



United States
Department of
Agriculture

FARM SERVICE AGENCY

Montana State
Producer Handbook

July 2008

Fact Sheet

Emergency Conservation Program-

According to the 2008 Farm Bill



Purpose

The Emergency Conservation Program (ECP) provides emergency funding for farmers and ranchers to rehabilitate farmland damaged by wind erosion, floods, hurricanes, or other natural disasters, and for providing emergency livestock water during periods of severe drought.

The natural disaster must create new conservation problems, which, if not treated, would:

1. Impair or endanger the land;
2. Materially affect the productive capacity of the land;
3. Represent unusual damage which, except for wind erosion, is not the type likely to recur frequently in the same area; and
4. Be so costly to repair that Federal assistance is or will be required to return the land to productive agricultural use.

Conservation problems existing prior to the disaster involved are not eligible for cost-sharing assistance. State and County Farm Service Agency (FSA) committees administer ECP.

Program Administration

Subject to availability of funds, county FSA committees, with concurrence by the FSA state committee, are authorized to

implement ECP for eligible farmers for all disasters except drought. When severe drought conditions exist, the determination to implement the program will be made by the Deputy Administrator for Farm Programs (DAFP), FSA.

Before the Work May Begin

Producers **must** contact the county office in person, or by phone, to request ECP cost share **before** starting a practice. Producers who start a practice before requesting ECP funding may be ineligible to receive cost share.

Cost Share

Producers may receive up to 75 percent cost share for installing temporary practices and up to 50 percent cost share for installing permanent practices. Since ECP cost share rates are based on 50 to 75 percent of the actual costs, not to exceed the amounts listed on the Natural Resources Conservation Service (NRCS) cost share list, payments to producers may be less than 50 or 75 percent of their actual costs. The NRCS cost share list is available at your local county FSA office.

Eligibility

Eligibility for ECP assistance is determined by county FSA committees based on individual on-site inspections, taking into account the type and extent of damage. Individual or cumulative requests for cost sharing of

\$50,000 or less per person per disaster may be approved by county FSA committees, and of \$50,001 to \$100,000 by state FSA committees. Cost sharing over \$100,000 must be approved by DAFP. NRCS may provide technical assistance.

Eligibility for cost-share assistance is based on a minimum of \$1,000 of eligible damage. All requests for ECP cost share are subject to the availability of funds.

Emergency Practices

Emergency practices include:

- pipelines, tanks, troughs, constructing or deepening wells, and spring developments;
- submersible pumps (pressure tanks, valves, gages, etc., are not eligible for cost-share.)
- water hauling – cost-share is available for: 1) the labor for delivering water; 2) truck rental for delivering water; 3) temporary holding tanks and troughs; and 4) contracted labor for water delivery;
- removing debris from farmland;
- grading, shaping, releveling, or similar measures;
- restoring permanent fences;
- restoring conservation structures and other installations;

County FSA committees may authorize other emergency conservation measures with approval of the state FSA committee and DAFP. Farmers or ranchers may enter into pooling agreements to jointly solve mutual conservation problems.

What is Needed to Apply for the Emergency Conservation Program

The applicant needs to:

- on an aerial photo of the area mark all border fences, cross fences, existing water sources, failed water sources (for dams, add years failed and water source used since that date.), and new projects;
- estimate the cost of the new project;
- if tanks, troughs, pipelines or springs are installed, contact NRCS for the project specifications.

After the inspection, the FSA County Committee may issue an approval if all eligibility requirements are met and funding is available.

The practice must be completed 60 days following the FSA county committee approval.

Environmental Review on ECP Projects

ECP requires an environmental review on all applications to ensure the proposed project will not affect any of the natural resources such as:

Wetlands; floodplains; sole source aquifer recharge areas; critical habitat or endangered/threatened species; wilderness; wild or scenic river; natural landmark; historical or archeological sites; water and air quality; noise; important land resources; unique natural features and areas; adverse effects to minority or low income communities; and social and economic conditions.

Based on the request, an on-site review by FSA may be required. If additional information is needed, it will be the producer's responsibility to provide the required information.

If the project involves disturbance of the soil below the existing cultivation zone, a review of the proposed project will be completed by the State Historical Preservation Officer or Tribal Preservation Officer if the project is located on certain Montana Indian Reservations.

ECP Applications/Projects cannot be funded until the environmental review process has been completed.

Work may not begin on the project until the environmental review process has been completed.

If an ECP practice is started before the environmental review is completed, cost-share assistance may not be authorized.

Completion of the Project

Following completion of the project:

- producers must notify their local FSA county office and submit any bills or receipts from the project.
- if the producer does the work themselves, a log of the hours and type of work that was completed, must be signed and submitted.
- proof must be provided showing all bills and/or invoices have been paid. This may be done with a copy of cancelled checks, a copy of a credit card receipt, or a written statement from the contractor or supplier that the bills have been paid.
- a project inspection will be conducted by NRCS or FSA and a cost-share payment may be issued.

Funding

Congress appropriates funding for the program.

For Additional Information

Additional information may be obtained at local FSA offices or through the Montana FSA Web site at www.fsa.usda.gov/mt