

**Appendix B**  
**ECP DESCRIPTIONS OF APPROVED CONSERVATION**  
**PRACTICES**

## **Debris Removal (EC1)**

The purposes of this practice are to return the land to agriculture use by removing debris on farmland caused by a natural disaster. This practice is applied to farmland, including farmsteads and access roadways on farms where debris has been deposited following an eligible disaster. The following criteria must be met for cost-share dollars to be authorized:

- Debris must materially affect the productive capacity of the land;
- Prevent carrying out effective conservation measures;
- Prevent returning the land to productive agricultural use;
- The clean up is of a magnitude that requires the use of hired or personal labor not normally required in day to day farm operation and/or equipment is needed for clean up that is not required by normal farm or ranch operations;
- Debris from farmsteads or access roads that significantly interferes with normal farming operations.

Debris removal cost-share assistance is not authorized if the debris does not interfere with normal farming operations. Debris that is removed must be disposed of in a way that will not interfere with existing conservation facilities and/or create a health hazard or environmental problem.

Debris disposal involves a number of choices. Debris can be used for a number of purposes on-site or offsite; where allowed, it can be burned on-site or offsite; it can be buried onsite, or hauled to an approved offsite disposal site. Cobbles may be placed in berms (low stone walls used to keep water out of an area) or used onsite to stabilize banks. Rootwads and tree trunks can be used to stabilize streambanks; and cobble and gravel can restore fish habitat or for flow modification. Burning, or burying the material offsite requires the use of heavy equipment for transport to an adequate burn or disposal site. Any hazardous material in the debris is given special consideration in its disposition. There are advantages and disadvantages of each disposal option in terms of feasibility and cost. The method selected depends on the circumstances at the site and an evaluation of how these activities may affect the environment.

(Source: NRCS Technical Code 500: Obstruction Removal; ECP Manual)

## **Grading and Shaping of Farmland (EC2)**

Grading and shaping of farmland is practiced in order to return land damaged by a natural disaster to agriculture use by grading, shaping or leveling. This practice is generally applied to farmland that has been seriously damaged by floods, hurricanes or other eligible disasters. Cost-share dollars are provided for the following components:

- Grading, shaping or filling gullies created by the disaster (NRCS Code 464).
- Re-leveling previously leveled irrigated farmland (NRCS Code 464).
- Removal of hump, ridges, or depressions if they cause water to pond on ground surface (NRCS Code 466).
- Incorporation of sand or silt deposits into the soil

- Re-establishment of permanent vegetative cover on areas where the following is present:
  - Requirement of grading and shaping to rehabilitate the area
  - Pre-existing permanent vegetative cover was destroyed
  - The area involved would be subject to critical wind or water erosion without the re-establishment of vegetative cover

Cost share dollars are not approved to i.) Establish vegetative cover on lands where it did not previously exist even if grading and shaping is required to correct damage to the land; ii.) Re-level irrigated farmland that constitute floating or land planning; iii.) Perform measures in connection with normal farming operations; or to iv.) Repair and/or restore roadways, including field roads if required to correct damage on the land.

Mulching (NRCS Code 484), pasture and hay planting (NRCS Code 512, and critical area planting (NRCS Code 342) are cited and approved methods that may be used in order to restore vegetation to damaged farmlands.

The practices of grading, shaping and leveling of farmland must be maintained for a minimum period of 10 years after the calendar year the practice was installed

### **Restoring Permanent Fencing (EC3)**

This practice is implemented in order to correct damage to destroyed or seriously damaged fences on farmland caused by natural disasters. Fences are considered constructed barriers for livestock, wildlife, or people and are usually erected to control movement of livestock or wildlife or control and regulate human access to an area. Fences are not needed if natural barriers will serve the same purpose (NRCS Code 382). Fences will be approved for restoration or replacement with cost-share dollars if they are needed to restore the land to productive agriculture use. However the fence may only be replaced or restored with the same type of fence that existed prior to the disaster or cost-share for the actual cost of the fence restored or replaced (whichever is smaller). Only cross fences, boundary fences, or cattle gates may be restored or replaced.

Cost –share funds are not authorized for simple fence reconstruction with minor damage when the materials from the previous fence are used or for the cost of reusable material from the damaged fence. The following types of fences are disqualified for cost-share funds: corrals and feedlot fences, ornamental fences, holding pens, and cattle guards and fences for the purpose of enclosing or excluding livestock.

Cost share funds will be distributed for fences in the following way:

<b>Table B-1 Eligible Fence Repairs</b>	
<b>Age of Fence at time of disaster</b>	<b>Allowable actual cost factor</b>
0-5 years	100%
6-10 years	75%
11-30 years	60%
Over 30 years	0%  If all components are over 30 years old or a percentage to be determined by the COC not to exceed 60% if some of the fence's parts have been replaced since the fence was erected and the average of the parts is less that 30 years

Following restoration or replacement, an ECP cost-shared fence must be maintained for a minimum of 10 years following the calendar year of installation.

(Source: ECP Manual; NRCS Code 382)

**Restoring Structures and Other Installations (EC4)**

This practice is applied to farmland on which structures and other installations have been seriously damaged by eligible natural disasters for the purpose of restoring structures and installations that were damaged by natural disasters.

Cost-share funds are authorized for:

- Dams, ponds, and other water impoundments for agriculture uses (NRCS Codes 378, 349, 402, 436, 552, 614, 636, 648).
- Sod waterways (NRCS Code 412)
- Installed open or closed drainage systems (NRCS Codes 532, 606, 638).
- Diversions or spreader ditches (NRCS Codes 348, 362, 423, 607).
- Terrace systems (NRCS Codes 555, 600).
- Structures for the protection of outlets or water channels before the disaster (NRCS Codes 350, 410, 521, 587, 620).
- Wells (NRCS Code 642).
- Springs (NRCS Code 574).
- Pipelines (NRCS Code 430, 442, 516).
- Buried Mainlines
- Ditches and other permanently installed systems (NRCS Codes 320, 388, 423, 428, 441, 443, 447, 468, 607)

- Permanent vegetative cover including re-establishment where needed in conjunction with eligible structures and/or installations to prevent critical erosion and siltation (NRCS Codes 342, 410, 484, 650).
- Animal waste lagoons (NRCS Codes 313, 359).

Practices that are ineligible for cost-share dollars include irrigation wells, portable pumps, motors, portable pipes, roadways including field roads, wheel move systems, hand move systems, and center pivot systems.

Technical responsibilities for these practices are assigned to the NRCS. All structures and any other installations, including permanent vegetative cover following restoration, will be maintained for a minimum of 10 years after the calendar year of installation.

(Source: ECP Manual; Various NRCS Codes)

### **Emergency Wind Erosion Control Measures (EC5)**

This practice is applied to farmland that is subject to serious wind erosion because of extended periods of insufficient moisture and farmland that does not contain enough crop residue or stubble to adequately protect the land. The purpose of this practice then, is to apply emergency wind erosion control measures to farmland damaged by eligible natural disasters.

Cost-share funds are sanctioned for contour or cross slope chiseling, chiseling where it is impractical to perform on the contour or on the cross slope, and for deep plowing or similar measures to bring subsoil clods to the surface (NRCS Code 609). Cost-share dollars will not be utilized for measures considered to be normal farming operations, such as those needed to provide a seedbed for the next crop.

### **Drought Emergency Measures (EC6)**

During periods of severe drought or extended time of insufficient moisture, conservation measures must be provided for water conservation and enhancement purposes in order to permit grazing of range, pasture, or forage by livestock; supply emergency water for existing irrigation systems serving orchards and vineyards; and to provide emergency water for confined livestock operations. There are several specific policies that are associated with drought conservation practices in addition to those stated above. Permanent practices may be installed only if they are determined by the proper authority to be more practical and cost effective than temporary measures. Only farms or ranches that had adequate livestock watering systems or facilities or adequate irrigation systems for vineyards or orchards prior to the onset of drought are eligible for cost share dollars. A drought-related problem must exist and the practice approved must be installed primarily to deal with the drought issue. That is, a practice cannot be installed if its primary use is for something other than a drought related problem. There must be adequate range or pasture residue for livestock in the area to be served by a proposed water facility at the time of request. Livestock water facilities should contribute to better distribution of grazing. Pump equipment and adequate storage facilities must be provided when wells are installed.

Cost-share dollars will be permitted for the following emergency drought conservation practices:

- Installing pipeline to another source of water because the primary source is inadequate, this does not include one-time connection fees, including charges to public rural water utility lines, which must be paid by the producer (NRCS Codes 430, 516).
- Storage facilities, including tanks and troughs above ground, if needed to supply water for immediate needs of livestock (NRCS Codes 378, 410, 614).
- Constructing and deepening wells for livestock water (NRCS Codes 521, 642).
- Constructing tail water recovery pits for any irrigation system (NRCS Code 552).
- Developing springs or seeps for livestock water (NRCS Code 574).
- Wells where there is no other source of emergency water available that could be developed at less expense (NRCS Code 642)
- Measures to provide emergency water for livestock in confinement operations on the farm that were in confinement prior to the drought (NRCS Code 575).

Cost-share funds will not be authorized for

- Constructing pipelines to supply water for vegetable or other short-term crops,
- Establishing permanent or temporary vegetative crop cover,
- Livestock watering facilities primarily for barns, recreation, wildlife, or corrals, except for livestock already in confinement,
- Livestock water facilities to make it possible to graze crop residues, field borders, temporary or supplemental pasture crops,
- Water facilities primarily for headquarters
- Livestock water facilities to provide water on land which the cover will be used for hay, silage, or field chopped and hauled to headquarters for feeding,
- Measures to provide emergency water for confined poultry operations,
- Pipe other than well casing in connection with pumps, pumping equipment, and windmills,
- Dry well
- Pumps or motors

All permanently installed measures must be maintained for a minimum of 10 years following the calendar year of installation. Temporary measures must be maintained for a period of time specified by the county program or the DASCO. Permanent measures are cost-shared for 50% of actual cost and include buried pipelines, irrigation tail water recovery systems for orchards and vineyards, and construction and deepening of wells. Temporary measures are cost-shared at 64% of actual cost and include temporary pipelines, spring developments, earthen tanks where a source of underground water is available, dugouts, water troughs, and development of seeps.

All drought emergency measures must be approved by DASCO, and may not be approved initially by the county committee.

(Source: ECP Manual; Various NRCS Codes)

### **Other Emergency Conservation Measures (EC7)**

Other emergency conservation practices not mentioned elsewhere may be submitted for cost-share authorization and approved by DASCO. Practices must meet ECP requirements. Practices that may be approved include:

- Replacing or restoring a conservation or pollution abatement practice damaged by a natural disaster
- Restoring the land to its normal production capacity
- Returning the land to productive agricultural use as a result of damage directly related to a natural disaster
- Conserving or enhancing water resources

### Current Examples of EC7

Current examples where EC7 have been implemented are located in the northcentral Montana counties of Blaine, Cascade, Chouteau, Fergus, Hill, Judith Basin, Liberty, Phillips, Pondera, Teton and Toole where severe drought conditions are forcing ranchers to seek assistance. The EC7 practices approved for these counties include emergency wind erosion control measures and the hauling of water to livestock.

The provisions for the emergency wind control measures include:

- The Emergency Wind Erosion Control Measures practice is approved for operators only.
- Cost share may be allowed for the establishment of a cover crop on farmland damaged by wind erosion due to severe drought conditions; or
- For no-till chemical applications in order to manage existing residue and preserve soil moisture.
- Signup will begin June 17, 2002. Producers interested in seeding a cover crop must submit an application by June 21, 2002. Producers interested in applying for the no-till portion of this practice must submit an application by July 1, 2002.
- Cropland must be eroding at 3.0 times the soil loss tolerance (3T) or greater as determined by NRCS.
- To address the human and health safety issue, the cropland must be located within 1 mile of a transportation route or within two miles of a population center.
- 2001 crop acreage that has been mechanically disturbed is not eligible.
- A flat rate of 64 percent of the average cost of \$20.00 for establishment of the cover crop and \$12.00 for no-till chemical application to maintain existing crop residue will be established.
- A payment limitation of \$4,000 per operator has been set.
- The practice will be certified and payment issued if eligible after September 15, 2002.

Farmers and rancher in these counties will be eligible for EC7 cost-share assistance for water hauling measures if the funds are to be used for livestock on grazing lands that do not have access to water because of an extended period of severe drought include and:

- Hauling water is needed to permit livestock to graze the range or pasture;

- There are no other means of obtaining water for livestock;
- Hauling water to areas where there is adequate range or pasture residue for livestock at the time the water is hauled;
- Hauling the water will contribute to better grazing distribution;
- And the water is hauled to land that had adequate livestock water prior to the drought.

Cost-share is available for hired labor if the hired labor is not normally required in the operation of the farm or ranch and such costs are associated with the approved natural disaster. Cost-share is not available for: 1) the purchase of water; 2) pumps or pumping equipment; 3) measures primarily for recreation or wildlife; 4) mileage for personal equipment such as trucks; 5) fuel costs for personal equipment; and 6) confined livestock. Funds will not be authorized for the solution of conservation or environmental problems that existed prior to the natural disaster and all approved practices will specify a minimum lifespan. (Source: NRCS Code 951; ECP Manual)

### **Field Windbreaks and Farmstead Shelterbelts Emergency Measures (EC8)**

The practice to restore or replace field windbreaks and farmstead shelterbelts to help stop wind erosion and provide energy conservation will be applied to field windbreaks and farmstead shelterbelts that have been seriously damaged by natural disaster.

Cost-share funds will be authorized for the:

- Removal of debris from field windbreaks or farmstead shelterbelts
- Planting field windbreaks or farmstead shelterbelts
- Purchasing tree seedlings or young shrubs used for field windbreaks or farmstead shelterbelts
- Establishing vegetative cover where needed to prevent serious erosion until trees/shrubs are established
- Chemical or mechanical weed control measures where they are needed to establish trees for the windbreak during the first 24 months of planting

Funds will not be approved for windbreaks or shelterbelts that were not pre-existing, were not damaged by the disaster, or are in the CRP program. Planting of orchard trees or ornamental plantings will also not be approved. The maximum federal cost-share funds for this practice are 64%. The practice will be maintained for a minimum of 10 years following the calendar year of installation. (Source: ECP Manual)

SEE APPENDIX D for Examples of Eligible and Ineligible Lands  
(Exhibit 6.5 from ECP Manual)