Emergency Forest Restoration Program

For State and County Offices

SHORT REFERENCE

1-EFRP

UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
Washington, DC 20250
Amendment Transmittal

A Reason for Issuance

This handbook has been issued to provide policy and procedure for EFRP.
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1 EFRP Authorization

A EFRP Purpose

EFRP is established to carry out emergency measures to restore NIPF land damaged by natural disaster.

B Sources of Authority

Agricultural Credit Act of 1978, Section 407 (16 U.S.C. 2206) is the statutory authority for EFRP.

The regulations at 7 CFR Part 701 govern EFRP.

C EFRP Objective

The objective of EFRP is to provide assistance to owners of NIPF that has been damaged by a natural disaster.

Note: EFRP is not:

- an “entitlement” program
- intended that everyone who suffers a loss is entitled to a payment.

D Handbook Purpose

This handbook provides policies and procedures for STC’s, COC’s, and State and County Offices administering EFRP.

These procedures cover the following areas:

- reviewing State and county programs
- managing EFRP funds allocated to State and County Offices
- providing technical services needed for designated practices
- eligibility of persons, legal entities, land, and practices
- administrative responsibilities of STC’s and COC’s
- EFRP practices and guidelines.
Related Handbooks

A Handbooks and Forms


B Other Related Handbooks

Handbooks that relate to EFRP are listed in the following table.

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3 Relief Actions

A Waiver Authority

Any procedural provision in this handbook may be submitted for review to the National Office by STC’s as follows:

- unless prohibited by statute or regulation
- after justification and recommendation by STC.

B Additional Waiver Authority

Waiver authority in this paragraph is in addition to, and is not a substitution for, either of the following:

- appeal provisions in 1-APP
- waiver provisions in 7-CP.

4 AD-1026 Requirements

A AD-1026’s

AD-1026 is not required.

B Additional Information About AD-1026’s

EFRP is not covered by HELC and WC provisions in the Food Security Act of 1985, as amended.
5 Payments

A Maximum Payment Limitation

The maximum payment per person or legal entity, per disaster, including payments from pooling agreements, is $500,000. Direct attribution will be applied according to 4-PL, Part 5. For applications and agreements processed through the web-based CSS, this payment limitation will be applied based on the disaster ID assigned by CEPD.

B Program Payment Information

See 4-PL for information about payment limitations.

C Assigning Program Payments

Payments earned may be assigned according to 1-CM or 63-FI.

6 Special Concerns

A COC Action

COC shall not approve financial assistance on land that will have an adverse impact on endangered species or historic properties according to 7 CFR Part 799 and 1-EQ.

B Refund of EFRP Payment

Owners are not eligible to receive funding under EFRP for land on which the owner has or will receive funding for the same or similar expenses under:

- ECP
- WRP
- Emergency WRP
- Emergency Watershed Protection Program
- any other program that would create duplicate payments or, in effect, a higher rate of financial assistance than is allowed for EFRP.

EFRP payments received on acreage offered for WRP or Emergency WRP must be refunded if the EFRP practice is still within its lifespan before WRP or Emergency WRP payments will be disbursed.

Process refunds according to 3-FI.
C Land Enrolled Under CRP

In addition to the requirements in subparagraph E, owners who receive an EFRP payment on land enrolled in CRP **must** repay the CRP C/S payment. See 2-CRP, subparagraph 491 B.

D Land Under Practice Maintenance From C/S Programs

An owner is **not** eligible to receive funding to restore NIPF land on which the producer is required to maintain the practice or the land under any other Federal or State financial assistance program. See paragraph 110.

E Wetlands

Financial assistance shall **not** be approved for practices that would drain or negatively impact the quality of any wetlands as defined in the NRCS Field Office Technical Guide, available at [www.nrcs.usda.gov/technical/efotg](http://www.nrcs.usda.gov/technical/efotg).

7 Record of Natural Disaster

A Maintaining County History

County Offices must ensure that natural disasters that resulted in EFRP must be included in the permanent file on natural disasters required under 1-ECP, paragraph 7.

B Minimum Permanent File Requirements

The permanent file may include news articles, but shall include as a minimum:

- dates
- type of natural disaster
- a record of the areas affected
- total program funds earned, if applicable
- map with areas identified
- Loss Assessment Report.

File with other EFRP documents according to Exhibit 4 and 25-AS.
8 Program Year

A FY

The EFRP year is October 1 through September 30.

B Determining Program Year for FSA-848’s

To determine the program year for a specific FSA-848 (Exhibit 5), see FY at the time FSA-848 was filed.

9 Forms and Supplementation

A National Forms

STC’s, COC’s, and State and County Offices shall use nationally prescribed forms.

Note: Only if the form is not available through CSS for an extended period of time, access forms through the FFAS Employee Forms Online Intranet site at http://165.221.16.90/dam/ffasforms/form.html; however, the following EFRP forms will be generated through CSS:

- FSA-848
- FSA-848-1
- FSA-848A
- FSA-848A-1
- FSA-848B
- FSA-848B-1.

B State Forms

Forms developed by STC’s must:

- meet requirements in 3-AS
- be approved by both of the following:
  - CEPD
  - MSD.
Par. 9

9  Forms and Supplementation (Continued)

C  Adding, Modifying, or Withdrawing Provisions

State Office issued handbook instructions shall not be less or more restrictive than the provisions of this handbook; however, State-specific amendments may be made that are consistent with EFRP provisions. For permanent directives, the following guidelines must be followed:

- issue a permanent State Office directive only as a supplement to this handbook

  Note: Do not create a separate State handbook.

- do not modify national wording when adding supplemental information

- State Offices may supplement this handbook’s instructions according to 1-AS.

Note: Periodically, the National Office may select State Office amendments for review.

10  FSA-770 EFRP-1 and FSA-770 EFRP-2

A  Using FSA-770 EFRP-1 and FSA-770 EFRP-2

FSA-770 EFRP-1 (Exhibit 6) and FSA-770 EFRP-2 (Exhibit 7) may be used as management tools to help address deficiencies identified by a review or spot check of whether polices or procedures are being followed before issuing EFRP approvals and/or payments.

B  FSA-770 EFRP-1 and FSA-770 EFRP-2 Information

It is not intended for FSA-770 EFRP-1 or FSA-770 EFRP-2 to supersede or replace procedure. County Offices:

- should use FSA-770 EFRP-1 and FSA-770 EFRP-2 as reminders of the most frequently “erred” determinations and certifications

- may recognize that the questions asked on FSA-770 EFRP-1 and FSA-770 EFRP-2 are very general in nature.

Note: It would not be practical for FSA-770 EFRP-1 or FSA-770 EFRP-2 to address every conceivable situation about eligibility.
C Completing FSA-770 EFRP-1 and FSA-770 EFRP-2

SED, STC or designees, DD, or CED shall determine:

- when County Offices are to complete FSA-770 EFRP-1 and FSA-770 EFRP-2, if apparent internal control deficiencies are found during CED, STC representative, or DD reviews

- whether the applicable FSA-770 EFRP-1 and FSA-770 EFRP-2 is necessary to avoid findings indicated by COR reviews

- when additional internal controls are necessary to reduce improper payments.

Note: FSA-770 EFRP-1 and FSA-770 EFRP-2, developed by the National Office, are the only authorized checklists for EFRP. County Offices shall not use State or locally generated checklists for EFRP.

11-19 (Reserved)
Section 2    STC and State Office Responsibilities

20    STC Responsibilities

A  Administering EFRP

STC is responsible for administering EFRP within the State according to national policy.

B  STC Action

Within the authorities and limitations in the national program, STC’s shall:

- direct the development and administration of EFRP
- document STC actions in minutes or other written record according to 16-AO.

STC may delegate the authority to sign documents showing action taken by STC.
SED Responsibilities

A EFRP Oversight

SED shall:

- implement EFRP as directed by STC and within national policy
- supervise and monitor operations to ensure that:
  - EFRP policies are followed
  - operations are uniform among County Offices
- provide training as necessary for COC’s, CED’s, PT’s, and others, so County Offices have a clear understanding of EFRP policies and responsibilities
- ensure that information submitted supports requests for EFRP funds
- monitor EFRP including:
  - for the STC representative, to review a sampling of FSA-848’s filed in each County Office as required in subparagraph 175 A
  - the sampling and monitoring needed for EFRP implementation and assistance
  - in case of drought, monitor designated counties to determine whether drought conditions still exist and if EFRP is still needed to solve drought-related problems
  - if it is determined that EFRP is no longer needed, provide COC guidelines to:
    - discontinue issuing approvals
    - determine which outstanding approvals remain eligible.
SED Responsibilities (Continued)

B Contacting National Office Before Implementation

For all natural disasters, except droughts, SED or designee shall consult CEPD by telephone or e-mail before concurring with the County Office’s request to implement or expand EFRP.

SED shall:

- not delay a County Office’s request for several days in anticipation of receiving other County Offices’ requests
- notify County Offices of concurrence or nonconcurrence by telephone and follow up in writing.

C Required Information

An SED’s consultation should include all pertinent information about the disaster, including an estimate of the amount of funds needed to begin implementing EFRP. SED shall FAX or e-mail the following to CEPD:

- date and type of disaster
- names of the counties or parts of counties involved
- map of affected area, including county names and boundaries
- a request for an allocation of funds, if needed

Notes: The amount shall be based on COC’s assessment of eligible damage considering the practices to be used.

Do not commingle EFRP funds from other ongoing or previous EFRP-designated disasters.

- practices required to solve the problems.
Par. 21

SED Responsibilities (Continued)

D  SED and STC Exception

SED or STC may implement EFRP, except for droughts, if conditions require immediate action and contact with CEPD is impossible. Document actions taken.

E  CEPD Approval Required

CEPD approval is required for all drought-disaster designations.

For severe droughts, SED shall provide the following information to CEPD in addition to the information required by subparagraph 35 D:

- all available data COC has assembled on the severity of drought conditions
- STC recommendation.

F  Allocating Funds

SED shall allocate funds to County Offices.

22-29 (Reserved)
A COC Responsibilities

COC is responsible for administering EFRP consistent with national and State policy.

Note: CED is responsible for implementing COC’s policies.

B COC Action

COC determinations must be made by the full COC or a quorum. See 16-AO.

Note: COC may delegate authority to an individual COC member according to paragraph 34.
A Written Documentation Required

Written documentation of COC determinations is required. Many routine COC determinations may be documented by an individual signing a form on behalf of COC.

B Acceptable Documentation

Either of the following is acceptable to document other types of COC determinations:

- annotation on the document of the COC determination, signed and dated by a COC member on the document
- a statement signed and dated by a COC member and attached to the document.

Notes: Document shall be cross-referenced to COC minutes. COC minutes shall also reflect COC action.

C Required COC Minute Documentation

Each COC determination shall be documented in COC minutes and include the following:

- producer’s name
- farm number
- sufficient information specific to each COC determination to create a justifiable record to support COC’s actions.
A CED Responsibilities

CED is responsible for the day-to-day administration of the county EFRP, as directed by COC, according to national and State policy and procedure.

CED shall perform all of the following functions:

- issue FSA-848 (Exhibit 5) and FSA-848A (Exhibit 11) to NIPF landowners
- send referrals to technical agencies
- compute financial assistance
- approve payments to producers using FSA-848B (Exhibit 12)
- prepare forms for division of payment between contributors
- complete spot checks.

Note: CED may designate PT to perform these and other functions without formal delegation.

B Additional CED Authorities

CED may also perform any or all of the following functions:

- determine the sufficiency of signatures and authority of persons signing in a representative capacity

- determine the value of:
  - ineligible contributions
  - contributions of each person or legal entity who contributed to performing a practice

- approve:
  - whether EFRP should be requested
  - applications for financial assistance, using FSA-848 and FSA-848A
  - changes in approved extent and financial assistance, using FSA-848A
  - increases in the approved extent, financial assistance, or both, if supported by the technical agency showing the need
  - extensions of time to complete and report performance of a practice, using FSA-848B.
In addition to COC minutes, County Office employees shall create a written record to document the facts on either:

- the document involved
- a statement attached to the document.

Note: The person that takes the action and records the facts shall sign or initial and date the documentation.
A COC Delegated Authorities

COC authorities may be delegated to CED.

Authorities that may be delegated include determining the following:

- the amount COC is willing to approve
- whether completing a component is a reasonable attainment toward completing the practice and prescribing the time for practice completion
- whether a practice not meeting all of the specifications adequately solves the problem
- whether an attempt was made to meet the specifications
- whether the performance justifies financial assistance on the extent performed.
Delegations of Authority (Continued)

B Limitations on Delegations

COC shall establish and specify determinations described in subparagraph A, if any that will be delegated to CED, recorded in COC minutes, and filed according to Exhibit 4 and 25-AS.

CED must **not** act on matters involving the farms of STC or COC members or CED’s own farm.

CED shall carry out responsibilities according to COC delegations.

COC shall review delegated authorities annually to ensure that they are being followed.

C Authorities Not to Delegate

The following COC authorities shall **not** be delegated:

- approving P-A’s
- approving limited resource designations
- hearing appeals for reconsideration and making decisions on appeals
- determining whether there is a violation of EFRP provisions
- determining priorities for approval of FSA-848’s.

D Voting Limitation

COC members shall abstain from voting on any determination about a farm in which that member or an immediate family member has a personal interest.
35  Action When Natural Disaster Occurs

A Immediate Assessment of Damages

For all disasters, except severe drought, immediately after a disaster occurs, COC and/or CED must make an overall assessment of the damage to ensure that the damage meets the minimum requirements. CED must consult with the State Office to obtain concurrence before approving the natural disaster damage for financial assistance. See paragraph 153.

Concurrence may be by telephone or e-mail and shall be based on the following:

- description of the natural disaster
- an estimate of funds needed
- areas of county affected
- practices needed.

**Note:** CED or designee must follow telephone or e-mail concurrence with written documentation to the State Office. The State Office shall review and forward documentation to CEpd. Funding shall not be approved by telephone or e-mail. The documentation shall include, at the minimum, the following:

- copy of the Loss Assessment Report

**Note:** See 1-DP.

- description of the natural disaster as it affects NIPF land in the county
- practices requested
- number of farms expected to receive financial assistance
- amount of funds requested from the national reserve to administer EFRP
- that EFRP has been documented as 1 of the types of USDA assistance required
- any other pertinent information supporting request for funds, including documentation of any information supplied earlier by telephone or e-mail.
35  Action When Natural Disaster Occurs (Continued)

B  Requirements for Damaged NIPF

NIPF land damaged by natural disaster must:

- have existing tree cover (or had tree cover immediately before the disaster and is suitable for growing trees)

- have damage to natural resources caused by a natural disaster that, if not treated, would impair or endanger the natural resources on the land and would materially affect future use of the land

- be physically located in a county in which EFRP has been implemented.

C  Primary Consideration

The type and extent of individual farm damage shall be the primary consideration for EFRP eligibility. The number of farms affected is not the primary criterion for offering assistance. EFRP may be implemented on a single farm if COC determines it is justified and STC concurs.
Action When Natural Disaster Occurs (Continued)

D  COC Report of Drought Conditions

For a severe drought, COC shall provide STC with a complete written report of current conditions.

STC shall determine whether conditions are severe enough to warrant a recommendation for EFRP implementation to CEPD.

The report forwarded to CEPD for each county shall include the following:

- actual rainfall history for each of the 3 years preceding the current year
- amount of precipitation by month for the last 12 consecutive months including last full month

**Notes:** Obtain these statistics from National Oceanic and Atmospheric Administration, National Weather Service records, the U. S. Drought Monitor, or from the best available source within each respective county and document the source.

Unless described otherwise, precipitation is assumed countywide, evenly distributed, and not damaging.

- percent of normal water for current underground and surface water supply, if applicable
- copy of Loss Assessment Report

**Note:** See 1-DP.

- any other pertinent information available supporting the request for EFRP designation.

E  Severe Drought Designation

For severe drought, CEPD will determine the emergency EFRP designation in each county.

F  Coordinating EFRP With Other Agencies

Coordinate EFRP activities with disaster assistance activity of other agencies, including FEMA, if applicable.

36-41  (Reserved)
Financial Assistance Levels

A National Policy on Financial Assistance Levels

Financial assistance levels, including C/S percentages up to 75 percent of the cost, are authorized for EFRP practices. In no case may the payment exceed 75 percent of the producer’s actual cost to perform the practice.

B Setting County Financial Assistance Levels

The financial assistance level for any practice or component may be set at any level within national and State policies. Financial assistance levels must be set based on the minimum incentive needed to encourage producer participation and solve the problem. STC or COC shall establish financial assistance levels for each practice or component. Financial assistance levels shall not exceed 75 percent of the eligible cost of restoring the damage.

43, 44 (Reserved)
45  Financial Assistance Levels With Limitations

A  Documenting Financial Assistance Levels With Limitations

Financial assistance levels may be established for practices or components with a maximum limitation. The limitation is based on the average cost of performing the unit of measure. Financial assistance levels and maximum limitations shall be set based on the minimum incentive needed to encourage producer participation and solve the conservation problem.

Document financial assistance levels with a limitation as follows:

“____ percent of the actual cost, not to exceed $____ per unit (acre, pounds, feet, etc.).”

Example: 75 percent of the actual cost, not to exceed $60 per acre.

Note: See subparagraph 5 A for maximum payment limitation.

B  Supporting Data for Financial Assistance Levels with Limitations

The maximum limitation shall be based on documented average costs.

COC shall base maximum limitation on current cost data, such as, data from:

- applications of payment
- contractors
- dealers
- NASS
- NIFA
- NRCS
- quotations.

Data used to determine maximum limitation shall be maintained with the county eligibility status list.
A Items Eligible for Financial Assistance

Items eligible for financial assistance include the cost of any direct and significant factors necessary to perform the practice, such as:

- labor
- seeds, seedlings, or other new or used materials
- sales tax
- services.

**Note:** If used materials are approved by COC, it **must** be documented in COC minutes.

B Items Ineligible for Financial Assistance

The costs of the following items are ineligible for financial assistance:

- engineering charges or permit fees
- consultant’s fees, unless specifically permitted in the practice writeup
- providing land
- right to use land or water
- power sources

**Note:** Solar- and wind-based power sources may be eligible if they are determined to be the least costly alternative in providing electric fence or water for livestock.

- meeting supplemental requirements, such as abstaining from harvesting
- producer’s own transportation costs
- weed control measures
- loss of or reduction in revenue because of the disaster
- rent or other costs of using land
- cost of pumps and pumping accessories, except for permanently installed submersible pumps in wells during drought emergencies
- dry wells
- donated material.
47 Eligible Costs

A Safety Requirement

Financial assistance shall be limited to restoring structures and other installations to the immediate predisaster condition, except if:

- restoring a structure to the immediate predisaster conditions would make the structure a safety hazard to human habitation downstream as certified by technical service provider

  Note: In this case, the structure shall be restored to meet NRCS standards and financial assistance may be approved for the entire project.

- the cost would not be greater to restore a structure or installation to current NRCS standards rather than to the immediate predisaster condition.

B Restoring to Predisaster Conditions

Structures that are restored to the immediate predisaster conditions, but do not meet current NRCS technical standards and specifications, may be eligible for financial assistance. However, COC’s are strongly encouraged to require conservation structures be restored to current NRCS technical standards and specifications.

EFRP participants must pay the additional cost incurred to improve land and structures beyond the immediate predisaster condition.

C Limitations on Eligible Expenses

If a producer is eligible for EFRP assistance, financial assistance may be authorized for all reasonable expenses incurred, as follows:

- eligible expenses for personal labor shall be limited to personal labor not normally required for the forestry operation, as determined by COC

- eligible expenses for personal equipment shall be limited to costs incurred beyond the normal expenses for the forestry operation.

D Assignments

Payments earned may be assigned according to 63-FI.

48, 49 (Reserved)
A  STC Responsibilities

STC shall ensure that arbitrary holddowns are **not** used when:

- establishing financial assistance rates and limitations
- approving practices.

B  COC Responsibilities

COC shall ensure that arbitrary holddowns are **not** used when:

- establishing financial assistance rates and limitations
- approving practices.
A Disasters Involving Fencing

COC shall establish a maximum financial assistance rate per foot for restoring fences.

B Financial Assistance Payments Shall Not Exceed Established Rates

Regardless of the kind of fence installed, financial assistance shall not be based on costs exceeding fence materials provided in subparagraphs C and D.

C Fencing Materials

For barbed wire, high tensile wire, woven wire, and heavy-duty fences:

- posts shall be placed no closer than 12 feet apart and made of:
  - metal
  - treated wood
  - other material meeting NRCS technical standards and specifications
- labor rate shall be the prevailing rate in the county
- wire fences must consist of no more than 5 strands of wire that is no heavier than 11 gauge.

Woven wire fences shall be:

- not more than 4 feet in height
- no heavier than 10 gauge
- not to exceed 2 strands at the top and 1 strand at the bottom.
**51 Fencing Policy (Continued)**

**D Fencing Limitations**

Financial assistance must be limited to restoring or repairing fences damaged by natural disaster. Ornamental fences are **not** eligible for assistance.

Fences must be used for:

- exclusion or inclusion of livestock
- protection of seedling establishment.

**Note:** COC shall consider the following before making approvals:

- age of fence at time of disaster
- if fence was used for excluding or enclosing livestock
- type of fence existing before disaster
- extent of damage of fence.

**E Fencing of Public Land**

Fencing on public land is **not** eligible for EFRP.

**F Adjusting for Age of Fencing**

COC’s shall adjust financial assistance for fencing based on the age of the fence.

<table>
<thead>
<tr>
<th>IF the age of the fence at time of disaster is...</th>
<th>THEN the allowable financial assistance percentage is...</th>
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<tbody>
<tr>
<td>0 to 5 years</td>
<td>100 percent.</td>
</tr>
<tr>
<td>6 to 10 years</td>
<td>75 percent.</td>
</tr>
<tr>
<td>11 to 30 years</td>
<td>60 percent.</td>
</tr>
<tr>
<td>over 30 years</td>
<td>0 percent if all components are over 30 years old.</td>
</tr>
</tbody>
</table>

If some of a fence’s components have been replaced since the fence was erected and the average of the components is less than 30 years, then the allowable financial assistance percentage determined by COC is not to exceed 60 percent.

**Examples:**

Fence was 6 years old at time of disaster. The total eligible cost of restoration is $50,000. Financial assistance computation is $50,000 x .75 x .75 = $28,125.

Fence has been in place over 30 years, but the average age of all of fence components is 25 years. Total eligible cost is $50,000. Financial assistance computation is $50,000 x .75 x .60 = $22,500.
A Persons and/or Legal Entities Responsible for Obtaining Easements and Permits

Persons and/or legal entities wanting to perform practices on land they do not own or to install practices that require State or Federal permits are responsible for obtaining the easements, permits, rights-of-way, water rights, or other permission necessary to perform and maintain practices for the practice lifespan.

B Approving Financial Assistance

COC shall:

- not pay financial assistance, if necessary easements, permits, or other necessary permission has not been obtained by the participant
- indicate on FSA-848A, “Remarks” section whether necessary permission has been obtained
- confer with responsible technical agency to ensure that necessary easements, permits, or other necessary permission has been obtained by the participant.

C Verifying Permission Has Been Obtained

The permission from the authority must be in writing, and a copy must be provided to the County Office before paying financial assistance for the practice.

Note: NRCS policy may be more restrictive in some States.

D Producer’s Responsibility for Losses

The person or legal entity receiving financial assistance is responsible to FSA for any losses sustained by the Federal Government if the person or legal entity:

- infringes on the rights of others
- does not comply with applicable laws or regulations.
A Applicability

Bartering is allowable as an eligible cost for EFRP financial assistance when COC, on a case-by-case basis and with STC approval, determines that all of the following apply:

- bartering directly relates to the EFRP practice
- value of the bartered goods and services is commensurate with the services rendered or goods received
- EFRP financial assistance payment will not be made until bartered goods have been received or the bartered service has actually been rendered.

Note: Bartering shall not be used as a device to circumvent any EFRP policies or procedures, or as a method to evade any payment limitations.

B Record of Barter

EFRP participants shall present a signed document that provides the details of barter agreements before financial assistance is computed. Documentation shall provide sufficient information for COC to determine when bartered goods or services are exchanged.

If bartered goods or services are not actually received or rendered, the producer shall refund any financial assistance paid for the bartered services or goods.

C Legality

USDA has no involvement in bartered goods or services. Bartered services are strictly between the producer and the supplier of the bartered goods or services.

D Spot Checks

COC shall ensure that all financial assistance payments involving bartered goods or services are included in an EFRP spot check.

54-63 (Reserved)
State and County Allocations

A State Control of Funds

EFRP funds are held in reserve at the national level. Funds are allocated after a determination has been made authorizing EFRP designation.

Funds are allocated to State Offices based on the estimate of funds needed to begin implementing EFRP.

Note: Technical assistance funds will be allocated at the national level.

B Allocations for County Offices

SED’s shall allocate funds to County Offices.
A State Reserve

State Offices may maintain a reserve sufficient to cover needed adjustments and technical assistance needs not addressed at national level.

B Transferring EFRP Funds

EFRP funds may be transferred from EFRP’s State reserve for a disaster to a nondesignated EFRP county to pay financial assistance for eligible restoration work where the producer’s farm is administratively headquartered.

C Unused EFRP Funds

Unused EFRP funds shall be returned to CEPD according to paragraph 66.

Note: EFRP allocations shall continue to be based on State Office requests for counties authorized to implement EFRP as a result of a natural disaster.

66 Expenditure Limitation Authority

A Overobligation Authority

STC’s, SED’s, and State Offices do not have overobligation authority.

B Additional Limitations

EFRP funding should be handled with the following limitations:

- funds shall only be expended for disaster designations approved by the National Office
- State Offices shall only establish a reserve for the disaster designation for which funds were approved
- funds cannot be moved between disaster designations
- State Offices may transfer funds approved for a disaster designation to any County Office for which implementation is approved for that disaster designation
- County Offices may only expend funds for the disaster designation for which funds were approved.
A State Office Request for Additional Funds

With proper justification, SED may request additional funds from CEPD.

B Releasing Unused Funds

SED shall return EFRP funds to CEPD as soon as it is determined that the funds will not be needed for the disaster for which they were originally allocated, as follows:

- COC shall notify State Office, in writing, of the amount to be released

- State Offices shall notify CEPD, Attention: Program Analysis Branch, in writing, of the amount to be released.

**Note:** STC reserves are not authorized except as provided for in paragraph 65.

68-77 (Reserved)
A Phases of Reimbursable Technical Services

Technical assistance to be provided in servicing assigned practices may involve all of the following phases of implementing a practice:

- determining whether the practice is needed and feasible
- selecting a site

Note: Determine measures needed and any required layout and design of the practice when selecting a site.

- supervising practice installation, if needed, to ensure that practice conforms with specifications
- inspecting practices to determine whether specifications have been met and the extent performed.

B Providing Technical Services

The assigned technical agency shall ensure that needed technical assistance is provided to producers for approved practices to the extent that resources permit.

C Assigned Responsibility for Technical Services

Each assigned technical agency is responsible for carrying out its assigned responsibilities.

The assigned agencies shall use technical information provided by the experiment station, County Extension Service, and other agencies to help producers apply practices correctly.

D Technical Responsibility

Technical responsibility for practices includes the following:

- developing standards and specifications for the practice
- providing technical assistance on the phases in this paragraph.

E Technical Services Not Chargeable to Producers

A producer who uses technical assistance provided by the assigned technical agency may not be required to pay for these services.
Outside Assistance

A Agencies Using Outside Assistance

Assigned technical agencies may use assistance from private, State, or Federal sources when the assistance accomplishes the following:

- makes the most effective use of available personnel and facilities with savings to the Federal Government
- maintains the standards and effectiveness of EFRP.

Note: Assigned technical agencies are responsible for work completed by other sources and shall certify that EFRP practices were performed according to specifications.

B Producers Using Outside Assistance

A producer is not required to use the technical services available through EFRP.

Producers using outside assistance for practices will qualify for financial assistance if the assigned technical agency:

- determines that the practice was needed
- certifies that the practice was performed according to the specifications.

Note: A producer that uses outside assistance shall be urged to keep sufficient records to permit the technician to make the necessary determinations.
A Reporting on FSA-848, Page 2

The assigned technical agency shall report on FSA-848, page 2, if the practice is needed and feasible.

FSA-848, page 2 shall include the following:

- an accurate estimate of needed units and cost on which COC can base its commitment of funds
- needed extent and any other pertinent information.

B Required Action for Favorable Determinations

If the assigned technical agency indicates a favorable determination, the technical agency shall take the following actions.

<table>
<thead>
<tr>
<th>Step</th>
<th>Assigned Technical Agency Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Indicate the extent needed.</td>
</tr>
<tr>
<td>2</td>
<td>Complete the needs statements on FSA-848, page 2.</td>
</tr>
<tr>
<td>3</td>
<td>Enter estimated cost of the practice.</td>
</tr>
<tr>
<td>4</td>
<td>Sign and date FSA-848, page 2.</td>
</tr>
<tr>
<td>5</td>
<td>Return FSA-848, page 2 to COC for review.</td>
</tr>
</tbody>
</table>
The following action is required when an unfavorable or questionable determination is received by COC.

<table>
<thead>
<tr>
<th>IF the assigned technical agency indicates...</th>
<th>THEN...</th>
</tr>
</thead>
<tbody>
<tr>
<td>an unfavorable determination</td>
<td>• there shall be a statement to that effect, including the reasons, on FSA-848, page 2</td>
</tr>
<tr>
<td></td>
<td>• the assigned technical agency should explain the basis for the unfavorable determination to the producer</td>
</tr>
<tr>
<td></td>
<td>• COC shall:</td>
</tr>
<tr>
<td></td>
<td>• promptly notify the producer, in writing, that the practice was not approved and the basis for the decision</td>
</tr>
<tr>
<td></td>
<td>• advise the producer of the right to appeal the determination.</td>
</tr>
<tr>
<td>a practice may not be eligible</td>
<td>• the assigned technical agency shall provide written description of the eligibility question on FSA-848, page 2</td>
</tr>
<tr>
<td></td>
<td>• COC shall consider this statement when reviewing FSA-848’s for approval.</td>
</tr>
</tbody>
</table>

**D Change in Estimated Cost Before Performance**

The assigned technical agency shall provide the following information, if the estimated cost changes before performance.

If the assigned technical agency determines the financial assistance estimate is too low or too high before the practice is performed:

- assigned technical agency shall submit a revised estimate to COC on FSA-848, page 2
- COC may choose to modify FSA-848 and increase the approval on FSA-848A, accordingly.

**Note:** See the CSS User Guide (link is provided in subparagraph 2 A) for contract maintenance instructions.

81-90 (Reserved)
Section 7  Person, Legal Entity, and Land Eligibility

91 Eligible and Ineligible Persons and Legal Entities

A Person and Legal Entity Eligibility

See 4-PL for eligibility determinations for persons and legal entities.

CCC-901 is required to apply direct attribution for all entities named on FSA-848.

If a minor is a participant or member of entity on FSA-848, hand-write at the top of CCC-902I, “For EFRP direct attribution purposes only”, to designate the purpose of CCC-902I, and complete only the following items or parts:

- Item 1, “County”
- Item 2, “State”
- Item 3, “Program Year”, ENTER “2009”
- Part A, “Basic Information”
- Part B, “Additional Information for items 4A, 5A, 5B, 5C, 5D, 6A, 6B 6C, 6D, and 6E”.

B Individual Eligibility Determinations

Determine eligibility for EFRP assistance on an individual basis considering the type and extent of damage.

COC shall determine which cases are truly emergency situations.

C Assistance Not Needed

Do not provide assistance if the applicant clearly has adequate financial resources and COC determines that the applicant can repair the damage without assistance and without causing a financial hardship.
D Reevaluation

If drought conditions change, reevaluate the applicant’s eligibility.

E Organizations With Taxing or Assessment Authority

Irrigation, drainage, and other district organizations with taxing or assessment authority for conservation purposes are not eligible to receive financial assistance.

F Assistance in Organized Districts

Assistance may be provided to participants individually or in P-A’s in organized districts, such as irrigation districts, unless restoring the damage is the responsibility of the irrigation district.

Under P-A’s, participation must be voluntary and costs must be paid by the participant.

COC shall:

- review the conditions under which P-A is made to ensure that participation is voluntary
- submit P-A and its recommendation to STC for approval.

STC shall act on COC’s recommendation for P-A’s located within an irrigation district with taxing and assessment authority.
A Owner Eligibility

By law, EFRP eligibility is limited to NIPF owners.

B Determining Eligibility

Determine EFRP eligibility according to the following.

<table>
<thead>
<tr>
<th>IF an applicant is a...</th>
<th>AND...</th>
<th>THEN the applicant is...</th>
</tr>
</thead>
<tbody>
<tr>
<td>nonindustrial private:</td>
<td>owner, operator or 10-year lease holder of NIPF (with concurrence from land owner) who contributes part of the practice cost</td>
<td>eligible for EFRP benefits.</td>
</tr>
<tr>
<td>• association</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• business enterprise</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• corporation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• estate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• group</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Indian Tribe</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• individual</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• legal entity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• partnership member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• trust</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Foreign nationals are eligible.

| • district with taxing authority |                                       | ineligible for EFRP benefits. |
| • Federal agency                |                                       |                          |
| • political subdivision of a State |                                     |                          |
| • State                         |                                       |                          |
| • State agency                  |                                       |                          |

| minor                          | only eligible if he or she is legally responsible and independently participating in the operation of a farm as an eligible person or legal entity. See 1-CM and 4-PL. |
Eligibility of Native Americans

A  Native American Tribes

A Native American tribe that owns eligible NIPF land is eligible for financial assistance.

B  Individual Native Americans on Tribal Lands

Individual Native Americans are eligible if they qualify as tenants or sharecroppers on the land.

C  Individual Native Americans on Nontribal Lands

Individual Native Americans on nontribal lands must meet the requirements in paragraph 92 to be eligible for financial assistance.

D  Individuals With Grazing Rights on Tribal Land

An individual holding written permission to graze Native American tribal land is eligible as a tenant to perform practices on the land if the lease or permit is issued by an appropriate official.
94 Forestry, Woodland, and Tree Farm Associations

A Eligibility for Financial Assistance

Forestry, woodland, and tree farm associations that meet the requirements in paragraph 92 are eligible for financial assistance.

Note: If the association is only a permittee or licensee with respect to the land, it is ineligible.

B Individual Members

Individual members of associations who have the legal right to operate on land owned or leased by the association are considered tenants, who they are eligible for financial assistance. However, financial assistance approvals shall not be issued to both the association or district and the individual members for practices to be performed on this land.

95 Clubs and Organizations

A Eligibility

Clubs and organizations such as 4-H clubs, Future Farmers of America, and scout troops are eligible for financial assistance if:

- they qualify as an eligible person or legal entity according to paragraph 92
- the necessary EFRP forms are signed by an adult who officially represents the organization.

B Sports Clubs

A sports club is eligible for financial assistance if it qualifies as an eligible person or legal entity according to paragraph 92.

96 (Reserved)
Government Entities

A State Government and Agencies

State Governments or any of their agencies are not eligible persons or legal entities under EFRP.

Note: State-supported colleges or universities are not eligible as persons or legal entities under EFRP.

B Local Government Units

County, city, or other local Government units are not eligible for EFRP.

C School Districts

Independent school districts are not eligible persons or legal entities under EFRP.
A Policy

Producers or groups that are eligible persons or legal entities and are either members of districts or have land in a district may voluntarily carry out eligible practices with their own funds and be eligible for financial assistance in districts or on facilities owned by districts.

Financial assistance may not be approved where both of the following are true:

- the district has the legal obligation to carry out the conservation improvement measures
- the district has the authority to levy taxes or assessments on its member’s land, water rights, or other property that, if not paid, may become a lien.

B Definition of District

District means organized districts, mutual water companies, and associations. Districts include formal and informal organizations that have all of the following characteristics:

- are formed under State law either:
  - to solve a mutual problem, such as, flood control
  - carry out a mutual purpose, such as, distribution of irrigation water
- have the authority to tax or assess individual members to carry out the proposed conservation measures
- can encumber the member’s land, water rights, or other property through unpaid liens.

C Eligibility of Organized Districts

The district, as a separate and distinct entity from its individual stockholders or members, is eligible for financial assistance on NIPF when it qualifies as an eligible person or legal entity according to paragraph 92.
Organized Districts (Continued)

D Eligibility of Individuals or Groups Within Organized Districts

Within a district, any eligible producer may perform any eligible EFRP practice in the approved county that is on or for the benefit of the producer’s NIPF.

Financial assistance must be paid to or on behalf of the individual eligible person or legal entity.

Producers may hire a district or other vendor as the contractor to do the work for performing practices. Practices performed by contractors will be eligible, and the cost to the producers will be treated as their contributions.

E CEPD Exceptions

CEPD may grant exceptions on an individual basis with proper documentation.

Exceptions may be granted when State law or similar statute limits the amount that districts can tax or assess its members to the point that the districts cannot derive sufficient funds to carry out eligible conservation measures.

When an exception is granted, costs may be shared with individual members who voluntarily perform the measure using their own funds.

F Contributions Made by Districts

Contributions by a district to a project being voluntarily performed by eligible producers using their own funds may be considered the contributions of an ineligible person or legal entity.
G  Example of Ineligible Contributions Made by District

The XYZ Ditch Company’s (XYZ’s) charter provides for all of the following:

- XYZ will supply available water to members
- XYZ will operate and maintain the ditch system
- XYZ will annually assess members an amount set by XYZ and approved by XYZ’s members holding a majority of the water shares
- if the assessment is not paid in a timely manner, XYZ is obligated to sell the shares of the delinquent member.

Note:  XYZ is not obligated to improve the system.

The members of XYZ are eligible to form an EFRP P-A for lining the company’s earth ditches. If XYZ makes a contribution to the lining of the ditch, the contribution is that of an ineligible contributor.

XYZ does not own or lease NIPF; therefore, XYZ does not qualify as an eligible person or legal entity according to paragraph 92.

99-109  (Reserved)
A General Provisions

The provisions in this subparagraph apply to specific land, such as farm or tract, if known, for which FSA-848 is filed or has been filed.

Land that is eligible under EFRP includes NIPF land or which all of the following are true:

- is physically located in a county or portion of a county that has been approved for EFRP
- has existing tree cover (or had tree cover immediately before the natural disaster and is suitable for growing trees)
- has damage to natural resources caused by a natural disaster that, if not treated, would impair or endanger the natural resources on the land and would materially affect future use of the land

If land is within NIPF and conservation structures are installed on the land, the land may be eligible.

**Example:** Examples of conservation structures include waterways, terraces, sediment basins, diversions, windbreaks, etc.

See subparagraph B for examples of land eligible for EFRP.
### B Eligible and Ineligible Land Examples

The following are examples of damaged areas and structures that were determined eligible or ineligible for EFRP.

<table>
<thead>
<tr>
<th>Example</th>
<th>Damaged Area or Structure</th>
<th>Eligibility</th>
<th>Reason for Ineligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Firelane.</td>
<td>Yes, if on NIPF land.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Fuel break.</td>
<td>Yes, if on NIPF land.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Stream crossing.</td>
<td>Yes, if stream flows through NIPF land.</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Wildlife food plot.</td>
<td>Yes, if on NIPF land.</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Grade stabilization structure.</td>
<td>Yes, if on NIPF land.</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Woodland.</td>
<td>Yes, if NIPF land.</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Land that is next to a stream, including perennial and intermittent streams.</td>
<td>Yes, if NIPF land.</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Debris on NIPF access road.</td>
<td>Yes, if located on NIPF land and interferes with normal NIPF operations.</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Damaged levee.</td>
<td>Yes, if located on NIPF land and interferes with normal NIPF operations.</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Damaged land between levee and a stream.</td>
<td>Yes, if NIPF land.</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Damaged fence, used for purposes other than excluding or including livestock or protecting seedling establishment.</td>
<td>No.</td>
<td>Fence not used to exclude or include livestock, or protecting seedling establishment. See paragraph 51.</td>
</tr>
<tr>
<td>12</td>
<td>Other land not considered NIPF land.</td>
<td>No.</td>
<td>Not NIPF land. See subparagraph A.</td>
</tr>
<tr>
<td>13</td>
<td>Land that is not physically located in a county that has been approved for EFRP.</td>
<td>No.</td>
<td>Not in a county that has been approved for EFRP. See subparagraph A.</td>
</tr>
<tr>
<td>14</td>
<td>Land that does not have existing tree cover (and did not have tree cover immediately before the natural disaster).</td>
<td>No.</td>
<td>Does not have existing tree cover (or had tree cover). See subparagraph A.</td>
</tr>
</tbody>
</table>
110 Eligible Land (Continued)

C Land Located in Nondesignated EFRP Counties

Land eligible for EFRP financial assistance shall include any NIPF physically located in an EFRP designated county. This shall include land that is physically located in the EFRP designated county, but which is administratively located in a nondesignated EFRP county.

D Eligible Native American Land

NIPF owned by a Native American or a Native American tribe is eligible for EFRP.

Note: Tribal lands are not owned by the United States even though these lands may be managed by BIA.

111 Ineligible Land

A General Provisions

Land that is ineligible for EFRP includes land:

- owned or controlled by States, State agencies, or other political subdivisions of a State
- owned or controlled by the United States
- damaged by wildfire started by other than natural causes.
A Possible Eligibility

Not all land under other financial assistance is eligible for financial assistance under EFRP. Follow subparagraph B to determine whether land under C/S programs is eligible.

B Determining Eligibility

Determine eligibility of land under other financial assistance according to the following.

<table>
<thead>
<tr>
<th><strong>IF...</strong></th>
<th><strong>AND...</strong></th>
<th><strong>THEN EFRP financial assistance may...</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>measures will accomplish the purpose of the practice</td>
<td>the practice will <strong>not</strong> be C/S under another Federal program</td>
<td>be authorized.</td>
</tr>
<tr>
<td>a component of a practice is C/S’d under another program</td>
<td>another component of the same or comparable practice is C/S under another program to treat the same problem on the same land</td>
<td><strong>not</strong> be authorized.</td>
</tr>
<tr>
<td>practices are split on the same land</td>
<td>C/S would be split between different Federal programs</td>
<td></td>
</tr>
<tr>
<td>participants have or will receive funding on the same acreage under:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• CRP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• ECP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• EWRP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• WRP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>participants have or will receive funding for the same or similar practices under EQIP, EWP, or other C/S programs</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

113-129 (Reserved)
A COC-Approved Practices

COC shall:

- use the nationally approved EFRP practices as they are written according to national policy and procedure
- submit any request to STC for review and approval before any revised practice is used.

See Exhibit 17 for nationally approved practices.

B Practices Requiring CEPD Approval

Approval authority for EFRP practice EF7 is required by CEPD before practice implementation.
A Natural Disaster

Practices that are later damaged by a subsequent natural disaster during the practice lifespan may be considered eligible under EFRP if the land is included in a new EFRP-approved disaster area.

B Damage Occurring During Lifespan

Follow instructions in this table for practices that are damaged during their lifespan.

<table>
<thead>
<tr>
<th>IF the EFRP practice is...</th>
<th>THEN...</th>
</tr>
</thead>
<tbody>
<tr>
<td>later damaged by a subsequent natural disaster during the practice lifespan</td>
<td>the practice may be considered eligible under EFRP if the land is included in a new EFRP-approved disaster area.</td>
</tr>
<tr>
<td>later damaged by a subsequent natural disaster during the practice lifespan and the land is not included in a new EFRP-approved disaster area</td>
<td>COC shall follow practice maintenance procedure in Exhibit 17</td>
</tr>
</tbody>
</table>

C Requirements

Producers shall maintain practices according to Exhibit 17.

D Maintenance

A practice must be maintained for the practice lifespan specified in the practice writeup.

Note: County Offices shall advise producers that they are required to maintain the practice for its useful lifespan.
A Determining Eligible Size of Structures

COC shall limit financial assistance on any practice to the size:

- existing before the disaster
- needed to solve the conservation or environmental problem if different than prior existing size.

Note: The costs of installing the part of a structure that is larger than what originally existed is the participant’s responsibility.

B Qualifying Minimum Cost of Restoration

To be eligible for EFRP assistance, the eligible damage must be so costly that Federal assistance is or will be required to complete the EFRP practice. The minimum qualifying cost of restoration is $1,000 per participant.

The $1,000 minimum qualifying cost shall be based on the total eligible cost of all practices for the same disaster.

Each State may establish a higher minimum qualifying cost of restoration.

Producers may request a waiver of the minimum qualifying cost of restoration to COC. The waiver shall be in writing and will document the following:

- how failure to grant the request will result in environmental damages or hardship to the producer
- how the waiver will accomplish the goals of EFRP.

Any approved waiver of the minimum qualifying cost of restoration shall be reviewed by STC representative and recorded in COC minutes.

133-150 (Reserved)
A Effective Dates of Procedure

Accept and approve FSA-848’s using the procedures and rules in effect on the date the disaster occurred.

B EFRP Announcement

COC’s shall notify affected producers after receiving EFRP authorization. Include the policy and specific criteria for producer eligibility in the information release. See subparagraph D for an example.

C EFRP Applicants

All producers, regardless of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, or reprisal shall have an opportunity to submit FSA-848’s for EFRP.
D  Example Format for Providing Disaster Information to News Media

The following is an example format for providing natural disaster information to news media.

A (flood, tornado, etc.) has caused severe damage in _____ area(s) of the county. Nonindustrial private forest (NIPF) landowners suffering severe damage may be eligible for assistance under the Emergency Forest Restoration Program (EFRP) that is administered by the _________ Farm Service Agency (FSA) County Office, if the damage is caused by a natural disaster to natural resources on NIPF land, if untreated would:

- impair or endanger the natural resources on the land, and
- materially affect the use of the land.

A producer qualifying for EFRP assistance may receive financial assistance levels not to exceed 75 percent of the eligible cost of restoration measures. The emergency measures must restore forest health and forest-related resources. The following types of measures may be eligible:

- removing debris from NIPF
- site preparation on NIPF
- seeding establishing on NIPF, and
- restoring conservation structures and other similar installations.

Producers who have suffered a loss from a natural disaster may contact the local FSA County Office and request assistance from ___(date)___ to ___(date)___.

To be eligible for assistance, practices must not be started until all of the following are met:

- an application for financial assistance (FSA-848) has been filed
- the local FSA County Committee (COC) or its representative has conducted an onsite inspection of the damaged area
- the Agency responsible for technical assistance, such as the State forestry agency has made a needs determination, which may include cubic yards of earthmoving, etc., required for rehabilitation.
A Establishing a Signup Period

COC shall establish a signup period for filing FSA-848’s as soon as concurrence has been given to implement EFRP.

B Signup Period Length

The signup period shall be at least 30 calendar days, but no more than 60 calendar days, from the date EFRP is implemented. CEPD may approve extensions of signup periods that are longer than 60 calendar days.
A When to File FSA-848’s

Except for EFRP drought, COC may accept FSA-848’s before:

- obtaining concurrence from STC
- establishing signup periods
- receiving an allocation for the disaster.

B Late-Filed FSA-848’s

COC may accept late-filed FSA-848’s if justified.

C Funds Not Available

County Offices receiving STC concurrence to implement EFRP without an EFRP allocation, or County Offices that have a current EFRP allocation, but have exhausted all the funds, may:

- accept FSA-848’s
- complete an onsite inspection and assessment of the damage according to paragraph 171

For each FSA-848, inform the producer in writing that although the County Office has accepted FSA-848 and conducted field visits, this does not imply that financial assistance will be made available. See subparagraph D.

If funds become available, process FSA-848’s and approve FSA-848A’s, as applicable.

D No EFRP Signup

Always accept FSA-848 if the producer wants to apply, even if the county is not approved for EFRP, as follows:

- after FSA-848 is taken, take the appropriate action
- inform the applicant, in writing, why a particular decision was made
- provide appeal rights according to 1-APP.

E Sample Letter for Producers About Lack of Funds for EFRP

See the CSS User Guide (link is provided in subparagraph 2 A) for a sample letter to notify producers of lack of funds for EFRP.
A FSA-848 Requirements

Multiple requested practices may be filed on FSA-848.

Note: The number of persons and legal entities involved in a practice has no bearing on the number of FSA-848’s created for that practice.

Example: If a practice is requested for a joint venture of 3 persons:

- prepare only one FSA-848 for the practice
- record the multiple producer data according to the CSS User Guide (link is provided in subparagraph 2A).

B Assisting Applicants Filing FSA-848’s

When an applicant requests practices, advise producers of EFRP eligibility requirements. The following table provides steps to take to assist applicants filing FSA-848’s.

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Help applicant describe the disaster damage.</td>
</tr>
<tr>
<td>2</td>
<td>Determine whether there is an eligible solution.</td>
</tr>
<tr>
<td>3</td>
<td>Advise applicant of responsibility for complying with EFRP requirements.</td>
</tr>
<tr>
<td>4</td>
<td>Obtain and record any information needed to determine practice priority and eligibility.</td>
</tr>
<tr>
<td>5</td>
<td>Advise applicant of the minimum required lifespan for the practices.</td>
</tr>
<tr>
<td>6</td>
<td>Ensure that the applicant understands the meaning of the practice provision, “after the calendar year of installation”.</td>
</tr>
</tbody>
</table>
155 Obtaining Needed Information

A Obtaining Information From Producers

Obtain necessary information from the producer when FSA-848 is filed.

B Obtaining Information From Other Agencies

All USDA representatives who visit farms should observe and report facts that affect eligibility to COC, as follows:

- at the State and county levels, all agencies working with EFRP should consider the factors that affect practice eligibility and avoid duplication of effort

- no agency having EFRP responsibilities shall disregard information that raises a question on practice eligibility, even if another agency is responsible for making the final determination.

156-170 (Reserved)
Section 2  Reviewing FSA-848’s

171 Onsite Inspection

A Documenting Damage

After obtaining concurrence to implement EFRP, COC shall document each FSA-848, including FSA-848’s received when funds were not available to show that an FSA employee or designee:

- made an individual onsite inspection as soon as possible to determine whether the damage met EFRP requirements
- determined whether type and extent of damage qualified according to paragraph 35
- document damage with at least 1 dated photograph.

B Environmental Compliance

For each FSA-848, FSA will complete FSA-850 (Exhibit 21), NRCS-CPA-052, or NRCS State equivalent to determine whether the proposed practices would have any adverse impacts to the human environment. The environmental evaluation will be completed before COC approval.

Follow 1-EQ when completing or reviewing an environmental evaluation.
C Submitting Requests for Waivers of Onsite Inspections

COC’s or CED’s shall sign and submit:

- waiver requests
- the required documentation for waiver requests to their respective State Office.

STC’s or SED’s shall sign and submit:

- waiver requests
- the required documentation for waiver requests to the CEPD only if the State Office deems that the required documentation supports a request for waiver.

D Required Information for Requests for Waivers

The following information is required for requests for waivers of onsite inspections:

- map of affected counties
- documentation of the extent and intensity of damage through maps or other data sources, including forest loss estimates
- based on the extent and intensity of damage, a defined boundary on a map for application of the waiver
- a description of accessibility to the sites, including any physical limitations to the site because of flooding, debris, or other impediments
- photographs of the area or adjacent areas to the site where the waiver is requested
- information about how the extent of damage or rehabilitation work will be determined after the fact, and a plan for subsampling applications or using GIS analysis before practice implementation that will provide a basis for evaluating needs in areas where the onsite inspection has been waived
- a description of potential for any immediate impacts to public health or safety.
E Evaluating Requests for Waivers

The requirement for onsite inspections will only be waived in dire circumstances where CEPD evaluates that damage:

- is of a magnitude that severely limits access or use of NIPF
- is so pervasive that the need for practices can be adequately assessed through subsampling or using GIS analysis
- requires immediate action to prevent significant adverse loss to NIPF
- presents an immediate risk to:
  - public health or safety
  - environmental resources.

Note: Workload issues alone are not sufficient justification for waiver of the onsite inspection provision.

F Implementing Waivers of Onsite Inspections

State and County Offices shall evaluate the amount of financial payment and the relative potential for inaccurate payment when determining whether to use an approved waiver for a particular FSA-848.
A Determining Eligibility

When determining eligibility, COC or CED shall determine whether the:

- applicant and the land are eligible
- requested practices justify the investment of funds
- costs of the practices are beyond what the producer would accomplish with his or her own resources
- approval of financial assistance meets EFRP objectives.

B Ineligible Practices

The practice is ineligible if any of the following apply:

- practice has been started before FSA-848 was filed
- work is considered normal upkeep or maintenance
- primary purpose of the practice is to bring new or additional land into forest production
- practice was not serving its conservation purpose before the disaster, except for cases involving debris removal
- practice requested is primarily for the producer’s convenience
- practice will create a conservation or environmental hazard, such as erosion or flood, to other land
- practice was started before it was approved by COC.

Notes: See subparagraph 175 D for exceptions to this provision.

FSA-850, NRCS-CPA-052, or NRCS State equivalent must be completed before COC determination of the practice approval.
A Prioritizing All FSA-848’s

All FSA-848’s shall be prioritized by COC before approval of associated FSA-848A.

B Prioritization Factors

Prioritization factors that may be taken into account in setting priorities and approval amounts include, but are not limited to, the following:

- availability of funds
- availability of technical assistance
- environmental concerns
- forest health
- forest-related resources
- safety, such as a dam that poses a threat to life or property
- status as limited resource producer
- type and degree of damage
- type of practices needed to address the problem.

174 (Reserved)
A  Reviewing FSA-848’s

An STC representative shall review a sample of FSA-848’s before COC approval to ensure that FSA-848’s reviewed meet EFRP requirements.

B  COC Action

COC shall:

- advise applicants, in writing, of action taken or to be taken on FSA-848’s
- issue a practice approval only if all of the following are met:
  - request filed on FSA-848 is eligible for financial assistance
  - producer filed FSA-848 before starting the practice
  - funds are available
  - an onsite inspection has been completed by an FSA or other authorized agency employee, such as NRCS or NIFA, with approval from CEPD
  - practice was started after the agency responsible for technical assistance has made any necessary technical determinations
  - complete FSA-770 EFRP-1 (Exhibit 6) before approving FSA-848 only if deemed necessary by COC, SED, or STC representative
  - complete FSA-850 (Exhibit 21), NRCS-CPA-052, or NRCS State equivalent) before approving FSA-848.

COC in the headquarters county shall continue to use the State and its county code to identify all FSA-848’s and other documentation and statistical reporting requirements related to implementing EFRP on the eligible NIPF in a designated EFRP county.
C Waiver When Producer Starts Practice Before Approval

In certain instances after filing FSA-848, producers need to start the EFRP practice before the practice can be approved. COC may, with STC concurrence, waive the prior approval rule on a case-by-case basis, if justified. Justification may include availability of contractor or steps to prevent further losses. See subparagraph D.

For the EFRP purpose, a practice is considered started when a producer first:

- purchases material for the practice
- signs a contract
- physically starts work on the project.

D Granting Relief for Starting a Practice Before Filing FSA-848

COC, with STC or its representative concurrence, may grant relief on a case-by-case basis when a producer does not submit FSA-848 before starting restoration measures, if all of the following apply:

- EFRP-designated disaster created a situation that required the producer to take immediate steps to prevent further losses
  
  **Examples:** Examples are emergency repair of:
  
  - fences to contain livestock
  - a dam that poses an immediate threat to life and property.
  
- FSA-848 filed between the date of the disaster and the end of the signup period

- practice was started no more than 60 calendar days before the EFRP disaster designation was approved for the applicable County Office.

**Example:** A producer contracts to irrigate and plant trees in March. In July, before work has begun, the county is approved for EFRP drought. The producer knew in March that he or she would be irrigating and planting trees. For the EFRP purpose, the date the producer signed the contract in March is the starting date for the practice. Since the March signing date is more than 60 calendar days before the drought in July, the producer is not eligible for EFRP assistance.

A Limited Resource Producer Financial Assistance Percentage

The maximum C/S percentage for limited resource producers is 75 percent.

B Qualification for Limited Resource Producer

County Offices shall review USDA’s web site to be prepared to assist producers who want to qualify as a limited resource producer. The web site is:

- used as an online tool to determine producer eligibility

C Outreach for Limited Resource Producers

State and County Offices shall make a concerted effort to ensure that information about EFRP signup and eligibility requirements are made available to limited resource producers.

177 Disapprovals and Deferred Action

A Disapproving FSA-848’s and/or Practices

If COC disapproves FSA-848 and/or a practice, promptly notify the applicant of the:

- reason for disapproval according to the CSS User Guide (link is provided in subparagraph 2 A)
- right to appeal COC’s decision according to 1-APP.

B Documenting COC Minutes

Document FSA-848 and/or a practice disapprovals individually in COC minutes and, at a minimum, include the following:

- producer’s or agent’s name
- FSN or control number
- practice
- reason for disapproval.

C Deferred Action

COC may defer action on FSA-848’s and/or practices for which funds are not currently available. Advise applicants of the deferral.
Pending EFRP Requests

A Maintaining Pending EFRP Requests

Maintain a file of pending EFRP requests that COC would be willing to approve if funds were available. See the CSS User Guide (link is provided in subparagraph A) for a sample letter. The original FSA-848 shall remain on file until it is approved or disapproved.

If additional funds become available, promptly advise applicants.

B Reviewing Pending EFRP Applications

Review the file of pending EFRP applications periodically, at a minimum every 90 calendar days. Cancel requests of producers who are no longer interested in participating in EFRP, and modify willing to approve amounts for FSA-848’s where needs have changed. Modify county funding request, if necessary.

EFRP Applications Requiring Special Approval

A Reviewing and Approving EFRP Applications

Before COC approval, an STC representative shall review FSA-848’s and FSA-848A’s and approve financial assistance for:

- State Office employees
- COC members
- County Office and any other county-level USDA employees.

Before COC approval, CEPD shall review FSA-848’s and FSA-848A’s and approve financial assistance for:

- STC members
- SED’s.

Note: Copies of FSA-848 and FSA-848A’s shall be submitted for EFRP applications requiring special approval. Do not send original paperwork.

B Financial Assistance Approval Authority

According to subparagraph A, approvals for total EFRP financial assistance per person or legal entity, per EFRP-designated disaster, shall be as follows.

<table>
<thead>
<tr>
<th>IF financial assistance amount is...</th>
<th>THEN approval authority is...</th>
</tr>
</thead>
<tbody>
<tr>
<td>$50,000 or less</td>
<td>COC.</td>
</tr>
<tr>
<td>$50,001 to $100,000</td>
<td>STC.</td>
</tr>
<tr>
<td>more than $100,000</td>
<td>CEPD.</td>
</tr>
</tbody>
</table>
EFRP Applications Requiring Special Approval (Continued)

C Submitting EFRP Applications to CEPD

When submitting EFRP applications to CEPD, the following information must be included as part of the documentation:

- exact amount of financial assistance requested
- EFRP practices that are involved
- copy of FSA-848 and FSA-848A
- if applicable, computations showing the total eligible cost multiplied by C/S percentage

Notes: The total eligible cost is the total sum of all eligible practice costs on which to base financial assistance.

The total EFRP financial assistance requested must equal the financial assistance calculated for each practice minus any financial assistance paid previously.

- map of affected farms
- photographs.

Determining Approval Amount

A Factors to Consider

In determining approval amount, consider the following factors:

- extent of damage and estimated eligible repair costs
- amount of financial assistance requested on FSA-848
- size of farm
- type of operation
- time sensitive nature of request.

B Additional Factors to Consider

COC’s recommendation, if applicable, for amount of financial assistance and justification for the recommended amount shall be considered if STC or CEPD approval is required.
Documenting COC Decisions

A Action

COC shall review FSA-848 and document the decision on the hard copy of FSA-848A.

B COC Determinations

All COC determinations involving action taken on all FSA-848’s and FSA-848A’s shall be recorded in COC minutes.

At a minimum, each COC determination shall include the following:

- producer’s or agent’s name
- FSA-848, FSA-848A, or P-A number
- practices
- financial assistance approved.

Note: Each FSA-848 shall be listed separately.

C Notifying Applicants

Notify the applicant of the practice extent and approved financial assistance with a copy of FSA-848A.

Note: FSA-848A must be signed by the NIPF landowner and returned to the County Office within 15 calendar days.

Include with FSA-848A, other explanatory information needed to help the applicant perform the practices and qualify for financial assistance. Examples of other explanatory information include the following:

- practice specifications and any other information needed to comply with EFRP requirements
- how to complete FSA-848B and submit supporting documentation for performance
- rules governing dividing or withholding financial assistance when another person or legal entity contributes to the cost of performing the practices and the necessity for reporting those contributions on FSA-848B
- encouraging the applicant to complete the practices at the earliest possible time
- advising the applicants of their responsibility to obtain necessary easements and permits.
A Practice Expirations and Extensions

Except for drought approvals, COC shall establish realistic expiration dates of no more than 2 years for completing approved practices.

B Extensions

Extensions:

- may be granted, if necessary
- shall be documented and approved by an STC representative.

STC or its representative may approve 2 extensions, totaling up to 1 year in length, under unusual circumstances.

Note: Unusual circumstances shall be documented in COC or STC minutes.

C Drought Extensions

Drought practice approvals shall not extend more than 6 months from the date COC approves the practice. If drought conditions change, reevaluate the applicant’s eligibility.

STC or its representative may approve 1 extension up to 3 months under unusual circumstances

Note: Unusual circumstances shall be documented in COC or STC minutes.
A Preparing Expiration List

Prepare a computer-generated list of FSA-848A’s expiring in 30 calendar days every 15 calendar days to keep track of approvals that need to be completed within a 30-calendar-day period.

B Documenting Extensions in COC Meetings

Document extensions individually in COC minutes and, at a minimum, include the following:

- producer’s or agent’s name
- FSA-848A agreement or P-A number
- practices
- reason for extension.
A Canceling Approved FSA-848A’s

Cancel an approved FSA-848A when FSA-848B, page 2 and/or performance documentation is not filed by the expiration date, as follows:

- notify the assigned technical agency
- document the action taken on FSA-848A
- cancel FSA-848A using the Agreement Maintenance Module as described in the CSS User Guide (link is provided in subparagraph 2 A)
- notify the producer.

B Suspending Cancellations

If performance report is not filed promptly, cancellation of FSA-848A may be delayed if the County Office has a definite indication that the practice was performed in a timely manner, as follows:

- certification of performance on FSA-848B, page 2 and personal knowledge of COC member or County Office employee are acceptable reasons for suspending cancellations
- take immediate action to obtain FSA-848B, page 1 and performance documentation.

Note: If FSA-848B, page 1 and required supporting documentation data is not obtained within 60 calendar days of the practice expiration date, cancel FSA-848A.

Note: See Exhibit 12 for a completed example of FSA-848B.

C Conditions to Reinstate Canceled FSA-848A’s

COC may reinstate a canceled FSA-848A when all of these conditions apply:

- participant requests reinstatement in writing
- practices were started before cancellation
- practices were or will be completed within a time prescribed by COC
- funds are available to reinstate FSA-848A.

185-210 (Reserved)
Section 3  Performance Report Requirements

211  Filing Performance Reports

A  Who May File

Any eligible person or legal entity that paid a part of the cost of a completed practice may sign FSA-848B. See subparagraph 92 B and 1-CM for provisions applying to minors.

B  Performance Reports

To be eligible for financial assistance payments, participants who perform approved practices must complete FSA-848B, and provide any required supporting data by the practice completion date.

C  Dates and Signatures on FSA-848B’s

FSA-848B’s must be signed and dated by the participant or the authorized representative whose name appears on the approved FSA-848A. Mailed FSA-848B’s shall be date stamped when received.

The following provides guidelines for signatures on FSA-848B’s.

<table>
<thead>
<tr>
<th>IF…</th>
<th>THEN…</th>
</tr>
</thead>
<tbody>
<tr>
<td>FSA-848B is signed by a person or legal entity other than the participant to whom FSA-848A was issued</td>
<td>determine whether the person or legal entity is authorized to file FSA-848B according to subparagraph A.</td>
</tr>
<tr>
<td>practice was performed by an eligible person or legal entity other than the person or legal entity to whom the approval was issued</td>
<td>revise the name on FSA-848 accordingly.</td>
</tr>
<tr>
<td>practice or component is not completed</td>
<td>FSA-848B should not be signed unless provisions in Section 2 for partial performance are met.</td>
</tr>
<tr>
<td>FSA-848B involves signatures for deceased, missing, or incompetent persons</td>
<td>see 1-CM.</td>
</tr>
<tr>
<td>persons or legal entities are not eligible to receive a payment</td>
<td>they are not required to sign FSA-848B.</td>
</tr>
</tbody>
</table>
212 Reporting Dates

A Final Date to File FSA-848B’s

FSA-848B’s must be filed on or before the expiration date or by the authorized extension date granted by COC. See paragraph 211.

B Filing in Timely Manner

FSA-848B is filed in a timely manner when it is delivered to, or postmarked for delivery to, the County Office or COC on or before the practice expiration date.

If the producer fails to date FSA-848B, but the date stamp shows that FSA-848B was received in a timely manner, use the date stamp for the reporting date.

C Not Filing in Timely Manner

For FSA-848B’s not filed in a timely manner, enter either of the following on FSA-848B:

- date received and initial the entry
- postmarked date and initial the entry.

Cancel FSA-848A to deobligate funds, and notify the participant with appeal rights.
A Information To Be Reported

Participants shall report the extent of practices performed on FSA-848B, if known, and any additional information needed to determine whether practices were performed according to specifications and EFRP provisions.

The following table provides guidelines when reporting practice information on FSA-848B.

<table>
<thead>
<tr>
<th>IF...</th>
<th>THEN...</th>
</tr>
</thead>
<tbody>
<tr>
<td>some or all aspects of performance shall be certified by another agency</td>
<td>do not process until FSA-848B, page 2 is completed.</td>
</tr>
<tr>
<td>a practice is reported in units other than units for which payment is made</td>
<td>convert reported units to the payment units.</td>
</tr>
<tr>
<td>measurements have been reported instead of the acreage</td>
<td>compute the acreage from the measurements and enter on FSA-848B.</td>
</tr>
<tr>
<td>all required information is not submitted with FSA-848B</td>
<td>do not process until all information is submitted.</td>
</tr>
</tbody>
</table>

B Information for P-A’s

Unless otherwise specified, the participant or P-A’s agent shall enter on FSA-848B, the extent of practices performed, if known, to meet the specifications. Only one FSA-848B is required.

C Another Agency

If another agency certifies performance, obtain the practice extent from the assigned technical agency’s certification on FSA-848B, page 2.
A Recording Location

Record the location of all practices performed for EFRP payment on an aerial photo or photocopy or in GIS layer as appropriate.

Use GIS aerial photography or photocopy to identify the following:

- practice
- lifespan
- FY completed.

B Retaining Location Records

See Exhibit 4 and 25-AS for requirements for retaining location records.
A Obtaining Evidence

In all cases, obtain evidence to determine whether practice requirements are met and to determine proper payment. This may include:

- invoices
- canceled checks
- paid receipts
- analysis tags
- other similar evidence.

B Invoices and Documentation

Inform the applicant that proof of payment documentation must be maintained for 1 year after the end of the FY in which the practice was completed for EFRP financial assistance.

The following table provides steps to take when handling cost data for payments.

<table>
<thead>
<tr>
<th>Step</th>
<th>COC Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Applicant must provide satisfactory evidence to determine whether practice requirements were satisfied, which may include:</td>
</tr>
<tr>
<td></td>
<td>- invoices</td>
</tr>
<tr>
<td></td>
<td>- canceled checks</td>
</tr>
<tr>
<td></td>
<td>- paid receipts.</td>
</tr>
<tr>
<td>2</td>
<td>Enter the cost of performing the components of the practice in CSS.</td>
</tr>
<tr>
<td>3</td>
<td>If a discount was applied, use the sale price minus the discount to compute EFRP financial assistance.</td>
</tr>
<tr>
<td>4</td>
<td>Consider costs reported paid by ineligible persons or legal entities.</td>
</tr>
</tbody>
</table>
B Invoices and Documentation (Continued)

<table>
<thead>
<tr>
<th>Step</th>
<th>COC Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>If used materials are involved, COC shall determine and document the value of the used materials based on current commercial rates.</td>
</tr>
<tr>
<td>6</td>
<td>If the producer performed the practice with the producer’s own labor, equipment, or materials, the producer shall submit signed, itemized statements. Statements shall include:</td>
</tr>
<tr>
<td></td>
<td>• dates of work performed</td>
</tr>
<tr>
<td></td>
<td>• cost per hour charged for labor</td>
</tr>
<tr>
<td></td>
<td>• type of equipment used</td>
</tr>
<tr>
<td></td>
<td>• charge for equipment</td>
</tr>
<tr>
<td></td>
<td>• type and cost of materials used</td>
</tr>
<tr>
<td></td>
<td>• other applicable information.</td>
</tr>
<tr>
<td></td>
<td>Costs allowed in these cases shall <strong>not</strong> exceed the prevailing current commercial rates determined by COC.</td>
</tr>
</tbody>
</table>

C Retaining Invoices and Documentation

Keep supporting evidence for percent of cost not to exceed practice payments on file in the County Office for the same period as for other related EFRP documents. See Exhibit 4 and 25-AS.

For EFRP financial assistance computed using the percent of cost not to exceed method, inform the applicant that proof of payment documentation **must** be:

- maintained for 1 year after the end of the FY in which the practice was completed
- presented within 30 calendar days to the County Office, if selected for spot check.
A Certification on FSA-848B

Ensure that the participant is aware of the practice maintenance and financial assistance refund responsibilities when certifying practice performance on FSA-848B.

The participant agrees to refund all or part of the financial assistance paid as determined by COC if, before the expiration of the practice lifespan specified on FSA-848A, the practice is destroyed or not properly maintained.

B Relinquishing Control or Title to the Land

If the participant voluntarily relinquishes control or title to the land on which the practices have been established, the participant must do 1 of the following:

- obtain a written statement from the new owner, lessee, or both, agreeing to properly maintain the practice for the remainder of its specified lifespan, as follows:
  - the written statement must be attached to the original FSA-848B
  - if a written statement is obtained from the new owner, lessee, or both:
    - the original participant is no longer responsible for practice maintenance or for refunding any financial assistance as determined by COC
    - the person signing the written statement is responsible for practice maintenance and refunding any financial assistance as determined by COC
  - retain responsibility for practice maintenance and financial assistance refunds, if a written statement from the new owner, lessee, or both, is not obtained.

Note: It is the participant’s option to obtain a written statement from the new owner, lessee, or both. If the practice is not maintained and used for its intended purpose, the original participant is responsible for financial assistance refunds, if a written statement has not been obtained.

217-224 (Reserved)
225 Certification on FSA-848B for Practices Assigned to FSA

A FSA-Assigned Practices

FSA-848B, page 1, items 10 A and E, “Certification by Participant” for practices assigned to FSA may be accepted without onsite verification if COC determines a measurement or inspection is not required. Producer must also complete FSA-848B, page 2, items 12 A through 15 E.

B FSA Verification of Performance

If a performance certification is assigned to FSA and it is determined that a participant cannot reasonably be expected to determine the extent performed and/or whether specifications have been satisfied (FSA-848B, page 2, items 12 A through 15 E), then inspection will be required to verify performance.

C Measurements Required

Measure amount, acreages, and linear feet, if the following apply:

- COC believes the participant cannot adequately determine the extent
- participant’s reported extent appears to be in error
- inspection during a spot check or other site visit indicated that the extent performed is questionable.

D Expressing Measurements

Determine and express fractions for measurement according to the following.

<table>
<thead>
<tr>
<th>IF measurement is...</th>
<th>THEN express in...</th>
</tr>
</thead>
<tbody>
<tr>
<td>acreage</td>
<td>whole and fractions of acres in tenths.</td>
</tr>
<tr>
<td>miles</td>
<td>whole numbers and fractions to the nearest tenth.</td>
</tr>
<tr>
<td>tons</td>
<td>whole numbers.</td>
</tr>
<tr>
<td>cubic yards of concrete or rubble masonry</td>
<td></td>
</tr>
<tr>
<td>number</td>
<td></td>
</tr>
<tr>
<td>linear feet</td>
<td></td>
</tr>
<tr>
<td>pounds</td>
<td></td>
</tr>
<tr>
<td>cubic yards of material other than concrete or rubble masonry</td>
<td></td>
</tr>
</tbody>
</table>
A  Assigned Technical Agency Certification

If another agency is the assigned technical agency, that assigned technical agency’s certification on FSA-848B, page 2 is required, as follows:

- notify the assigned technical agency when FSA-848B, page 1 is filed, if certification of the assigned technical agency performance on FSA-848B, page 2 has not been received

- make National Agriculture Imagery Program imagery or aerial photography and current slides available to assigned technical agency to use in determining acreage performed

- County Office employees shall not inspect, for verification, any practice for which another agency certifies performance

- COC shall accept the agency certification of the extent performed for approving payments to participants.

B  Items To Be Reported by Technical Agency

Assigned technical agency shall report the following on FSA-848B, page 2:

- a certification showing items and extent that meet specifications

- any items of performance that do not meet specifications and explain the reasons for the failure

- any uncompleted items.

Note: Uncompleted nontechnical items for which FSA will later accept a report from the producer shall be listed; however, payment shall not be authorized until completion of the specified uncompleted nontechnical items.
A Technical Practices Performed Before Needs Determined

Participants that proceed on a technical practice before needs were determined by a technical agency assume the risk that the practice may not be eligible for financial assistance.

B Determining Eligibility

Determine if practice may be eligible for financial assistance according to the following table.

<table>
<thead>
<tr>
<th>IF...</th>
<th>THEN...</th>
</tr>
</thead>
<tbody>
<tr>
<td>technician cannot certify performance and extent</td>
<td>there is no authority to pay for the practice.</td>
</tr>
<tr>
<td>the extent can be determined and all of the following apply:</td>
<td>practice may be eligible for financial assistance.</td>
</tr>
<tr>
<td>• it is determined the practice was needed</td>
<td></td>
</tr>
<tr>
<td>• practice was performed according to specifications or is qualified under the provisions of Section 7</td>
<td></td>
</tr>
<tr>
<td>• all other EFRP requirements have been satisfied</td>
<td></td>
</tr>
</tbody>
</table>

228-234 (Reserved)
Section 5  Reporting Contributions

235 Multiple Persons or Legal Entities Who Share Cost of Practice

A List Persons or Legal Entities Who Share Cost of Practice

FSA-848B shall include, or have attached, a list of names and addresses of all persons and legal entities who shared in the cost of the practice and the extent of their contributions. The list shall include any ineligible person or legal entity, State, or Federal agency.

B Additional Criteria

When creating the list in subparagraph A, consider any available information on the eligibility of the other contributors.

Note: A person or legal entity who is fully compensated or reimbursed for materials, equipment, services, or labor is not a contributor.

C FSA-848B When More Than 1 Person or Legal Entity Contributed

If more than 1 person or legal entity contributed to a practice, determine whether:

- all contributors qualify as separate persons or legal entities according to paragraph 92 and 4-PL
- each contributor is eligible to receive financial assistance
- any contributors are ineligible according to paragraph 239.

236 (Reserved)
Dividing Financial Assistance Based on Contributions

A All Costs Paid by 1 Eligible Person or Legal Entity

A person or legal entity that pays all costs of performing a practice is entitled to the financial assistance payment.

B Costs Paid in Equal Proportions by Eligible Person or Legal Entity

If 2 or more eligible persons or legal entities equally contribute to the cost of performing the practice, divide financial assistance equally.

C Costs Paid in Unequal Proportions by Eligible Person or Legal Entity

If 2 or more eligible persons or legal entities contribute to the cost of performing a practice and COC determines that each person’s or legal entity’s contributions are not in equal proportions, COC shall:

- prorate the financial assistance payments, using CSS, based on the individual’s contributions
- document how each person’s or legal entity’s percent of contribution was determined.

D Part of Costs Paid by Ineligible Person or Legal Entity

Total practice cost used to compute financial assistance shall not include contributions made by ineligible persons or legal entities.

Make no financial assistance payment to any person or legal entity for a practice for which all costs are paid by ineligible persons or legal entities.

Note: See paragraphs 91 and 92 for eligible and ineligible participant provisions.
238 Cost Data When Ineligible Persons or Legal Entities Contributed

A Ineligible Contributions

Examples of ineligible contributions include materials, services, or cash provided by an ineligible person or legal entity to an eligible person or legal entity.

B Reporting Ineligible Contributions

Report the contribution of an ineligible participant on FSA-848B. Include the following information:

- name of the ineligible contributor
- total cost of performing the practice
- dollar value of the ineligible contribution made
- describe the ineligible contribution.

239 Computing Financial Assistance if Ineligible Participants Contributed

A Computing Financial Assistance

If an ineligible participant contributed to a practice, financial assistance is computed based only on the eligible participant’s contribution.

B Example

Producer A, an eligible participant, incurs $4,000 for a practice extent of 50 feet. Producer B, an ineligible participant, contributes $1,000 for a practice extent of 150 feet. Total installation cost of the practice was $5,000. Financial assistance rate is 75 percent, not to exceed $40 per foot.

Producer A will receive a financial assistance payment of $2,000 (the lesser of .75 x $4,000 = $3,000 or $40 x 50 = $2,000).

Producer B will receive $0.

240-250 (Reserved)
Section 6  Change in Extent Performed

251  Changing Extent Performed as Reported by Participant

A  FSA-848B, Page 2 Extent Less Than Participant’s Reported Extent

If assigned technical agency’s certification on FSA-848B, page 2 or other information indicates that a lesser extent was performed than was reported by the participant, change the extent to the lesser amount.

Note:  Document the change on FSA-848B.

B  FSA-848B, Page 2 Extent Greater Than Participant’s Reported Extent

If the assigned technical agency’s certification on FSA-848B, page 2 or other information shows that a greater extent was performed than was reported by the participant, do not change the extent reported by the participant.

If the difference is substantial, contact the participant and assigned technical agency to determine the correct extent.  However, only pay on approved extent unless modified according to paragraph 254.
Adjustment for Practices Exceeding Requirements

A General Policy

Adjust the extent and costs to the minimum requirement for practices constructed in excess of the minimum size needed, or for the participant’s convenience, before computing financial assistance.

Note: Ineligible costs are costs incurred in excess of the costs required to meet the minimum practice extent.

B Greater Extent at No Cost

If a greater extent than approved or required is performed as a “safety measure” in COC’s opinion with technical authority concurrence, FSA-848A shall be modified, according to the CSS User Guide (link is provided in subparagraph 2 A), to reflect the increased extent if all the following conditions exist:

- work was done by a contractor and not by the producer with whom costs are to be shared
- excess extent was performed as part of the lump-sum project cost or as part of the approved per unit amount

Note: This does not include cases where costs are determined on an hourly basis.

- COC determines, with technical authority concurring, that the excess performance was done as a safety measure and not because of an agreement between the producer and contractor as a discount or other consideration to the producer.

C When Increase Is Not Authorized

If COC intentionally does not approve the entire extent requested and the participant performs an extent greater than that approved, no increase in financial assistance is authorized to cover the extent performed if it exceeds the amount approved.
253 Adjusting Extent or Financial Assistance Before Practice Performance

A Increase Based on Greater Extent

COC may increase the extent or financial assistance originally approved on FSA-848A before performance is completed, if the assigned technical agency determines that a greater extent is needed and funds are available. Use contract modification process provided in the CSS User Guide (link is provided in subparagraph 2A).

B Decrease Before Practice Performance

COC shall decrease the extent and financial assistance originally approved on FSA-848A before performance is completed, if the assigned technical agency determines a lesser extent is needed. Use contract modification process provided in the CSS User Guide.

C Documenting Adjustment

Signature on the revised FSA-848A is required.

254 Adjusting Extent or Financial Assistance After Practice Performance and Before Payment

A Increase in Extent or Financial Assistance

COC, on a case-by-case basis, may increase the extent or financial assistance originally approved on FSA-848A after performance is completed, but before payment is made if funds are available and either of the following conditions is satisfied:

- extent approved was based on an estimate that proved to be in error and the producer could not reasonably have known in advance the extent needed to complete the practice
- financial assistance approved was based on an estimate of cost that was too low.

**Note:** Use the contract modification process provided in the CSS User Guide (link is provided in subparagraph 2A).

B Decrease After Performance and Before Payment

COC may decrease the extent and financial assistance originally approved on FSA-848A after performance and before payment, if the assigned technical agency approves the lesser extent for practice completion.

C Documenting Adjustment

Signature on the revised FSA-848A is required.
255 Increasing Extent or Financial Assistance After Practice Performance and After Payment

A When to Increase Extent or Financial Assistance

COC may increase the extent or financial assistance originally approved on FSA-848A after payment has been issued if 1 of the following situations occurred:

- County Office made an error on original extent or payment computation
- assigned technical agency made an error on original extent reported
- a measurement error was made
- other similar situation that resulted in a lesser extent or financial assistance payment.

B Documenting Increase

Documenting the extent or financial assistance increase shall include a signed FSA-848A modification through the corrections process provided in the CSS User Guide (link is provided in subparagraph 2 A).

Note: Additional payments must be processed by recording additional performance certifications on FSA-848B.
272 Performance Not Meeting Specifications or Requirements

A Erroneous Official Measurement

Costs may be shared for a practice even though performance does not meet specifications or requirements, if both the following apply:

- producer relied on an erroneous official measurement
- enough material was applied to meet the minimum requirements of the erroneous measurement.

Note: This provision does not apply if the producer should have known it was in error.

B Adequate Solution to Conservation Problem

Financial assistance may be paid for the extent actually performed if:

- COC determines that the practice solves the problem for which it was approved
- the following apply:
  - producer satisfies COC that a reasonable effort has been made to meet requirements
  - producer agrees on FSA-848B that the practice will be maintained for the required lifespan or financial assistance will be refunded
  - assigned technical agency’s certification has been considered.

273 Requirements Met but Practice Failed

A Minimum Requirements Met

Costs may be shared for a practice if the practice was properly performed, but failed for reasons beyond the producer’s control.

B COC Actions

COC shall determine whether the producer must perform other needed measures as a condition for financial assistance.

Note: Costs may be shared for other eligible required measures, if the producer files a new FSA-848 or the existing agreement is modified.
Materials Not Applied at Specified Rate

A STC or COC Maximum Rates

If applicable, STC or COC shall determine minimum and maximum rates for determining financial assistance, according to subparagraph B.

B Determining Financial Assistance

STC or COC shall determine whether costs may be shared if materials are not applied at a specified rate according to the following.

<table>
<thead>
<tr>
<th>IF materials are not applied at a specified rate and...</th>
<th>THEN...</th>
</tr>
</thead>
<tbody>
<tr>
<td>are within authorized minimum and maximum rates</td>
<td>costs may be shared, not to exceed the amount originally approved, for the material actually used on the acreage to which the material is applied.</td>
</tr>
<tr>
<td>exceed the maximum authorized rate</td>
<td>limit financial assistance to the smaller of the following:</td>
</tr>
<tr>
<td></td>
<td>• amount originally approved on FSA-848A</td>
</tr>
<tr>
<td></td>
<td>• result of multiplying the authorized extent times financial assistance rate per unit of material</td>
</tr>
<tr>
<td></td>
<td>• result of multiplying the actual cost for the authorized extent times the approved financial assistance percentage.</td>
</tr>
</tbody>
</table>

Practice Performed With Material Not on FSA-848A

A Material Not on FSA-848A

A practice performed with material that was not approved on FSA-848A may be allowed if the material and the practice meet all applicable provisions and specifications. Limit financial assistance to the smaller of:

- financial assistance originally approved
- financial assistance computed for the materials actually applied.

B Documenting Additional Material

The assigned technical agency must concur. The agreement must be modified to reflect additional components, as necessary, as provided in the CSS User Guide (link is provided in subparagraph 2A).
Practice Completed by Successor

A Successor Participation

If a successor takes over practice completion, determine payment shares according to subparagraph B.

B Determining Payment Shares

Determine payment shares when a practice is completed by a successor according to the following table.

<table>
<thead>
<tr>
<th>WHEN a participant starts a practice and...</th>
<th>AND...</th>
<th>THEN...</th>
</tr>
</thead>
<tbody>
<tr>
<td>discontinues farming operations</td>
<td>the practice is completed by a successor</td>
<td>• the original participant or participant’s estate may be paid any financial assistance attributable to the participant</td>
</tr>
<tr>
<td>sells the farm</td>
<td></td>
<td>• successor, if an eligible producer who completes the practice, may be paid and financial assistance attributed to the successor’s contribution.</td>
</tr>
<tr>
<td>dies before the practice is completed</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

277-291 (Reserved)
Section 1  Computing Financial Assistance Earned

292 Payments

A  Issuing Payments

Issue payments according to 63-FI and the CSS User Guide (link is provided in subparagraph 2 A). Payments are automatically issued through the EFRP web-based software/payment interface when performance is recorded on FSA-848B. All of the following must be complete before performance is recorded and payments are issued:

- FSA-848B, page 1, items 10 A through E, “Certification by Participant”
- FSA-848B, page 2, items 15 A through E, “Performance Certification”
- FSA-848B, page 3, item 18, “Performance Approval”.

Note: Person authorizing the payment shall review the financial assistance details and sign FSA-848B, page 3, item 18, “Performance Approval”, only if the payment is approved.

B  Ineligible Contributions

Ineligible contributions shall be handled according to paragraph 239.

C  Producer Maximum

The producer shall receive no more than 75 percent of out-of-pocket costs. See paragraph 53 for bartering.

D  FSA-770 EFRP-2

COC or designee may complete FSA-770 EFRP-2 before an EFRP payment is made. See Exhibit 7
293 Eligible and Ineligible Items for Computing Financial Assistance

A Eligible Costs

Review all applicable costs for labor, material, equipment used, sales tax, and value of used material to determine the total eligible cost of the practice.

B Ineligible Costs

Ineligible costs for computing financial assistance earned include any items specified in subparagraph 46 B.

294 Computing Financial Assistance

A When to Compute Financial Assistance

The software will compute financial assistance earned for the practice only after all the following actions have been taken:

- the following have been reviewed, approved, and documented in CSS:
  - FSA-848B, page 1, items 10 A through E, “Certification by Participant”
  - FSA-848B, page 2, items 15 A through E, “Performance Certification”
  - FSA-848B, page 3, item 18, “Performance Approval”
- all required information has been obtained
- approved adjustments have been made in:
  - financial assistance
  - extent
  - materials
  - practice components.

B Rounding

The software will round all financial assistance earned to the nearest whole dollar as follows:

- increase an amount of $.50 or more
- decrease an amount of $.49 or less.
Computing Financial Assistance (Continued)

C Extent Performed Equals Extent Approved

If the extent performed equals the extent approved and contributions equal contributions estimated at approval in CSS, the financial assistance approved will equal financial assistance earned.

D Extent Performed Less Than or Greater Than Extent Approved

If the extent performed is less than or greater than the extent approved, and the rate is a percent of cost not to exceed, then the lesser of the following will be earned:

- financial assistance approved
- financial assistance C/S rate percentage multiplied times the total cost
- maximum not to exceed rate per unit multiplied times extent performed.

Example: EF1 practice was approved for 75 percent of the actual cost not to exceed $100 per acre. There were 10 acres performed at a total cost of $5,000. The total financial assistance paid would be $1,000, calculated as follows:

\[
10 \text{ Acres} \times 100 \text{ Per Acre} = 1,000.
\]

Note: 75 percent of the actual cost would be $3,750, or $375 per acre, but there was a restriction of $100 per acre.
Section 2 Partial Payments

321 When Partial Payments May Be Made

A Authority for Partial Payment

Partial payment for a practice may be paid if the applicant will complete all of the practice, with or without financial assistance, within the time prescribed by COC.

If the practice is not completed within the time prescribed, the applicant must refund the payment made unless prevented from completing the practice for reasons beyond the applicant’s control.

B Making Partial Payments

Make partial payments only when all of the following conditions are satisfied:

- FSA-848B, page 1 is filed
- COC and assigned technical agency determine that the completed components are a reasonable attainment toward completing of the practice
- all completed components are listed on FSA-848B, page 1
- the participant agrees to complete the practice on the FSA-848B, page 1.
A Recovering Financial Assistance

Recover any partial payments if a practice is not completed, unless the producer was prevented from completing the practice for reasons beyond the producer’s control.

Note: See subparagraph 404 C for late payment and refund interest instructions.

B Acceptable Reasons for Not Completing Practices

Acceptable reasons for not completing practices include, but are not limited to, the following:

- death
- drought
- flood
- involuntary loss of control of the land.

C Unacceptable Reasons for Not Completing Practices

Unacceptable reasons for not completing practices include, but are not limited to, the following:

- financial inability
- change in plans for land use.

323-330 (Reserved)
Section 3  Issuing Payments

331 Issuing EFRP Payments

A Making EFRP Payments and Reporting Data

EFRP payments are issued when all the following have been completed:

- FSA-848B, page 1, items 10 A through E, “Certification by Participant”
- FSA-848B, page 2, items 15 A through E, “Performance Certification”
- FSA-848B, page 3, item 18, “Performance Approval”
- performance is recorded in the conservation C/S software.

B CFLS

EFRP allocations are recorded in CFLS. If sufficient funds are not available, the payment request will fail.

C eFMS

EFRP allotments are recorded in accounting’s eFMS. If sufficient funds are not available, the payment request will fail.

332 COC Payment Responsibilities

A Controlling Allocations

COC is responsible for keeping EFRP payments within the amount allocated to the County Office. This shall be accomplished using CFLS and eFMS. The State Office will allocate funds to the County Office for a specific program accounting code (and “Disaster ID” for CFLS). State Office allocations will be available for obligation at agreement approval. Payments above the obligation amount will not be approved.

B Issuing Payments

Payments may be issued to:

- participants, joint payees, or assignees
- creditor U.S. agencies to offset amount due
- IRS for nonresident alien income tax.
Agreements Between Landlords and Tenants

A Effect of Agreement

Pay financial assistance to the eligible participant who pays the costs of performing the practice regardless of whether the lease or other agreement provides for the payment to be:

- made in some other manner
- relinquished to someone who did not pay the related costs.

B Determining Proper Payee

Review the facts in the case if there is a question of whether the information on FSA-848B is correct. To determine who paid the costs, COC shall consider the:

- terms of the lease or other agreement that may have a bearing on the determination only if the terms clarify the way the practice was performed
- existing conditions and the way the practice was performed
- manner in which costs were billed and paid.

C Rules for Specific Types of Cases

A requirement in a lease or other agreement that a tenant must perform a practice does not make the practice ineligible.

Determine who pays the practice cost in the following specific cases according to this table.

<table>
<thead>
<tr>
<th>IF the lease or other agreement indicates that the...</th>
<th>THEN consider...</th>
</tr>
</thead>
<tbody>
<tr>
<td>landlord and tenant share the cost of the practice</td>
<td>both as having contributed to the cost unless refuted by evidence.</td>
</tr>
<tr>
<td>tenant will perform the practice</td>
<td>the tenant as having paid the entire cost unless refuted by evidence.</td>
</tr>
<tr>
<td>landlord will pay the cost of the practice</td>
<td>the landlord as having paid the entire cost unless refuted by evidence.</td>
</tr>
</tbody>
</table>

Note: Do not consider a producer as having contributed to the cost of performing a practice if COC finds that the producer has been or will be fully reimbursed for the contribution through rental adjustment, exchange of cash, or other consideration by another person or legal entity.
When to Prepare Payment

A Preparing Payment

Record performance and issue payment, according to the CSS User Guide, when all of the following have been completed:

- FSA-848B, page 1, items 10 A through E, “Certification by Participant” according to paragraph 211
- FSA-848B, page 2, items 15 A through E, “Performance Certification”
- supporting documentation is submitted according to paragraph 215
- other pertinent information is received, if applicable.

B FSA-848B Reviews

FSA-848B’s shall be reviewed by an employee other than the employee who entered performance data. The reviewer:

- may be CED, designated employee, or COC member
- shall sign and date FSA-848B, page 3, item 18
- shall not have an interest in the farm involved
- shall approve ACP-153A (Exhibit 26) for P-A’s.

C Payments Due Deceased, Missing, or Incompetent Persons

Prepare payments due persons who are deceased, missing, or incompetent according to 1-CM.
Preparation and Issuing Payment for Technical Services

A  State Office Action

State Offices shall prepare and issue payment to NRCS for technical services for EFRP according to 1-FI and document the payments, according to the CFLS User Guide.

B  Correcting Payments

Correct technical service payments according to 1-FI.

Refunds, Priority of Offsets, Withholdings, and Assignments

A  Handling Refunds

Handle refunds according to 3-FI.

B  Offset Applicability

Offsets apply to EFRP.

C  Determining Priority

The priority of offsets, withholdings, and assignments should be determined according to 1-FI, 58-FI, and 63-FI.

(Reserved)
Section 4  Adjusting Payments

351 When Payment Adjustments Are Required

A Conditions Requiring FSA-848B Adjustments

Adjusted FSA-848B, page 1 is required if:

- overpayment is caused by an error in data or computations, including excess credit to any refund or other charge
- underpayment is caused by an error in computations, including deficient credit to a refund or other charge
- underpayment is caused by erroneous data

Notes: If the applicant reported the erroneous data on the original FSA-848B, page 1, the applicant must sign a corrected FSA-848B, page 1, to receive the additional payment or credit.

If the County Office made the error in the data, the applicant’s signature is not required.

For P-A’s, make correction on ACP-153A. Obtain the initials of the participant and FSA employee making the correction.

- penalty is erroneously assessed that applies if the data and computations on the original FSA-848B, page 1, are correct and the penalty was deducted in error.

B Correction Process

See the CSS User Guide (link is provided in subparagraph 2A) to correct FSA-848B and, as applicable, issue additional payments or create a receivable. Corrections will generally be processed in the conservation C/S software as additional performance certifications.
391 Lifespan and Maintenance Policy

A Definition of Lifespan of a Practice

Lifespan of a practice means a period of time for which the practice is subject to spot checks to verify that it is being maintained and used for the purpose designed.

Note: Lifespans begin January 1 after the calendar year the practice is installed.

B Maintenance Policy

A practice must be maintained for the practice lifespan specified in EFRP practice writeup.

Note: COC’s shall advise producers that they are required to maintain the practice for its useful lifespan.
A Spot-Check Provisions

2-CP provisions apply to EFRP spot-checking, except as provided in this section.

Coordinate spot checks with other work and programs requiring farm visits if possible.

Review producer’s proof of payment and supporting evidence to ensure that they conform to the reported cost of the practice if spot checks are performed within 1 year after FY in which the practice was completed.

Note: Failure to present proof-of-payment documentation could lead to a refund of all financial assistance paid.

B Spot Check Requirements

Spot checks are required to:

- verify practice maintenance
- identify and uncover erroneous or inadequate reporting by producers
- encourage accurate reporting.

FSA employees, including STC and COC members, shall be spot-checked.

Exception: This spot-check requirement does not apply to CMC members.
A Performing Spot Checks

The following tables provide steps for performing spot checks.

### Current Year Practices

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Obtain report on EFRP practices completed during the current FY.</td>
</tr>
<tr>
<td>2</td>
<td>Select the performed practices that require spot checks.</td>
</tr>
<tr>
<td>3</td>
<td>Select a minimum random sample of at least 5 percent or 5 of the total practices performed (including required spot checks) that are completed during the current FY.</td>
</tr>
<tr>
<td>4</td>
<td>For all practices selected, check any other EFRP practices with an unexpired lifespan on the same farm.</td>
</tr>
<tr>
<td>5</td>
<td>Complete FSA-276 according to Exhibit 29 for each farm.</td>
</tr>
</tbody>
</table>

### Prior Year Practices

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Obtain report of all prior year EFRP practices still within their active lifespan not listed on the current FY report.</td>
</tr>
<tr>
<td>2</td>
<td>Select practices that require spot checks.</td>
</tr>
<tr>
<td>3</td>
<td>Select a minimum random sample of at least 5 percent or 5 of the total practices performed (including required spot checks) that are on the manual list (including required spot checks).</td>
</tr>
<tr>
<td>4</td>
<td>For all practices selected, check any other EFRP practices with an unexpired lifespan on the same farm.</td>
</tr>
<tr>
<td>5</td>
<td>Complete FSA-276 according to Exhibit 29 for each farm.</td>
</tr>
</tbody>
</table>

B State Office Spot Checks

To ensure that the policies and provisions of EFRP are being followed, a State Office representative shall review the following number of FSA-848’s and associated FSA-848A’s and FSA-848B’s, as appropriate, during times of EFRP implementation for County Offices that receive:

- less than 1,000 FSA-848’s, the greater of ten FSA-848’s or 10 percent of the total FSA-848’s received
- greater than or equal to 1,000 FSA-848’s, 5 percent of the total FSA-848’s received.
394 Scope of Spot Checks

A Accuracy of On-Farm Checks

By visual inspection, verify the accuracy of the information submitted with FSA-848B. List discrepancies on FSA-276.

Note: If the discrepancies on FSA-276 indicate that the practice fails to meet minimum specifications or requirements, enter whether the practice appears to be solving the conservation problem on FSA-276, item 15.

B Measurements

When acreage is involved in practice report, verify the acreage and document findings on FSA-276.

C Inspecting Producer’s Records

Review producer’s proof-of-payment and supporting evidence to ensure that they conform to the reported cost of the practice. See subparagraph 215 B.

395 Followup Action on Discrepancies

A Corrective Action

Determine the corrective action to be taken by the producer if the practice does not meet EFRP requirements. Allow the producer additional time to take corrective action, if applicable. At the end of that time, if corrective action was not taken, then seek a refund.

B Overpayments

Recover any overpayments.

C Underpayments

Pay the amount of the underpayment if incorrect payment has been made.

D Violations

See Section 2 or 4-CP when a discrepancy or a violation has been determined.

396–400 (Reserved)
Section 2 Violations

401 Failure to Maintain and Use Practices

A Policy

A practice must be maintained and used throughout its normal lifespan for the purposes for which financial assistance was approved. This applies if control of the land on which a practice was performed:

- remains under the participant’s control
- is voluntarily relinquished by the participant, and the new owner or lessee agrees in writing to maintain the practice throughout its lifespan.

Exceptions: This policy does not apply under the following circumstances:

- CEPD determines, after reviewing STC/COC recommendation and the fully documented case file, that good forestry practice does not require this maintenance and use
- failure to maintain and use the practice was because of conditions beyond the participant’s control.

B Actions That Constitute Violations

Actions or failures to take action that result in the failure of a practice to meet its conservation purpose are violations. Payments must be recovered for violations. Violations may include any of the following:

- failure to perform normal repair, upkeep, and maintenance
- destruction of or substantial damage to a practice
- discontinuing the use of a practice before the lifespan expires
- conversion of a practice to recreational uses, unless the practice will continue to serve its conservation purpose
- other use or misuse of a practice so that it fails to meet its conservation purpose.
C Payment To Be Recovered

Recover the entire financial assistance paid on the portion of the practice not properly maintained and used.

Partial refunds may be required when a practice has not been maintained and COC determines that a total refund is not justified.

Note: Partial refunds shall be based on the actual financial assistance paid multiplied times the percentage of the unexpired lifespan remaining, when it is determined that the practice is not being maintained.

D Conditions That Do Not Constitute Violations

Failing to maintain a practice is not a violation if STC or COC determines that any of the following conditions exist:

- practice has served its purpose for its lifespan
- failure was because of conditions beyond the producer’s control
- failure occurred after all persons or legal entities who shared in the payment involuntarily lost control of the land
- failure occurred on acreage or other extent of the practice on which costs were not shared.

E Liability for Repayment Under P-A’s

If failing to maintain a practice renders the practice ineffective in restoring forest health or forest-related resources, each person is jointly and severally liable for the entire amount to be recovered. This includes persons who:

- share in the P-A payment
- had control of the land on which the practice was performed at the time the violation occurred.
Actions That Defeat the EFRP Purpose

A Overview

Any person or legal entity participating in EFRP may be required to refund or forfeit payment if that participant adopts or participates in any action that may defeat the EFRP purpose. In these cases, all or any part of financial assistance that was paid or would otherwise be due under EFRP may be required to be refunded or forfeited.

B Unauthorized Actions

Actions that may defeat the EFRP purpose are:

- failing to maintain practices performed with cost sharing under a previous program
- failure to use a practice for the purpose for which it was approved
- performing other willful acts that either:
  - violate reasonable conservation or forest health principles
  - offset conservation accomplishments.

C Violations Requiring Special Handling

The following types of violations shall be referred to STC:

- scheme or device depriving other persons or legal entities of financial assistance
- knowingly filing false claims
- evading the maximum financial assistance limitation
- evading 1-PL or 4-PL provisions.

Note: See 7-CP.

D Responsibility for Determination

Determining a violation may be based on COC or STC findings.

E Overreporting Performance

A person or legal entity shall refund all or any part of financial assistance payments if the participant negligently files FSA-848B for a greater extent than was actually performed, but the violation does not constitute a false claim. See 7-CP.

Note: STC concurrence is required.
A Overview

COC or STC members who have a personal interest in the outcome of a case on which COC or STC is to act shall disqualify themselves. In case of disqualifications, the remaining COC or STC members shall determine whether to:

- dispose of the case
- refer the case to CEPD for advice.

B Policy

Procedures in this part do **not** cover personnel actions when STC or COC members, County Office employees, or Federal employees are implicated in EFRP infractions.

The criminal, civil, or administrative liability of any of the persons listed, only as it involves EFRP aspects of the case, shall be handled under this paragraph, as follows:

- report facts about the participation of Government employees to appropriate administrative officials of the agency concerned
- program infractions shall be investigated and handled according to 9-AO even if employees of other agencies are involved
- report, in writing, any information indicating infractions involving personnel of another Government agency to that agency.
404 Withholdings and Late Payment and Refund Interest

A Refunds

Handle refunds on pending cases according to 4-CP.

B Statutory Civil Remedies

Handle statutory civil remedies for damages for filing false claims according to 4-CP.

C Late Payment and Refund Interest Policy

Late payments and refund interest rates apply to financial assistance refunded according to 58-FI.

405 COC and STC Responsibility

A Referring EFRP Infractions

COC shall refer any EFRP infractions that appear to violate a Federal statute to STC according to 4-CP.

B Ensuring Full Compliance

STC shall ensure full compliance with EFRP policy, procedures, and regulations as provided in this and other directives. In addition, STC shall take the following steps to prevent fraud, bribery, conspiracy, discrimination, or other infractions:

- initiate a preliminary review if a significant violation is suspected
- determine whether the facts justify an investigation.

Note: Investigations shall be completed according to 9-AO.
A County Office Action

If a person or legal entity may have violated EFRP provisions relating to payments, document all pertinent facts about the nature and extent of the violation. If the case:

- involves possible violations of criminal or civil statutes, handle promptly according to 4-CP
- is a violation of EFRP provisions and does not involve a false claim or fraud, COC shall make a detailed finding of fact and record its determination.

Notes: Include any amount to be recovered in the finding.

If warranted, COC may submit the case with a recommendation for STC action.

B Producer Notification

COC or STC shall promptly notify the producer if COC or STC finds that EFRP provisions have been violated. Include a statement of:

- COC’s determination and the facts on which the determination is based
- the amount of overpayment to be refunded with a demand for the refund.

Note: Advise the producer of the right to appeal according to 1-APP.

407-416 (Reserved)
Developing P-A’s

A Definition of P-A

P-A means a substantial pooling of resources, efforts, finances, or other contributions by 2 or more eligible persons or legal entities on 2 or more farms to solve a mutual disaster-related conservation problem.

B How to Develop P-A’s

The following table provides steps to take when developing P-A’s.

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>An individual or group of producers should take the lead in initiating a project and contacting the County Office. The feasibility of the project and technical and financial assistance should be discussed with the appropriate agencies.</td>
</tr>
</tbody>
</table>
| 2    | Individuals choosing to proceed with the project application shall:  
  • obtain more detailed information on size, scope, and cost of the project to determine the project’s physical and economic feasibility and benefits  
  • determine whether the project would provide benefits to rural and urban communities. |
### A How to Develop P-A’s (Continued)

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>If factors are favorable, the participants may:</td>
</tr>
<tr>
<td></td>
<td>• organize as a group</td>
</tr>
<tr>
<td></td>
<td>• designate an agent</td>
</tr>
<tr>
<td></td>
<td>• attempt to get a commitment from other persons or legal entities who have an interest</td>
</tr>
<tr>
<td></td>
<td>• indicate the proportionate part of the cost each participant will bear.</td>
</tr>
<tr>
<td></td>
<td><strong>Examples:</strong> Methods that are used to divide proposed costs include the following.</td>
</tr>
<tr>
<td></td>
<td>• Thirty farms receive water from an irrigation ditch that is to be repaired. It might be considered equitable to assess the cost against each participant based on a flat rate per acre multiplied times the acres on the farm receiving water from the ditch. For a mutual district, the contribution may be based on shares.</td>
</tr>
<tr>
<td></td>
<td>• Repairing a water runoff control measure involves 1,000 units of a practice on Farm A and only 200 units on Farm B. Only 20 acres are benefitted on Farm A, but 80 acres are benefitted on Farm B. It might be equitable to base the division of costs on each participant’s benefitted acreage.</td>
</tr>
<tr>
<td>4</td>
<td>The group should decide whether to request financial assistance for a practice under P-A. To request P-A, the agent must file FSA-848 and complete ACP-153.</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong> <a href="#">See Exhibit 26</a> for instructions on completing ACP-153A.</td>
</tr>
<tr>
<td></td>
<td>The agent will take ACP-153 to obtain the participant’s signature to explain in detail P-A conditions, participant responsibility, and how payment will be made.</td>
</tr>
</tbody>
</table>
A General Provisions

Participants in P-A’s are responsible for obtaining the authorities, rights, permits, easements, or other approvals necessary to perform the practice, as follows:

- all participants in P-A’s are jointly and severally responsible for practice maintenance
- by signing ACP-153, each participant in P-A conveys authorities, rights, easements, or other approvals to the other P-A participants to use the land to install, maintain, and repair the practices
- each participant in P-A’s must meet the policy for small payments outlined in subparagraph 132 B.

B P-A Practice Approvals

To approve P-A’s, STC’s may establish a maximum total financial assistance for which COC’s can approve P-A’s without prior STC approval.

Note: When the total financial assistance requested exceeds this established maximum total financial assistance amount, P-A’s must be submitted to STC for prior approval.

C Conditions That Make Practices Ineligible Under P-A

Practices are ineligible for P-A’s when:

- the purpose is to permit 1 producer to install a practice on the land of another, primarily for the first producer’s own benefit
- only 1 eligible participant contributes to the cost of a practice or if only token contributions are made by other eligible participants, even though the practice may benefit other farms
- an identical problem exists independently on a number of farms and the type of practice would result in primary and direct benefits only to the area treated on each farm.

D Number of FSA-848’s

Prepare one FSA-848 for all practices under each P-A.
A  P-A Agent Responsibilities

The signatories to P-A shall designate an agent to:

- secure necessary easements, labor, and equipment
- serve as the contact person with COC and the assigned technical agency.

The agent may be a P-A participant or someone other than a contributing eligible participant.

B  Authority of P-A Agents

The agent’s authority is included on ACP-153.

The appointment of an agent on ACP-153 does not authorize the agent to sign ACP-153 for the participants.

The agent must have a power of attorney on file in the County Office to sign on behalf of a P-A applicant.

C  Payment to Agent

If the P-A payment will be assigned to the P-A agent, then CCC-36 assignment must be completed. Handle assignments according to 63-FI.
A Land in More Than 1 State

If a proposed P-A involves farms administratively located in another State, the affected COC shall promptly refer the matter to its STC for coordination between the State Offices involved.

Develop, approve, and administer separate P-A’s in each County Office according to subparagraph B.

Do not transfer funds from 1 State Office to another to pay financial assistance for P-A’s.

B Land in More Than 1 County

P-A’s may be used to solve a mutual disaster-related conservation problem on farms located in 2 or more counties.

Prepare separate P-A’s for each county showing separate control and P-A numbers, and make a cross-reference on the documents that they are related P-A’s.

If there is only 1 farm in P-A in any of the participating counties, document that it is part of P-A in another county.

Each COC:

- must show on FSA-848A that financial assistance is based on the satisfactory completion of the entire project in all counties involved

- shall make separate approvals and pay financial assistance for the part of the project for the farms located in its county.

One COC shall not commit another COC to approve financial assistance under P-A.

C Statistical Data

Split the statistical data for P-A proportionately between the counties involved.
A Recording P-A Locations

P-A specifics shall be recorded according to subparagraph B.

B Aerial Photography or GIS

Use aerial photograph or GIS to identify the following for each P-A:

- location of the practices
- area to be served
- farm numbers and ownerships
- participant names.

422–430 (Reserved)
Section 2  P-A Approvals

431  Factors to Consider When Approving P-A’s

A  P-A Approvals

The factors in subparagraph B shall be taken into account before approving P-A’s.

B  COC Consideration Factors

When reviewing proposed P-A’s, COC shall consider whether the:

- project is needed to solve a mutual disaster-related problem
- project will result in direct disaster-related benefits involving each participant’s farm
- project will solve a community disaster-related problem that would not be otherwise accomplished without P-A
- proposed P-A would provide benefits to both rural and urban communities.

432  ACP-153, ACP-153A, and ACP-308

A  Preparation Guidelines

Prepare ACP-153 for each P-A and prepare ACP-153A for each practice in P-A according to Exhibit 26.

COC shall use its discretion to set the financial assistance amount approved subject to payment limitation and allocations.

A COC member shall sign and date ACP-153.

B  Approvals

If ACP-153 is disapproved, notify the P-A agent and all other signatories of the reason and provide them with appeal rights according to 1-APP.

If STC approval is required, COC shall send any permits or easements, needed reports, and aerial photographs or photocopies to the State Office with ACP-308. See subparagraph D.

STC shall:

- complete, sign, and date ACP-308, item 25
- return the original ACP-308 and the file to County Office
- keep a copy of ACP-308.

Note: If disapproved, ensure that the reason for disapproval is in ACP-308, item 25.
### C Completion Instructions

Complete ACP-308 for P-A’s according to the following.

<table>
<thead>
<tr>
<th>Item</th>
<th>Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 and 2</td>
<td>Enter State and county name under which agreement is recommended for approval.</td>
</tr>
<tr>
<td>3</td>
<td>Enter P-A number from ACP-153A.</td>
</tr>
<tr>
<td>4</td>
<td>Enter the program year under which P-A is recommended for approval.</td>
</tr>
<tr>
<td>5</td>
<td>Check block for “Pooling Agreement”.</td>
</tr>
<tr>
<td>6 and 7</td>
<td>Leave blank.</td>
</tr>
<tr>
<td>8</td>
<td>Enter name and address of STC.</td>
</tr>
<tr>
<td>9</td>
<td>Enter name and address of County Office.</td>
</tr>
<tr>
<td>10</td>
<td>Enter general location of P-A.</td>
</tr>
<tr>
<td>11</td>
<td>Indicate whether the P-A participants are a particular group of farmers or ranchers, such as, limited resource or new participants. If “all eligible producers” include some “limited resource producers”, check both boxes.</td>
</tr>
<tr>
<td>12</td>
<td>Summarize the agreement objectives stating the problem and the proposed solution.</td>
</tr>
<tr>
<td>13A and 13B</td>
<td>Enter the number of farms in the affected area and the estimated number expected to participate.</td>
</tr>
<tr>
<td>13C</td>
<td>Enter the amount, if any, that STC will allocate to the county from the State reserve if the P-A is approved.</td>
</tr>
<tr>
<td>14A</td>
<td>Enter the total estimated cost of practices to be performed as part of P-A.</td>
</tr>
<tr>
<td>14B, 14C, and 14D</td>
<td>These blocks are a breakdown on how the costs will be financed.</td>
</tr>
<tr>
<td>15A(1)</td>
<td>Identify the practices to be used in P-A.</td>
</tr>
<tr>
<td>15A(2)</td>
<td>For each practice, enter the percentage of cost which is represented by the regular rate of financial assistance approved for the county.</td>
</tr>
<tr>
<td>15A(3)</td>
<td>Leave blank.</td>
</tr>
<tr>
<td>16</td>
<td>Leave blank.</td>
</tr>
<tr>
<td>17</td>
<td>Document any public participation obtained and the publicity received and planned, if any.</td>
</tr>
<tr>
<td>18A, 18B, and 18C</td>
<td>COC shall give recommendations why P-A should or should not be approved and shall sign and date.</td>
</tr>
<tr>
<td>19A, 19B, and 19C</td>
<td>STC shall give recommendations if the decision differs from COC and shall sign and date.</td>
</tr>
</tbody>
</table>
The following is an example of a completed ACP-308.

```
This form is available electronically.

ACP-308 U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

1. State Name 2. County Name
PA Lebanon

3. Project Number from ACP-153A
0010

4. Program Year

5. Type of Transmittal
   ✓ Pooling Agreement   □ Special Project

6. TO: (STC Name and Address)
Pennsylvania State FSA Committee
321 Front St.
Harrisburg, PA 12468

8. FROM: (County FSA Office Address)
Lebanon County FSA Office
123 Main St.
Lebanon, PA 12345

7. Year Approved
   □ New   □ Extended

11. Project Area
   Michael's Bush ditch - 10 mile south of town

12. Major Objective(s) of Project
   Repair firebreak servicing 3 farms.

13. NUMBER OF FARMS

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>285</td>
<td>3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

14. FINANCING OF PROJECT

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$15,000</td>
<td>$22,500</td>
<td>$22,500</td>
<td></td>
</tr>
</tbody>
</table>

15. PRACTICES AND RATES OF COST SHARING

<table>
<thead>
<tr>
<th>Practice Number</th>
<th>Current Rate (% of Cost)</th>
<th>Proposed Rate (% of Cost)</th>
<th>Practice Number</th>
<th>Current Rate (% of Cost)</th>
<th>Proposed Rate (% of Cost)</th>
</tr>
</thead>
<tbody>
<tr>
<td>EF-4</td>
<td>300</td>
<td>300</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

16. Justification for increased rates (if applicable)

17. Public Participation and Publicity (Brief statements)
   None

18A. STC Recommendations and Comments
   Recommend project to repair firebreak damaged by natural disaster.

18B. For County FSA Committee
18C. Date (MM-DD-YYYY)

18B. For State FSA Committee
19B. Date (MM-DD-YYYY)

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```
A Revised ACP-153’s

If a landlord or tenant, including new persons on a farm under an approved P-A has an interest in the project, but did not sign the original P-A, the landlord or tenant may sign a revised ACP-153.

B Completing Revised ACP-153’s

Do both of the following when completing revised ACP-153’s:

- ENTER “Revised” on ACP-153 and ACP-153A and have COC member initial and date
- attach a copy of a statement of explanation to the revised ACP-153 and send a copy to all participants.

434 Preparing FSA-848A for Approval

A Approved P-A Requirement

An approved P-A is required before FSA-848A can be completed, according to subparagraph B.

B Completing FSA-848A After P-A Is Approved

The following table provides steps to complete FSA-848A after P-A is approved.

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Complete FSA-848A in the same way as other approvals, except show the P-A number instead of the farm number.</td>
</tr>
<tr>
<td>2</td>
<td>Attach a copy of ACP-153 and 2 copies of ACP-153A to FSA-848A to report each person’s or legal entity’s contribution when the agent reports performance.</td>
</tr>
<tr>
<td>3</td>
<td>Issue FSA-848A to the P-A agent.</td>
</tr>
</tbody>
</table>

435-445 (Reserved)
Computing Financial Assistance for P-A’s

A P-A Agent Reporting Requirements

P-A agents shall report:

- performance and sign FSA-848B, page 1
- contributions of each participant on ACP-153A.

B Computing Financial Assistance

Divide financial assistance for P-A using whole dollars rounded to the nearest dollar, according to paragraph 294, among the eligible participants who contributed to the cost, and take the following actions.

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Determine each participant’s percentage share based on their contribution to the total cost.</td>
</tr>
<tr>
<td>2</td>
<td>Attach the original ACP-153 and ACP-153A to FSA-848B.</td>
</tr>
</tbody>
</table>

Note: If any of the cost of performing practices under P-A is attributable to involuntary performance or to a part of the practice installed for the benefit of ineligible land, adjust the gross payment to eliminate ineligible performance.

C Issuing P-A Payments

See Part 4, Section 3 to issue P-A payments.
Reports, Forms, Abbreviations, and Redelegations of Authority

Reports

None

Forms

The following table lists all forms referenced in this handbook.

<table>
<thead>
<tr>
<th>Number</th>
<th>Title</th>
<th>Display Reference</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACP-153</td>
<td>Pooling Agreement</td>
<td></td>
<td>417-419, 432-434, 446, Ex. 4, 26</td>
</tr>
<tr>
<td>ACP-153A</td>
<td>Pooling Agreement Worksheet</td>
<td>Ex. 26</td>
<td>334, 351, 417, 432-434, 446, Ex. 4</td>
</tr>
<tr>
<td>ACP-308</td>
<td>Transmittal - Pooling Agreement/Special Project</td>
<td></td>
<td>Ex. 4</td>
</tr>
<tr>
<td>AD-1026</td>
<td>Appendix to Form for AD-1026 Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification</td>
<td></td>
<td>4</td>
</tr>
<tr>
<td>CCC-36</td>
<td>Assignment of Payment</td>
<td></td>
<td>419</td>
</tr>
<tr>
<td>CCC-901</td>
<td>Members Information 2009 and Subsequent Years</td>
<td></td>
<td>91</td>
</tr>
<tr>
<td>CCC-902I</td>
<td>Farm Operating Plan for an Individual 2009 and Subsequent Program Years</td>
<td></td>
<td>91</td>
</tr>
<tr>
<td>FSA-276</td>
<td>On-Farm Spot Check Record</td>
<td>Ex. 29</td>
<td>393, 394, Ex. 4</td>
</tr>
<tr>
<td>FSA-770 EFRP-1</td>
<td>EFRP Checklist Before Approval Is Made</td>
<td>Ex. 6</td>
<td>10, 175</td>
</tr>
<tr>
<td>FSA-770 EFRP-2</td>
<td>EFRP Checklist Before Payment Is Made</td>
<td>Ex. 7</td>
<td>10, 292</td>
</tr>
<tr>
<td>FSA-848</td>
<td>Cost Share Request</td>
<td>Ex. 5</td>
<td>Text, Ex. 4, 17</td>
</tr>
<tr>
<td>FSA-848-1</td>
<td>Continuation Sheet for Cost Share Request</td>
<td>Ex. 5</td>
<td>9, Ex. 5</td>
</tr>
<tr>
<td>FSA-848A</td>
<td>Cost Share Agreement</td>
<td>Ex. 11</td>
<td>Text, Ex. 4</td>
</tr>
<tr>
<td>FSA-848A-1</td>
<td>Continuation Sheet for Cost Share Agreement</td>
<td></td>
<td>9, Ex. 11</td>
</tr>
<tr>
<td>FSA-848B</td>
<td>Cost Share Performance Certification and Payment</td>
<td>Ex. 12</td>
<td>Text, Ex. 4, 17, 26, 29</td>
</tr>
<tr>
<td>FSA-848B-1</td>
<td>Continuation Sheet for Cost Share Cost Share Performance Certification and Payment</td>
<td></td>
<td>9, Ex. 12</td>
</tr>
<tr>
<td>FSA-850</td>
<td>Environmental Evaluation Checklist</td>
<td>Ex. 21</td>
<td>171, 172, 175, Ex. 17</td>
</tr>
<tr>
<td>NRCS-CPA-052</td>
<td>Environmental Evaluation Checklist</td>
<td></td>
<td>171, 172, 175</td>
</tr>
</tbody>
</table>
Abbreviations Not Listed in 1-CM

The following table lists all abbreviations not listed in 1-CM.

<table>
<thead>
<tr>
<th>Approved Abbreviation</th>
<th>Term</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>CFLS</td>
<td>Conservation Funds Ledger System</td>
<td>2, 331, 332, 335</td>
</tr>
<tr>
<td>CSS</td>
<td>Cost Share Software</td>
<td>Text</td>
</tr>
<tr>
<td>EFRP</td>
<td>Emergency Forest Restoration Program</td>
<td>Text and Exhibits</td>
</tr>
<tr>
<td>eFMS</td>
<td>electronic Funds Management System</td>
<td>331, 332</td>
</tr>
<tr>
<td>NIFA</td>
<td>National Institute of Feed an Agriculture</td>
<td>45, 175</td>
</tr>
<tr>
<td>NIPF</td>
<td>Nonindustrial Private Forest</td>
<td>Text, Ex. 17</td>
</tr>
<tr>
<td>P-A</td>
<td>pooling agreement</td>
<td>Text, Ex. 2, 26</td>
</tr>
<tr>
<td>TSP</td>
<td>Technical Service Provider</td>
<td>Ex. 17</td>
</tr>
</tbody>
</table>

Redelegations of Authority

The following table lists all redelegations of authority for this handbook.

<table>
<thead>
<tr>
<th>Redelegation</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>STC may redelegate authority to sign documents showing STC action taken.</td>
<td>20</td>
</tr>
<tr>
<td>COC may redelegate authority to an individual COC member.</td>
<td>30</td>
</tr>
<tr>
<td>COC may redelegate authority to CED.</td>
<td>34</td>
</tr>
</tbody>
</table>
Definitions of Terms Used in This Handbook

Bartering

Bartering means the direct exchange of goods or services without using money, according to the established rates of exchange or by bargaining between the parties.

District

District means organized districts, mutual water companies, and associations. Districts include formal and informal organizations that have all of the following characteristics:

- are formed under State law either:
  - to solve a mutual problem, such as, flood control
  - carry out a mutual purpose, such as, distribution of irrigation water
- have the authority to tax or assess individual members to carry out the proposed conservation measures
- can encumber the member’s land, water rights, or other property through unpaid liens.

Dry Well

A dry well means a well that fails to yield water.

Farmland

Farmland means the sum of the following:

- cropland
- noncropland.
Definitions of Terms Used in This Handbook (Continued)

**Lifespan of a Practice**

*Lifespan of a practice* means a period of time for which the practice is subject to spot checks to verify that it is being maintained and used for the purpose designed.

**Note:** Lifespans begin January 1 after the calendar year the practice is installed.

**Limited Resource Producer**

*Limited resource producer* means:

- an applicant or participant with direct or indirect gross farm sales not more than the current indexed value in each of the previous 2 years 1/

- has a total household income 2/ at or below the national poverty level for a family of 4, or less than 50 percent of the county median household income in each of the previous 2 years.

1/ This value will be increased to adjust for inflation using the “prices Paid by Farmer Index” compiled by NASS.

2/ Total household income will be determined annually and indexed for inflation using Commerce Department Data.
Livestock

Livestock means animals used for food or fiber, such as:

- beef and dairy cows
- horses, mules, and donkeys used for commercial food or human consumption or kept for producing food and fiber, such as, draft horses or cow ponies
- buffalo or beefalo not running wild or uncontrolled on the range
- goats for food or milk production
- poultry for food including domesticated chickens, ducks, geese, and turkeys, and those kept for egg production
- sheep for food or wool production
- swine for food
- fish for food
- other animals raised exclusively for commercial food or fiber.

Note: Animals that are ineligible include animals:

- used for recreational activities or recreational business, such as, race horses, pack animals, rodeo stock, and polo ponies
- running wild or uncontrolled on the range
- maintained for slaughter purposes other than human consumption such as, glue or fur.
Definitions of Terms Used in This Handbook (Continued)

Natural Disaster

Natural disasters means disasters that are naturally caused, such as:

- drought
- earthquake
- explosion
- flood
- high water
- high winds, including micro-bursts
- hurricane and typhoon
- landslide
- mudslide
- severe snowstorm
- storm, including ice storms
- tidal wave
- tornado
- volcanic eruption
- wildfire by lightning
- wind-driven water
- other natural phenomena.

Pooling Agreement (P-A)

P-A means a substantial pooling of resources, efforts, finances, or other contributions by 2 or more eligible persons on 2 or more farms to solve a mutual disaster-related conservation problem.

Severe Drought

Severe drought means available livestock water and irrigation water for orchards and vineyard have been reduced below normal and survival is unlikely without additional water.

State

State means any of the United States of America, Puerto Rico, The Virgin Islands, Guam, or Commonwealth of the Northern Mariana Islands.
Emergency Forest Restoration Program Files

Listed in this exhibit are the subject file codes for EFRP files.

**Disposition:** Except as noted, destroy all files under this subject when they are 5 years old.

**Color Code:** The color code for this subject is yellow.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Type of Material To Be Filed</th>
<th>Retention</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFRP Emergency Forest Restoration Program</td>
<td>General material about EFRP too broad to be filed under 1 of the more specific subjects in this exhibit.</td>
<td>Destroy these files when 5 years old.</td>
</tr>
<tr>
<td>EFRP 1 Program Development</td>
<td>Correspondence about the development of the program, including objectives, funding allocation, cost-share limitations, and approved practices.</td>
<td></td>
</tr>
<tr>
<td>EFRP 1-1 Practice Specifications</td>
<td>Correspondence about technical specifications for practices and materials authorized for use in EFRP projects. This includes practices developed at all levels of FSA, and special practices for which FS developed the technical specifications.</td>
<td></td>
</tr>
<tr>
<td>EFRP 2 Interagency Cooperation</td>
<td>Correspondence about cooperation between the County Office and other Federal and State agencies, such as the State Forestry Department and FS. This includes memorandum of understanding with soil conservation districts.</td>
<td></td>
</tr>
<tr>
<td>EFRP 3 Reports and Statistics</td>
<td>Reports covering all subjects included under this subject that cannot be filed under 1 of the more specific subjects in this exhibit. Subdivide these files as needed.</td>
<td></td>
</tr>
<tr>
<td>EFRP 4 Program Development</td>
<td>Correspondence about the control of program activities and funds.</td>
<td></td>
</tr>
<tr>
<td>EFRP 4-1 County Allocation Control Ledger</td>
<td>The sequential ledger entry report, the detailed ledger used to control program funds, and related correspondence.</td>
<td></td>
</tr>
<tr>
<td>EFRP 4-2 Control Technical Services Referrals</td>
<td>Correspondence about the control of referrals to State Foresters and other agencies.</td>
<td></td>
</tr>
<tr>
<td>EFRP 4-3 FS Transfer of Funds</td>
<td>Correspondence about the transfer of funds to FS or State Foresters for technical assistance.</td>
<td></td>
</tr>
<tr>
<td>EFRP 5 Financial Assistance Requests</td>
<td>General correspondence about requests for financial assistance too broad to be filed under 1 of the more specific subjects in this exhibit.</td>
<td></td>
</tr>
</tbody>
</table>
### Emergency Forest Restoration Program Files (Continued)

<table>
<thead>
<tr>
<th>Subject</th>
<th>Type of Material To Be Filed</th>
<th>Retention</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFRP 5-1 Pending COC Consideration</td>
<td>FSA-848’s received in the County Office but not yet reviewed by COC.</td>
<td>Move to appropriate file after COC review.</td>
</tr>
<tr>
<td>EFRP 5-2 Pending Needs Determinations</td>
<td>Requests pending determination of need and feasibility by technician. This includes copies of FSA-848, page 2 forwarded to technical agencies.</td>
<td>Destroy these files when 5 years old.</td>
</tr>
<tr>
<td>EFRP 5-3 Pending Reports of Performance</td>
<td>Requests pending report from producer on FSA-848B, page 1 and certification by responsible technical agency on FSA-848B, page 2 that practices approved by COC have been completed and payment is due.</td>
<td></td>
</tr>
<tr>
<td>EFRP 5-4 Pending Payment</td>
<td>Requests pending issuance of payment to producer and entry on the automated ledger report. Issue checks as soon as possible after completion certification by producer and technical agency, if applicable.</td>
<td></td>
</tr>
<tr>
<td>EFRP 6 Participant Folders</td>
<td>Individual folders containing FSA-848, FSA-848A, FSA-848B, other forms, and related correspondence about the participation of the farm in EFRP and the approval of and payment for request financial assistance practices.</td>
<td>Destroy these files 10 years after practice is completed for practices with a 10-year lifespan. Destroy these files 5 years after practice is completed for practices with a 5-year or less lifespan. Destroy these files when 3 years old.</td>
</tr>
<tr>
<td>EFRP 7 Pooling Agreements</td>
<td>Individual folders for each pooling agreement containing ACP-153’s, ACP-153A’s, ACP-308’s, FSA-848’s, FSA-848A’s, FSA-848B’s, and related correspondence.</td>
<td>Destroy these files when 5 years old.</td>
</tr>
<tr>
<td>EFRP 8 Appeals</td>
<td>Appeals pending.</td>
<td></td>
</tr>
<tr>
<td>EFRP 9 Spot Checks</td>
<td>FSA-276’s and other related documentation.</td>
<td></td>
</tr>
</tbody>
</table>
## Completing FSA-848

### A Completion Instructions

Complete FSA-848 according to the following table.

<table>
<thead>
<tr>
<th>Item</th>
<th>Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Enter the State and county codes.</td>
</tr>
<tr>
<td>2</td>
<td>Enter the name, address, and telephone number of the County Office.</td>
</tr>
<tr>
<td>3</td>
<td>Enter the C/S application number.</td>
</tr>
<tr>
<td>4</td>
<td>Enter the program code.</td>
</tr>
<tr>
<td>5</td>
<td>Enter the contract ID, if applicable.</td>
</tr>
<tr>
<td>6</td>
<td>Enter the description of the site and practice objectives.</td>
</tr>
<tr>
<td>7</td>
<td>Enter the primary disaster type for this application.</td>
</tr>
<tr>
<td>8</td>
<td>Select 1 or more of the listed crops.</td>
</tr>
<tr>
<td>9</td>
<td>Select 1 or more listed livestock and enter the amount in units.</td>
</tr>
<tr>
<td>10A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>10B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>10C</td>
<td>Enter the field number.</td>
</tr>
<tr>
<td>10D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>10E</td>
<td>Enter the practice title.</td>
</tr>
<tr>
<td>10F</td>
<td>Enter the practice unit.</td>
</tr>
<tr>
<td>10G</td>
<td>Enter the practice acres.</td>
</tr>
<tr>
<td>10H</td>
<td>Enter the extent requested that corresponds to items 10A through 10F.</td>
</tr>
<tr>
<td>10I</td>
<td>Enter the requested C/S that corresponds to items 10A through 10H.</td>
</tr>
<tr>
<td>10J</td>
<td>Enter the total requested C/S that corresponds to the sum of item 10I.</td>
</tr>
<tr>
<td>11A</td>
<td>Enter the applicant’s name, address, and telephone number.</td>
</tr>
<tr>
<td>11B</td>
<td>Enter the applicant’s estimated percent share.</td>
</tr>
<tr>
<td>11C</td>
<td>Check the box to indicate whether the applicant is a limited resource producer.</td>
</tr>
<tr>
<td>11D</td>
<td>Check the box to indicate whether the applicant is a beginning farmer, if applicable.</td>
</tr>
<tr>
<td>11E</td>
<td>Check the box to indicate whether the applicant is socially disadvantaged, if applicable.</td>
</tr>
<tr>
<td>11F</td>
<td>The applicant or signing authority shall sign.</td>
</tr>
<tr>
<td>11G</td>
<td>Enter the title/relationship that corresponds to the signing authority in item 11F.</td>
</tr>
<tr>
<td>11H</td>
<td>Enter today’s date. If there are additional applicants, complete FSA-848-1, item 4.</td>
</tr>
<tr>
<td>12A</td>
<td>Enter the program code.</td>
</tr>
<tr>
<td>12B</td>
<td>Enter the program year.</td>
</tr>
<tr>
<td>12C</td>
<td>Enter the State and county codes that correspond to item 1.</td>
</tr>
<tr>
<td>12D</td>
<td>Enter the hydrologic unit code.</td>
</tr>
<tr>
<td>12E</td>
<td>Enter the application number that corresponds to item 3.</td>
</tr>
<tr>
<td>12F</td>
<td>Enter the contract ID that corresponds to item 5, if applicable.</td>
</tr>
<tr>
<td>12G</td>
<td>Enter the disaster ID.</td>
</tr>
<tr>
<td>13A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>13B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>13C</td>
<td>Enter the field number.</td>
</tr>
</tbody>
</table>
Completing FSA-848 (Continued)

A Completion Instructions (Continued)

<table>
<thead>
<tr>
<th>Item</th>
<th>Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>13D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>13E</td>
<td>Enter the primary purpose code.</td>
</tr>
<tr>
<td>13F</td>
<td>Enter the practice unit.</td>
</tr>
<tr>
<td>13G</td>
<td>Enter the practice extent requested that corresponds to item 10H.</td>
</tr>
<tr>
<td>13H</td>
<td>Enter the practice extent needed that corresponds to items 13A through 13F.</td>
</tr>
<tr>
<td>13I</td>
<td>Enter the requested C/S rate and type that correspond to item 10I, if the practice control number has a flat rate.</td>
</tr>
<tr>
<td>13J</td>
<td>Enter the requested C/S that corresponds to items 10I and 14J, as applicable. If there are additional practices, complete FSA-848-1, item 6.</td>
</tr>
<tr>
<td>13K</td>
<td>Enter the sum of all requested C/S from item 13J and continuation pages.</td>
</tr>
<tr>
<td>14A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>14B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>14C</td>
<td>Enter the field number.</td>
</tr>
<tr>
<td>14D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>14E</td>
<td>Enter the component number.</td>
</tr>
<tr>
<td>14F</td>
<td>Enter the component title.</td>
</tr>
<tr>
<td>14G</td>
<td>Enter the component unit.</td>
</tr>
<tr>
<td>14H</td>
<td>Enter the component extent requested that corresponds to items 14A through 14G.</td>
</tr>
<tr>
<td>14I</td>
<td>Enter the component extent needed that corresponds to items 14A through 14G.</td>
</tr>
<tr>
<td>14J</td>
<td>Enter the requested C/S rate and type that correspond to items 14A through 14C.</td>
</tr>
<tr>
<td>14K</td>
<td>Enter the requested C/S rate and type that correspond to items 14A through 14C. If there are additional components, complete FSA-848-1, item 7.</td>
</tr>
<tr>
<td>15A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>15B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>15C</td>
<td>Enter the field number.</td>
</tr>
<tr>
<td>15D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>15E</td>
<td>Enter the technical practice code.</td>
</tr>
<tr>
<td>15F</td>
<td>Enter the technical practice title.</td>
</tr>
<tr>
<td>15G</td>
<td>Enter the technical practice unit.</td>
</tr>
<tr>
<td>15H</td>
<td>Check the box indicating if the technical practice is cost-shared.</td>
</tr>
<tr>
<td>15I</td>
<td>Enter the technical practice extent planned that corresponds to items 15A through 15G. If there are additional technical practices, complete FSA-848-1, item 8.</td>
</tr>
<tr>
<td>16A</td>
<td>The signing authority shall sign, such as FSA, Forest Service, NRCS, or other technical service provider.</td>
</tr>
<tr>
<td>16B</td>
<td>Enter today’s date.</td>
</tr>
<tr>
<td>16C</td>
<td>Enter the affiliation that corresponds to item 16A.</td>
</tr>
<tr>
<td>16D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>16E</td>
<td>Enter the date referred for needs determination.</td>
</tr>
<tr>
<td>16F</td>
<td>Enter the date the referral expires.</td>
</tr>
<tr>
<td>16G</td>
<td>Enter the needs statement. If there are additional practices with needs determinations, complete FSA-848-1, item 9.</td>
</tr>
</tbody>
</table>
Completing FSA-848 (Continued)

B Example of FSA-848

The following is an example of a completed FSA-848.

![Image of FSA-848 form]

**Exhibit 5**
(Par. 8, 32)

11-22-10 1-EFRP Amend. 1
### B. Example of FSA-848 (Continued)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5054</td>
<td>10014</td>
<td>1</td>
<td>2520_6907_01_EP01</td>
<td>0</td>
<td>Heavy debris removal forest</td>
<td>15.00</td>
<td>10.00</td>
<td>5020_6907_01_EP01</td>
<td>0</td>
<td>Forest Management</td>
<td>5.00</td>
<td>YES</td>
<td>NO</td>
<td>0.00</td>
</tr>
</tbody>
</table>
Example of FSA-770 EFRP-1

The following is an example of FSA-770 EFRP-1 that is available from the FFAS Employee Forms Online Web Site at [http://165.221.16.90/dam/ffasforms/forms.html](http://165.221.16.90/dam/ffasforms/forms.html).

**EFRP CHECKLIST BEFORE APPROVAL IS MADE**

<table>
<thead>
<tr>
<th>Verification</th>
<th>Handbook or Other Applicable References</th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. County confirms that State has recorded EFRP allocation in the Conservation Funds Ledger System.</td>
<td>Part 1, Section 5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Onsite inspection has been completed.</td>
<td>1-EFRP, paragraph 171</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. FSA-848, page 2, Needs Determination, complete.</td>
<td>1-EFRP, paragraph 80</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Practice was started after the producer requested EFRP assistance. If “NO”, see paragraph 175.</td>
<td>1-EFRP, paragraph 175</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Was the CCC-770 ELIG 2008 Eligibility Checklist 2008 Farm Bill completed and verified to ensure the applicant’s are in compliance to receive payments?</td>
<td>1-EFRP, paragraph 91, 3-PL, paragraph 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. STC representative has reviewed sample EFRP requests before COC approval.</td>
<td>1-EFRP, subparagraph 175A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. All easements, permits, rights-of-way, water rights are in order.</td>
<td>1-EFRP, paragraph 52</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16. FSA 850, NRCS CPA 062 or Stato equivalent is on file.</td>
<td>1 EQ</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17. No EFRP approvals on land under WRP or for the same or similar practices under EWP.</td>
<td>1-EFRP, paragraph 6 and 1-EQ</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18. EFRP application has been entered into CSS and signed by applicant.</td>
<td>CSS User Guide</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**To Be Completed After Approval**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>19. COC has approved the FSA-848A and documented it in the COC minutes.</td>
<td>1-EFRP, paragraph 181</td>
</tr>
<tr>
<td>20. Participant notified of approved extent and financial assistance with copy of FSA-848A and letter.</td>
<td>1-EFRP, paragraph 181</td>
</tr>
<tr>
<td>21. Participant signs acknowledgement on FSA-848A.</td>
<td>1-EFRP, subparagraph 181C</td>
</tr>
</tbody>
</table>

**Certification:**

I (we) the undersigned certify the above items have been verified or updated accordingly.

23A. Signature of Preparer

23B. Date (MM-DD-YYYY)

24A. I concur/do not concur the above items have been verified and updated. 

24B. CED Signature for Spotcheck

24C. Date (MM-DD-YYYY)

25A. I concur/do not concur the above items have been verified and updated.

25B. DD Signature for Spotcheck

25C. Date (MM-DD-YYYY)

---

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual’s income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA’s TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.
Example of FSA-770 EFRP-2

The following is an example of FSA-770 EFRP-2 that is available from the FFAS Employee Forms Online Web Site at http://165.221.16.90/dam/ffasforms/forms.html.

<table>
<thead>
<tr>
<th>Verification</th>
<th>Handbook or Other Applicable References</th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Computation:</td>
<td>1. Applicant’s Name</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. State Office Name</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. County Office Name</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Agreement Number</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. FSN</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6. Disaster ID</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7. Fiscal Year</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This is an internal checklist and does not negate any responsibilities by the participant. It does not indicate any misrepresentation or misinformation on the part of the county office if it is not completed. However, it may be used to ensure accountability of actions.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Completion of this form before issuing approvals is optional.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:**

This form is available electronically.

**FSA-770 EFRP-2**

(11-22-10) U.S. DEPARTMENT OF AGRICULTURE

Farm Service Agency

**EFRP CHECKLIST BEFORE PAYMENT IS MADE**

<table>
<thead>
<tr>
<th>Verification</th>
<th>Handbook or Other Applicable References</th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Supporting documentation (bills, invoices, etc.) has been provided by the participant and is date stamped.</td>
<td>1-EFRP, paragraph 215</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Minimum qualifying cost of restoration is met.</td>
<td>1-EFRP, subparagraph 132B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Only eligible items are cost shared.</td>
<td>1-EFRP, paragraphs 46 and 293</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. List of all eligible persons or legal entities to receive an EFRP payment.</td>
<td>1-EFRP, Part 3, Section 5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Make sure financial assistance is rounded to the nearest dollar.</td>
<td>1-EFRP, subparagraph 294B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. No payment or combination of payments exceeds $500,000 per person or legal entity per disaster.</td>
<td>1 EFRP, subparagraph 5A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G. Payments:</td>
<td>1-EFRP, paragraph 182</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-EFRP, subparagraph 179A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-EFRP, subparagraph 179B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-EFRP, subparagraph 211C</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-EFRP, paragraph 212</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-EFRP, paragraph 225 and 226</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-EFRP, paragraph 214</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-EFRP, subparagraph 211B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-EFRP, subparagraph 43A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-EFRP, subparagraphs 35D and E</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H. FSA-848B, page 1 has been signed by the participant.</td>
<td>1-EFRP, paragraph 211C</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Practice location is recorded on aerial photography/GIS.</td>
<td>1-EFRP, paragraph 214</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J. FSA-848B is updated with final performance data.</td>
<td>1-EFRP, subparagraph 211B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>K. Payment does not exceed 75 percent of the participant's actual costs.</td>
<td>1-EFRP, subparagraph 43A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L. For drought, EFRP drought designation approved by CEPO before signup period is approved.</td>
<td>1-EFRP, subparagraphs 35D and E</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M. Has county office made second party review?</td>
<td>1-EFRP, paragraph 334</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N. Payments are issued timely. See 61-FI for prompt payment provisions.</td>
<td>1-EFRP, 61-FI</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Certification:**

I (we) the undersigned certify the above items have been verified or updated accordingly.

11A. Signature of Preparer

11B. Date (MM-DD-YYYY)

12A. I concur/do not concur the above items have been verified and updated. [ ] Concur [ ] Do Not Concur

12B. CED Signature for Spotcheck

12C. Date (MM-DD-YYYY)

13A. I concur/do not concur the above items have been verified and updated. [ ] Concur [ ] Do Not Concur

13B. DD Signature for Spotcheck

13C. Date (MM-DD-YYYY)

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (860) 377-8642 (English Federal-relay) or (800) 845-6135 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.
Completing FSA-848A

A Completion Instructions

Complete FSA-848A according to the following table.

<table>
<thead>
<tr>
<th>Item</th>
<th>Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Enter the State and county codes.</td>
</tr>
<tr>
<td>2</td>
<td>Enter the name, address, and telephone number of the County Office.</td>
</tr>
<tr>
<td>3</td>
<td>Enter the C/S application number.</td>
</tr>
<tr>
<td>4</td>
<td>Enter the agreement number.</td>
</tr>
<tr>
<td>5</td>
<td>Enter the program year.</td>
</tr>
<tr>
<td>6</td>
<td>Enter the disaster ID number, if applicable.</td>
</tr>
<tr>
<td>7</td>
<td>Enter the program code.</td>
</tr>
<tr>
<td>8</td>
<td>Enter the contract ID, if applicable.</td>
</tr>
<tr>
<td>9A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>9B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>9C</td>
<td>Enter the field number.</td>
</tr>
<tr>
<td>9D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>9E</td>
<td>Enter the program accounting code.</td>
</tr>
<tr>
<td>9F</td>
<td>Enter the fund code.</td>
</tr>
<tr>
<td>9G</td>
<td>Enter the practice unit.</td>
</tr>
<tr>
<td>9H</td>
<td>Enter the practice extent approved that corresponds to items 9A through 9G.</td>
</tr>
<tr>
<td>9I</td>
<td>Enter the practice expiration date.</td>
</tr>
<tr>
<td>9J</td>
<td>Enter the practice life span.</td>
</tr>
<tr>
<td>9K</td>
<td>Enter the approved C/S rate and type that correspond to items 9A through 9J, if the practice control number has a practice rate.</td>
</tr>
<tr>
<td>9L</td>
<td>Enter the approved C/S that corresponds to items 9A through 9K and items 10A through 10I, as applicable. If there are additional approved practices, complete FSA-848A-1, item 2.</td>
</tr>
<tr>
<td>9M</td>
<td>Enter the sum of all C/S requested that corresponds to the sum of item 9L.</td>
</tr>
</tbody>
</table>
Completing FSA-848A (Continued)

A Completion Instructions (Continued)

<table>
<thead>
<tr>
<th>Item</th>
<th>Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>10A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>10B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>10C</td>
<td>Enter the field number.</td>
</tr>
<tr>
<td>10D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>10E</td>
<td>Enter the component number.</td>
</tr>
<tr>
<td>10F</td>
<td>Enter the component title.</td>
</tr>
<tr>
<td>10G</td>
<td>Enter the component unit.</td>
</tr>
<tr>
<td>10H</td>
<td>Enter the component extent approved that corresponds to items 10A through 10G.</td>
</tr>
<tr>
<td>10I</td>
<td>Enter the approved C/S rate and type that correspond to items 10A through 10H.</td>
</tr>
<tr>
<td>10J</td>
<td>Enter the approved C/S rate and type that correspond to items 10A through 10I. If there are additional approved components, complete FSA-848A-1, item 3.</td>
</tr>
<tr>
<td>11A</td>
<td>The FSA representative shall sign.</td>
</tr>
<tr>
<td>11B</td>
<td>Enter today’s date.</td>
</tr>
<tr>
<td>11C</td>
<td>Enter C/S willing to approve.</td>
</tr>
<tr>
<td>11D</td>
<td>Enter the C/S approved amount.</td>
</tr>
<tr>
<td>12A</td>
<td>Enter the participant’s name, address, and telephone number.</td>
</tr>
<tr>
<td>12B</td>
<td>The participant or signing authority shall sign.</td>
</tr>
<tr>
<td>12C</td>
<td>Enter the title/relationship that corresponds to the signing authority in item 12B.</td>
</tr>
<tr>
<td>12D</td>
<td>Enter the date.</td>
</tr>
<tr>
<td>13A</td>
<td>Enter the program code.</td>
</tr>
<tr>
<td>13B</td>
<td>Enter the program year.</td>
</tr>
<tr>
<td>13C</td>
<td>Enter the State and county codes that correspond to item 1.</td>
</tr>
<tr>
<td>13D</td>
<td>Enter the agreement number that corresponds to item 4.</td>
</tr>
<tr>
<td>13E</td>
<td>Enter the contract ID that corresponds to item 8.</td>
</tr>
<tr>
<td>13F</td>
<td>Enter the disaster ID that corresponds to item 6.</td>
</tr>
<tr>
<td>14</td>
<td>Enter any applicable remarks.</td>
</tr>
</tbody>
</table>
B Example of FSA-848A

The following is an example of a completed FSA-848A.

![Example of FSA-848A](image-url)

11-22-10  1-EFRP Amend. 1  Page 3
### Completing FSA-848A (Continued)

#### B Example of FSA-848A (Continued)

**FSA-848A**

<table>
<thead>
<tr>
<th>A. Program Code</th>
<th>B. Program Year</th>
<th>C. ST. &amp; CO. Code</th>
<th>D. Agreement Number</th>
<th>E. Contract ID</th>
<th>F. Disaster ID</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>1P10001000000000</td>
<td></td>
<td>1411</td>
</tr>
</tbody>
</table>

**REMARKS**

Enter notes in the agreement.

---

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a, as amended). The authority for requesting the information identified on this form is 7 CFR Part 101, 7 CFR Part 1410, and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-234). The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and non-governmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses Identified in the System of Records Notice for USDA/EFSP-21, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0565-0592. The time required to complete this information collection is estimated to average 8 minutes per response, including the time for reviewing instructions, gathering and maintaining the data needed, and completing and submitting the collection of information. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.**

By signing this form, the Participant acknowledges and understands that any false representation or claims are subject to civil and criminal penalties including, but not limited to those under 18 U.S.C. 1001.

The U.S. Department of Agriculture (USDA) prohibits discrimination against individuals who request reasonable accommodation as required under Title II of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, as amended, and the Agricultural, Consumer, Education and Economic Act (ACEA) of 1978. USDA is an equal opportunity provider and employer.

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Page 4
## Completing FSA-848B

### A Completion Instructions

Complete FSA-848B according to the following table.

<table>
<thead>
<tr>
<th>Item</th>
<th>Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Enter the State and county codes.</td>
</tr>
<tr>
<td>2</td>
<td>Enter the name, address, and telephone number of the County Office.</td>
</tr>
<tr>
<td>3</td>
<td>Enter the C/S application number.</td>
</tr>
<tr>
<td>4</td>
<td>Enter the C/S agreement number.</td>
</tr>
<tr>
<td>5</td>
<td>Enter the program year.</td>
</tr>
<tr>
<td>6</td>
<td>Enter the disaster ID number, if applicable.</td>
</tr>
<tr>
<td>7</td>
<td>Enter the program code.</td>
</tr>
<tr>
<td>8</td>
<td>Enter the contract ID, if applicable.</td>
</tr>
<tr>
<td>9A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>9B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>9C</td>
<td>Enter the field number.</td>
</tr>
<tr>
<td>9D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>9E</td>
<td>Enter the practice unit.</td>
</tr>
<tr>
<td>9F</td>
<td>Enter the practice extent approved that corresponds to items 9A through 9E.</td>
</tr>
</tbody>
</table>
| 9G   | If the practice in item 9D is:  
  |   - complete, ENTER “Yes”  
  |   - not complete, ENTER “No”. |
| 9H   | Enter the acres served. |
| 9I   | Enter the approved C/S that corresponds to items 9A through 9F. |
| 9J   | If practice is complete, enter the total installation cost that corresponds to items 9A through 9I. |
| 9K   | If the practice is not complete and C/S is still requested for this practice, list codes for completed components for that practice. |
| 9L   | Enter the total approved C/S that corresponds to the sum of item 9I and the total installation cost that corresponds to the sum of item 9J. If there are additional practices, complete FSA-848B-1, item 2. |
| 10A  | Check the boxes indicating whether any participants on the contract bear all expenses for performing a practice. If the answer was “No”, give all pertinent information about other persons/agency who bore any part of the expenses. |
| 10B  | Check the boxes indicating whether any participants on the contract have received or will receive a C/S payment under the same program during the current FY. If the answer was “Yes”, enter the State, county, and amount by farm. |
| 10C  | The producer or signing authority shall sign. |
| 10D  | Enter the title/relationship that corresponds to the signing authority in item 10C. |
| 10E  | Enter today’s date. |
| 11A  | Enter the program code. |
| 11B  | Enter the program year. |
| 11C  | Enter the State and county codes. |
| 11D  | Enter the C/S agreement number. |
| 11E  | Enter the contract ID, if applicable. |
| 11F  | Enter the disaster ID. |
A Completion Instructions (Continued)

<table>
<thead>
<tr>
<th>Item</th>
<th>Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>12A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>12B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>12C</td>
<td>Enter the field number.</td>
</tr>
<tr>
<td>12D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>12E</td>
<td>Enter the practice unit.</td>
</tr>
<tr>
<td>12F</td>
<td>Enter the practice extent approved that corresponds to items 12A through 12E.</td>
</tr>
<tr>
<td>12G</td>
<td>Enter the practice extent performed that corresponds to items 12A through 12F.</td>
</tr>
<tr>
<td>12H</td>
<td>Enter the acres served that correspond to items 12A through 12G.</td>
</tr>
<tr>
<td>12I</td>
<td>Enter the approved C/S that corresponds to items 12A through 12H.</td>
</tr>
<tr>
<td>12J</td>
<td>Enter the total installation cost that corresponds to items 12A through 12I.</td>
</tr>
<tr>
<td>12K</td>
<td>Enter the total C/S earned that corresponds to items 12A through 12J.</td>
</tr>
<tr>
<td>12L</td>
<td>Enter the sum of all approved C/S from item 12I and continuation pages, the sum of the total installation cost from item 12J and continuation pages, and the total C/S earned from item 12K and continuation pages. If there are additional practices, complete FSA-848B-1, item 4.</td>
</tr>
<tr>
<td>13A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>13B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>13C</td>
<td>Enter the field number.</td>
</tr>
<tr>
<td>13D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>13E</td>
<td>Enter the component number.</td>
</tr>
<tr>
<td>13F</td>
<td>Enter the component title.</td>
</tr>
<tr>
<td>13G</td>
<td>Enter the component unit.</td>
</tr>
<tr>
<td>13H</td>
<td>Enter the component extent approved that corresponds to items 13A through 13G.</td>
</tr>
<tr>
<td>13I</td>
<td>Enter the approved C/S that corresponds to items 13A through 13H.</td>
</tr>
<tr>
<td>13J</td>
<td>Enter the component extent performed that corresponds to items 13A through 13I.</td>
</tr>
<tr>
<td>13K</td>
<td>Enter the C/S earned that corresponds to items 13A through 13J. If there are additional components, complete FSA-848B-1, item 5.</td>
</tr>
<tr>
<td>14A</td>
<td>Enter FSN.</td>
</tr>
<tr>
<td>14B</td>
<td>Enter the tract number.</td>
</tr>
<tr>
<td>14C</td>
<td>Enter the field number.</td>
</tr>
<tr>
<td>14D</td>
<td>Enter the practice control number.</td>
</tr>
<tr>
<td>14E</td>
<td>Enter the technical practice code.</td>
</tr>
<tr>
<td>14F</td>
<td>Enter the technical practice title.</td>
</tr>
<tr>
<td>14G</td>
<td>Enter the technical practice unit.</td>
</tr>
<tr>
<td>14H</td>
<td>Check the box indicating if the technical practice is cost-shared.</td>
</tr>
<tr>
<td>14I</td>
<td>Enter the technical practice extent planned that corresponds to items 14A through 14H.</td>
</tr>
<tr>
<td>14J</td>
<td>Enter the technical practice extent applied that corresponds to items 14A through 14I. If there are additional technical practices, complete FSA-848B-1, item 6.</td>
</tr>
</tbody>
</table>
**Completing FSA-848B (Continued)**

## B Example of FSA-848B

The following is an example of a completed FSA-848B.

---

<table>
<thead>
<tr>
<th>Cost-Share Performance Certification and Payment</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Form Approved - OMB No. 0566-0012</strong></td>
<td></td>
</tr>
<tr>
<td><strong>U.S. DEPARTMENT OF AGRICULTURE</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Farm Service Agency</strong></td>
<td></td>
</tr>
</tbody>
</table>

**COST-SHARE PERFORMANCE CERTIFICATION AND PAYMENT**

1. **ST&CO. Code:** 19 165
2. **County Office Name, Address and Telephone Number:**
   - **Example County FSA**
   - **2315 SOUTHWAY AVE**
   - **HERKIL, IA 52537-2700**
   - **(712) 755-5116**
3. **Application Number:** 19 165 3260 0008
4. **Agreement Number:** 19 165 3260 0009
5. **Program Year:** 2011
6. **Diameter ID Number:** 14TL
7. **Program Code:** 69
8. **Contract ID (if applicable):** EFRP

**Note:** To receive payment or credit for any cost-shares earned on these practices, report performance below, by completing forms 9 and 10, and file with the county FSA office by the practice expiration dates listed on the FSA-846A.

### A. Practices Performed

<table>
<thead>
<tr>
<th>Field</th>
<th>Practice Code</th>
<th>Practice Unit</th>
<th>Practice Ext. Approved</th>
<th>Practice Contr. No.</th>
<th>Acres Saved</th>
<th>Approved Code Share</th>
<th>Total Installation Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>5644</td>
<td>10014</td>
<td>1</td>
<td>N</td>
<td>0049</td>
<td>18.00</td>
<td>566</td>
<td>$7,789.00</td>
</tr>
<tr>
<td>5644</td>
<td>10014</td>
<td>5</td>
<td>N</td>
<td>0049</td>
<td>18.00</td>
<td>566</td>
<td>$7,789.00</td>
</tr>
</tbody>
</table>

**L. TOTALS:**

- $7,789.00
- $7,789.00

### B. Instructions to Participant

To receive payment or credit for any cost-shares earned on this agreement, report performance on page 1, and file with the county FSA office by the practice expiration dates listed on the FSA-846A.

### A1) Did you do the other participants on this agreement bear all the expense (except for program cost share) for performing this practice?

- **YES**
- **NO**

**A2) If No,** report name(s) and addresses of other person(s) or agency who bore any part of the expenses. Also show kind, extent and value of their contribution.

**B1) During the current fiscal year Oct. 1 - Sept. 30, have you or any participant on this agreement received a cost-share payment under the same program on this or any other farm other than through this FSA-848B?

- **YES**
- **NO**

**B2) If YES,** report State, County, and amount by form.

**C. Participant Signature (By):**

**D. Title/Relationship of Individual If Signing in a Representative Capacity:**

**E. Date (MM-DD-YYYY):**

---

11-22-10

1-EFRP Amend. 1

Page 3
Completing FSA-848B (Continued)

B  Example of FSA-848B (Continued)

<table>
<thead>
<tr>
<th>Farm No.</th>
<th>Bk Tract No.</th>
<th>C Field No.</th>
<th>D Practice Control No.</th>
<th>E Component No.</th>
<th>F Component Title</th>
<th>G Component Units</th>
<th>H Component Extent Approved</th>
<th>I Component Extent Performed</th>
<th>J Component Extent Planned</th>
<th>K Cost Share Earned</th>
</tr>
</thead>
<tbody>
<tr>
<td>5854</td>
<td>16614</td>
<td>1</td>
<td>2016_0915_S1_E91</td>
<td>m408</td>
<td>Heavy debris removal assessment</td>
<td>50.00</td>
<td>Acres</td>
<td>$7,750.00</td>
<td>10.00</td>
<td>$750.00</td>
</tr>
<tr>
<td>5854</td>
<td>16614</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**L TOTALS:** $7,750.00  $750.00

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5854</td>
<td>16614</td>
<td>1</td>
<td>2016_0009_S1_E91</td>
<td>500</td>
<td>Obstruction Removal</td>
<td>Acres</td>
<td>☑️</td>
<td>10.00</td>
<td>10.00</td>
<td></td>
</tr>
<tr>
<td>5854</td>
<td>16614</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

**15. Performance Certification**

A. Signature of Technical Service Provider or Participant  B. Date  C. Affiliation  D. Practice Control Number  E. Performance Statement

10 2016_0009_S1_E91  It acres of debris removed.
National Practices

The following table lists the nationally approved practices that are described in this exhibit.

<table>
<thead>
<tr>
<th>Code</th>
<th>Practice</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>EF1</td>
<td>Bottomland Hardwood Forest Restoration</td>
<td>2</td>
</tr>
<tr>
<td>EF2</td>
<td>Bottomland Softwood Forest Restoration</td>
<td>7</td>
</tr>
<tr>
<td>EF3</td>
<td>Bottomland Mixed Forest Restoration</td>
<td>12</td>
</tr>
<tr>
<td>EF4</td>
<td>Bottomland Longleaf Pine Restoration</td>
<td>17</td>
</tr>
<tr>
<td>EF5</td>
<td>Upland Hardwood Forest Restoration</td>
<td>22</td>
</tr>
<tr>
<td>EF6</td>
<td>Upland Softwood Forest Restoration</td>
<td>27</td>
</tr>
<tr>
<td>EF7</td>
<td>Upland Mixed Forest Restoration</td>
<td>32</td>
</tr>
<tr>
<td>EF8</td>
<td>Upland Longleaf Pine Restoration</td>
<td>37</td>
</tr>
<tr>
<td>EF9</td>
<td>Other Emergency Forest Restoration Measures</td>
<td>42</td>
</tr>
</tbody>
</table>
EF1 Bottomland Hardwood Forest Restoration

A Purpose

The purpose of this practice is to restore bottomland hardwood forests. The practices must provide for the long-term viability of bottomland hardwood trees that have been impacted by the EFRP-designated disaster. The bottomland hardwood stand will:

- control sheet, rill, scour, gully, and other erosion
- reduce water, air, or land pollution
- restore forest health and forest-related resources, including wetlands
- promote carbon sequestration
- restore and connect wildlife habitat.

B Program Policy

Apply this practice to eligible NIPF that has tree cover (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources in a bottomland forest ecosystem dominated by hardwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to an acceptable level and increase sediment trapping efficiencies
- improve surface or ground water quality
- restore or enhance NIPF that has been damaged by the EFRP-designated disaster
- reduce scour, gully, stream bank, sheet, or rill erosion
- prevent excessive erosion from occurring
- enhance food and cover for wildlife
- be maintained for the practice lifespan
- be included in the approved practice plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC’s may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.
National Practices (Continued)

EF1 Bottomland Hardwood Forest Restoration (Continued)

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.

F Practice Requirements

The following requirements apply for this practice:

- approval must be obtained from the State Forester and State Wildlife Agency certifying that planting of cottonwood as a nurse crop is appropriate for the State and site

- plantings must be protected from destructive fire and from grazing by domestic livestock for the practice lifespan

- the seeded area shall not be harvested or grazed by domestic livestock for the practice lifespan

- noxious weeds and other undesirable plants, insects, and pests shall be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands

- the practice must be established and maintained according to the practice standards in the Field Office Technical Guide

- chemicals used in performing the practice must be:
  - Federally, State, and locally registered
  - applied according to authorized uses, directions on the label, and other Federal and State policies and requirements.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.
EF1  Bottomland Hardwood Forest Restoration (Continued)

H  Management Activities

Additional management activities identified in a separate forest management plan or conservation plan may be performed on NIPF during the practice lifespan, if the practices do not interfere with normal maintenance of the practice. These management activities may be cost-shared under other State or Federal programs if the State or Federal Agency and COC determine that they are separate practices, not part of normal maintenance, and do not defeat the purpose of the practice.

EFRP financial assistance is not authorized for management practices.

I  Environmental Concerns

Consider preserving and improving the environment, forest health, wildlife, and other forest-related resources when making determinations about types of plantings, spacing, and other practice specifications.

J  Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is not available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established

Note: Compliance should follow with standards as outlined in the practice plan.

K  Financial Assistance Rates

Express the financial assistance rate as follows:

“_____ percent of the actual cost not to exceed $___ per unit of measure.”

The limitation shall be based on the average cost of performing the unit of measure.
National Practices (Continued)

EF1  Bottomland Hardwood Forest Restoration (Continued)

L  Financial Assistance Policy

The following table provides financial assistance policies for this practice.

<table>
<thead>
<tr>
<th>IF the component is…</th>
<th>AND the justification is…</th>
<th>THEN financial assistance is…</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• needed until required planting stock is available</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• needed because normal planting period for the species has passed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover</td>
<td></td>
</tr>
<tr>
<td>debris removal</td>
<td>required to establish a stand or assist in the natural regeneration</td>
<td></td>
</tr>
<tr>
<td>wildlife enhancement</td>
<td>• provides cover opening that will provide additional wildlife benefits to the stand</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• to establish and maintain a cover that provides habitat for wildlife in otherwise open areas</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.).</td>
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</tr>
<tr>
<td>to establish no more than 49 percent of the silviculturally appropriate softwood species, as determined by STC and determined appropriate by State Forester</td>
<td>to enhance 1 of the following:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• wetland development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• wildlife habitat</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• stand health and vigor</td>
<td></td>
</tr>
<tr>
<td>seeding firebreaks, fuelbreaks, or firelanes</td>
<td>to establish and maintain the cover according to State requirements</td>
<td></td>
</tr>
<tr>
<td>herbicides or insecticides</td>
<td>specified as necessary in the approved tree planting plan to establish the cover</td>
<td></td>
</tr>
<tr>
<td>minerals or nutrients</td>
<td>substantiated as needed by COC to establish the approved cover</td>
<td></td>
</tr>
<tr>
<td>fencing, tree shelters, netting, plastic tubes, or other animal control devices</td>
<td>approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings.</td>
<td></td>
</tr>
<tr>
<td>roads</td>
<td>located on NIPF and necessary for forest restoration</td>
<td></td>
</tr>
<tr>
<td>clean tilling</td>
<td>for firebreaks, fuelbreaks, or firelanes</td>
<td></td>
</tr>
</tbody>
</table>
### EF1 Bottomland Hardwood Forest Restoration (Continued)

#### L Financial Assistance Policy (Continued)

<table>
<thead>
<tr>
<th>IF the component is...</th>
<th>AND the justification is...</th>
<th>THEN financial assistance is...</th>
</tr>
</thead>
<tbody>
<tr>
<td>roads</td>
<td>not located on NIPF</td>
<td>not authorized.</td>
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<tr>
<td>annual food plots</td>
<td></td>
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<tr>
<td>to establish a tree species</td>
<td>• for ornamental purposes</td>
<td></td>
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<td></td>
<td>• for Christmas trees</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• nursery tree production</td>
<td></td>
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<tr>
<td></td>
<td>• production of commercial nuts, other than species customarily</td>
<td></td>
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<tr>
<td></td>
<td>planted for forestry purposes</td>
<td></td>
</tr>
<tr>
<td>herbicides or insecticides</td>
<td>to maintain the vegetative cover including trees</td>
<td></td>
</tr>
<tr>
<td>tree thinning</td>
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</tbody>
</table>
National Practices (Continued)

EF2 Bottomland Softwood Forest Restoration

A Purpose

The purpose of this practice is to restore existing bottomland softwood forests. The practices must provide for the long-term viability of bottomland softwood trees that have been impacted by the EFRP-designated disaster.

B Program Policy

Apply this practice to eligible NIPF that has tree cover (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources in a bottomland forest ecosystem dominated by softwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC’s may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.
National Practices (Continued)

EF2  Bottomland Softwood Forest Restoration (Continued)

F Practice Requirements

The following are requirements for this practice:

- approval must be obtained from the State Forester certifying that planting up to 50 percent softwoods is an appropriate silvicultural practice for the State

- plantings must be protected from destructive fire and from grazing by domestic livestock for the practice lifespan

- chemicals used in performing the practice must be:
  
  - Federally, State, and locally registered
  
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements

- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

H Management Activities

Additional management activities identified in a separate forest management plan or conservation plan may be performed on NIPF during the practice lifespan, if the practices do not interfere with normal maintenance of the practice. These management activities may be cost-shared under other State or Federal programs if the State or Federal Agency and COC determine that they are separate practices, not part of normal maintenance, and do not defeat the purpose of the practice.

EFRP financial assistance is not authorized for management practices.

I Environmental Concerns

Consider restoring forest health and forest-related resources and preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications. Ensure that noxious and invasive plants are controlled throughout the practice lifespan.
National Practices (Continued)

EF2  Bottomland Softwood Forest Restoration (Continued)

J  Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is not available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established

**Note:** Compliance should follow with standards as outlined in the practice plan.

K  Financial Assistance Rates

Express the financial assistance rate as follows:

“_____ percent of the actual cost **not** to exceed $___ per unit of measure.”

The limitation shall be based on the average cost of performing the unit of measure.
National Practices (Continued)

EF2 Bottomland Softwood Forest Restoration (Continued)

L Financial Assistance Policy

This table shows financial assistance policies for this practice.

<table>
<thead>
<tr>
<th>IF the component is…</th>
<th>AND the justification is…</th>
<th>THEN financial assistance is…</th>
</tr>
</thead>
</table>
| to establish a minimum of 3 different varieties of softwood tree and shrub species | • to reduce erosion from wind or water  
• provide food and cover for waterfowl and other wildlife  
• improve surface or ground water quality  
| temporary cover | • required in the practice specification  
• needed until required planting stock is available  
• needed because normal planting period for the species has passed  
• to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover | |
| debris removal | required to establish a stand or assist in the natural regeneration | |
| wildlife enhancement | • provides cover opening that will provide additional wildlife benefits to the stand  
• to establish and maintain a cover that provides habitat for wildlife in otherwise open areas | |
| to establish no more than 49 percent of the silviculturally appropriate hardwood species, as determined by STC and determined appropriate by State Forester | to enhance 1 of the following:  
• wetland development  
• wildlife habitat  
• stand health and vigor | |
| seeding firebreaks, fuelbreaks, or firelanes | to establish and maintain the cover according to State requirements | |
| herbicides or insecticides | specified as necessary in the approved tree planting plan to establish the cover | |
| minerals or nutrients | substantiated as needed by COC to establish the approved cover | |
| fencing, tree shelters, netting, plastic tubes, or other animal control devices | approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing | |
| Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings. | |
| roads | located on NIPF and necessary for forest restoration | |
| clean tilling | for firebreaks, fuelbreaks, or firelanes | |
National Practices (Continued)

**EF2 Bottomland Softwood Forest Restoration (Continued)**

**L Financial Assistance Policy (Continued)**

<table>
<thead>
<tr>
<th>IF the component is…</th>
<th>AND the justification is…</th>
<th>THEN financial assistance is…</th>
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</thead>
<tbody>
<tr>
<td>roads</td>
<td>not located on NIPF</td>
<td>not authorized.</td>
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<tr>
<td>annual food plots</td>
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<tr>
<td>to establish a tree species</td>
<td>• for ornamental purposes</td>
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<td>• for Christmas trees</td>
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<td></td>
<td>• nursery tree production</td>
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<td></td>
<td>• production of commercial nuts, other than species customarily planted for forestry purposes</td>
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</tr>
<tr>
<td>herbicides or insecticides</td>
<td>to maintain the vegetative cover including trees</td>
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<tr>
<td>tree thinning</td>
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</table>
National Practices (Continued)

EF3 Bottomland Mixed Forest Restoration

A Purpose

The purpose of this practice is to restore bottomland mixed forests. The practices must provide for the long-term viability of a mixed bottomland forest ecosystem that has been impacted by the EFRP-designated disaster. The bottomland mixed stand will:

- control sheet, rill, scour, gully, and other erosion
- reduce water, air, or land pollution
- restore forest health and forest-related resources, including wetlands
- promote carbon sequestration
- restore and connect wildlife habitat.

B Program Policy

Apply this practice to eligible NIPF that had tree cover before an EFRP-designated disaster (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources of a bottomland tree stand with approximately equal amounts of hardwood and softwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC’s may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.
EF3  Bottomland Mixed Forest Restoration (Continued)

F  Practice Requirements

The following are requirements for this practice:

- at least 50 percent of the stand is not identified as any 1 species of trees
- plantings must be protected from destructive fire and from grazing by domestic livestock for the practice lifespan
- chemicals used in performing the practice must be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements
- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G  Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

H  Management Activities

Additional management activities identified in a separate forest management plan or conservation plan may be performed on NIPF during the practice lifespan, if the practices do not interfere with normal maintenance of the practice. These management activities may be cost-shared under other State or Federal programs if the State or Federal Agency and COC determine that they are separate practices, not part of normal maintenance, and do not defeat the purpose of the practice.

EFRP financial assistance is not authorized for management practices.

I  Environmental Concerns

Consider restoring forest health and forest-related resources and preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications. Ensure that noxious and invasive plants are controlled throughout the practice lifespan.
National Practices (Continued)

EF3 Bottomland Mixed Forest Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is not available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established

Note: Compliance should follow with standards as outlined in the practice plan.

K Financial Assistance Rates

Express the financial assistance rate as follows:

“_____ percent of the actual cost not to exceed $___ per unit of measure.”

The limitation shall be based on the average cost of performing the unit of measure.
L Financial Assistance Policy

This table shows financial assistance policies for this practice.

<table>
<thead>
<tr>
<th>IF the component is…</th>
<th>AND the justification is…</th>
<th>THEN financial assistance is…</th>
</tr>
</thead>
</table>
| to establish a minimum of 3 different varieties of tree and shrub species         | • to reduce erosion from wind or water  
• provide food and cover for waterfowl and other wildlife  
• improve surface or ground water quality  
| temporary cover                                                                   | • required in the practice specification  
• needed until required planting stock is available  
• needed because normal planting period for the species has passed  
• to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover | authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 644, 647, 650, 654, 655, 657, 658, 659, and 666. |
| wildlife enhancement                                                               | • provides cover opening that will provide additional wildlife benefits to the stand  
• to establish and maintain a cover that provides habitat for wildlife in otherwise open areas.  
Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.). | authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 644, 647, 650, 654, 655, 657, 658, 659, and 666. |
| seeding firebreaks, fuelbreaks, or firelanes                                       | to establish and maintain the cover according to State requirements                                                                                       | authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 644, 647, 650, 654, 655, 657, 658, 659, and 666. |
| fencing, tree shelters, netting, plastic tubes, or other animal control devices   | approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing  
Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings. | authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 644, 647, 650, 654, 655, 657, 658, 659, and 666. |
| IF the component is... | AND the justification is... | THEN financial assistance is...
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>roads</td>
<td>not located on NIPF</td>
<td>not authorized</td>
</tr>
<tr>
<td>annual food plots</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to establish a tree species</td>
<td>• for ornamental purposes</td>
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<td></td>
<td>• for Christmas trees</td>
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<tr>
<td></td>
<td>• nursery tree production</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• production of commercial nuts, other than species customarily planted for forestry purposes</td>
<td></td>
</tr>
<tr>
<td>herbicides or insecticides</td>
<td>to maintain the vegetative cover including trees</td>
<td></td>
</tr>
<tr>
<td>tree thinning</td>
<td></td>
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</tbody>
</table>
National Practices (Continued)

EF4  Bottomland Longleaf Pine Restoration

A Purpose

The purpose of this practice is to restore bottomland forest dominated by Longleaf Pine. The practices must provide for the long-term viability of bottomland Longleaf Pine trees that have been impacted by the EFRP-designated disaster. The bottomland Longleaf Pine stand will:

- control sheet, rill, scour, gully, and other erosion
- reduce water, air, or land pollution
- restore forest health and forest-related resources, including wetlands
- promote carbon sequestration
- restore and connect wildlife habitat.

B Program Policy

Apply this practice to eligible NIPF that had tree cover before an EFRP-designated disaster (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources of a Longleaf Pine tree stand.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce soil erosion to less than the soil loss tolerance
- restore forest health and forest-related resources
- be maintained for the practice lifespan
- be included in the approved practice plan and listed on the signed FSA-848, page 1.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC’s may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.
National Practices (Continued)

**EF4 Bottomland Longleaf Pine Restoration (Continued)**

**F Practice Requirements**

The following are requirements for this practice:

- plantings must be protected from destructive fire and from grazing by domestic livestock for the practice lifespan

- chemicals used in performing the practice must be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements

- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

**G Natural Regeneration**

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

**H Management Activities**

Additional management activities identified in a separate forest management plan or conservation plan may be performed on NIPF during the practice lifespan, if the practices do not interfere with normal maintenance of the practice. These management activities may be cost-shared under other State or Federal programs if the State or Federal Agency and COC determine that they are separate practices, not part of normal maintenance, and do not defeat the purpose of the practice.

EFRP financial assistance is not authorized for management practices.

**I Environmental Concerns**

Consider restoring forest health and forest-related resources and preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications. Ensure that noxious and invasive plants are controlled throughout the practice lifespan.
National Practices (Continued)

EF4  Bottomland Longleaf Pine Restoration (Continued)

J  Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is not available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established

Note: Compliance should follow with standards as outlined in the practice plan.

K  Financial Assistance Rates

Express the financial assistance rate as follows:

“______ percent of the actual cost not to exceed $____ per unit of measure.”

The limitation shall be based on the average cost of performing the unit of measure.
EF4 Bottomland Longleaf Pine Restoration (Continued)

L Financial Assistance Policy

This table shows financial assistance policies for this practice.

<table>
<thead>
<tr>
<th>IF the component is…</th>
<th>AND the justification is…</th>
<th>THEN financial assistance is…</th>
</tr>
</thead>
</table>
| to establish a minimum of 3 different varieties of tree and shrub species | • to reduce erosion from wind or water  
• provide food and cover for waterfowl and other wildlife  
• improve surface or ground water quality  
| temporary cover | • required in the practice specification  
• needed until required planting stock is available  
• needed because normal planting period for the species has passed  
• to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover |  |
| debris removal | required to establish a stand or assist in the natural regeneration |  |
| wildlife enhancement | • provides cover opening that will provide additional wildlife benefits to the stand  
• to establish and maintain a cover that provides habitat for wildlife in otherwise open areas.  

**Note:** This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.). |  |
| to establish no more than 49 percent of the silviculturally species other than Longleaf Pine, as determined by STC and determined appropriate by State Forester | to enhance I of the following:  
• wetland development  
• wildlife habitat  
• stand health and vigor |  |
| seeding firebreaks, fuelbreaks, or firelanes | to establish and maintain the cover according to State requirements |  |
| herbicides or insecticides | specified as necessary in the approved tree planting plan to establish the cover |  |
| minerals or nutrients | substantiated as needed by COC to establish the approved cover |  |
| fencing, tree shelters, netting, plastic tubes, or other animal control devices | approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing  

**Note:** STC must designate areas where using such measures are warranted and cost-effective to protect seedlings. |  |
| roads | located on NIPF and necessary for forest restoration |  |
| clean tilling | for firebreaks, fuelbreaks, or firelanes |  |
EF4 Bottomland Longleaf Pine Restoration (Continued)

L Financial Assistance Policy (Continued)

<table>
<thead>
<tr>
<th>IF the component is…</th>
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<tbody>
<tr>
<td>roads</td>
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<td>not authorized.</td>
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<tr>
<td>annual food plots</td>
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<tr>
<td>to establish a tree species</td>
<td>• for ornamental purposes</td>
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<td></td>
<td>• for Christmas trees</td>
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<td></td>
<td>• nursery tree production</td>
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<td></td>
<td>• production of commercial nuts, other than species customarily planted for forestry purposes</td>
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<tr>
<td>herbicides or insecticides</td>
<td>to maintain the vegetative cover including trees</td>
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<tr>
<td>tree thinning</td>
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</table>
National Practices (Continued)

EF5  Upland Hardwood Forest Restoration

A Purpose

The purpose of this practice is to restore upland hardwood forests. The practices must provide for the long-term viability of upland hardwood trees that have been impacted by the EFRP-designated disaster. The upland hardwood stand will:

- control sheet, rill, scour, gully, and other erosion
- reduce water, air, or land pollution
- restore forest health and forest-related resources
- promote carbon sequestration
- restore and connect wildlife habitat.

B Program Policy

Apply this practice to eligible NIPF that has tree cover (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources in an upland forest ecosystem dominated by hardwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC’s may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.
National Practices (Continued)

**EF5** Upland Hardwood Forest Restoration (Continued)

**F Practice Requirements**

The following are requirements for this practice:

- plantings **must** be protected from destructive fire and from grazing by domestic livestock for the practice lifespan

- chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements

- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

**G Natural Regeneration**

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

**H Management Activities**

Additional management activities identified in a separate forest management plan or conservation plan may be performed on NIPF during the practice lifespan, if the practices do **not** interfere with normal maintenance of the practice. These management activities may be cost-shared under other State or Federal programs if the State or Federal Agency and COC determine that they are separate practices, **not** part of normal maintenance, and do **not** defeat the purpose of the practice.

EFRP financial assistance is **not** authorized for management practices.

**I Environmental Concerns**

Consider restoring forest health and forest-related resources and preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications. Ensure that noxious and invasive plants are controlled throughout the practice lifespan.
National Practices (Continued)

EF5  Upland Hardwood Forest Restoration (Continued)

J  Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is not available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established

Note: Compliance should follow with standards as outlined in the practice plan.

K  Financial Assistance Rates

Express the financial assistance rate as follows:

“_____ percent of the actual cost not to exceed $___ per unit of measure.”

The limitation shall be based on the average cost of performing the unit of measure.
EF5 Upland Hardwood Forest Restoration (Continued)

I. Financial Assistance Policy

This table shows financial assistance policies for this practice.

<table>
<thead>
<tr>
<th>IF the component is...</th>
<th>AND the justification is...</th>
<th>THEN financial assistance is...</th>
</tr>
</thead>
</table>
| to establish a minimum of 3 different varieties of hardwood tree and shrub species | • to reduce erosion from wind or water  
• provide food and cover for waterfowl and other wildlife  
• improve surface or ground water quality  
| temporary cover | • required in the practice specification  
• needed until required planting stock is available  
• needed because normal planting period for the species has passed  
• to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover | |
| debris removal | required to establish a stand or assist in the natural regeneration | |
| wildlife enhancement | • provides cover opening that will provide additional wildlife benefits to the stand  
• to establish and maintain a cover that provides habitat for wildlife in otherwise open areas.  
Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.). | |
| to establish no more than 49 percent of the silviculturally species other than hardwood, as determined by STC and determined appropriate by State Forester | to enhance 1 of the following:  
• wildlife habitat  
• stand health and vigor | |
| seeding firebreaks, fuelbreaks, or firelanes | to establish and maintain the cover according to State requirements | |
| herbicides or insecticides | specified as necessary in the approved tree planting plan to establish the cover | |
| minerals or nutrients | substantiated as needed by COC to establish the approved cover | |
| fencing, tree shelters, netting, plastic tubes, or other animal control devices | approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing.  
Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings. | |
| roads | located on NIPF and necessary for forest restoration | |
| clean tilling | for firebreaks, fuelbreaks, or firelanes | |
### National Practices (Continued)

**EF5 Upland Hardwood Forest Restoration (Continued)**

**L Financial Assistance Policy (Continued)**

<table>
<thead>
<tr>
<th>IF the component is...</th>
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<tbody>
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<td>annual food plots</td>
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<td>nursery tree production</td>
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<td>production of commercial nuts, other than species customarily planted for forestry purposes</td>
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<td>herbicides or insecticides</td>
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<td>tree thinning</td>
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</tbody>
</table>
National Practices (Continued)

EF6 Upland Softwood Forest Restoration

A Purpose

The purpose of this practice is to restore existing upland softwood forests. The practices **must** provide for the long-term viability of upland softwood trees that have been impacted by the EFRP-designated disaster.

B Program Policy

Apply this practice to eligible NIPF that has tree cover (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources in an upland forest ecosystem dominated by softwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC’s may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.
National Practices (Continued)

EF6 Upland Softwood Forest Restoration (Continued)

F Practice Requirements

The following are requirements for this practice:

- approval must be obtained from the State Forester certifying that planting up to 50 percent softwoods is an appropriate silvicultural practice for the State

- plantings must be protected from destructive fire and from grazing by domestic livestock for the practice lifespan

- chemicals used in performing the practice must be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements

- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

H Management Activities

Additional management activities identified in a separate forest management plan or conservation plan may be performed on NIPF during the practice lifespan, if the practices do not interfere with normal maintenance of the practice. These management activities may be cost-shared under other State or Federal programs if the State or Federal Agency and COC determine that they are separate practices, not part of normal maintenance, and do not defeat the purpose of the practice.

EFRP financial assistance is not authorized for management practices.

I Environmental Concerns

Consider restoring forest health and forest-related resources and preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications. Ensure that noxious and invasive plants are controlled throughout the practice lifespan.
National Practices (Continued)

EF6  Upland Softwood Forest Restoration (Continued)

J  Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is not available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established

Note: Compliance should follow with standards as outlined in the practice plan.

K  Financial Assistance Rates

Express the financial assistance rate as follows:

“_____ percent of the actual cost not to exceed $___ per unit of measure.”

The limitation shall be based on the average cost of performing the unit of measure.
EF6  Upland Softwood Forest Restoration (Continued)

L  Financial Assistance Policy

This table shows financial assistance policies for this practice.

<table>
<thead>
<tr>
<th>IF the component is…</th>
<th>AND the justification is…</th>
<th>THEN financial assistance is…</th>
</tr>
</thead>
</table>
| to establish a minimum of 3 different varieties of softwood tree and shrub species | • to reduce erosion from wind or water  
• provide food and cover for waterfowl and other wildlife  
• improve surface or ground water quality  
| temporary cover | • required in the practice specification  
• needed until required planting stock is available  
• needed because normal planting period for the species has passed  
• to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover | |
| debris removal | required to establish a stand or assist in the natural regeneration | |
| wildlife enhancement | • provides cover opening that will provide additional wildlife benefits to the stand  
• to establish and maintain a cover that provides habitat for wildlife in otherwise open areas | |
| | Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.). | |
| to establish no more than 49 percent of the silviculturally appropriate hardwood species, as determined by STC and determined appropriate by State Forester | to enhance 1 of the following:  
• wildlife habitat  
• stand health and vigor | |
| seeding firebreaks, fuelbreaks, or firelanes | to establish and maintain the cover according to State requirements | |
| herbicides or insecticides | specified as necessary in the approved tree planting plan to establish the cover | |
| minerals or nutrients | substantiated as needed by COC to establish the approved cover | |
| fencing, tree shelters, netting, plastic tubes, or other animal control devices | approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing | Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings. |
| roads | located on NIPF and necessary for forest restoration | |
| clean tilling | for firebreaks, fuelbreaks, or firelanes | |
## EF6 Upland Softwood Forest Restoration (Continued)

### L Financial Assistance Policy (Continued)

<table>
<thead>
<tr>
<th>IF the component is…</th>
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<td></td>
<td>• production of commercial nuts, other than species customarily planted for forestry purposes</td>
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<td>herbicides or insecticides to maintain the vegetative cover including trees</td>
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<tr>
<td>tree thinning</td>
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</table>
National Practices (Continued)

EF7 Upland Mixed Forest Restoration

A Purpose

The purpose of this practice is to restore upland mixed forests. The practices must provide for the long-term viability of a mixed upland forest ecosystem that has been impacted by the EFRP-designated disaster. The upland mixed stand will:

- control sheet, rill, scour, gully, and other erosion
- reduce water, air, or land pollution
- restore forest health and forest-related resources
- promote carbon sequestration
- restore and connect wildlife habitat.

B Program Policy

Apply this practice to eligible NIPF that had tree cover before an EFRP-designated disaster (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources of an upland tree stand with approximately equal amounts of hardwood and softwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC’s may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.
National Practices (Continued)

EF7  Upland Mixed Forest Restoration (Continued)

F  Practice Requirements

The following are requirements for this practice:

- at least 50 percent of the stand is **not** identified as any 1 species of trees

- plantings **must** be protected from destructive fire and from grazing by domestic livestock for the practice lifespan

- chemicals used in performing the practice **must** be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements
  - shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G  Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

H  Management Activities

Additional management activities identified in a separate forest management plan or conservation plan may be performed on NIPF during the practice lifespan, if the practices do **not** interfere with normal maintenance of the practice. These management activities may be cost-shared under other State or Federal programs if the State or Federal Agency and COC determine that they are separate practices, **not** part of normal maintenance, and do **not** defeat the purpose of the practice.

EFRP financial assistance is **not** authorized for management practices.

I  Environmental Concerns

Consider restoring forest health and forest-related resources and preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications. Ensure that noxious and invasive plants are controlled throughout the practice lifespan.
National Practices (Continued)

EF7 Upland Mixed Forest Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is not available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established

**Note:** Compliance should follow with standards as outlined in the practice plan.

K Financial Assistance Rates

Express the financial assistance rate as follows:

“______ percent of the actual cost **not** to exceed $___ per unit of measure.”

The limitation shall be based on the average cost of performing the unit of measure.
**EF7 Upland Mixed Forest Restoration (Continued)**

### L Financial Assistance Policy

This table shows financial assistance policies for this practice.

<table>
<thead>
<tr>
<th>IF the component is…</th>
<th>AND the justification is…</th>
<th>THEN financial assistance is…</th>
</tr>
</thead>
</table>
| to establish a minimum of 3 different varieties of tree and shrub species | • to reduce erosion from wind or water  
• provide food and cover for waterfowl and other wildlife  
• improve surface or ground water quality  
| temporary cover | • required in the practice specification  
• needed until required planting stock is available  
• needed because normal planting period for the species has passed  
• to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover | |
| debris removal | required to establish a stand or assist in the natural regeneration | |
| wildlife enhancement | • provides cover opening that will provide additional wildlife benefits to the stand  
• to establish and maintain a cover that provides habitat for wildlife in otherwise open areas | |
| seeding firebreaks, fuelbreaks, or firelanes | to establish and maintain the cover according to State requirements | |
| herbicides or insecticides | specified as necessary in the approved tree planting plan to establish the cover | |
| minerals or nutrients | substantiated as needed by COC to establish the approved cover | |
| fencing, tree shelters, netting, plastic tubes, or other animal control devices | approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing  
Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings. | |
| roads | located on NIPF and necessary for forest restoration | |
| clean tilling | for firebreaks, fuelbreaks, or firelanes | |
### National Practices (Continued)

**EF7**  Upland Mixed Forest Restoration (Continued)

**L  Financial Assistance Policy (Continued)**

<table>
<thead>
<tr>
<th>IF the component is…</th>
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<tr>
<td>tree thinning</td>
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</table>
EF8 Upland Longleaf Pine Restoration

A Purpose

The purpose of this practice is to restore upland forest dominated by Longleaf Pine. The practices must provide for the long-term viability of upland Longleaf Pine trees that have been impacted by the EFRP-designated disaster. The upland Longleaf Pine stand will:

- control sheet, rill, scour, gully, and other erosion
- reduce water, air, or land pollution
- restore forest health and forest-related resources
- promote carbon sequestration
- restore and connect wildlife habitat.

B Program Policy

Apply this practice to eligible NIPF that had tree cover before an EFRP-designated disaster (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources of an upland Longleaf Pine tree stand.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce soil erosion to less than the soil loss tolerance
- restore forest health and forest-related resources
- be maintained for the practice lifespan
- be included in the approved practice plan and listed on the signed FSA-848, page 1.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC’s may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.
National Practices (Continued)

EF8  Upland Longleaf Pine Restoration (Continued)

F  Practice Requirements

The following are requirements for this practice:

- plantings must be protected from destructive fire and from grazing by domestic livestock for the practice lifespan

- chemicals used in performing the practice must be:
  - Federally, State, and locally registered
  - applied according to authorized registered uses, directions on the label, and other Federal or State policies and requirements

- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G  Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

H  Management Activities

Additional management activities identified in a separate forest management plan or conservation plan may be performed on NIPF during the practice lifespan, if the practices do not interfere with normal maintenance of the practice. These management activities may be cost-shared under other State or Federal programs if the State or Federal Agency and COC determine that they are separate practices, not part of normal maintenance, and do not defeat the purpose of the practice.

EFRP financial assistance is not authorized for management practices.

I  Environmental Concerns

Consider restoring forest health and forest-related resources and preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications. Ensure that noxious and invasive plants are controlled throughout the practice lifespan.
National Practices (Continued)

EF8  Upland Longleaf Pine Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is not available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established

Note: Compliance should follow with standards as outlined in the practice plan.

K Financial Assistance Rates

Express the financial assistance rate as follows:

“______ percent of the actual cost not to exceed $____ per unit of measure.”

The limitation shall be based on the average cost of performing the unit of measure.
National Practices (Continued)

**EF8  Upland Longleaf Pine Restoration (Continued)**

**I. Financial Assistance Policy**

This table shows financial assistance policies for this practice.

<table>
<thead>
<tr>
<th>IF the component is...</th>
<th>AND the justification is...</th>
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</thead>
</table>
| to establish a minimum of 3 different varieties of tree and shrub species | • to reduce erosion from wind or water  
• provide food and cover for waterfowl and other wildlife  
• improve surface or ground water quality  
| temporary cover | • required in the practice specification  
• needed until required planting stock is available  
• needed because normal planting period for the species has passed  
• to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover | |
| debris removal | required to establish a stand or assist in the natural regeneration | |
| wildlife enhancement | • provides cover opening that will provide additional wildlife benefits to the stand  
• to establish and maintain a cover that provides habitat for wildlife in otherwise open areas  
*Note:* This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.). | |
| to establish no more than 49 percent of the silviculturally species other than Longleaf Pine, as determined by STC and determined appropriate by State Forester | to enhance 1 of the following:  
• wildlife habitat  
• stand health and vigor. | |
| seeding firebreaks, fuelbreaks, or firelanes | to establish and maintain the cover according to State requirements | |
| herbicides or insecticides | specified as necessary in the approved tree planting plan to establish the cover | |
| minerals or nutrients | substantiated as needed by COC to establish the approved cover | |
| fencing, tree shelters, netting, plastic tubes, or other animal control devices | approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing  
*Note:* STC must designate areas where using such measures are warranted and cost-effective to protect seedlings. | |
| roads | located on NIPF and necessary for forest restoration | |
| clean tilling | for firebreaks, fuelbreaks, or firelanes |
National Practices (Continued)

EF8  Upland Longleaf Pine Restoration (Continued)

L  Financial Assistance Policy (Continued)

<table>
<thead>
<tr>
<th>IF the component is...</th>
<th>AND the justification is...</th>
<th>THEN financial assistance is...</th>
</tr>
</thead>
<tbody>
<tr>
<td>roads</td>
<td>not located on NIPF</td>
<td>not authorized.</td>
</tr>
<tr>
<td>annual food plots</td>
<td>to establish a tree species</td>
<td>for ornamental purposes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>for Christmas trees</td>
</tr>
<tr>
<td></td>
<td></td>
<td>nursery tree production</td>
</tr>
<tr>
<td></td>
<td></td>
<td>production of commercial nuts, other than species customarily planted for forestry purposes</td>
</tr>
<tr>
<td>herbicides or insecticides</td>
<td>to maintain the vegetative cover including trees</td>
<td></td>
</tr>
<tr>
<td>tree thinning</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
National Practices (Continued)

EF9 Other Emergency Forest Restoration Measures

A Authority

Other emergency forest restoration practices may be approved by CEPD. Submit a copy of practices for approval to CEPD.

B General Policies

ECP practices must meet the requirements in this handbook.

C Financial Assistance Policies

The following provides financial assistance policy.

<table>
<thead>
<tr>
<th>IF component is...</th>
<th>THEN financial assistance is...</th>
</tr>
</thead>
<tbody>
<tr>
<td>replacing or restoring a conservation or pollution abatement practice</td>
<td>authorized.</td>
</tr>
<tr>
<td>damaged by the natural disaster</td>
<td></td>
</tr>
<tr>
<td>restoring forest health or forest-related resources</td>
<td></td>
</tr>
<tr>
<td>directly related to a natural disaster</td>
<td></td>
</tr>
<tr>
<td>for the solution of conservation or environmental problems existing before the disaster</td>
<td>not authorized.</td>
</tr>
</tbody>
</table>

D Planting Period

If planting is an element of the practice, a planting period shall be established when the practice description is approved. Generally, the planting period should be similar to that for other practices in this handbook.

E Practice Lifespan

All practices must specify a minimum lifespan. Generally, the practice lifespan should be similar to that for other practices in this handbook.
EF9 Other Emergency Forest Restoration Measures (Continued)

F Practice Requirements

Practice requirements may be established when the practice description is approved.

G Natural Regeneration

The practice description shall specify whether natural regeneration is acceptable under the practice.

H Management Activities

This practice description shall specify whether financial assistance for periodic management activities is authorized.

I Environmental Concerns

Generally, consider restoring forest health and forest-related resources and preserving and improving the environment and wildlife concerns when making determinations about types of plantings, spacing, and other practice specifications. Ensure that noxious and invasive plants are controlled throughout the practice lifespan.
Example of FSA-850

The following is an example of FSA-850 that is available from the FFAS Employee Forms Online Web Site at [http://165.221.16.90/dam/ffasforms/forms.html](http://165.221.16.90/dam/ffasforms/forms.html).

---

### ENVIRONMENTAL EVALUATION CHECKLIST

<table>
<thead>
<tr>
<th>1D. TYPE OF PROJECT</th>
<th>1E. PROJECT OR DESCRIPTION</th>
<th>1F. GENERAL LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOAN</td>
<td>CRP</td>
<td>ECP</td>
</tr>
<tr>
<td>OTHER</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. BACKGROUND

a. Describe the purpose and need for the project:

b. Describe the project site and its present use:

c. Describe the surrounding land uses; indicate the directions and distances involved. The extent of the surrounding land to be considered depends on the extent of the potential impacts of the project, its related activities, and the primary beneficiaries:

3. PROTECTED RESOURCES

For the below listed land uses or environmental resources, check the appropriate answer in Column A to indicate those that are present on the site(s) of the proposed action. Check the appropriate answer in Column B for those resources that are within the action's area of environmental impact, such as the areas adjacent to the proposed site(s). Check the appropriate answer in Column C for those land uses and environmental resources that will be adversely affected by the proposed action.

Check the appropriate boxes as provided:
- If "YES" is checked in Column A or B, then Column C must be completed.
- If "YES" is checked in Column C, attach as Exhibit 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, and 3i as applicable, a discussion and description of all potential impacts.

#### a. Wetlands

An AD-1026 must be completed by all producers who request USDA program or loan benefits covered by the FSA of 1985, as amended by the Federal Agriculture Improvement and Reform Act of 1996. If any of questions 8 through 10 of the AD-1026 are answered "YES," then a NCRS CPA-026e must be completed and attached.

#### b. Floodplains - Flood Map Panel #

For projects involving construction/development in floodplains, attach applicable floodplain development permits.

#### c. Sole Source Aquifer Recharge Area (Designated by Environmental Protection Agency)

The proposed action must not contaminate or contribute to the contamination of a sole source aquifer to the extent that a significant hazard to public health is created.

#### d. Critical Habitat or Endangered/Threatened Species (listed or proposed)

Consult with the U.S. Fish and Wildlife to ensure that the proposed action will not jeopardize a listed species or destroy or modify its "critical habitat" in accordance with the Endangered Species Act.

#### e. Wilderness

#### f. Coastal Barrier in Coastal Barrier Resources System or Approved Coastal Zone Management Area

#### g. Wild or Scenic River

#### h. Natural Landmark

#### i. Historical, Archeological Sites
### Example of FSA-850 (Continued)

**FSA-850 (Page 2) (06-14-02)**

**4. WATER QUALITY**

a. Will the proposed action adversely affect the quality of surface and/or ground water?

| YES | NO |

b. Will the proposed action comply with the requirements of the Clean Water Act and any applicable State water quality laws?

| YES | NO |

If Item 4a is answered "YES," attach as Exhibit 4, a discussion of any impacts to water quality.

**5. AIR QUALITY**

Will the proposed action produce air emissions or odors that will violate any Federal, State, or local laws or standards?

| YES | NO |

If "YES," attach as Exhibit 5, a discussion of any impacts to air quality.

**6. NOISE**

Will the proposed action result in permanent increases in noise levels?

| YES | NO |

If "YES," attach as Exhibit 6, a discussion of any noise impacts.

**7. IMPORTANT LAND RESOURCES**

Will the proposed action result in the conversion of important farmland, prime forest land, or prime rangeland to a nonagricultural use?

| YES | NO |

If "YES," attach as Exhibit 7, a discussion of which land resources would be affected along with any alternatives to the proposed action.

**8. UNIQUE NATURAL FEATURES AND AREAS**

a. Will the project be located near natural features (i.e. bluffs, caves, or cliffs) or near public or private scenic areas?

| YES | NO |

b. Are other natural resources visible on the site or in the vicinity?

| YES | NO |

c. Will any such resources be adversely affected or will they adversely affect the project?

| YES | NO |

If Item 8c is answered "YES," attach as Exhibit 8, a discussion of such natural features or areas and potential adverse impacts.

**9. ENVIRONMENTAL JUSTICE**

Will the proposed action cause any adverse human health or environmental effects to minority or low income communities as defined in the Executive Order 12896, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"?

| YES | NO |

If "YES," attach as Exhibit 9, a discussion of any adverse effects.

**10. SOCIAL AND ECONOMIC IMPACTS**

Will the proposed action have any negative impacts on the local social and economic conditions?

| YES | NO |

If "YES," attach as Exhibit 10, a discussion of any negative impacts.

**11. STATE ENVIRONMENTAL POLICY ACT**

Is the proposed project subject to a State NEPA?

| YES | NO |

If "YES," attach as Exhibit 11, a discussion of the results of compliance with these requirements.

**12. PUBLIC REACTION**

Have there been any negative reactions from the public related to the proposed project?

| YES | NO |

If "YES," attach as Exhibit 12, a discussion of any associated comments and related correspondence.
Example of FSA-850 (Continued)

**FSA-850 (Page 3) (06-14-02)**

13. CUMULATIVE IMPACTS

Are there any cumulative impacts resulting from the proposed project?  

- [ ] YES  
- [ ] NO  

If "YES," attach as Exhibit 13, a discussion of the cumulative impacts of this project and the related activities. Give particular attention to land use changes and air and water quality impacts.

14. ALTERNATIVES

Based on the answers provided in this form, will alternatives have to be considered?  

- [ ] YES  
- [ ] NO  

If "YES," attach as Exhibit 14, a discussion of the feasibility of alternatives to the project and their environmental impacts.

15. MITIGATION MEASURES

Based on the answers provided in this form, will mitigation measures have to be considered?  

- [ ] YES  
- [ ] NO  

If "YES," attach as Exhibit 15, a discussion of any measures which will be required to avoid or mitigate the identified adverse impacts.

16. COMMENTS

---

### 17. CHECKLIST

<table>
<thead>
<tr>
<th>Permits</th>
<th>Required</th>
<th>Not Required</th>
<th>Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army Corps of Engineers 404</td>
<td>Form FSA-851, Environmental Risk Assessment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NPDES Storm Water</td>
<td>Form NRCS CPA-0296, HEL and WC Determination</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floodplain Development Permit</td>
<td>Form FEMA 81-93, Standard Flood Hazard Determination</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAFO Permit</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Letters and Other Requirements</th>
<th>Required</th>
<th>Not Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fish and Wildlife Service clearance on Endangered/Threatened Species</td>
<td>Public Notice for Floodplains as required by section 2(a)(4) of EO 11988</td>
<td></td>
</tr>
<tr>
<td>State Historic Preservation Officer consultation</td>
<td>Tribal Historic Preservation Officer consultation</td>
<td></td>
</tr>
</tbody>
</table>

**NOTE:** Other permits, forms, and letters may be required and should be attached as applicable. All permits, forms, and letters should be attached as exhibits corresponding to their appropriate section of this form.

18. FINDING

I have reviewed and considered the types and degrees of adverse environmental impacts identified by this evaluation. I have also analyzed the proposal for its consistency with FSA environmental policies implementing the requirements of the National Environmental Policy Act and have considered the potential benefits of the proposal. Based upon this consideration and balancing of these factors, I recommend one of the following:

a. [ ] There will be no adverse impacts as a result of this proposed action or any adverse effects, either individually or cumulatively. The project can be considered as categorically excluded per 7 CFR 700.10 of 7 CFR Part 700. Neither an Environmental Assessment or Environmental Impact Statement will be required. The project is recommended for approval.

b. [ ] An Environmental Assessment should be completed to provide further and more complete analysis of any adverse impacts and approval of the project must be delayed pending the outcome of the assessment.

**19A. NAME OF PREPARER**  
**19B. TITLE OF PREPARER**

**19C. SIGNATURE OF PREPARER**  
**19D. DATE (MM-DD-YYYY)**

**19E. SIGNATURE OF CONCURRING OFFICIAL**  
**19F. TITLE OF CONCURRING OFFICIAL**
Completing ACP-153A

A Entries Before Releasing ACP-153A to P-A Agents

County Offices shall make the following entries before releasing ACP-153A to P-A agents.

<table>
<thead>
<tr>
<th>Item</th>
<th>Entries Made by County Office Before Releasing ACP-153A to Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>CHECK (✓) “No” to indicate that P-A is not a special project.</td>
</tr>
<tr>
<td>2</td>
<td>Enter “1” of “1” if report consists of 1 page. If continuation page is needed, enter “1” of “2” on the first page and “2” of “2” on the second page. If more pages are needed, enter page numbers as required.</td>
</tr>
<tr>
<td>3</td>
<td>Enter FY, which should be the same FY as on corresponding ACP-153.</td>
</tr>
<tr>
<td>4</td>
<td>Enter agreement number from corresponding ACP-153.</td>
</tr>
<tr>
<td>5 and 6</td>
<td>Enter State and county names, which should be the same State and county on corresponding ACP-153.</td>
</tr>
<tr>
<td>7</td>
<td>Enter brief, accurate description of location.</td>
</tr>
<tr>
<td>8 and 9</td>
<td>Enter number and title of practice needed to address the disaster related damages.</td>
</tr>
<tr>
<td>15</td>
<td>Enter the farm number of each participant ensuring that the lines on this form and ACP-153 have the same identical number.</td>
</tr>
</tbody>
</table>

B Entries Reported by P-A Agent

P-A agents shall complete the following entries.

<table>
<thead>
<tr>
<th>Item</th>
<th>Entries Reported by P-A Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Enter actual value, dollar or other, of each participant’s eligible contribution.</td>
</tr>
<tr>
<td>24 and 25</td>
<td>P-A agent shall sign and date.</td>
</tr>
</tbody>
</table>
Completing ACP-153A (Continued)

C Entries Completed by County Office When Returned by Agent

County Offices shall complete the following entries after ACP-153A has been returned by the P-A agent.

<table>
<thead>
<tr>
<th>Item</th>
<th>Entries Reported by County Office When ACP-153A Is Returned by P-A Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>This data is obtained from FSA-848B. An exception is when limited resource producers are involved according to paragraph 176. <strong>Only one FSA-848B per practice</strong> is required for entire group participating in P-A.</td>
</tr>
<tr>
<td>11</td>
<td>Enter the total deductions, if any, for partial payments, assignments, and debts. Use whole dollars according to paragraph 294.</td>
</tr>
<tr>
<td>12</td>
<td>Enter total ineligible contributions, if any.</td>
</tr>
<tr>
<td>13</td>
<td>Enter total eligible cost of the project.</td>
</tr>
<tr>
<td>14</td>
<td>Enter result of item 13 minus item 12.</td>
</tr>
<tr>
<td>17</td>
<td>Enter result of item 16 divided by item 14.</td>
</tr>
<tr>
<td>18</td>
<td>Enter the result of item 10 multiplied by item 17 in whole numbers. Total should equal item 10.</td>
</tr>
<tr>
<td>19</td>
<td>Enter any deductions for debts, assignments, or partial payment advanced. Enter amount in dollars and cents as necessary. See paragraph 294.</td>
</tr>
<tr>
<td>20</td>
<td>Enter the result of item 18 minus item 19.</td>
</tr>
</tbody>
</table>

D Distributing ACP-153’s and FSA-848B With ACP-153A

Distribute ACP-153’s, FSA-848B’s, and ACP-153A’s according to the following:

- COC retains original of ACP-153.
- Give 1 copy of ACP-153 to NRCS.
- Give 1 copy of ACP-153 and FSA-848B and 2 copies of ACP-153A to the agent.
### Example of ACP-153A

The following is an example of a completed ACP-153A.

**Note:** See subparagraphs A, B, and C for a description of the data on ACP-153A.

![Pool Agreement Worksheet]

11-22-10     1-EFRP Amend. 1

1-22-10     1-EFRP Amend. 1
Completing FSA-276

A  Completion Instructions

The following provides instructions for completing FSA-276.

<table>
<thead>
<tr>
<th>Item</th>
<th>Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Enter the farm number.</td>
</tr>
<tr>
<td>2</td>
<td>Enter the producer’s name and address.</td>
</tr>
<tr>
<td>3 and 4</td>
<td><strong>To be completed by spot checker.</strong> Enter the name and phone number of the person to contact on the farm during the spot check.</td>
</tr>
<tr>
<td>5</td>
<td>Enter the State name.</td>
</tr>
<tr>
<td>6</td>
<td>Enter the county name.</td>
</tr>
<tr>
<td>7</td>
<td>Enter the current FY.</td>
</tr>
<tr>
<td>8</td>
<td>Enter the calendar year the practice was completed.</td>
</tr>
<tr>
<td>9</td>
<td>Enter the practice number to be spot-checked.</td>
</tr>
<tr>
<td>10</td>
<td>Enter the practice description of the practice to be spot-checked.</td>
</tr>
<tr>
<td>11</td>
<td><strong>To be completed by spot checker.</strong> Enter the location of the practice spot-checked.</td>
</tr>
<tr>
<td>12 A</td>
<td>Enter the practice extent performed reported on FSA-848B.</td>
</tr>
<tr>
<td>12 B</td>
<td><strong>To be completed by spot checker.</strong> Enter the practice extent found. If acreage is involved and measurement is required, delineate on aerial photograph or record measurements on a sketch drawn on the back of FSA-276. For other practices, describe discrepancies found and method of determining extent of performance, if applicable, in the “Remarks” section.</td>
</tr>
<tr>
<td>13</td>
<td><strong>To be completed by spot checker.</strong> Check “Yes” or “No”, as appropriate, to indicate satisfactory or unsatisfactory maintenance.</td>
</tr>
<tr>
<td>14</td>
<td><strong>To be completed by spot checker.</strong> Check “Yes” or “No”, as appropriate, to indicate whether producer supplied proof of payment of practice to support EFRP payments.</td>
</tr>
<tr>
<td>15</td>
<td><strong>To be completed by spot checker.</strong> Document any discrepancies or other notes in the “Remarks” section.</td>
</tr>
<tr>
<td>16</td>
<td><strong>To be completed by spot checker.</strong> Spot checker shall sign when spot check is completed.</td>
</tr>
<tr>
<td>17</td>
<td><strong>To be completed by spot checker.</strong> Spot checker shall date when spot check is completed.</td>
</tr>
</tbody>
</table>
The following is an example of a completed FSA-276.

<table>
<thead>
<tr>
<th>3. NAME OF PERSON CONTACTED ON FARM</th>
<th>4. TELE. NO. (Area Code)</th>
<th>5. STATE</th>
<th>6. COUNTY</th>
<th>7. FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8. YEAR PRACTICE COMPLETED</th>
<th>9. PRACTICE NO.</th>
<th>10. DESCRIPTION</th>
<th>11. LOCATION (Field No. or Other)</th>
<th>12. EXTENT REPORTED ON AD-245</th>
<th>13. SATISFACTORY MAINTENANCE</th>
<th>14. PROOF OF PAYMENT SUPPORTING COST-SHARE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>2003</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fencing</td>
<td>100 D</td>
<td>1,000 ft.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

15. REMARKS: (Describe any discrepancies - use separate sheet of paper)

16. SIGNATURE OF SPOT CHECKER

/s/ Spot Checker

17. DATE OF SPOT CHECK

XX-XX-XXXX

This form is available electronically.

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