	00N	Tract 7283 Land Unit: WRP2016

### D. Beginning Condition of Site:

In the upland and lowland areas of the site are well established with native grasses that include big blue, switchgrass and blue grama and forbes such as sunflowers, milkweed, and goldenrod. In the wetland areas you can find vegetation such as cattails and rushes, there are some sedges and rushes seen on the easement.

### E. Statement of Affect and Compatibility:

Wetlands and uplands always offered essential wildlife habitat and natural vegetation that offers food and habitat for many types of wildlife. Without disturbances this habitat and food source can become overgrown, and then the habitat that the wildlife used as shelter begins to decline at a rapid rate. Without changes in frequency and timing of management, this makes wetlands and uplands prone to the same species. By utilizing chemical and mechanical control for undesirable species we can eliminate noxious weeds as well as remove woody species that don't belong on the landscape. By decreasing stagnant vegetation conditions, suppressing woody invaders, and enhancing hydrological functions within the wetlands all along while improving the upland vegetation the wildlife habitat and shelter will improve and increase the population within the area.

### F. Special Conditions, Specifications and Other Details Including Information From Consultation with FWS, CD and State Wildlife Agency:

Chemical and Mechanical Control of Undesirable Species (noxious weeds, trees, cattails, bulrush, invasive cool season grasses):

1. This CUA does not authorize the Landowner to treat weeds that are not noxious weeds (state defined) or not considered undesirable by NRCS. Noxious weeds are required by State law and the Warranty Easement Deed to be controlled by the landowner.
  - a. State listed noxious weeds are Bohemian, spotted, and diffuse knapweed, Japanese and giant knotweed, sericea lespedeza, purple loosestrife, non-native bio-type of phragmites (common reed), saltcedar, leafy spurge, Canada thistle, musk thistle, and plumless thistle.
  - b. Species considered undesirable by NRCS because of their potential for becoming invasive and dominant are reed canary grass, cattail, river bulrush, brome species and trees other than American Plum.
  - c. The landowner is also responsible for checking with their county weed authority for county listed noxious weeds.
2. Many species deemed weedy in agricultural land, such as annual sunflowers, are beneficial to wildlife and are not authorized for chemical weed control or mowing in this CUA. If such beneficial forbs are taken fully out of production from the easement the landowner is required to pay to put beneficial forbs back on the easement.
3. Spot spraying selective herbicides may be used to control noxious weeds. Spot spraying is authorized whenever an undesirable plant species is present. Spot spraying may occur any year of this CUA if the target species are still present.
4. Herbicide selection shall be based on the targeted species with consideration of protecting native grasses, forbs, sedges, and other desirable plants species. Timing of herbicide application will be conducted to allow for the successful control of targeted species while limiting impact to non-target species.
5. Herbicides will be applied according to the label. The landowner is responsible for following all label requirements on herbicides, including whether the chemical may be sprayed over water, wetland, pasture, etc.
6. Mechanical woody species removal will not be conducted May 1st - July 31<sup>st</sup>.
7. Trees of any size may be removed by mechanical means.
8. Stumps of deciduous trees must be treated with chemicals such as Remedy Ultra®, Garlon 3a®, Garlon 4 Ultra®, Vastlan®, Pathfinder II®, or glyphosate according to the product label within 15 minutes of being cut.
9. Tree removal and disposal will be according to NRCS standards and specifications.
10. This practice is scheduled to begin in 2025 after approval by the state office.

## COMPATIBLE USE AUTHORIZATION

**B. Purpose:**

Maintenance/Management Activities - Exp. Date 12/31/2027

**338 - Prescribed Burning**

**00N** - Prescribed Burning - Conduct a prescribed burn according to a prescribed burn plan in order to meet management objectives.

Maintenance/Management Activities - Exp. Date 12/31/2027

**394 - Firebreak**

**00N** - Firebreak – Establish bare ground or vegetation to manage or control fire.

**C. Location Description (Attach a copy of map showing approximate area of compatible use.):**

Landowner Easement Acres: 132.56

Activity Code	Narrative ID	Land Unit Information
338	00N	Tract 7283 Land Unit: WRP2016
394	00N	Tract 7283 Land Unit: WRP2016

**D. Beginning Condition of Site:**

In the upland and lowland areas of the site are well established with native grasses that include big blue, switchgrass and blue grama and forbes such as sunflowers, milkweed, and goldenrod. In the wetland areas you can find vegetation such as cattails and rushes, there are some sedges and rushes seen on the easement.

**E. Statement of Affect and Compatibility:**

Prescribed fire plays a critical role in the ecosystem process and has many benefits to both the wetland and upland plant communities. An adaptive prescribed burn and firebreak plan will be implemented to enhance the plant communities, decrease stagnant vegetation conditions, suppress woody invaders, and enhance hydrological functions within the wetlands. Burning the vegetation reduces the thatch that grows, it creates structural and compositional diversity within the vegetation. This stimulates growth from the existing seed bank and increases palatability of plants for the cattle, increases soil warming properties in the spring, and if correctly timed a burn can have a desired effect on the undesired species within the ecosystem.

Currently the site has the adequate amount of fuel that will accomplish the objectives of burning if timed in the spring or fall. The goals of this burn site are to simulate the warm season grasses and forbs, remove excess litter, reduce the undesirable species that can be found such as Eastern red cedar, cool season grasses (downy brome, Kentucky bluegrass, and smooth brome), cattails, and reed canary grass and to improve wildlife habitat. Once the burn is completed one can expect to see the objectives to be met, but other follow-up management practices (grazing, brush management) and a follow-up burn may be needed.

**F. Special Conditions, Specifications and Other Details Including Information From Consultation with FWS, CD and State Wildlife Agency:**

**Prescribed Burn:**

1. Prescribed burning will not be allowed from May 1st - July 31st.
2. Prescribed burning is not permitted on areas planted to trees and/or shrubs; unless the species is well established and adapted to withstand prescribed burning (e.g., suckering ability of American Plum).
3. Before burning, landowner will develop a burn plan and will obtain all necessary permits to complete the burn safely. Landowner assumes all responsibility for this activity.
4. This practice is scheduled to begin in 2025 after approval by the state office.

**Firebreaks:**

1. If a burn plan utilizes hayed firebreaks they should be mowed, then raked (outside the burn area) or baled, to remove duff from the fireline.
2. Mowed/Hayed along with tillage firebreaks may not be installed May 1st – July 15th.
3. Tillage is an acceptable method of installing mineral soil firebreaks. Firebreak dimensions should be sufficient to conduct a safe burn, but tilled breaks may not exceed 20 ft. in width. If the break needs to be wider than 20 ft. it may be mowed or hayed. See haying and mowing restrictions above.
4. This practice is scheduled to begin in 2025 after approval by the state office.

## COMPATIBLE USE AUTHORIZATION

### B. Purpose:

Maintenance of Acceptable Structures - Exp. Date 12/31/2029

#### 587 - Structure for Water Control

**00N** - Water Control - Construct or install a structure in a water management system that conveys water, controls the direction of flow, rate of flow, maintains a desired water surface elevation, or measures water.

### C. Location Description (Attach a copy of map showing approximate area of compatible use.):

Landowner Easement Acres: 132.56

Activity Code	Narrative ID	Land Unit Information
587	00N	Tract 7283 Land Unit: WRP2016

### D. Beginning Condition of Site:

In the upland and lowland areas of the site are well established with native grasses that include big blue, switchgrass and blue grama and forbes such as sunflowers, milkweed, and goldenrod. In the wetland areas you can find vegetation such as cattails and rushes, there are some sedges and rushes seen on the easement.

### E. Statement of Affect and Compatibility:

This practice contributes to the management of the current water control structure that is on the easement. This structure is a part of the wildlife project that requires management of the water flow with proper timing using the stop logs, which will let the waterflow to allow for wetland habitat and vegetation to function on the site.

### F. Special Conditions, Specifications and Other Details Including Information From Consultation with FWS, CD and State Wildlife Agency:

Hydrology Management via Water Control Structures:

1. Hydrology management must meet the habitat needs of species of concern or target species for example: shorebirds, wading birds, and waterfowl. The habitat will also benefit resident wetland dependent wildlife within the area.
2. The landowner is responsible for obtaining any necessary permits regarding the water control structures, and complying with local, state, and federal regulations on water levels.
3. The height of the boards within the water control structure will need to be maintained at the halfway level to successfully control the habitat needs.
4. The NRCS will need to be contacted if the landowner is having any issues with neighboring water, muskrats, etc. This is if items 5 and 6 are not working effectively.
5. If you happen to see any dens on your easement, you can fill the dens and then cover the area by rip rap consisting of coarse stone or gravel to prevent the muskrats from returning to the site. The material should be applied in a layer about 6 inches thick and extend from 1 foot above to 3 feet below water level. Another option would be to peg 1- or 2-inch mesh poultry wire, galvanized after weaving, to the inside surfaces of the pond. Lay the wire flat against the banks and fasten it down every few feet to keep it in place. It also should extend from 1 foot above to 3 feet below water level.
6. When controlling muskrats water levels need to be lowered during this time to less than 1 foot to help fill in the dens the muskrats have dug during this time.
7. Follow your current CUA to control the undesirable plants such as cattails and rushes. Timing and frequency of flooding or drawdown will support vegetative composition to plant species other than the historic wetland communities, and are NRCS managed.
8. If invasive plant species are beginning to establish because of this activity, this compatible use agreement may need to be supplemented with an undesirable species compatible use agreement.
9. The NRCS is not responsible for any damage (real or perceived) to adjacent property from the adjustment of water heights from the water control structure.
10. This practice is scheduled for 2025 after approval by the state office.

## COMPATIBLE USE AUTHORIZATION

**B. Purpose:**

Trails - Natural/Mowed Only - Exp. Date 12/31/2029

**575 - Trails and Walkways**

**00N** - Trail or Walkway - Construct a trail with a vegetated or earthen surface or a walkway with an artificial surface to facilitate the movement of animals, people, or off-road vehicles.

**C. Location Description (Attach a copy of map showing approximate area of compatible use.):**

Landowner Easement Acres: 132.56

Activity Code	Narrative ID	Land Unit Information
575	00N	Tract 7283 Land Unit: WRP2016

**D. Beginning Condition of Site:**

In the upland and lowland areas of the site are well established with native grasses that include big blue, switchgrass and blue grama and forbes such as sunflowers, milkweed, and goldenrod. In the wetland areas you can find vegetation such as cattails and rushes, there are some sedges and rushes seen on the easement.

**E. Statement of Affect and Compatibility:**

The placement of the mowed walking trails on the easement will allow the landowner to use the property for recreation, and quiet enjoyment. The placement of the trails and walkways should be mowed to keep down vegetation, they are not permanent, and will not adversely affect the site's habitat quality. Undesirable or invasive plant species can overwhelm other desirable species, so removing the excess grass by haying to help remove thatch, trees and shrubs will encourage summer and fall growing of native forbs and grasses. By lowering the vegetation heights this may encourage waterfowl to use the uplands during the fall, winter, and early spring.

**F. Special Conditions, Specifications and Other Details Including Information From Consultation with FWS, CD and State Wildlife Agency:**

Trails and Walkways

1. Nature Trails and walkways may be maintained with mowing to a minimum height of 5 inches on an annual basis.
2. Mowing will not occur between April 1<sup>st</sup> and July 15<sup>th</sup> unless a nest survey has been conducted according to USFWS protocol.
3. Mowing will not occur after September 1<sup>st</sup> to allow for adequate regrowth prior to a hard freeze.
4. A map of the trail and walkway will be developed by the team lead in coordination with the landowner.
5. This CUA does not authorize haying, an additional CUA is needed for the haying practice.
6. Mowing is not permitted on areas planted by NRCS to trees/shrubs.
7. This practice is scheduled to begin in 2025 after approval by the state office.

## COMPATIBLE USE AUTHORIZATION

**B. Purpose:**

Developed Hunting/Fishing - Exp. Date 12/31/2029

**LTPDHF - CUA-Developed Hunting/Fishing**

**00N** - Install and/or maintain developed hunting/fishing acceptable structures approved by EPD and the State Conservationist and as outlined in the Compatible Use Authorization.

**C. Location Description (Attach a copy of map showing approximate area of compatible use.):**

Landowner Easement Acres: 132.56

Activity Code	Narrative ID	Land Unit Information
LTPDHF	00N	Tract 7283 Land Unit: WRP2016

**D. Beginning Condition of Site:**

In the upland and lowland areas of the site are well established with native grasses that include big blue, switchgrass and blue grama and forbes such as sunflowers, milkweed, and goldenrod. In the wetland areas you can find vegetation such as cattails and rushes, there are some sedges and rushes seen on the easement.

**E. Statement of Affect and Compatibility:**

The placement of developed hunting stands on the easement will allow the landowner to use the property for recreation, and quiet enjoyment. The placement of the developed hunting stand/blinds are not permanent, and will not adversely affect the site's habitat quality.

**F. Special Conditions, Specifications and Other Details Including Information From Consultation with FWS, CD and State Wildlife Agency:**

Developed Hunting Stand/Blind:

1. Stands will be no more than 80 ft<sup>2</sup> and 8-ft tall, it will also have no foundation or have poured concrete during construction.
2. The stand's location may fluctuate if needed. However, if placement is drastically different than planned, notify NRCS immediately.
3. No fill will be placed in wetland or upland when installing the viewing stand.
4. Placing and removing of the stand may require heavy equipment to remove. Removal of stand from the easement must be done with minimal ground and vegetative disturbance.
5. The landowner will be required to re-seed and establish grasses at their own expense if grasses are disturbed to great extent.
6. Viewing stand upkeep and removal activities are the responsibility of the landowner, the landowner will pay for all related activities.
7. Disturbance of wildlife from the viewing stands locations, placement, installation, maintenance, and use of the viewing stand should be kept to a minimum during the critical times such as night roosting and nesting season.
8. This practice is scheduled to begin in 2025, upon approval of the CUA from the state office.

## COMPATIBLE USE AUTHORIZATION

**B. Purpose:**

Grazing - Exp. Date 12/31/2027

**528 - Grazing Management**

**00N - Prescribed Grazing -** Manage the harvest of vegetation with grazing and/or browsing animals with the intent to achieve specific ecological, economic and management objectives.

**C. Location Description (Attach a copy of map showing approximate area of compatible use.):**

Landowner Easement Acres: 132.56

Activity Code	Narrative ID	Land Unit Information
528	00N	Tract 7283 Land Unit: WRP2016

**D. Beginning Condition of Site:**

In the upland and lowland areas of the site are well established with native grasses that include big blue, switchgrass and blue grama and forbes such as sunflowers, milkweed, and goldenrod. In the wetland areas you can find vegetation such as cattails and rushes, there are some sedges and rushes seen on the easement.

**E. Statement of Affect and Compatibility:**

An adaptive prescribed grazing plan will be implemented to benefit long term wetland functions, enhance plant communities, decrease stagnant vegetation conditions suppress woody invaders and enhance hydrological functions within wetlands on the WRP easement. Grazing wetland will reduce the vegetative height to better facilitate low lying areas for migrating waterfowl and shore birds. Noxious weed control is required by state law.

Rotational grazing is beneficial to the habitat and wildlife by increasing the diversity of native grasses and forbs and creating a diversity of vegetative stands. Grazing the same time every year will decrease diversity over time due to selective grazing. Intense grazing at green up or fall will improve the habitat by targeting the undesirable species such as river bulrush, reed canary grass, and cattails, and open the wetland for migratory waterfowl. It also decreased the presence of undesirable cool season grasses (downy brome, Kentucky bluegrass, and smooth brome) and increase diversity of native grasses and forbs. A temporary single wire electric fence set at half power will have no impact on habitat. This will allow for site to be rotationally grazed.

Livestock Watering Facility - The livestock watering facility promotes grazing on the site by providing a reliable source of water for cattle. Grazing will reduce the amount of undesirable plant species, while promoting desirable plants. Reducing undesirable species will promote quality wetland habitat and improve wetland functions and values.  
Fence - A perimeter fence will allow the site to be grazed.

**F. Special Conditions, Specifications and Other Details Including Information From Consultation with FWS, CD and State Wildlife Agency:**

Prescribed Grazing:

1. The landowner will follow this order of rotation for the NRCS grazing plan.
- a. This site will be grazed in addition to two other easements during this grazing season. It will be grazed by 25 head of cattle between any of the following selection in point 2 below, see list below for schedule of pasture rotation, along with the attached map.
2. The landowner can pick any ONE of the following section of dates to graze the cattle in a year.
  - April 1<sup>st</sup> – May 15<sup>th</sup> =
  - April 15<sup>th</sup> – June 1<sup>st</sup> =
  - May 1<sup>st</sup> – June 15<sup>th</sup>
3. The WRP easement will be monitored by the landowner to ensure the site is not over grazed which would reduce the biodiversity that is planted on the easement. The minimum height that the key forage species (warm season grasses and forbs) should be grazed to is eight (8) inches. Livestock will be removed when the minimum grazing height has been reached, which may be before the end of the grazing window selected in item 2 above. The landowner will be required to re-seed and establish grasses at their own expense if grasses are over utilized.
4. During drought years, the stocking rate must be reduced by **60%**. Drought is defined as one or more months at a D2 (Severe Drought) or higher drought rating by the United States Drought Monitor. At a D1 Nebraska experiences stunted growth within the pasture and crop fields. Building a forage bank would benefit the easement during these times, its not required, but recommended.
5. Any deviations from the grazing plan will require the concurrence of the NRCS and will be documented in the grazing plan.
6. Annual grazing is not guaranteed. NRCS retains the right to alter annual grazing strategies to adjust to current ecological site condition and desired management results.
7. Grazing may not occur on the same acres as haying in the same year. Haying is NOT permitted under this CUA.
8. The easement will be monitored by the landowner and NRCS staff for adequate regrowth before the next grazing season.
9. This practice is scheduled to begin in 2025 after approval by the state office.

Fence: A perimeter fence will allow the site to be grazed.

Livestock Well and Tank: There is currently a water system that runs between the two areas that will be used to water the cattle during the grazing timeframe.

**COMPATIBLE USE AUTHORIZATION**

NRCS retains the right to modify or cancel this compatible use authorization at any time if the NRCS determines that such activities do not further the protection and enhancement objectives of the easement, or that the landowner has failed to comply with specified terms and conditions. The landowner engages in such activities at his or her own risk. This authorization does not vest any right of any kind in the Landowner. This authorization is null and void after the expiration date specified above. By signing this document, the landowner agrees to the terms described above and on referenced documents.

G. Recommended (NRCS Signature): Kaycee Clair Zuschlag  
8/7/2025

G 2. Title: Area Easement Specialist

H. Landowner or Representative (Signature): \_\_\_\_\_  
\_\_\_\_\_

H 2. Title: \_\_\_\_\_

I. Approved (NRCS Signature): --  
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I 2. Title: \_\_\_\_\_

The signature by the NRCS representative signifies a CCC-NRCS transaction as indicated above.

## COMPATIBLE USE AUTHORIZATION

### OMB DISCLOSURE STATEMENT

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## COMPATIBLE USE AUTHORIZATION

### OMB BURDEN STATEMENT

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