

For: State and County Offices

ECP Debris Removal

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

The National Environmental Policy Act requires Federal agencies to consider the effect of program activities on the environment. 1-ECP, paragraph 175 B requires that COC complete FSA-850 before approving ECP projects. See 1-ECP, Exhibit 11.5 for an example of FSA-850.

A Supplemental Environmental Impact Statement (SEIS) has been:

- completed for ECP
- published and may be found at <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ecrc&topic=nep-cd>.

B Purpose

This notice provides updated guidance on completing appropriate environmental evaluations for ECP.

C Policy

Based on the SEIS, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. 93-288, as amended, 42 U.S.C. 5121-5207, and related authorities, it has been determined that FSA-850 is no longer required for ECP projects that solely involve sand and debris removal or other projects that do not require a revised conservation plan, provided these actions will:

- **not** result in any ground disturbance beyond any previous disturbance (i.e. disturb below original plow zone)
- not result in the onsite burial of debris.

Disposal Date	Distribution
October 1, 2009	State and County Offices; State Office relay to County Offices

Notice EQ-133

2 Action

A County Office Action

An environmental evaluation, either on NRCS CPA-052 (or State equivalent) or FSA-850 is required when a new conservation plan is developed for ECP projects such as terrace repairs, water lines, etc. NRCS generally completes CPA-052, as part of its conservation planning, and provides FSA a copy.

FSA is the lead agency for ECP, therefore, CED's are responsible for checking CPA-052's for accuracy and signing the form indicating all needed requirements have been completed. If NRCS does not complete CPA-052, then CED is responsible for completing FSA-850.

Note: NRCS CPA-052 (or State equivalent) or FSA-850 is not required for projects as described in subparagraph 1 C.

B State Office Action

State Offices shall ensure that County Offices follow the procedure and policy in this notice.

C Contact

Direct questions about this notice to Matthew T. Ponish, FSA National Environmental Compliance Manager, by either of the following:

- e-mail at matthew.ponish@wdc.usda.gov
- telephone at 202-720-6853.