

FSA
HANDBOOK

Emergency Forest Restoration Program

For State and County Offices

SHORT REFERENCE

1-EFRP
(Revision 1)

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Emergency Forest Restoration Program
1-EFRP (Revision 1)**

Amendment 1

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reason for Revision

This handbook has been revised to provide updated policy and procedure for EFRP and will be used for eligible disasters occurring on or after February 10, 2023.

B Status of Other Revisions

1-EFRP will apply to eligible disasters that occurred **before** February 10, 2023.

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Part 1 General Information**Section 1 General Provisions****1 Overview****A 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.

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

2 EFRP Authorization**A Source of Authority**

Agricultural Credit Act of 1978, Section 407 (16 U.S.C. 2206) as amended by the Food, Conservation and Energy Act of 2008, Section 2106 is the statutory authority for EFRP.

The regulations at 7 CFR Part 701 govern EFRP.

B EFRP Objectives

EFRP is a cost share (C/S) program. Subject to the availability of funds, the objective of EFRP is to make C/S assistance available to eligible owners of NIPF for performing approved emergency forest restoration practices to rehabilitate NIPF and other eligible conservation structures damaged by natural disasters such as:

- hurricane and typhoon
- tornado
- high winds, including micro-bursts
- storm, including ice storms
- flood
- high water
- wind-driven water
- tidal wave

2 EFRP Authorization (Continued)**B EFRP Objectives (Continued)**

- earthquake
- volcanic eruption
- landslide
- mudslide
- severe snowstorm
- drought
- wildfire by lightning or when exacerbated by natural conditions
- explosion
- other natural phenomena.

C Entitlement to Payment

All EFRP payments are subject to eligibility provisions and the availability of funds, therefore EFRP is not:

- an “entitlement” program
- intended to fully compensate everyone who suffers a loss.

D Qualifying Minimum Cost of Restoration

NIPF damage eligible for C/S must be of a magnitude that it would be too costly to rehabilitate without Federal assistance.

Based on the needs determination and the applicant’s total allowable cost of all practices for the same disaster event, the minimum qualifying cost of restoration at the time of application is set at \$1,000 per participant receiving a share on FSA-848.

STC may establish a higher minimum qualifying cost of restoration.

Applicants may request a waiver of the minimum qualifying cost of restoration to COC. The waiver must be in writing and document how:

- failure to grant the waiver will result in environmental damages or hardship to the applicant
- the waiver will accomplish the goals of the program.

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

3 Related Handbooks

A Other Related Handbooks

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

IF the material concerns...	THEN see...
audits and investigations	9-AO.
State and County organization and administration	16-AO.
appeals, mediation and litigation	1-APP.
directives management	1-AS.
forms and graphics management	3-AS.
records management	32-AS.
FSA file maintenance and disposition manual	32-AS Supplement.
common management and operating provisions	1-CM.
common payment system	9-CM.
farm records and reconstitutions	10-CM.
customer data management	11-CM.
County operations review program	1-COR.
acreage and compliance determinations	2-CP.
equitable relief and finality rule	7-CP.
CRP	2-CRP.
Disaster designations	1-DIS.
STORM automation	2-DIS.
Emergency Conservation Program	1-ECP.
EFRP Automation	2-EFRP.
environmental quality and compliance	1-EQ.
processing payments through NPS	1-FI.
Interest rates	50-FI.
managing FSA and CCC debts, receivables, and claims	58-FI.
Handling prompt payment interest penalties	61-FI.
reporting data to IRS	62-FI.
Financial Services web application (assignments and joint payments)	63-FI.
FOIA	2-INFO.
Web-based Subsidiary Files for 2009 and future years	3-PL (Rev. 2).
payment eligibility, payment limitation, and average AGI	6-PL.

4 Relief Actions

A Waiver Authority

Any procedural provision in this handbook may be waived by DAFP:

- 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.

5 AD-1026 Requirements

A EFRP Coverage

EFRP is **not** covered by HELC and WC provisions in the Food Security Act of 1985, as amended. Therefore, AD-1026 is **not** required.

6 Payment Limitations

A Maximum Payment Limitation

The maximum EFRP payment per person or legal entity, per disaster is \$500,000. The payment limitation will be applied based on the disaster ID assigned by EFRP-PM.

B Program Payment Information

Direct attribution provisions apply to EFRP. CCC-902 completed within the Business File application, according to 6-PL and 3-PL (Rev. 2), is required for all persons and legal entities requesting EFRP benefits. Payment eligibility determinations are required for the year in which the disaster occurred. See 9-CM for additional information on direct attribution.

7 AGI Compliance

A AGI Provisions

Unless a certain appropriation specifically identifies AGI as a requirement, AGI provisions do not normally apply to EFRP. See 6-PL.

8 Assigning Program Payment

A C/S Payment

C/S payment earned under EFRP may be assigned or issued jointly according to 63-FI.

9 Record of Natural Disasters

A Maintaining County History

County Offices must maintain a permanent file (hard copy and/or electronic) on all natural disasters according to 1-DIS. This includes a disaster that severely damages NIPF in the county, regardless of whether the disaster is approved for EFRP. This information can be used as a basis for future EFRP requests and designations.

B Minimum Permanent File Requirements for EFRP

In addition to requirements in 1-DIS, a permanent file of disasters that necessitate EFRP assistance is required. At a minimum, the following should be included in the EFRP permanent file:

- dates
- type of natural disaster
- a record of the areas affected
- total program funds earned, if applicable
- map with areas identified
- other items such as the Loss Assessment Report (LAR) and relevant news articles from local media.

File with other EFRP documents according to 32-AS.

10 Program Year

A EFRP Program Year

The EFRP program year is the FY in which the disaster starts.

11 Forms and Supplementation

A National Forms

STC's, COC's, and State and County Offices will use nationally prescribed forms.

The following EFRP forms will be automatically generated through CSS according to 2-EFRP:

- FSA-848, Cost-Share Request
- FSA-848-1, Continuation of FSA-848
- FSA-848A, Cost-Share Agreement
- FSA-848A-1, Continuation of FSA-848A
- FSA-848B, Cost-Share Performance Certification and Payment
- FSA-848B-1, Continuation of FSA-848B.

Note: If the form is not available through CSS, forms may be accessed online at the FFAS Employee Forms/Publications Online Website. Any forms not generated through CSS must be entered in CSS within 5 workdays of receipt of the form.

B Adding, Modifying, or Withdrawing Provisions

State supplements to this handbook must **not** be less restrictive than the provisions of this handbook. State-specific amendments may be made that are consistent with EFRP provisions. For permanent directives, the following guidelines **must** be followed:

- submit to CD for review and approval before issuance to the State Service Center
- issue **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: The National EFRP-PM may periodically select State Office amendments for review.

12 FSA-770 EFRP**A Using FSA-770 EFRP**

FSA-770 EFRP (Exhibit 6) must be considered a management tool to help address deficiencies identified by a review or spot check of whether policies and procedures are being followed, before issuing EFRP approvals and/or payments.

County Offices that have not implemented EFRP within the last 2 years **must** complete FSA770 EFRP for the first **10** applications per Service Center.

B FSA-770 EFRP Information

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

- use FSA-770 EFRP as a reminder of the most frequently “erred” determinations and certifications
- recognize that the questions asked on FSA-770 EFRP are very general in nature.

C Completing FSA-770 EFRP

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

- if County Offices need to complete additional FSA-770 EFRP forms if apparent internal control deficiencies are found during CED, STC representative, or DD reviews
- whether the applicable FSA-770 EFRP is necessary to ensure policy and procedures followed
- when additional internal controls are necessary to reduce improper payments.

Note: The FSA-770 EFRP form developed by the National Office, is the **only** authorized checklists for EFRP. State Offices may approve supplemental checklists to be used by County Offices; however, these will **not** replace the National forms, are not considered official forms, and must not contain participant signatures.

13-18 (Reserved)

Section 2 EFRP Administration and Responsibilities**19 National Office Responsibilities****A Annual Program Administration Activities**

FSA National Office is responsible for:

- program oversight and implementation
- implementation requests
- funding requests and allocations
- coordination with Forest Service on technical assistance reimbursement
- sign up extensions
- practice extension requests beyond COC and STC authority
- approval authority over \$250,000
- other waiver approvals.

20 EFRP Annual Program Administration Activity**A Administration Actions**

At the beginning of each FY:

- SED will consult with SEC, STC, and, as applicable, SEB, NRCS, USFS and/or local State Forestry Agency, and other technical service providers about any areas of concern within the State or the implementation of EFRP practices
- State Offices must review NRCS average costs when developing the EFRP total allowable cost of all potential EFRP practices and components (see paragraph 67)

Note: State Office will send a list of potential EFRP practices/components and the proposed C/S level to COC's for review. All COC suggested changes must be sent back to STC for approval.

20 EFRP Annual Program Administration Activity (Continued)

A Administration Actions (Continued)

- STC must:
 - review the practices/components and C/S level proposed by STO
 - the suggested changes provided by COC's
 - approve a total allowable cost for all potential EFRP practices/components
- State Offices will load STC established practices/components and C/S level in Program Provisioning

Note: County Offices will copy applicable components from the State list to their county list in the event of a disaster and EFRP implementation. Counties are **only** authorized to use their respective State's STC established components and rates.

- SED and applicable CED's will consult with USFS and/or local State Forestry agency staff about establishing TA needs.

Note: Additional guidance about TA can be found in Part 4.

21 STC Responsibilities

A Program Administration

STC:

- is responsible for administering EFRP within the State according to national policy
- may delegate the authority to sign documents showing action taken by STC's designee

Example: If DD is designated by STC, then DD could act for STC as their designee.

B STC Action

Within the authorities and limitations in the national program, STC's will:

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

22 SED Responsibilities

A SED Action

SED must:

- 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 that County Offices clearly understand EFRP policies and responsibilities
 - verify that the necessary and appropriate monitoring activities are completed and documented, such as:
 - ensuring action is taken for review of the minimum (5) FSA-848's as required, according to paragraph 131, and documented on FSA-770 EFRP;
 - determining if additional sampling and monitoring is needed for EFRP implementation and assistance
 - collecting and reviewing a sampling of FSA-848's reviewed and documented on FSA-770 EFRP at the local level;
 - reviewing monthly monitoring reports according to paragraph 335 and addressing any deficiencies identified.
 - ensure that information submitted to EFRP-PM is complete and supports the request for EFRP implementation and funds
- Note:** If a COC request for funding is incomplete or is not supported by the documentation provided, SED should respond to COC to either deny the request or suggest a revision.
- allocate funds to County Offices after funding is provided by EFRP-PM
 - monitor funding at County Offices to ensure that unused funds are returned to the National Office promptly.

23 COC Responsibilities

A EFRP Administration

COC must administer EFRP according to national and State policy.

Note: CED is responsible for implementing COC policies.

B COC Action

COC determinations **must** be made by COC. See 16-AO.

Note: COC may delegate authority to an individual COC member according to paragraph 26.

C Documenting COC Determinations

Written documentation of COC determinations is **required**. Routine COC determinations may be documented by its delegate signing a form on behalf of COC.

D Acceptable Documentation

Either of the following is acceptable to record 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.

Note: The **action** recorded on the document must be cross-referenced to COC minutes and the COC minutes must reflect the action.

23 COC Responsibilities (Continued)

E Required COC Minutes Documentation

Each COC or designee determination will be documented in COC minutes and include the following:

- participant's name
- application control number
- farm number/tract number
- sufficient information specific to each COC determination to create a justifiable record to support COC actions.

Note: COC designee action may be documented in minutes as action between meetings.

24 CED Responsibilities

A EFRP Administration

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. Authority is limited only to those provided in national and State policy.

24 CED Responsibilities (Continued)

B CED Actions

CED must:

- ensure that current versions of both 1-EFRP and 2-EFRP are available and are reviewed by County Office staff
- ensure that practice and component data on the County Component Table is updated in the Program Provisioning application
- issue FSA-848 (Exhibit 10) and FSA-848A (Exhibit 11) to applicants
- issue referrals to and coordinate with applicable technical agency or agencies for TA
- process C/S for payee
- approve payments to participants using FSA-848B (Exhibit 12)
- ensure appropriate review and/or approval of specific FSA-848's is performed according to paragraph 131
- Complete monitoring activities according to paragraph 335
- perform and document spot checks.

Note: CED may designate the program technician to perform these and other functions, with the exception of approval of payments to participants, **without** formal delegation.

25 County Office Employee Action

A County Office Action

In addition to COC minutes, County Office employees must ensure that the facts obtained, and the actions taken are made a written record by recording the facts on either of the following:

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

Note: The County Office employee must sign or initial and date the documentation.

26 Delegations of Authority

A COC Delegated Authorities

Authorities that may be delegated to CED or an individual COC member include:

- determining:
 - extent of an EFRP practice/component that COC will approve (according to the needs determination provided by the technical agency)
 - sufficiency of signatures and authority of persons signing in a representative capacity
 - value of:
 - ineligible contributions by participants
 - contributions of each person or legal entity who contributed to performing a practice
- approving:
 - applications for C/S
 - changes in approved extent and C/S
 - increases in the requested extent, C/S, or both, if supported by the needs determination on FSA-848, page 2
 - whether EFRP should be requested.

B STC Delegated Authorities

Only STC authority to act on the **first** request to extend the practice expiration date may be delegated to SED or DD. Any action on a County Office employees' application cannot be redelegated and must go to STC.

26 Delegations of Authority (Continued)

C Limitations on Delegations

The following are limitations on delegations:

- COC must:
 - establish the specific determinations described in subparagraph A, if any, that will be delegated to CED
 - record in COC minutes
 - file according to 32-AS
- authority cannot be delegated to CED to act on matters involving the farms of STC or COC members, or County Office employees
- CED must carry out responsibilities according to COC delegations
- COC must review delegated authorities annually to ensure that the authorities are being followed.

D Authorities Not to Delegate

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

- hearing appeals for reconsideration and making decisions on appeals
- determining whether there is a violation of EFRP provisions
- determining priorities for EFRP requests.

E Voting Limitation

A COC member must abstain from voting on any determination about a farm in which that member or an immediate family member has a personal interest.

27 Arbitrary Hold Downs

A Authorization of Arbitrary Hold Downs

Arbitrary hold downs are **not** authorized when establishing C/S rates and limitations.

28 Easements, Permits, Rights-of-Way, and Water Rights**A Persons and/or Legal Entities Responsible for Obtaining Easements and Permits**

Persons and/or legal entities wanting to perform 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 C/S

COC will:

- not pay C/S, if the necessary easements, permits, or other necessary permission have not been obtained by the participant
- indicate on the EFRP Agreement in the “Remarks” section whether necessary authorization has been obtained
- confer with responsible technical agency to ensure that necessary easements, permits, or other necessary permission have 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 C/S for the practice.

D Participant’s Responsibility for Losses

The person or legal entity receiving EFRP C/S 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.

29 Bartering

A Applicability

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

- bartering directly relates to the EFRP practice

Example: Participant exchanges 1,000 straw bales produced on the farm for 250 hours of fence building labor.

- value of the bartered goods and services is commensurate with the services rendered or goods received

Note: Bartering statements must provide the terms of the agreement complete with values for goods and services. If selected for spot check, participants must be able to provide the bartering agreement. If selected for review, bartering agreements must be submitted with other supporting documentation.

- EFRP C/S payment will not be made until bartered goods have been received or the bartered service has been rendered.

Note: Bartering will **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

The EFRP participant will present a signed document that provides the details of barter agreements **before** C/S is processed. The documentation must provide sufficient information for COC to determine when bartered goods or services were exchanged.

If bartered goods or services are not actually received or rendered, the participant will be required to refund any C/S paid for the bartered services or goods.

C Legality

USDA has no involvement in the terms of the agreement for bartered goods or services. Bartered services are strictly between the participant and the supplier of the bartered goods or services.

D Spot Checks

COC will ensure that all C/S payments involving bartered goods or services are included in an EFRP spot check.

30-33 (Reserved)

Part 2 EFRP Eligibility

Section 1 Person and Legal Entity Eligibility

34 Eligible and Ineligible Persons and Legal Entities

A Person and Legal Entity Eligibility

See 6-PL for eligibility determinations for persons and legal entities.

B Individual Eligibility Determinations

Determine eligibility for EFRP assistance on an individual basis considering the type and extent of damage. See paragraph 73.

COC must determine:

- which cases are true emergency situations
- whether the damage is of a magnitude that it would be too costly to rehabilitate without Federal assistance.

C Assistance Not Needed

To qualify for assistance, the eligible damage must be so costly that Federal assistance is or will be required to restore NIPF land damaged by the natural disaster. See paragraph 73.

D 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 C/S.

E Assistance in Organized Districts

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

35 Determining Eligible and Ineligible Persons and Legal Entities

A Determining Eligibility

By law, EFRP eligibility is limited to owners of NIPF. Determine EFRP participant eligibility according to the following table.

35 Determining Eligible and Ineligible Persons and Legal Entities (Continued)

A Determining Eligibility (Continued)

IF an applicant is a...	AND...	THEN the applicant is...
individual corporation/LLC/LP general partnership group of individuals Indian tribal venture individual operating as a business joint venture estate trust	a NIPF landowner who contributes to the practice cost	eligible for EFRP benefits.
State/local government Federal entity city/county public school		ineligible for EFRP benefits.
minor		only eligible if they are the eligible NIPF landowner. See 1-CM and 6-PL.

36 Forestry, Woodland, and Tree Farm Associations

A Eligibility for C/S

Forestry, woodland, and tree farm associations that meet the requirements in paragraph 35 are eligible for C/S.

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

37 Clubs and Organizations

A Eligibility of Clubs and Organizations

Youth clubs, sports clubs, and organizations such as 4-H clubs, Future Farmers of America, and scout troops are eligible for C/S if:

- they own the land
- they qualify as an eligible person or legal entity according to paragraph 35
- the necessary EFRP forms are signed by an adult who officially represents the organization
- the land meets land eligibility requirements and is NIPF.

38 Government Entities

A Federal and State Government and Agencies

A Federal or State government, or any of their agencies, is **not** an eligible person or legal entity under EFRP.

Note: State-supported colleges or universities are ineligible under EFRP.

B Local Government Units

County, city, or other local Government units are ineligible for EFRP.

C School Districts

An independent school district is **not** eligible persons or legal entities under EFRP.

39 Organized Districts

A Policy

Participants 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 C/S in districts or on facilities owned by districts.

C/S may **not** be approved where the district has both:

- the legal obligation to carry out the conservation improvement measures
 - 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, for the purposes of this handbook, means organized districts, mutual water companies, and associations. For the purposes of this policy, districts must include those formal and informal organizations that have the following characteristics:

- are formed under State law to either:
 - 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 C/S on NIPF when it qualifies as an eligible person or legal entity according to paragraph 35.

39 Organized Districts (Continued)

D Eligibility of Individuals or Groups Within Organized Districts

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

C/S must be paid to or on behalf of the individual eligible person or legal entity.

Participants 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 participants will be treated as their contributions.

E DAFP Waiver Authority

DAFP may grant waivers 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 participants using their own funds may be considered the contributions of an ineligible person or legal entity.

39 Organized Districts (Continued)

G Example of Ineligible Contributions Made by District

The XYZ Ditch Company (XYZ) charter provides for 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.

XYZ does **not** own or lease NIPF; therefore, XYZ does not qualify as an eligible person or legal entity according to paragraph 35.

40-45 (Reserved)

Section 2 Land Eligibility

46 Eligible Land

A General Provisions

The provisions in this subparagraph apply to specific land for which an EFRP application has been filed.

Land that is eligible under EFRP includes rural NIPF that:

- 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 natural resource damage caused by a natural disaster that, if not treated, would impair or endanger the natural resources on the NIPF 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.

See subparagraph B for examples of land and/or structures eligible for EFRP.

46 Eligible Land (Continued)

B Eligible and Ineligible Land Examples

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

Example	Damaged Area or Structure	Eligibility	Reason for Ineligibility
1	fence replacement	Yes, if on NIPF land and necessary for livestock access control.	
2	firelane	Yes, if on NIPF land.	
3	fuel break	Yes, if on NIPF land.	
4	stream crossing	Yes, if stream flows through NIPF land.	
5	wildlife food plot	Yes, if on NIPF land.	
6	grade stabilization	Yes, if on NIPF land.	
7	woodland	Yes, if NIPF land.	
8	land that is next to a stream, including perennial and intermittent	Yes, if NIPF land.	
9	debris on NIPF access road	Yes, if located on NIPF land and interferes with normal NIPF operations.	
10	damaged levee	Yes, if located on NIPF land and interferes with normal NIPF operations.	
11	damaged land between levee and a stream	Yes, if on NIPF land.	
12	damaged fence used for purposes other than excluding or including livestock or protecting seedling establishment	No.	Fence not used to exclude or include livestock or protecting seedling establishment. See paragraph 71.
13	other land not considered NIPF	No.	Not NIPF land. See subparagraph A.
14	land that is not physically located in a county that has been approved for	No.	Not in a county that has been approved for EFRP. See subparagraph A.
15	land that does not have existing tree cover (and did not have tree cover immediately before the natural disaster)	No.	Does not have existing tree cover (or had tree cover). See subparagraph A.

47 Ineligible Land**A General Provisions**

In addition to the examples in paragraph 46, land that is ineligible for EFRP also includes land:

- that does not meet the definition of NIPF because the land:
 - does have tree cover and did not have tree cover immediately before the disaster
 - is not rural
 - is owned by an industrial landowner who is principally engaged in the primary processing of wood products
- owned or controlled by:
 - the Federal Government
 - States, State agencies, or other political subdivisions of a State

Note: See paragraph 50.

- damaged by wildfire started by other than natural causes.

Exception: If the wildfire has been exacerbated by natural conditions, then the effected NIPF is eligible land.

Note: EFRP-PM may waive this requirement if extreme or abnormal damaging weather conditions such as drought or high winds exacerbate the fire.

48 Land Located in Non-Designated EFRP Counties

A Land Located in Non-designated EFRP Counties

Land eligible for EFRP C/S will include any NIPF physically located in an EFRP designated county. This includes land that is physically located in the EFRP designated county but is administratively located in a non-designated EFRP county.

For the county not approved to administer EFRP to process the C/S for the eligible land physically located in the EFRP-approved county, the county must be added to the disaster ID. State Office Program Specialist must contact the EFRP-PM requesting the disaster ID be updated to include the county.

Example: Tornado happens in County A. County B is the administrative county for a farm with damage physically located in County A. Even though County B is the non-approved county, County B must:

- be added to the applicable disaster ID
 - copy applicable EFRP practices/components on the County Component Table in Program Provisioning
- generate FSA-848, FSA-848A, and FSA-848B in CSS
 - coordinate with County A to ensure that a needs determination is completed, and TA is provided by the appropriate technical agency
- request funds
- process the C/S request
- process approval
- process payment.

Note: This example would also be true across State lines.

49 Native American Land

A NIPF Eligibility

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.

50 Government Owned Land**A Federally Owned Land Eligibility**

Federally owned land is not eligible to receive EFRP C/S assistance.

51 Prohibition of Duplicate Benefits**A Possible Eligibility**

C/S is not eligible to be earned for the same or similar expenses on the exact same piece of NIPF on which the owner has or will received funding from any other Federal or State C/S program that covers the same or similar expenses to create duplicate payments or, in effect, a higher rate of C/S than is allowed. Other C/S programs include, but are not limited to:

- CRP
- ECP
- EQIP
- TAP
- EWP
- ACEP
- WRP/Emergency WRP
- USFS programs
- FEMA programs
- any State Forestry program.

B Land with Practices Under Lifespan from Any Other Federal or State C/S Program

A landowner is not eligible to earn EFRP assistance to rehabilitate any land on which the landowner is required to maintain the practice, or the land is enrolled in any other Federal or State C/S program.

C Determining Eligibility and Duplicate Benefit Applicability

C/S is not eligible for rehabilitation land on which the landowner is required to maintain the practice, or the land is under any other Federal or State C/S program.

51 Prohibition of Duplicate Benefits (Continued)

C Determining Eligibility and Duplicate Benefit Applicability (Continued)

Determine eligibility of land under other C/S programs according to the following table.

IF...	AND...	THEN EFRP C/S may...
measures will accomplish the purpose of the practice	the practice will not receive C/S under another Federal or State program on the exact same piece of land	be authorized.
a component of a practice will or has received C/S under another program	another component of the same or comparable practice will receive C/S under another program to treat the same problem on the same land	not be authorized.
practices are split on the same land	C/S would be split between different Federal programs	
participants have or will receive funding on the same acreage under: <ul style="list-style-type: none"> • CRP • ECP • EQIP • TAP • EWP • ACEP • WRP/Emergency WRP • USFS program 		
participants have or will receive funding for the same or similar practices under EQIP, EWP, or other C/S programs		

D Refund of EFRP Payment

Participants who elect to receive other Federal or State C/S assistance for the same restoration activity or activities on the exact same piece of land are obligated to refund EFRP C/S payments, plus interest.

Refunds must be processed according to 64-FI.

52-55 (Reserved)

Section 3 Practice Eligibility

56 COC Approved Practices

A Nationally Approved EFRP Practices

COC will use the nationally approved EFRP practices according to national policy and procedure.

See Exhibit 17 for nationally approved practices.

57 Practices Requiring DAFP Approval

A Approval Authority for EFRP

Approval authority for EFRP Practice EF9 must be sent to EFRP-PM for DAFP approval according to paragraph 91.

58 Practice Lifespans and Maintenance

A Natural Disaster Damage

Practices damaged by a future 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 damaged during their lifespan.

IF the EFRP practice is...	THEN...
later damaged by a subsequent natural disaster during the practice lifespan	the practice may be considered eligible under EFRP if the land is included in a new EFRP approved disaster area.
later damaged by a subsequent natural disaster during the practice lifespan and the land is not included in a new EFRP-approved disaster area	COC will follow practice maintenance procedure in Exhibit 17.

C Maintenance Requirements

County office staff will advise participants that they will maintain EFRP practices for the practice lifespan according to:

- the operation and maintenance provided for the applicable NRCS conservation practice standard
- Exhibits 17 and 31.

59 Size of Structures and Minimum Costs

A Determining Eligible Size of Conservation Structures

COC will limit C/S on any structure to:

- least cost option recommended by the technical agency to address the damage caused by eligible disaster
- necessary restoration, that if not treated, would impair, or endanger the natural resources on the land and effect the future use of the land
- materials needed to solve the resource concern according to the applicable NRCS conservation practice standard.

Note: Conservation structure installation costs that exceed the recommended minimum standard for restoration are the participant's financial responsibility.

60-65 (Reserved)

Part 3 State and County EFRP C/S Establishment

Section 1 C/S Policies

66 Maximum C/S Payment Levels

A Maximum C/S Payment Levels

EFRP financial assistance for eligible participants is in the form of C/S payments. A C/S payment assists eligible EFRP participants with costs associated with performing approved restoration measures on NIPF damaged by an eligible natural disaster.

EFRP C/S approvals and payments **must not** exceed 75 percent of the participant's total allowable, out-of-pocket cost to perform the practice.

STC will establish C/S levels and rates that will be allowable for each EFRP practice or component. The C/S level for any practice or component will not exceed 75 percent of the average, estimated cost of performing the practice. STC and COC established rates must be expressed as a percent of cost with limitations, or a not-to-exceed value per unit of measure.

B C/S Levels Established by STC's

STC's must review NRCS average costs when determining EFRP total allowable cost for all potential EFRP practices and components to establish C/S rates and levels. C/S levels must be set based on the minimum incentive needed to encourage participation and solve the problem.

67 C/S Levels with Limitations

A Documenting C/S Levels with Limitations

Maximum limitation C/S levels must be established for all practices or components of a practice. The limitation amount, or not-to-exceed value, is based on the average cost of performing activity, by unit of measure. C/S levels and maximum limitations will be set based on the minimum incentive needed to encourage participation and solve the conservation problem.

Document C/S levels with a limitation as follows:

“X percent of the actual cost, not to exceed \$X per unit of measure.”

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

67 C/S Levels with Limitations (Continued)

B Supporting Data for Establishing C/S Levels with Limitations

The maximum limitation will be set based on documented average costs. The STC setting the C/S levels and rates must consider the current NRCS average cost for performing the restoration activity.

STC may also consider the following when setting the NTE value for EFRP practices or components:

- applications of payment from previous EFRP implementation
- forestry vendors/contractors/consultants
- timber harvesters/haulers
- input from local State forestry agency
- NASS
- NIFA
- NRCS
- quotations.

Data used to determine maximum limitation will be documented and maintained with the meeting minutes of the applicable reviewing authority.

68-70 (Reserved)

Section 2 General C/S Eligibility**71 Items Eligible and Ineligible for C/S****A Items Eligible for C/S**

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

- labor
- site preparation, seeds and/or seedlings, other materials required for establishment of tree cover
- material necessary for restoration of eligible structures
- sales tax
- services.

Note: If approved by COC, incorporating used materials must:

- meet NRCS conservation practice standard and be approved for use by the NRCS State Conservation Engineer
- be documented in COC minutes.

B Items Ineligible for C/S

The costs of the following items are ineligible for C/S:

- engineering charges or permit fees
- consultant's fees, unless specifically permitted in the practice writeup
- providing land

71 **Items Eligible and Ineligible for C/S (Continued)**

B Items Ineligible for C/S

- 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 cost alternative in providing electric fence for livestock.

- meeting supplemental requirements, such as abstaining from harvesting
- participant's own transportation costs and fuel
- weed control measures
- loss of or reduction in revenue because of the disaster
- rent or other costs of using land
- donated material.

72 Eligible Restoration Cost Considerations

A Restoring to Current NRCS Standards

C/S may be offered for EFRP practices to restore NIPF, or conservation structures within NIPF, after being damaged or destroyed by a natural disaster.

NRCS conservation practice standards and specifications, or an associated and comparable State Forest Agency standard, must be met for each EFRP practice/component by using the minimum performance necessary to replace or restore damaged and/or destroyed NIPF, including conservation structures on NIPF.

C/S will be limited to the minimum costs necessary for implementation to meet the current NRCS or comparable State Forest Agency practice standard. EFRP participants must pay the additional cost incurred to improve land and conservation structures beyond the minimum technical standards and specifications.

B Safety Requirement

In many instances, restoring a conservation structure to the immediate pre-disaster condition and not meeting the minimum current NRCS conservation practice standards can result in the conservation structure being:

- a safety hazard to human habitation downstream
- unable to withstand a similar, future disaster event.

Therefore, conservation structures must be restored to meet the minimum current NRCS conservation practice standards.

C Limitations on Eligible Expenses

C/S may be granted for all reasonable expenses incurred, considering:

- reimbursement for expenses for eligible personal equipment and personal labor must be less than that charged by contractors who are entitled to make a profit for their efforts
- eligible expenses for personal labor must be limited to personal labor not normally required in the operation of the farm or ranch, as determined by COC
- eligible expenses for personal equipment must be limited to costs incurred beyond the normal operation of the NIPF
- eligible expenses must not exceed those needed to achieve the minimum performance necessary to resolve the problem being corrected by the practice.

Note: Any costs above those levels must not be considered eligible costs for purposes of calculations made under this part.

73 Qualifying Minimum Cost of Restoration

A Qualifying Cost

Based on the needs determination and the participant's total allowable cost of all practices for the same disaster event, the minimum qualifying cost of restoration at the time of application is set at \$1,000 per participant receiving a share on FSA-848.

B Waivers

Waivers can be requested according to subparagraph 2 D.

74-75 (Reserved)

Part 4 EFRP Technical Assistance (TA)**Section 1 Providing TA****76 EFRP TA Service Level Agreement****A TA Overview**

TA is support and guidance provided to EFRP participants and County Offices for the onsite assessment, technical practice needs determinations, planning, and certification of EFRP practices. Through the State's Forestry Agency, USFS will provide TA for EFRP in accordance with the SLA in Exhibit 5.

EFRP TA provided to participants includes technical expertise, written restoration plan and other written information, guidance, and direction to complete the needed restoration activities. TA can also include professional advice on the appropriate tools and resources necessary for implementation of EFRP practices needed to rehabilitate eligible NIPF and conservation structures on NIPF.

Beyond State Forestry Agencies, other technical service provider (TSP's) hired by the State Forestry Agency and capable of providing TA for EFRP forestry activities, as approved by EFRP-PM, can also provide EFRP TA. In these cases, the State forestry agency will provide assurances to the FSA that all technical work to restore eligible NIPF will meet applicable NRCS or State Forestry standards.

B TA Agreement

Details of the operational agreement are included in the SLA between FSA and USFS. The SLA functions at the National level and eliminates the need for a State-level agreement. For a current copy of SLA, see Exhibit 5.

C Determining TA Needs

As needed, SED and/or STO staff and the Director or representative of the State Forestry Agency will determine and document:

- if any private, State or Federal agencies or providers, other than the staff of the State Forestry Agency, will provide TA for EFRP in the State
- training needs for Forestry Agency staff

76 EFRP TA Service Level Agreement (Continued)

C Determining TA Needs (Continued)

- the format in which the State Forestry Agency will provide a Conservation Plan, or Forest Restoration Plan, and other supporting documentation. The plan should include the elements listed below. Additional details are provided in Exhibit 30.
 - applicant name
 - FSN/Tract
 - location/map
 - site conditions
 - recommended NRCS technical conservation practices necessary for restoration
 - extent of practices needed (i.e. acres)
 - date(s) of implementation
 - implementation Requirements (IR)/Engineering designs, including operation and maintenance of the practice
 - timeline of implementation
 - statement of actual costs incurred in providing TA, if considered necessary
 - any other provision considered necessary by FSA State Office and State Forestry Agency that is consistent with and does not nullify any provision of the SLA.

Note: As needed, these determinations may be documented in the committee meeting minutes, such as SEB, STC, or a State MOU or plan etc.

77 Major Responsibilities for EFRP TA**A Assigned Agency Responsible for TA**

The assigned technical agency is responsible for carrying out its assigned responsibilities to ensure that TA is provided to EFRP applicants according to the national SLA, to the extent that resources permit.

The assigned agencies must use and provide the appropriate information that ensures EFRP participants implement restoration consistent with NRCS conservation practice standards, according to the eFOTG. Additionally, the assigned agency must certify performance of restoration activities to provide assurance to FSA that EFRP applicants apply practices correctly.

If the State Forestry Agency staff is insufficient to fulfill the TA needs for EFRP in the State, the State Forestry Agency may seek private, State, or Federal sources to fulfill the demand for TA to participants.

B Phases of Reimbursable Technical Services

TA provided to EFRP applicants may involve the following phases of implementing a practice, including but not limited to:

- verifying damage resulting from the natural disaster, including structural damage
- onsite evaluation of losses, within 45 calendar days of referral by FSA, determining whether the requested practice(s) and extent is needed and feasible and revising the practice and/or extent, where appropriate
- performing and assisting with completion of an environmental evaluation, cultural resource review, and archaeological surveys, as requested
- developing a written Conservation Plan or Forest Restoration/Management Plan, including the practices and components necessary to complete restoration under the applicable EFRP practice
- providing recommendations for vendors or contractors to the participant, if needed
- supervising practice installation and restoration, if needed, to ensure that practice implementation meets the NRCS conservation practice standard
- inspecting practices after restoration is complete to determine whether specifications have been met and the extent performed as it was determined needed.

78 Outside Assistance

A Agencies Using Outside Assistance

The State Forestry Agency 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 will certify that EFRP practices were performed according to specifications.

B EFRP Applicants Using Outside Assistance

An EFRP applicant is **not** required to use the technical services available through EFRP.

EFRP applicants using outside assistance for practices will qualify for C/S if the assigned technical agency:

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

Note: An EFRP applicant that uses outside assistance will be urged to keep sufficient records to permit the technician to make the necessary determinations.

79 TA Costs to Participants

A Agency Provided TA

A participant who uses TA provided by the State Forestry Agency, in accordance with the SLA, does not pay for these services.

B Participant Contracted TA

EFRP funds are not authorized for reimbursement of TA services contracted by the participant. Participants are responsible for all costs for using services other than those of the assigned technical agency.

80 Assigned Technical Agency Responsibilities and COC Action

A Needs Determination

The assigned technical agency will perform an onsite evaluation of the requested farm(s), tract(s), and field(s) on which EFRP assistance was requested **within 45 calendar days of referral** by FSA. Based on the conditions and resource concerns, the technical agency will identify needed practices and components to solve the resource concerns and restore the NIPF.

B Required Action for Assigned Technical Agency

IF the assigned technical agency determines...	THEN the technical agency will...	AND FSA will...
an EFRP practice is needed...	<ul style="list-style-type: none"> • indicate the practice(s) and/or component(s), and extent(s) needed on each farm/tract/field. • complete the needs statements on FSA-848, page 2, item 15. • sign and date FSA-848, page 2, item 16. • return FSA-848, page 2. • notify participant that: <ul style="list-style-type: none"> • the needs determination will be provided to FSA to generate an Agreement. • remind the applicant not to begin restoration work until 	<ul style="list-style-type: none"> • update the application to reflect the determination on the C/S Agreement per 2-EFRP • generate FSA-848A and provide to the applicant to sign. • present agreement to COC for a determination of ‘willing to approve’.

80 Assigned Technical Agency Responsibilities and COC Action (Continued)

B Required Action for Assigned Technical Agency (Continued)

IF the assigned technical agency determines...	THEN the technical agency will...	AND FSA will...
<p>an EFRP practice is not needed...</p>	<ul style="list-style-type: none"> • provide statement to that effect, including the reasons, on FSA-848, page 2 • the assigned technical agency should explain the basis for the needs determination to the applicant • return the FSA-848, page 2 to FSA 	<ul style="list-style-type: none"> • update the application to reflect the needs determination per 2-EFRP • generate notification letter and promptly notify the applicant, in writing, that the practice was not approved and the basis for the decision • advise the participant of the right to appeal the determination, if appropriate.

81-85 (Reserved)

Section 2 Transfer of Funds for Technical Services

86 Billing TA Expenses

A Providing Reimbursement to USFS for TA

In conjunction with the Interagency Agreement (IAA), FSA sets aside 8 percent of the EFRP c/s allocation funding for TA according to funding appropriations.

Note: State Offices will no longer execute AD-672.

B TA Verification

State Forestry Agency must submit invoice of TA expenses for all EFRP TA provided to the USFS Regional Office. The FSA State Offices may be requested to review the actual cost of EFRP services performed, consistent with the terms and conditions described in the SLA.

C TA Billing Review

The State Forestry Agency or technical service provider will periodically submit to FSA State Offices a statement of costs incurred providing EFRP TA. The statement may include the following:

- FY and quarter
- disaster ID
- County Office name(s) where service was provided
- itemization of charges, including but not limited to:
 - number of personnel hours by employee
 - dates of service provided
 - employee lodging
 - POV mileage
 - GOV fuel
 - M&IE
- dollar amount of reimbursement.

D Billing Verification

Before payments are processed, the FSA State Office may receive a statement of costs incurred by the State Forestry Agency for providing TA. The STO may forward a copy of the statement to the applicable County Office for CED and DD review.

After completing the EFRP TA billing review and resolving any issues, CED and DD can make any necessary comments or revisions before responding and verifying.

87 Processing TA Reimbursement

A Billing Approval

Once the verification process in paragraph 86 is complete, the FSA State Office will:

- approve the invoice
- notify the submitting State Forestry Agency of approval.

B USFS Processing

Upon notification from FSA, the USFS Regional Office will initiate the reimbursement process to refund the State Forestry Agency for TA expenses.

88-89 (Reserved)

Part 5 Natural Disaster Event Occurrence and EFRP Implementation**Section 1 EFRP Action When Disaster Occurs****90 Assessment of Damage****A Immediate Assessment of Damages**

CED must make an overall assessment of damage within 5 workdays after a disaster occurs to evaluate and document. State Forestry Agency staff can assist with this assessment. COC must then determine whether the resulting damage meets the minimum EFRP requirements and necessitates EFRP implementation. If EFRP is determined to be needed, COC or CED must submit a written request through the STC or SED to obtain implementation approval from the National Office before announcing a signup or the availability of C/S funds.

Note: See subparagraph D for additional instruction on implementing a severe drought designation request.

B Implementation 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 tree cover 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.

C Primary Consideration

The type and extent of damage will be the primary consideration for EFRP implementation. 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.

D Severe Drought Designation and Implementation Requests

In addition to the documentation requirements in subparagraph E, to request EFRP to address drought conditions, COC will include in its request additional documentation of current conditions and evidence to support the implementation request to qualify for an EFRP drought designation.

90 Assessment of Damage (Continued)**D Severe Drought Designation and Implementation Requests (Continued)**

EFRP implementation for drought is based on COC submitting evidence that the county precipitation levels indicate an average of 40 percent or greater loss of normal precipitation for the 4 most recent months, plus the days in the current month before the date of request.

Note: Arid areas relying on snowpack and recurring precipitation for surface water supplies can provide applicable snowpack data.

To document the county's precipitation data, County Offices must complete CRP-42, items 1 through 7, and item 44. See 2-CRP.

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.

The precipitation data collection requirement may be waived if the county has been designated as level "D3 Drought-Extreme" according to the U.S. Drought Monitor.

The U.S. Drought Monitor is available at <http://www.drought.unl.edu/dm/monitor.html>.

E Coordinating EFRP With Other Agencies

Coordinate EFRP activities with disaster assistance activity of other agencies, including NRCS, State Forestry Agency, FEMA, and local government, if applicable.

F COC Review of C/S Data

COC will annually review C/S data provided by the STO to ensure that implementation costs are appropriate for the area. COC may provide feedback to STC according to subparagraph 20 A and paragraph 67.

91 County or Area EFRP Implementation Request Process

A Summary of Steps

EFRP requests must be implemented according to the following steps.

EFRP Implementation Request	
Step	Action
1	<ul style="list-style-type: none"> • COC conducts immediate assessment of damage when disaster occurs. As needed, consult members of County Emergency Board, including local State Forestry Agency staff, to assist with conducting damage assessments. • CED convenes County Emergency Board to review potential losses. See 1-DIS. • CED completes Loss Assessment Report, if necessary. • CED creates description of the disaster as it affects NIPF in the county. • COC requests EFRP implementation approval as quickly as possible after the disaster, but no later than 6 months from the ending date of the disaster. • For drought requests, CED documents Drought Monitor or precipitation and hydrology data. • CED creates county map with damage site identified. • COC determines if EFRP is or is not warranted. If so, COC determines: <ul style="list-style-type: none"> • EFRP practices needed based on damage assessments • C/S need estimate based on damage assessments. • CED consults with State Forestry Agency about applicable TA needs. • CED obtains DD concurrence to request EFRP implementation.

91 County or Area EFRP Implementation Request Process (Continued)

A Summary of Steps (Continued)

EFRP Implementation Request	
Step	Action
1 (Cntd.)	<ul style="list-style-type: none"> • CED submits written implementation request to State Office. The written COC request for implementation approval must include the following: <ul style="list-style-type: none"> • date, type, and description of the natural disaster • names of the county or counties, or a map of the area of the county affected • practices needed to address damage • an estimate of the farms effected and funds needed • COC Minutes • the expected EFRP signup beginning and end dates • photographs of damage • relevant news articles related to the disaster and NIPF losses • a review of the policy about minimum cost of restoration (paragraph 73) that EFRP has been documented as 1 of the types of USDA assistance required • any other pertinent information supporting request for implementation, such as copy of the Loss Assessment Report

91 County or Area EFRP Implementation Request Process (Continued)

A Summary of Steps (Continued)

EFRP Implementation Request	
Step	Action
2	<ul style="list-style-type: none"> • SED consults with SEB and submits EFRP implementation request to EFRP-PM. • SED or STO staff should notify the State Forestry Agency of the request for implementation and the potential need for technical assistance. • State Office may seek preliminary implementation concurrence by SharePoint, telephone, or e-mail. However, signup must not be conducted until the Formal Implementation request has been approved by the EFRP-PM. • State Office must review and forward COC documentation to EFRP-PM as part of the formal request. • SED or STO staff should notify State Forestry Agency partners of localities that have EFRP losses to ensure awareness. State Forestry Agency leadership should ensure the local staff members are aware of EFRP TA responsibilities.
3	<p>EFRP-PM will:</p> <ul style="list-style-type: none"> • evaluate request and its supporting documentation • assign disaster ID (event-specific code for processing applications) • prepare and issue response memorandum • coordinate with National and/or Regional Forest service staff to provide notification of the EFRP request and need for technical assistance in the requesting State/County • advise State Office if no funds are available.

91 County or Area EFRP Implementation Request Process (Continued)

A Summary of Steps (Continued)

EFRP Implementation Request	
Step	Action
4	<p>Upon receipt of implementation approval from the EFRP-PM County Office will:</p> <ul style="list-style-type: none"> • establish a signup period • conduct local outreach to inform and educate the public about EFRP through press releases, radio spots, newsletters, and flyers <p>Note: Coordinate with State and local Forestry Agency staff to publicize EFRP signup.</p> <ul style="list-style-type: none"> • copy applicable EFRP practices/components from State list to their county list in Program Provisioning • provide an updated funds needed report to the State Office after the signup period has ended and needs determinations have been completed and entered in CSS, and COC determines the amount to be approved.

92 State Office Submission of EFRP Implementation Request

A EFRP-PM Consultation

SED or designee may:

- consult EFRP-PM by using SharePoint, telephone, or e-mail after reviewing the County Office’s request to implement or expand EFRP
- request implementation for a single county or group of counties based on information received about the affected areas of the State.

Note: If warranted, SED may request implementation in a county where COC has not requested implementation.

92 State Office Submission of EFRP Implementation Request (Continued)

A EFRP-PM Consultation (Continued)

SED must:

- not delay consultation of a County Office's request to implement EFRP for several days in anticipation of receiving other County Offices' requests. However, SED may compile multiple counties' formal requests for submission to EFRP-PM.
- use SharePoint to request preliminary approval of EFRP implementation on an individual county basis for tracking and funding purposes.
- ensure that EFRP implementation requests are submitted as quickly as possible, but no later than 6 months of ending date of disaster
- notify County Offices of preliminary approval or disapproval by e-mail or telephone and follow up in writing.

B Formal EFRP Implementation Request

SED or designee must review COC's formal implementation request for completeness. If considered acceptable, SED or designee will submit the formal implementation request to EFRP-PM via SharePoint.

A formal implementation request must include all pertinent information about the disaster. In addition to the data provided by the county (see paragraph 91, Step 1), SED's formal implementation request must also include:

- a cover memorandum summarizing the EFRP request, signed by SED or designee
- an estimate of funds, if needed, for all counties included in the implementation request.

Notes: If available, funds will be allocated after needs determinations are completed and an updated funds request is submitted to EFRP-PM.

While the use of Preliminary Implementation Requests is allowed, a Formal Implementation Request must be approved before conducting signup.

C SED and STC Implementation Exception

SED or STC may implement the program, except for droughts, **only** if conditions require immediate action and contact with EFRP-PM is impossible. Document actions taken.

92 State Office Submission of EFRP Implementation Request (Continued)

D EFRP-PM Approval Required

EFRP-PM's approval is required for all disaster designations.

For severe droughts, SED must provide the following information to EFRP-PM in addition to the information required by paragraph 91:

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

When 1 county or multiple counties qualify for an EFRP drought implementation, SED may submit a single or multiple county EFRP implementation.

SED will monitor designated counties to determine whether drought conditions still exist and whether the program is still required to solve drought-related problems.

Note: If it is determined that EFRP is no longer required, COC guidelines will be provided to:

- discontinue issuing approvals
- determine which outstanding approvals remain eligible.

93 Program Implementation

A Program Announcement

COC will conduct outreach and communication, including public announcements through local media channels, after receiving authorization to implement EFRP.

Include the policy, signup dates, and specific criteria for applicant and land (NIPF) eligibility in the information release.

Notes: See Exhibit 13 for signup news release examples.

See paragraph 95 for signup period requirements.

93 Program Implementation (Continued)

B Establishing a Signup Period

COC must establish a projected signup period when submitting a formal request for implementation to the National Office.

The signup period must be at least 30 calendar days, but no more than 180 calendar days, from the date EFRP implementation is formally approved.

Note: County Offices may allow a small amount of time before beginning signup to allow for sufficient outreach activities.

When establishing the signup period, the COC may consider relevant factors such as:

- the type of disaster
- number of landowners estimated to need assistance
- estimate acres effected
- COF resources available to serve customers.

Example: COC may consider establishing a signup length based on the number of landowners estimated to request assistance.

Estimated Landowners	Length of Signup
Less than 100	30-60 calendar days
101-150	60-120 calendar days
Greater than 150	140-180 calendar days

COC must submit an estimate signup period and signup dates for the disaster during the implementation request.

Applications may be accepted before the beginning of an established signup period. See subparagraph 95 B.

EFRP-PM may approve extensions of signup periods longer than 180 calendar days with adequate justification, such as when the:

- county remains in D3 when implementing EFRP for drought
- extent of damage is so widespread that the length of the signup period was **not** sufficient to accommodate all potential applicants, and the County Office has reasonable expectations that additional signup activity will occur.

94 (Reserved)

Section 2 Accepting C/S Requests

95 Accepting FSA-848's

A Summary of Steps

If EFRP is determined to be an appropriate solution to the applicant's emergency, use the following steps to assist the applicant with filing the EFRP request for C/S.

EFRP C/S Request Acceptance	
Step	Action
1	<p>Applicant's C/S request must be completed using CSS in accordance with 2-EFRP. To capture details necessary for entry in CSS:</p> <ul style="list-style-type: none"> • Present map of effected FSN/Tract(s) for applicant to provide: <ul style="list-style-type: none"> • Practice(s)/Component(s) requested • Description of damage • Indicate areas/fields where assistance is requested • Utilize information provided by the applicant to generate FSA-848's and ensure all necessary entries are complete.
2	<p>County Office reviews with applicant the provisions associated with:</p> <ul style="list-style-type: none"> • Minimum cost of restoration (paragraph 73) • Practice must not be started before environmental and cultural resource compliance evaluations are completed • C/S is subject to availability of funds • Needs determination • Application review • Minimum required lifespan for the practice • Remaining steps in the application process. <p>If a waiver to begin a practice is requested at this time, explain provisions and requirements for waiver consideration. Inform the applicant of the risk of beginning the practice before a determination is provided.</p>
3	<p>County office informs applicant of required eligibility forms. See paragraph 34.</p> <p>Obtain signatures from all participants (or their authorized representative) on FSA-848.</p>

95 Accepting FSA-848's (Continued)**B When to File FSA-848's**

COC may accept requests for assistance on an EFRP C/S request (FSA-848) before:

- obtaining concurrence from STC
- establishing signup periods.

Applicants must be advised that:

- filing an application does not mean the C/S request will be approved
- environmental reviews must be completed before a practice is started (see paragraph 103)
- C/S is not approved and obligated until written approval is received from FSA.

C FSA-848 Requirements

EFRP C/S request must be filed on the automated FSA-848. Single or multiple practices and components may be requested on a single FSA-848.

Note: A manual FSA-848 may be accepted only when CSS is not available. However, all manual FSA-848's must be loaded in CSS within 5 workdays of receipt once the system becomes available.

D Number of EFRP Applicants on a Request

CSS allows multiple contributors to be included on one application according to 2-EFRP. One applicant must be designed as the primary participant on each application.

95 Accepting FSA-848's (Continued)

E Late-Filed FSA-848's

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

Late-filed FSA-848s must include written justification from producer. The request and justification must be reviewed and considered by the COC. All considerations should be documented in COC meeting minutes as well as the COC determination to accept or deny the request. When a COC determination is rendered a notification letter must be sent to the applicant and include appropriate appeal rights, if necessary.

Justification considerations may include:

- physical existence of the claimed damage, which still exists, and the impact on the NIPF and:
 - must be identifiable and verified by a site visit
 - documentation may be obtained by another governmental agency
- in cases of drought, the affected area remains in D3 on the US Drought Monitor.

Note: Any applicable onsite waiver and/or programmatic FSA-850 in place for the related disaster will apply to late-filed applications associated with the referenced disaster.

F Funds Not Available

County Offices receiving STC concurrence to implement EFRP may:

- accept requests for EFRP assistance
- complete an onsite inspection and assessment of the damage according to paragraph 101.

If the County Office is notified by the National Office that funding is not available, inform the applicant in writing that although the County Office has accepted the request and conducted field visits, this does not imply that C/S assistance will be available. A system generated "Lack of Funds" letter can be accessed according to 2-EFRP.

If funds become available, process all applications for C/S.

95 Accepting FSA-848's (Continued)**G No EFRP Signup**

Always accept requests for EFRP assistance if someone wishes to apply, even if the county is not approved for EFRP.

After the request is accepted, COC will evaluate the request and determine whether EFRP implementation is warranted. If COC determines to:

- request EFRP implementation, proceed with the provisions of this section
- not request EFRP implementation, inform the applicant in writing with applicable appeal rights according to 1-APP.

96 Obtaining Needed Information**A Obtaining Information From Applicants**

Obtain necessary information from the applicant when the EFRP application is filed. This may include, but not be limited to:

- Applicant information on AD-2047
- Property boundaries if not properly identified in CLU
- Map identifying the area(s) effected by disaster
- Type of tree cover
- EFRP Practice requested
- Components requested such as:
 - Obstruction Removal
 - Site Preparation
 - Tree Establishment
 - Structures damaged.

96 Obtaining Needed Information (Continued)

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 will disregard information that raises a question on practice eligibility, even if another agency is responsible for making the final determination.

97-100 (Reserved)

Section 3 Practice Eligibility

101 Onsite Inspection

A Documenting Damage

After obtaining concurrence to implement EFRP, COC must document each request to show that an FSA employee or designee:

- made an individual onsite inspection within 45 calendar days of accepting FSA-848 to determine whether the damage met EFRP requirements
- determined:
 - the type and extent of damage qualified according to paragraph 91
 - whether the applicants has started restoration work
- document damage with at least:
 - 1 dated photograph
 - GPS coordinates and marked map when damage is not countywide
 - description of magnitude of damaged or destroyed fencing, conservation structures, farmland, etc.

Note: Onsite inspections are required for EFRP applicants who are USDA employees.

101 Onsite Inspection (Continued)**B Onsite Inspection Waiver Request**

The requirement for onsite inspections may be waived in dire circumstances when the damage:

- is of a magnitude that severely limits access or use of NIPF
- is so pervasive that the need for practices can be adequately accessed through subsampling or using GIS analysis
- requires immediate action to prevent further loss
- 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 process.

Waiver of an onsite damage inspection does not apply to environmental reviews, including but not limited to:

- cultural resources
- threatened or endangered species
- critical habitat
- protected resources.

Note: Any applicable onsite waiver in place for the related disaster will apply to late-filed applications associated with the referenced disaster event according to paragraph 95.

C Submitting Requests for Waivers of Onsite Inspection

If criteria for onsite inspection waivers are met, STC's or SED's will:

- sign and submit waiver requests to EFRP-PM
- include the required documentation.

Note: Waiver requests for USDA employees' EFRP applications for land they own are not authorized.

101 Onsite Inspection (Continued)**D Required Information for Requests for Waivers**

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

- map of affected counties
- documentation of the extent and intensity of damage through maps or other data sources, including forest loss estimates
- a defined boundary on a map for application of the waiver clarifying the extent of the damage
- 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

Note: Dated photographs are acceptable.

- 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 Implementing Waivers of Onsite Inspection

State and County Offices must evaluate the amount of financial payment and the relative potential for inaccurate payment when determining whether or not an approved waiver should be used for a specific application.

102 Programmatic FSA-850's

A Preparing and Submitting Programmatic FSA-850's

In the event of a widespread disaster, SEC's and the EFRP-PM may prepare and submit programmatic FSA-850's to the National Environmental Compliance Manager (NECM) who will consider the scope of the request and determine applicability of using the programmatic FSA-850 on a case-by-case basis.

When widespread damage has occurred programmatic FSA-850's may be issued for programs and actions which will not result in additional ground disturbance. In the absence of extraordinary circumstances, certain EFRP practices would be covered by a programmatic FSA-850's.

Programmatic FSA-850's are intended for more than 35 applicants, more than ¼ of the counties of the State with damage from the natural disaster, or more than ¼ of the land area of the State damaged by the natural disaster.

Example 1: Seventy-five applicants are expected to apply for EFRP. A programmatic FSA-850 can be requested.

Example 2: A State has 20 total counties. Seven of those counties are affected by a natural disaster. A programmatic FSA-850 can be requested.

Example 3: A State has 20 counties. Three counties are affected by a natural disaster. The three counties affected are very large counties and account for 40 percent of the State's total landmass. A programmatic FSA-850 can be requested.

State Offices may work with their SHPO, THPO, US Fish and Wildlife Service, and other consulting agencies to develop agreements that allow for these activities. The agreements may be for the disaster event, for an area or in any combination that is acceptable to all parties. These specific agreements do not supersede existing agreements with these agencies.

B Requesting a Programmatic FSA-850

When requesting a programmatic FSA-850 COC must submit a request to the State Office and include all the following:

- the need for the programmatic FSA-850 and the program needed
- the geographic area impacted denoted on a map
- an estimate of the number of applicants expected to be served by the programmatic FSA850 is included
- applicable CatEx(s) from the Categorical Exclusion Catalog are located in Exhibit 17 of 1-EQ (Rev. 3)

102 Programmatic FSA-850's (Continued)

B Requesting a Programmatic FSA-850

Upon receipt of COC's request the State Office will:

- determine the merit and applicability of programmatic FSA-850 requests from County Offices

Notes: Considerations would include the number of landowners served, number of counties affected and the type of damage that is being evaluated to determine if the request merits further review by the FPAC NECM.

See subparagraph A for additional requirements for requesting a programmatic FSA-850.

- bundle similar requests into one request for the National Office

Example: A weather event with widespread damage may encompass the entire State or many counties within that State.

- send requests for the programmatic FSA-850 to the EFRP-PM.

Note: The EFRP-PM will forward the request to the FPAC Business Center, ENV.

In cases of widespread damage, staff at the State Office may prepare and submit a request for the issuance of a programmatic FSA-850 directly to the Regional Environmental Compliance Coordinator without supporting COC requests.

The National Office (FPAC Business Center, ENV) will:

- take a critical look at requests that do not include one of the following:
 - assist fewer than 35 applicants
 - are less than $\frac{1}{4}$ of the affected counties
 - are less than $\frac{1}{4}$ of the total land area statewide
- work with program managers to develop a programmatic FSA-850 with actions that are allowed and not allowed on a per event basis, which limits the scope or time the programmatic FSA-850 will be used.

102 Programmatic FSA-850's (Continued)**C Using a Programmatic FSA-850**

The programmatic FSA-850 is not effective until it has been approved by the FPAC Business Center, ENV Director. Once signed, approved, and distributed the State Office staff will post the signed programmatic FSA-850 on the ENV SharePoint site for immediate use.

State Offices must:

- distribute the programmatic FSA-850 to affected counties
- ensure that it is appropriately used the programs and counties it is intended for
- direct questions to the EFRP-PM or the ENV coordinator.

County Offices must:

- review each application to determine whether extraordinary circumstances exist
- place a copy of the programmatic FSA-850 with each application as proof of environmental compliance
- direct questions to the State Office Program Specialist or SEC.

103 Environmental Compliance and Cultural Resource Protection**A Environmental and Cultural Resource Considerations**

COC's are not authorized to approve C/S when the potential exists to adversely affect endangered species, wetlands, or historic properties according to 7 CFR Part 799 and 1-EQ.

COC's are not authorized to approve C/S for practices that would drain or negatively affect the quality of any wetlands.

Note: Consult State Environmental Coordinator (SEC) and State Environmental Guide (SEG) for guidance on environmental and cultural resource protection compliance.

103 Environmental Compliance and Cultural Resource Protection (Continued)**B Required Environmental and Cultural Resource Evaluations Before C/S Practice Restoration Begins**

NEPA requires Federal agencies to consider the effect of its program activities on the environment.

For each C/S request, FSA must complete an environmental evaluation of the proposed practice or practices by successfully completing the requisite level of environmental review, including FSA-850, appropriate consultations, and/or environmental assessment, according to 1-EQ to determine whether the proposed practice would have any adverse impacts to the environment or cultural resources.

The environmental evaluation must be completed **before** any activity related to the practice restoration is started.

Approval of Federal actions before completing the Environmental Compliance process is a violation of NEPA. Examples of proactive Federal actions include, but are not limited to:

- COF must advise participants that they **cannot** begin an action before the environmental review has been completed and before the applicant has been notified in writing of their EFRP C/S approval
- COF must **not** advise participants that their action is “good to go” or “approvable” before the environmental review being completed and before the applicant being notified in writing of their EFRP C/S approval.

Note: The State equivalent in this subparagraph is acceptable only if all Federal requirements are incorporated and met.

Follow guidance provided by SEC, SEG, and 1-EQ when completing or reviewing an environmental evaluation.

To ensure that compliance is achieved, the FSA-848A approval date cannot be earlier than the FSA-850 Approval Official’s signature and date. The FSA-850 preparer as well as the concurring official must sign FSA-850 before the environmental evaluation can be considered complete, according to 1-EQ.

Note: No waivers or Administrator exceptions can be given when an action is taken before completing and approving the environmental review on FSA-850. Should this occur, the application must be denied.

103 Environmental Compliance and Cultural Resource Protection (Continued)**C Action When Practice Is Initiated Before C/S Practice Restoration Begins**

Some disaster events necessitate the participant taking immediate rehabilitation steps. In rare situations, FSA-850 may not always be completed beforehand. The successful completion of FSA-850, according to 1-EQ, is still required. Consultations required for the environmental review will be initiated as soon as possible but no later than required by 36 CFR Par. 800 and other legislated timeframes.

Successful completion of an environmental evaluation is required on all EFRP, even if the activity only involves debris removal and no ground disturbance is expected. FSA must still comply with National Historic Preservation Act (NHPA) Section 106 according to 1-EQ. Some practices such as debris removal (no ground disturbance) still require the CED to review the effects of the intended action and completion of FSA-850. However, if no effects are determined in the FSA environmental review then consultation is not required. If FSA-850 was completed after the rehabilitation activity was initiated, FSA-850 must document the applicant's need to take the applicable necessary emergency actions. If it can be determined, the documentation on FSA-850 should reflect how the activity did not significantly affect the quality of the environment.

However, if the rehabilitation activity results in unacceptable ground disturbance such as disturbance below the original plow zone, or a determination cannot be made because the activity precluded the completion of the environmental review, C/S cannot be approved.

D Presidential Disaster Designations

As provided by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. 93-288, as amended, 42 U.S.C. 5121-5207, and related authorities, agencies are exempt from NEPA requirements in certain emergency responses. Debris removal is one example of emergency response the Stafford Act deems not an activity significantly affecting the quality of the environment.

However, agencies must still comply with Section 106 consultation requirements (as needed) (which includes SHPO, THPO, and Tribal consultations), ESA Section 7 consultation requirements as needed, and laws covering wetland protection. Section 106 regulations (36 CFR Part 800.12) allow for expedited consultations in emergency situations and employees should contact FSA SEC to determine whether this provision applies.

Therefore, a completed FSA-850 is required for all EFRP projects before FSA-848A is approved, even those only involving debris removal when the debris results from a Presidentially declared disaster.

103 Environmental Compliance and Cultural Resource Protection (Continued)**E Other Designated Disasters**

The successful completion of FSA-850 is required before FSA-848A is approved, even if the disaster is not a Presidentially declared disaster.

Successful completion of an environmental evaluation is required, even if the EFRP activity only involves debris removal and no ground disturbance is expected to result in disturbance beyond any previous disturbance. Agencies must still comply with Section 106 consultation requirements as needed (which includes SHPO, THPO, and Tribal consultations), ESA Section 7 consultation requirements as needed, and laws covering wetland protection.

Section 106 regulations (36 CFR Part 800.12) allow for expedited consultations in emergency situations and employees should contact FSA SEC to determine whether this provision applies.

104 Refusals to Permit Entry or Inspection**A Applicant Refuses USDA Representative Entry**

If an applicant refuses to permit an FSA representative or TA provider to enter the property, the representative will:

- immediately notify CED
- document the following on FSA-848, item 16 (Needs Determination):
 - refusal date
 - person who made the refusal
 - sign and date FSA-848, item 16 (Needs Determination).

B County Office Action

When advised of a refusal to permit entry, the County Office must, within 5 workdays, notify the applicant of the following in writing:

- refusal date
- person who made the refusal
- person who was refused entry
- that FSA considers the land ineligible for EFRP.

County Office must make no further effort to enter the farm after notifying the applicant of the refusal until applicant otherwise permits entry on the farm in writing. If entry refusal is reconsidered by the applicant, the County Office must be informed in writing within 15 calendar days of the date of refusal to permit entry letter.

105 Determining Eligibility

A COC Determining Eligibility

When determining eligibility, COC will determine whether:

- the applicant and the land are eligible
- the requested practices justify the investment of funds
- approval of C/S meets the objectives costs of EFRP
- a new conservation problem resulting from disaster event is present, including presence of debris
- the land will continue to be used for forestry-related purposes
- environmental and cultural resource protection compliance is met.

B Ineligible Practices

The practice is ineligible if **any** of the following apply:

- practice was started **before** the request (FSA-848) for EFRP assistance was **filed**

Notes: See subparagraph 131 C for an exception to this provision.

FSA-850 must be completed before COC determination of practice approval.

- practice was started **before approval** by COC (FSA-848A, item 11)

Notes: See subparagraph 131 C for an exception to this provision.

FSA-850 or must be completed before COC determination of practice approval.

- work is considered normal upkeep, maintenance or management
- 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 applicant's convenience
- practice will create a conservation or environmental hazard, such as erosion or flood, to other land.

106 Using Priorities in Limited Funding Situations

A Prioritizing All Requests

In situations where there is limited or no funding, CD will alert the State Offices. At that time all EFRP applications must be prioritized by COC before approval. When funding is limited, all FSA-848's will be prioritized by COC **before** approval of associated FSA-848A.

B Prioritization Factors

Prioritization factors to be considered in setting priorities and approval amounts include, but are **not** limited to, safety that poses a threat to life or property.

107-109 (Reserved)

Part 6 EFRP Funds Management

Section 1 National Program Funds

110 National Reserve

A EFRP Funds

EFRP funds are held in reserve at the National level only.

State Offices must not request funds in excess of the amounts approved by COC. State and County Offices are not authorized to:

- withhold a percentage of any EFRP funds allocated
- maintain a reserve of unused EFRP funds.

111-113 (Reserved)

Section 2 County C/S Funds Management

114 State Funds Management

A Request and Manage State Funds

To properly request and manage funds, SED must:

- require timely loading of all FSA-848's in CSS within a week of the date of signature
- monitor applicant requests throughout the signup period
- review COC's updated funds request and revise as needed before submitting to the National Office

Note: If a participant's farm is administratively headquartered in a non-approved EFRP county, the State Specialist may submit a request to the EFRP-PM to add the county to the disaster ID to be able to pay C/S for eligible restoration.

- request funds by submitting a signed memorandum requesting COC-approved funds needs for each county to the EFRP-PM through the applicable SharePoint site; related to the request, also include the Extent Needed Cost Share Summary Report generated in CSS
- initiate a funds return to CD by accessing the funds return form on the designated SharePoint site and recording the amount to be released within 30 calendar days of notification from County Office.

Note: TA funds will be held in reserve at the National Office.

115 County C/S Allocation

If funds are available and are approved for the county EFRP implementation, C/S funds will be allocated in Common Obligation Framework (COF) software, by fund code and disaster ID.

Note: Agreements approved and entered in CSS through September 30, 2020, will be allocated through CFLS and eFunds. All maintenance to these contracts to include revisions will use CFLS and eFunds. Agreements approved in CSS beginning October 1, 2020, will be allocated through COF software.

116 County Funds Management

A Request and Manage County Funds

The county's initial EFRP implementation request (FSA-848) includes a COC **estimate** of C/S funds needed. However, funds are not allocated to States based on the estimate of funds needed to begin an EFRP implementation.

To properly request and manage funds, CED must:

- ensure that FSA-848's are loaded in CSS during the signup period
- ensure that environmental compliance evaluations are completed and entered in CSS
- ensure that needs determination data has been entered in CSS for all C/S requests according to 2-EFRP

Note: Allocation of funds will be based on the Extent Needed Cost Share Summary Report which is populated after needs determination data is entered in CSS.

- ensure that requests have been reviewed by COC and documented in the COC minutes
- verify that COC is willing to approve amounts that have been entered in CSS
- request a funding allocation within 30 calendar days of the completion of the needs determination by supplying State Office with:
 - county name
 - EFRP practice
 - C/S amount in CFLS and eFunds or COF
 - a copy of the Extent Needed Cost Share Summary Report from CSS
 - a memorandum from COC requesting the funds COC is willing to approve

Note: Additional funding requests must be submitted with a copy of an updated Extent Needed Cost Share Summary Report and a COC memorandum.

- ensure that practice certification is completed before practice expiration date and payments are timely issued

116 County Funds Management (Continued)

A Request and Manage County Funds (Continued)

- County Office will determine whether unused allocated funds will be needed for the designated disaster within 60 calendar days after the practice expiration date

Note: If funds are not needed, CED's must return unused EFRP funds.

- immediately initiate the return of unused funds and CED's must verify that agreements have been finalized in CSS according to 2-EFRP and notify the State Office Program Specialist by e-mail of the amount available for release.

Note: Subject to availability, funds can be allocated during or after the County Office signup period.

117 Additional Funds

A Requesting Additional Funds

With proper justification and documentation, State Office Program Specialist through the SED may request additional funds from EFRP-PM.

118 Expenditure Limitation and Authority

A Funds Limit

States are not allowed to request funds in excess of what is needed and feasible.

B Funds Transfer

States may transfer funds among County Offices for the same disaster designations that have been approved to implement EFRP

119-130 (Reserved)

Part 7 C/S Request, Approvals, and Performance**Section 1 Approving and Disapproving C/S Requests****131 Approvals and Disapprovals****A Reviewing Request (FSA-848)**

DD must review a sample of EFRP applications for each disaster **before** COC approval to ensure that the EFRP application reviewed meet EFRP requirements.

At a minimum, DD must review the first five EFRP applications for each Service Center accepted for the specific disaster within 2 weeks of acceptance and **before** COC approval.

CCC-770 EFRP is the required method of documenting this review.

B COC Action

COC must:

- advise applicants, in writing, of action taken or to be taken on EFRP application
- issue a practice approval only if **all** of the following are met:
 - EFRP application is eligible for C/S
 - applicant filed the EFRP application **before** starting the practice
 - FSA-850 or equivalent has been completed by an FSA or other authorized agency, before practice restoration begins

Note: See subparagraph D and E for information on granting a waiver.

- the practice was started **after** the agency responsible for technical assistance has made any necessary technical determinations
- the estimated start date of restoration has been documented
- funds have been allocated to the county

131 Approvals and Disapprovals (Continued)

B COC Action (Continued)

- complete FSA-770 EFRP (Exhibit 6) **before** approving the EFRP application and the required review is completed by the DD.

Note: County Offices that have not implemented EFRP within the last 2 years must complete FSA-770 EFRP on its first **10** applications per Service Center.

COC in the administrative county will 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 Granting a Waiver to Start an EFRP Practice Before Filing an Application

In instances where an emergency exists, landowners may find it necessary to take action and initiate restorative measures before filing an EFRP application. With concurrence of STC or its delegated representative, COC may waive the requirement to approve FSA-848A before work begins, only if **all** the following apply:

- complete FSA-850 (Exhibit 21)
- the EFRP-designated disaster created a situation that required the applicant to take immediate steps to prevent further losses

Example: The following is an example of an emergency situation:

- repairing or replacing a fence to contain livestock.

Note: A waiver should not be requested only because the practice was started before an environmental evaluation. It must be a **legitimate** emergency action.

If a practice has been started but has been determined **not** to be an emergency, COC **cannot** approve the practice.

- EFRP application was filed between the date of the disaster and the end of the signup period
- a practice was physically started before the EFRP disaster designation was approved for the applicable County Office.

131 Approvals and Disapprovals (Continued)

C Granting a Waiver to Start an EFRP Practice Before Filing an Application (Continued)

Example: A landowner contracts to irrigate and plant trees in March. In July, before work has begun, the county is approved for EFRP drought. The landowner knew in March that he or she would be irrigating and planting trees. For the EFRP purpose, the date the landowner 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 landowner is **not** eligible for EFRP assistance.

D Securing Services of a Contractor Before Filing an EFRP Application

Securing services of a contractor does not necessarily mean the practice has physically started for EFRP purposes.

In instances where a present threat exists, and when further destruction is imminent and warrants immediate action, landowners may find it necessary to take action and schedule the services of a contractor to perform restorative measures before filing an EFRP application.

Securing a contractor before filing an EFRP application would not prevent COC from approving the application.

E Granting A Waiver to Start an EFRP Practice Before Application is Approved

In certain instances, landowners may need to start the EFRP practice after filing the EFRP application, but before the application can be approved. With concurrence of STC or its delegated representative, COC may waive the requirement to approve FSA-848A before work begins, on a case-by-case basis if justified. Justification must include action needed to prevent further losses to life or property.

For EFRP purposes, a practice is considered started when the work begins.

COC may waive the requirement to approve FSA-848A before work begins on a case-by-case basis without requiring a specific request from the applicant. COC may consider the filing of the applicant's EFRP application as the request for waiver of the requirement to approve FSA-848A before work begins. COC decisions must be documented in the COC minutes.

Note: The successful completion of FSA-850 is required **before** FSA-848A is approved. If an applicant begins a practice before approval, include notes on FSA-848 (request) detailing early start date and reason for beginning before COC approval.

132 Disapprovals and Deferred Action**A Disapproving Requests**

If COC disapproves the request:

- disapprove the request in CSS according to 2-EFRP
- notify the applicant in writing of the the reason for disapproval, according to 2-EFRP
- provide the right to appeal the COC's decision, according to 1-APP.

B Documenting COC Minutes

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

- applicant
- FSN or control number
- Practice(s)
- reason for disapproval.

C Deferred Action

COC may defer action on a C/S request for which funds are not currently available. Advise applicants of the deferral.

133 Pending Requests**A Maintaining Pending Requests**

If a funding request is submitted to the EFRP-PM and the State is notified that funds are not available, State Office must notify County Office to maintain a file of pending EFRP applications that COC would be willing to approve if funds were available.

Note: The original request must remain on file until approval or disapproval. If additional funds become available, promptly advise applicants.

B Reviewing Pending Requests

Review the file of pending requests periodically, at a minimum every 60 calendar days. Cancel requests of participants who are no longer interested in participating in the program and modify request amounts for EFRP applications where needs change. Modify county funding request, if necessary.

134 Requests Requiring Special Approvals

A Requests Requiring Special Approval

STC or DAFP delegated representative review is required for certain FSA-848's before approval. The following table shows the required reviews, responsible review official, and responsible approval or disapproval official.

A request for EFRP C/S for...	MUST be approved or disapproved by....	AND FSA-848A must be signed by....
<ul style="list-style-type: none"> • COC members • County Office, FSA, NRCS Service Center employees • Conservation District Board members 	STC	STC.
FSA and NRCS State Office employees	STC	STC.
STC members	DAFP	SED.
SED's	DAFP	STC.
Other FSA and NRCS employees	DAFP	STC.

Note: Reviews are required for any entity in which an employee has an interest according to payment limitation rules currently in effect.

B C/S Agreement Approval Authority

Approvals for total C/S per person or legal entity, per EFRP-designated disaster, and including interests in all counties, must be as follows.

IF C/S amount is...	THEN approval authority is...
\$125,000 or less	COC.
\$125,001 to \$250,000	STC.
More than \$250,000	EFRP-PM.

Note: These limits are retroactive and apply to all disasters beginning with the calendar year 2017 and forward and to agreements which have not already been submitted to CD for approval.

134 Requests Requiring Special Approvals (Continued)**B C/S Agreement Approval Authority (Continued)**

County Offices must monitor revisions or new applications to ensure the approval authority has not changed for a person or legal entity. If a revision or new application changes the required approval authority, County Office must submit the revision to the appropriate approval authority immediately.

Upon receipt of notification of approval or disapproval, County Office will:

- enter the official decision date in CSS
- manually enter “see attached notification” in item 11A on FSA-848A
- manually enter the official decision date in item 11B on FSA-848A
- manually enter the official C/S willing to approve in item 11C
- attach the official notification to FSA-848A.

C Submitting Requests to CD

When submitting C/S requests to EFRP-PM, the following information **must** be included as part of the documentation:

- exact amount of C/S requested
- EFRP practices that are involved
- copy of FSA-848 and FSA-848A
- a completed copy of FSA-23 for each request submitted (Exhibit 17)

Note: Base the agricultural market value of the affected land on either of the following:

- acres served, if the practice is reported as acres served
- acres, if the practice is reported as acres.
- map of affected farms
- photographs
- copy of FSA-850
- COC and STC recommendations, as applicable.

135 Documenting COC Decisions

A Action

COC must review the EFRP application and document the decision on the hard copy of FSA-848A.

B COC Determinations

All COC determinations involving action taken on all EFRP applications **must** be recorded in the COC minutes.

At a minimum, each COC determination **will** include the following:

- applicant's name
- control number
- FSN
- practice or practices
- C/S approval amount.

Note: Each application **must** be listed **separately**.

C Notify Applicant

If COC approves the request, promptly:

- approve the request in CSS, according to 2-EFRP
- notify applicant of the practice extent and approved C/S with a copy of FSA-848A.

Notes: Inform the applicant that FSA-848A **must** be signed by all the participants receiving a percentage of the payment and returned to the County Office within 15 calendar days. If FSA-848A is not returned timely, contact participant to determine whether program participation is still desired. After contact has been made, allow the participant 5 calendar days to sign and return FSA-848A. See Exhibit 11 for a completed example of FSA-848A.

If unable to contact the participant, send a notification of application termination and provide appeal rights per 1-APP.

Include the signed agreement and other explanatory information needed to help the applicant perform the practice or practices and qualify for C/S. Examples of this information include the following:

135 Documenting COC Decisions (Continued)**C Notify Applicant (Continued)**

- practice specifications and any other information needed to comply with program requirements

Note: Include a reminder to consult TA provider as questions arise about practice specifications.

- completing performance reports
- rules governing dividing or withholding C/S when another person or legal entity contributes to the cost of performing the practice and the necessity for reporting those contributions
- encouraging the applicant to complete the practice or practices at the earliest possible time
- advising the applicants of their responsibility to obtain necessary easements and permits.

136 Setting Expiration Dates**A Practice Expirations and Extensions**

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

B Extensions

Extensions:

- may be granted, if requested by a participant in writing before the expiration date
- require the technical agency to concur with the extension and modify the restoration plan accordingly
- will be evaluated by COC and the request and recommendation forwarded to the STC delegated representative.
- must be documented and approved by STC or DD when delegated by STC.

136 Setting Expiration Dates (Continued)

B Extensions (Continued)

If an extension is requested timely and justified:

- STC, or its delegated representative, may approve 1 extension for up to 6 months, beyond the initial 2-year expiration date, totaling up to 2 years and 6 months in length, under unusual circumstances
- STC may approve a second extension for up to an additional 6 months, totaling 3 years in length, under unusual circumstances.

Any extension request exceeding 3 years must be submitted to EFRP-PM.

C Drought Extensions

Drought practice approvals will **not** extend more than 6 months from the date COC approves the practice. If drought conditions change, reevaluate the applicant's eligibility. STC may approve 1 extension up to 3 months under unusual circumstances.

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

COC's evaluation of drought practice extension requests must include an assessment of current drought conditions and current availability of water. If drought conditions change, re-evaluate the applicant's eligibility.

D Submitting Extension Requests to CD

When submitting practice extension requests to EFRP-PM by e-mail, the following information must be included as part of the documentation:

- a signed SED memorandum to include:
 - exact amount of C/S approval considered
 - EFRP practices that are involved
 - applicable practice
 - date of new expiration
- COC and STC recommendations, as applicable
- FSA-848A
- map of affected farms
- copy of FSA-850
- copy of participant's extension request.

136 Setting Expiration Dates (Continued)

E Documenting Extensions in COC Minutes

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

- applicant’s name
- FSN, application, control number
- practice or practices
- reason for extension request
- COC recommendation to STC
- STC or delegated representative determination
- EFRP-PM action, if this action was required.

137 Expiration Notice

A Preparing Expiration List

The County Office will prepare the “Practices Nearing Expiration” report from CSS and report to the DD by the first workday of each month in accordance with direction in paragraph 335.

B Generating and Issuing Expiration Notice

Generate and mail or e-mail practice expiration notification letters to participants with approved practices expiring within 30 calendar days.

138 Terminating Approved Agreements

A Terminating Approved Agreements

Follow the following table when terminating approved agreements.

If...	And...	Then..
performance certification is not filed by the practice expiration date	No payments have been issued on the agreement	Terminate the approved EFRP agreement as described in 2-EFRP
	A partial payment has been issued on a practice	Terminate an approved EFRP agreement as described in 2-EFRP (this will generate a receivable for the partial payment.)
	Payments have been fully issued on a practice	certify the remaining practice(s) as complete with zero extent and zero cost as described in 2-EFRP.

138 Terminating Approve Agreements (Continued)

A Terminating Approved Agreements (Continued)

Following any of the previous scenarios:

- notify the assigned technical agency
- document the action taken on FSA-848A
- notify the participant of the termination and provide appeal rights per 1-APP.

B Suspending Termination

If the County Office has a definite indication that the practice was performed in a timely manner but the performance report on FSA-848B, page 1 is **not** filed promptly, termination may be delayed if:

- certification of performance on FSA-848B, page 2 and personal knowledge of COC member or County Office employee are acceptable reasons for suspending cancellations
- immediate action will be taken to obtain the performance report.

Note: If the performance report is not obtained within 30 calendar days of the practice expiration date, terminate the approval.

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

139-141 (Reserved)

Section 2 Accepting Practice Performance Report**142 Filing Performance Reports (FSA-848B)****A Summary of Steps**

When the participant completes the approved practice, the participant will then file the performance report.

The County Office must complete the following steps:

- review and date-stamp the submitted bills for accuracy and eligible items
- enter applicant certification data in CSS and print FSA-848B
- obtain eligible applicant and/or TA provider agency certification on FSA-848B
- issue C/S payment once all requirements have been met and all signatures are obtained
- ensure that payments are issued through NPS.

Performance reports (FSA-848B) must be signed and dated by the authorized representative whose name appears on the approved FSA-848A. See 1-CM and 6-PL for provisions on determining eligibility for minors.

B Performance Reports

To be eligible for C/S payments, participants who perform approved practices must report performance on FSA-848B and provide any required supporting data by the practice completion date. See Exhibit 12 for an example of a completed FSA-848B

C Dates and Signatures on FSA-848B's

Performance reports must be signed and dated by all participant, or their authorized representative, who will receive a share on the approved FSA-848A. All documents must be date stamped upon receipt.

142 Filing Performance Reports (FSA-848B) (Continued)

C Dates and Signatures on FSA-848B's (Continued)

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

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

143 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 136.

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 participant 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.

144 Reporting Practice Extent

A Information To Be Reported

Participants will 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.

IF...	THEN...
some or all aspects of performance must be certified by another agency	do not process until FSA-848B, page 2 is completed by the technical agency.
a practice is reported in units other than units for which payment is made	convert reported units to the payment units.
all required information is not submitted with FSA-848B	do not process until all information is submitted.

B Another Agency

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

145 Recording Practice Location

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 and/or components requested and needed;
- lifespan
- FY completed.

B Retaining Location Records

See 32-AS for requirements for retaining location records.

146 Supporting Documentation for Practice Completion

A Obtaining Evidence

In all cases, obtain evidence to determine whether practice requirements are met and to determine proper C/S payment calculation. This may include the following:

- 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 C/S.

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

Step	COF Action
1	Review participant’s documentation to determine whether practice requirements were satisfied.
2	Allow participant to self-certify total eligible costs on FSA-848B. Supporting documentation must be provided for all agreements. Note: If the participant is self-certifying to cost for C/S agreements for which supporting documentation has not yet been received, COC will not approve payment until all supporting evidence is submitted by the participant.

146 Supporting Documentation for Practice Completion (Continued)

B Invoices and Documentation (Continued)

Step	COF Action
3	<p>Enter the total allowable, eligible cost of performing the approved practice(s)/component(s) on FSA-848B.</p> <p>Identify costs reported paid by ineligible contributors.</p> <p>If the participant performed the practice with their own labor, equipment, materials the participant must submit signed and dated statements to include the following:</p> <ul style="list-style-type: none"> • specific activities performed • location of activity • dates of work performed • cost per hour charged for labor • expense of equipment used • type and cost of materials used • other applicable information. <p>Note: Costs allowed in these cases should not exceed the prevailing current commercial rates determined by COC.</p>
4	<p>Calculate C/S based on supporting documentation provided to meet the minimum requirement. A minimum of 20 percent of supporting evidence must be spot checked and reviewed before issuing payments. Use FSA-770 EFRP to document the spot check.</p> <p>Example: To review at least 20 percent of the supporting evidence and agreements, FSA may spot check all documentation submitted to support C/S calculation and payment for agreements ending in 0 or 5 before issuing payments.</p>

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.

For C/S 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.

147 Maintenance and C/S Refund Responsibility**A Participant Certification**

Ensure that the participant is aware of and agrees to:

- practice maintenance responsibilities and C/S refund responsibilities when certifying practice performance
- refund all or part of the C/S paid as determined by COC if before the expiration of the practice lifespan specified, the practice is destroyed or not properly maintained.

B Relinquishing Control or Title to the Land

If the participant relinquishes control or title to the land on which the practices have been implemented, 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
- once the written statement is obtained from the new owner, operator, or both:
 - the statement must be attached to the original FSA-848B
 - the original participant is no longer responsible for practice maintenance or for refunding any C/S as determined by COC
 - the person signing the written statement is responsible for practice maintenance and refunding any C/S as determined by COC.

Note: If a written statement is not obtained from the new owner, operator, or both, the C/S refunds will be prorated and collected from the original participant based on the lifespan of the practice and age of the practice at the time of ownership/operatorship change.

148-151 (Reserved)

Section 3 Certifying Performance

152 Certification on FSA-848B When Technical Practices Assigned to Another Agency

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**:

After participant certified practice completion on FSA-848B:

- notify the assigned technical agency and request certification of the assigned technical agency performance on FSA-848B, page 2 to ensure practice performance meets standard
- provide a copy of FSA-848B, as well as a copy of a map to the technical agency to use in certifying performance of approved practice(s)/component(s)
- County Office employees will **not** inspect, for verification, any practice for which another agency certifies performance
- COC must accept the agency certification of the extent performed for approving payments to participants.

B Items To Be Reported by Technical Agency

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

- a certification showing practice(s)/component(s) 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 non-technical items for which FSA will later accept a report from the participant will be listed; however, payment will **not** be authorized until completion of the specified uncompleted nontechnical items.

153 Technical Practices Performed Without Technical Agency Assistance

A Proceeding Before Needs Determination

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 C/S.

IF...	THEN...
technician cannot certify performance and extent	there is no authority to pay for the practice.
the extent can be determined and all of the following apply: <ul style="list-style-type: none"> • it is determined the practice was needed • practice was performed according to specifications or is qualified under the provisions of Section 7 • all other EFRP requirements have been satisfied 	practice may be eligible for C/S.

154-160 (Reserved)

Section 4 Reporting Contributions**161 Multiple Persons or Legal Entities Who Share Cost of Practice****A List Persons or Legal Entities Who Share Cost of Practice**

FSA-848B will 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 will 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 contractor who is fully compensated or reimbursed for materials, equipment, services, or labor is **not** a contributor.

C Performance Reports 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 35 and 6-PL
- each contributor is eligible to receive C/S
- any contributors are ineligible according to paragraph 35.

162 Dividing C/S Based on Contributions**A All Costs Paid by 1 Eligible Person or Legal Entity**

One person or legal entity that pays all costs of performing a practice is entitled to the C/S 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 C/S equally.

162 Dividing C/S Based on Contributions (Continued)**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:

- prorate the C/S 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 C/S will **not** include contributions made by ineligible persons or legal entities.

Make no C/S 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 34 and 35 for eligible and ineligible participant provisions.

163 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.

164 Processing C/S if Ineligible Participants Contributed**A Processing C/S**

If an ineligible participant contributed to a practice, C/S is computed by subtracting the ineligible contribution from the total practice cost. C/S is based only on the **eligible** participant's contribution.

Note: See paragraph 35 to determine whether a contributor may qualify as an eligible person or legal entity.

B Example 1

Total cost of the EFRP practice was \$5,000. Participant A, an eligible participant, incurs \$4,000 in eligible costs for the practice. Participant B, an ineligible participant, incurs and contributes \$1,000 for the practice. C/S level for the practice is 75 percent of the total eligible costs.

The ineligible contribution (\$1,000) will be deducted from the total practice cost (\$5,000) to compute eligible C/S. C/S paid to the eligible participant will be based on the eligible participant's contribution to the practice, which was \$4,000. Therefore, Participant A will earn a C/S payment of \$3,000 (75 percent of \$4,000).

C Example 2

Total cost of the EFRP practice was \$8,000. Participant A, an eligible participant, pays \$6,000 for materials for a practice. A State agency contributes \$2,000 worth of materials to the practice. C/S level for the practice is 75 percent of the total eligible costs.

The ineligible contribution (\$2,000) must be deducted from the total practice cost (\$8,000) to compute eligible C/S. C/S paid to the eligible participant will be based on the eligible participant's contribution to the practice, which was \$6,000. Therefore, Participant A will earn a C/S payment of \$4,500 (75 percent of \$6,000).

165-169 (Reserved)

Section 5 Change in Extent Performed

170 Changing Extent Performed as Reported by Participant

A Technical Agency's Certified 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 Technical Agency Certified 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 174.

171 Adjustment for Practices Exceeding Requirements

A General Policy

If the participant completes or constructs the practice in excess of the minimum standards required by the technical agency, the County Office will prorate the costs and only issue C/S payments on the minimum extent required.

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 must be revised, according to the "Revise an Agreement" section of 2-EFRP, to reflect the increased extent if all the following conditions exist:

- participant hired a contractor to complete the work
- excess amount 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 participant and contractor as a discount or other consideration to the participant.

171 Adjustment for Practices Exceeding Requirements (Continued)**C Adjusting for Greater Extent at No Cost**

If all conditions in subparagraph B are met, enter the units approved on FSA-848B. Do not prorate the cost and C/S to include the excess costs.

172 Adjusting Extent or C/S Before Practice Performance**A Increase Based on Greater Extent**

COC may increase the extent or C/S 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 the “Revise Agreement” process provided in 2-EFRP.

B Decrease Before Practice Performance

COC **must** decrease the extent and C/S originally approved on FSA-848A before performance is completed, if the assigned technical agency determines a lesser extent is needed. Use the “Revise Agreement” process provided in 2-EFRP.

C Documenting Adjustment

Signatures are **required** in items 11 and 12 for all FSA-848A revisions.

173 Adjusting Extent or C/S After Practice Performance and Before Payment**A Increase in Extent or C/S**

On a case-by case basis, COC may increase the extent or C/S originally approved after performance is completed (but before payment is made) if funds are available and either of the following conditions is satisfied:

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

Note: A new request is not required when COC increases the extent or C/S after performance and before payment. However, the County Office must modify the agreement in CSS by using the “Revise Agreement” process provided in 2-EFRP.

173 Adjusting Extent or C/S After Practice Performance and Before Payment (Continued)

B Decrease After Performance and Before Payment

COC may decrease the extent and C/S 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

Signatures are **required** in items 11 and 12 for all FSA-848A revisions.

174 Increasing Extent or C/S After Practice Performance and After Payment

A When to Increase Extent or C/S

COC may increase the extent or C/S 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 C/S payment.

B Documenting Increase

Signatures are **required** in items 11 and 12 for all FSA-848A revisions.

175 Increases Not Authorized

If COC does not approve the entire extent requested and the participant performs an extent greater than that approved, no increase in C/S is authorized to cover the extent performed if it exceeds the amount approved.

176-179 (Reserved)

Section 6 Miscellaneous Situations**180 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:

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

B Adequate Solution to Conservation Problem

C/S may be paid for the extent actually performed if all of the following apply:

- COC determines that the practice solves the problem for which it was approved
- participant satisfies COC that a reasonable effort has been made to meet requirements
- participant agrees on FSA-848B that the practice will be maintained for the required lifespan or C/S will be refunded
- assigned technical agency's certification has been considered.

181 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 participant's control.

B COC Actions

COC will determine whether the participant must perform other needed measures as a condition for C/S.

Note: Costs may be shared for other eligible required measures if the participant files a new application.

182 Materials Not Applied at Specified Rate

A Material Costs

Determine whether costs may be shared if materials are not applied at a specified rate according to the following.

IF materials are not applied at a specified rate and...	THEN...
are within authorized minimum and maximum rates	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.
exceed the maximum authorized rate	limit C/S to the smaller of the following: <ul style="list-style-type: none"> • amount originally approved on FSA-848A • result of multiplying the authorized extent times C/S rate per unit of material • result of multiplying the actual cost for the authorized extent times the approved C/S percentage.

183 Practice Performed With Material Not on EFRP Agreement

A Material Not on FSA-848A

A practice performed with material that was not approved on FSA-848A may be allowed if:

- technical agency can certify that the materials used meet the specifications for restoration
- C/S is limited to the lesser of:
- C/S originally approved
- C/S computed for the materials actually applied.

184 Practice Completed by Successor

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

WHEN a participant starts a practice and...	AND...	THEN...
sells the acreage	the practice is completed by a successor	<ul style="list-style-type: none"> • the original participant or participant's estate may be paid any C/S attributable to the participant
dies before the practice is completed		<ul style="list-style-type: none"> • successor, if an eligible participant who completes the practice, may be paid and C/S attributed to the successor's contribution.

185-310 (Reserved)

Section 7 Processing C/S Earned**311 C/S Payments****A Issuing Payments**

Issue payments according to 63-FI and 2-EFRP. Payments are automatically issued through the CSS /accounting interface when performance is recorded on FSA-848B. **All** of the following must be complete **before** performance is recorded in the system and payments are issued:

- Participant Certification (FSA-848B, page 1)
- Performance Certification (FSA-848B, page 2)
- Performance Approval (FSA-848B, page 3).

Note: The person authorizing the payment will review the C/S details and sign FSA-848B, page 3, item 18, **only** if the payment is approved.

B Payment Review

DD will:

- be responsible for ensuring that payments are properly issued according to this handbook
- provide a written report of the findings to SED.

C Ineligible Contributions

Ineligible contributions will be handled according to paragraph 163.

D Participant Maximum

The participant will receive no more than 75 percent of out-of-pocket costs. See paragraph 29 for bartering.

E Completing FSA-770 EFRP

CED or PT will complete the appropriate sections of form FSA-770 EFRP before an EFRP payment is made. See Exhibit 6.

311 C/S Payments (Continued)**F Funding Program Payments**

All C/S approvals entered in CSS before September 30, 2020, for EFRP designations will be funded in CFLS and eFunds. If sufficient funds are **not** available, the payment request will fail.

All C/S approvals entered in CSS made beginning October 1, 2020, for EFRP designations will be funded in COF software. If sufficient funds are **not** available, the payment request will fail.

Note: In the event a payment fails because of insufficient funding, County Office must request additional funding through State Office.

G Issuing Payments

Payments may be issued to:

- participants, joint payees, or assignees
- creditor U.S. agencies to offset amount due
- IRS for non-resident alien income tax.

312 Eligible and Ineligible Items for Processing C/S**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.

Expenses for personal labor and personal equipment should be less than charged by contractors.

B Ineligible Costs

Ineligible costs for computing C/S earned include any items specified in paragraph 71.

313 Computing C/S**A When to Compute C/S**

Compute C/S earned for the practice only after **all** the following actions, and a second-party review, have been taken:

- the performance report has been reviewed

Note: The Participant Certification (FSA-848B, page 1), Performance Certification (FSA-848, page 2), and Performance Approval (FSA-848B, page 3) must have been reviewed, approved and documented in CSS.

- all required information has been obtained
- approved adjustments have been made in:
 - C/S
 - extent
 - materials
 - practice components.

B Rounding

CSS will round all C/S earned to the nearest whole dollar as follows:

- increase an amount of \$.50 or more
- decrease an amount of \$.49 or less.

C Extent Performed Less Than or Greater Than Extent Approved

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

- C/S Approved
- C/S rate percentage multiplied by the total allowable, eligible cost
- Maximum “not to exceed” rate per unit multiplied by the extent performed.

313 Computing C/S (Continued)**C Extent Performed Less Than or Greater Than Extent Approved (Continued)**

Example of performance less than extent approved: An EFRP practice was approved on 20 acres at the rate of 75 percent of the total allowable cost not to exceed \$100 per acre. However only 10 acres were actually performed at a total cost of \$5,000. The technical agency certified that the extent performed, although less than approved, addressed the resource concerns and was consistent with the applicable practice standard.

Therefore, the C/S payment for the acres performed is least cost option, or in this case the maximum “not to exceed” rate per unit multiplied by the extent performed:

\$100 per acre x 10 acres = \$1,000

The total C/S paid would be \$1,000.

314-320 (Reserved)

Section 8 Partial Payments**321 When Partial C/S Payments May Be Made****A Authority for Partial Payment**

At the request of the participant, partial payment for a practice may be processed if the applicant will complete **the entire** of the practice, with or without C/S, 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:

- C/S request is made on FSA-848B, page 1
- 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 FSA-848B, page 1 before the practice expiration date.

322 Recovering C/S if Remaining Work Is Not Completed

A Recovering C/S

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

Note: See paragraph 404 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 to complete the practice
- change in plans for land use.

323-330 (Reserved)

Section 9 Issuing Payments

331 COC Payment Responsibilities

A Controlling Allocations

State Offices will allocate funds to County Offices for a specific disaster ID designated by the National Office. These allocations will be available for obligation at agreement approval. Payments above the obligation amount will not be approved unless the additional amount request was submitted to the State and National Offices in a timely manner.

B 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.

IF the lease or other agreement indicates that the...	THEN consider...
landlord and tenant share the cost of the practice	both as having contributed to the cost unless refuted by evidence.
tenant will perform the practice	the tenant as having paid the entire cost unless refuted by evidence.
landlord will pay the cost of the practice	the landlord as having paid the entire cost unless refuted by evidence.

Note: Do **not** consider a participant as having contributed to the cost of performing a practice if COC finds that the participant 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.

332 Agreements Between Landlords and Tenants**A Effect of Agreement**

Pay C/S to the eligible participant who pays the costs of performing the practice **regardless** of a 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 the EFRP agreement is correct. To determine who paid the costs, COC will 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.

333 When to Prepare Payment**A Preparing to Issue C/S Payment**

Record performance and issue payment, according to 2-EFRP, when all of the following have been completed:

- participant certified practice completion on FSA-848B, page 1 (according to paragraph 142)
- performance was appropriately certified on FSA-848B, page 2
- supporting documentation is submitted according to paragraph 146
- CCC-902 and CCC-901 for the year of disaster is on file according to paragraph 6
- other pertinent information is received, if applicable.

B Review Before Payment

FSA-848B will be second-party reviewed by an employee other than the employee entering the performance data. The reviewer:

- may be CED, designated employee, or COC member
- will sign and date FSA-848B, page 3
- must **not** have an interest in the farm involved.

C Payments Due Deceased, Missing, or Incompetent Persons

Prepare payments due persons who are deceased, missing, or incompetent according to 1-CM.

334 Refunds, Priority of Offsets, Withholdings, and Assignments

A Handling Refunds

Handle refunds according to 64-FI.

B Offset Applicability

Offsets apply to EFRP.

C Assigning Program Payments

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

D Determining Priority

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

335 Monitoring EFRP C/S Agreements and Obligations

A CSS Reports

CSS reports available to State and County offices are described in 2-EFRP par. 244. States and County Offices should use the reports available to monitor EFRP agreements and obligations.

The following table details the minimum expectations for monitoring and reporting within the State.

Report	Employee	Required Action
ALL FSA-848 – Pending Approval	PT	<ul style="list-style-type: none"> • On the first of each month, prepare a report of all FSA-848’s, pending approval to ensure that FSA-848’s in revision status are approved timely. FSA-848A’s in revision status that require action will have an alpha suffix in the control number and require action. • Approve, revise, or terminate the pending FSA-848’s, as applicable. • Provide a copy of the monthly report to the DD with action taken documented on the list by the 15th of each month.
	DD	<ul style="list-style-type: none"> • Review the monthly report provided by each County Office. • Contact the County Offices that do not provide a report by the 15th of each month. • Provide a summation of actions taken to the State Office by the end of each month.
	State Office	<ul style="list-style-type: none"> • Review the monthly reports provided by DD. • Prepare the report for all counties in the State to ensure DD’s provided report and explanation for all FSA-848s listed. Follow up with DD’s for any missing reports. • Provide summary report for the State to SED.
	SED	Review the monthly report and communicate corrective actions and expectations to DD’s.

335 Monitoring EFRP C/S Agreements and Obligations (Continued)

A CSS Reports (Continued)

Report	Employee	Required Action
FSA-848A – Practices Nearing Expiration	PT	<ul style="list-style-type: none"> • On the first of each month, prepare a report of FSA-848’s expiring within 59 calendar days to track performance that needs to be completed within 59 calendar days. • Mail all participants on the list the “Practice Nearing Expiration” letter. • Provide a copy of the monthly report to DD with action taken documented on the list by the 15th of each month.
	DD	<ul style="list-style-type: none"> • Review the monthly report provided by each County Office. • Contact the County Offices that do not provide a report by the 15th of each month. • Provide a summation of actions taken to the State Office by the end of each month.
	State Office	<ul style="list-style-type: none"> • Review the monthly reports provided by DD. • Prepare the report for all counties in the State to ensure DD’s provided report and explanation for all FSA-848s listed. Follow up with DD’s for any missing reports. • Provide summary report for the State to SED.
	SED	Review the monthly report and communicate corrective actions and expectations to DD’s.

335 Monitoring EFRP C/S Agreements and Obligations (Continued)

A CSS Reports (Continued)

Report	Employee	Required Action
FSA-848A, Practices With Expiration Date Exceeded	PT	<ul style="list-style-type: none"> • On the first of each month, prepare a report of FSA-848's with Expiration Date Exceeded. • Review the practice status for each FSA-848A on the report. • Contact all participants that have not submitted receipts or certified completion of practices with instructions for practice performance certification or extension, as applicable. • Review report with COC. • Process applicable payments for participants who had submitted receipts and certified completion of the practice. • Terminate FSA-848A's for practices that have not been completed or an extension has not been requested and approved according to paragraphs 502 through 504. • Provide a copy of the monthly report to DD with action taken documented on the list by the 15th of each month.

335 Monitoring EFRP C/S Agreements and Obligations (Continued)

A CSS Reports (Continued)

Report	Employee	Required Action
	DD	<ul style="list-style-type: none"> • Review the monthly report provided by each County Office. • Contact the County Offices that do not provide a report by the 15th of each month. • Provide a summation of actions taken to the State Office by the end of each month.
	STO	<ul style="list-style-type: none"> • Review the monthly reports provided by DD. • Prepare the report for all counties in the State to ensure DD's provided report and explanation for all FSA-848s listed. Follow up with DD's for any missing reports. • Provide summary report for the State to SED.
	SED	Review the monthly report and communicate corrective actions and expectations to DD's.

336-340 (Reserved)

Section 10 Adjusting Payments

341 When C/S Payment Adjustment Is Required

A Conditions Requiring C/S Payment Adjustment

An adjusted FSA-848B certification is required if:

- overpayment is caused by an error in data entry which includes excess credit to any refund or other charge, as well as overpayment
- underpayment is caused by an error in data entry which includes deficient credit to a refund or other charge as well as underpayment
- underpayment is caused by erroneous data.

Note: If the:

- applicant reported the erroneous data on the original FSA-848B, the applicant must sign a corrected FSA-848B, page 1, to receive the additional payment or credit
- County Office made the error in the data the applicant's signature is **not** required.

B Correction Process

See 2-EFRP to generate additional FSA-848B's and, as applicable, issue additional payments or create a receivable.

342-389 (Reserved)

Part 8 Compliance**Section 1 Spot Checks****390 Lifespan and Maintenance Policy****A Practice Lifespan**

The practice lifespan is a period of time during which a conservation practice or activity should be maintained and used for the purpose designated and is subject to spot check.

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 Exhibit 31.

Note: COC's will advise participants that they are required to maintain the practice for its useful lifespan.

391 Spot Check Policy**A Spot Check Provisions**

2-CP provisions apply to EFRP spot checking. Additional EFRP spot checking provisions are provided in this section.

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

B Spot Check Requirements

Spot checks are required to:

- verify practice maintenance and land use
- identify and uncover erroneous or inadequate reporting by landowners
- encourage accurate reporting.

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

392 Extent of Spot Checks

A Selecting EFRP C/S Agreements for County Office Spot Check

The following tables provide steps for performing spot checks.

Current Year Practices	
Step	Action
1	Obtain a report on EFRP practices completed during the current FY.
2	Select the agreements for landowners that require spot checks.
3	Select a minimum random sample of at least 5 percent or 5 of the total agreements that were performed and paid (including required spot checks) during the current FY.
4	For the agreements selected, spot check all EFRP practices with an unexpired lifespan on the same farm.

Prior Year Practices	
Step	Action
1	Obtain a report of all EFRP agreements performed and paid in a prior year with practices/components that are still within their lifespan and that are not listed on the current FY spot check selection report.
2	Select the agreements for landowners that require spot checks.
3	Select a minimum random sample of at least 5 percent or 5 of the total agreements that were performed and paid (including required spot checks) that are on the manual list.
4	For the agreements selected, spot check all EFRP practices with an unexpired lifespan on the same farm.

B State Office Spot Checks

To ensure that the policies and provisions of EFRP are being followed, a State Office representative will 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.

393 Scope of County Office Spot Checks**A Options for Performing Spot Checks**

By visual inspection, verify the accuracy of the information submitted with FSA-848B. List discrepancies on FSA-276 (Exhibit 29). COF staff can perform visual inspection either by:

- performing an onsite inspection of the restored NIPF
- using GIS to view the restored NIPF on the most recent aerial imagery.

B Inspecting Landowner's Records

For currently year spot checks performed within 1 year after FY in which the practice was completed, review the participant's actual cost documentation, proof of payment and supporting evidence to ensure the documentation supports the reported cost of the practice.

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

394 Follow-up Action on Discrepancies**A Corrective Action**

Determine the corrective action to be taken by the landowner if the practice does not meet EFRP requirements. Allow the landowner 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.

395-400 (Reserved)

Section 2 Violations

401 Failure to Maintain and Use Practices

A Policy

NIPF restored under EFRP must be maintained and used throughout the applicable practice normal lifespan for the purposes for which C/S 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:

- EFRP-PM determines, upon reviewing STC and/or 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:

- 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.

401 Failure to Maintain and Use Practices (Continued)**C Payment To Be Recovered**

Recover the entire C/S 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.

The partial refund will be based on the actual C/S 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 participant'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.

402 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 purpose of EFRP. In these cases, all or any part of C/S 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.

402 Actions that Defeat the EFRP Purpose (Continued)**C Violations Requiring Special Handling**

The following types of violations will be referred to STC:

- scheme or device depriving other persons or legal entities of C/S
- knowingly filing false claims
- evading the maximum C/S limitation
- evading 6-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 will refund all or any part of C/S 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**.

403 COC, STC, and Employee Cases**A Overview**

COC or STC members must recuse themselves from participating in any decision in a case where the member has a personal interest in the case. When a member recuses themselves, the remaining members act as the committee regarding:

- deposition of the case
- referral of the case to EFRP-PM for advice.

B Policy

Where there has been a compliance issue regarding STC or COC members, report facts about the participation of Government employees to appropriate agency and administrative officials.

Compliance issues suspected to be serious will be investigated and handled according to 9-AO even if the persons involved are employees of other agencies.

Report, in writing, any information involving compliance issues or personnel infractions of employees of USDA or other Government agencies.

404 Withholdings and Late Payment and Refund Interest**A Refunds**

Refunds on pending cases must be handled according to 58-FI.

B Late Payment and Refund Interest Policy

Late payments and refund interest rates apply to C/S refunded according to 58-FI.

C Prompt Payment Interest

In certain instances when the payment is not issued timely and a revision has occurred, CSS will not allow the user to enter the date documentation was received before the date of the revision approval. In this situation, prompt payment interest will be issued through online payments.

For C/S applications created and approved before October 1, 2020, CSS automatically initiates prompt payment interest based on the later of the participant's signature date or the date the documentation was received. Revisions to these agreements will behave in the same manner.

For new applications approved after October 1, 2020, prompt payment interest must be issued through Online Payments software according to 58-FI.

405 COC and STC Responsibility**A Referring Program Compliance Matters**

COC must refer any program compliance issues or matters that appear to violate a Federal statute to STC.

B Ensuring Full Compliance

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

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

Note: Investigations will be completed according to 9-AO.

406 Handling Program Infractions

A County Office Action

If a person or legal entity violates a program provision 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, contact appropriate agency officials
- is a violation of program provisions and does not involve a false claim or fraud, COC will 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 Participant Notification

COC or STC will promptly notify the participant if it finds that program provisions have been violated. Include a statement of:

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

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

407-416 (Reserved)

Reports, Forms, Abbreviations, and Delegations of Authority Reports

None.

Forms

The following table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Appendix to Form for AD-1026 Highly Erodible Land Conservation (HELIC) and Wetland Conservation (WC) Certification		4
AD-2047	Customer Data Worksheet		95
CCC-901	Members Information 2009 and Subsequent Years		333
CCC-902	Farm Operating Plan		4, 333
CRP-42	County Precipitation and Feed and Forage Loss		90
FSA-276	On-Farm Spot Check Record	Ex. 29	393
FSA-770 EFRP	EFRP Checklist Before Approval Is Made	Ex. 6	12, 131, 146, 311
FSA-848	Cost Share Request	E. 10	text
FSA-848-1	Continuation Sheet for Cost Share Request		11, Ex. 10
FSA-848A	Cost Share Agreement	Ex. 11	text
FSA-848A-1	Continuation Sheet for Cost Share Agreement		11, Ex. 11
FSA-848B	Cost Share Performance Certification and Payment	Ex. 12	text
FSA-848B-1	Continuation Sheet for Cost Share Performance Certification and Payment		11, Ex. 12
FSA-850	Environmental Evaluation Checklist	Ex. 21	95, 102, 103, 105, 131, 134, 136

Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

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

Approved Abbreviation	Term	Reference
CD	Conservation Division	11, 106, 114, 134,
CFLS	Conservation Funds Ledger System	115, 116, 311
COF	Common Obligation Framework	Text
C/S	cost-share	Text
CSS	Cost Share Software	Text
EFRP	Emergency Forest Restoration Program	Text
EFRP-PM	EFRP Program Manager	Text
ENV	Environment Activities Division	102
FPAC	Farm Production and Conservation	102
LAR	Loss Assessment Report	9, 91
NECM	National Environmental Compliance Manager	102
NIFA	National Institute of Food and Agriculture	67
NIPF	Nonindustrial Private Forestland	Text
O&M	Operation and Maintenance	Ex.17
SEB	State Emergency Board	20, 76, 91
SEC	State Environmental Coordinator	20, 102, 103
SEG	State Environmental Guide	103
SHPO	State Historic Preservation Office	102, 103
SLA	Service Level Agreement	76, 77, 79, 86, Ex. 5
TA	technical assistance	Text
THPO	Tribal Historic Preservation Office	102, 103
TSP	Technical Service Provider	76, Ex. 10, 12, 17
USFS	United State Forest Service	20, 51, 76, 86, 87

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Re delegations of Authority

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

Redelegation	Reference
STC authorities may be delegated to SED or DD for 1 extension of the FSA-848A expiration date.	26, 136
STC authorities may be delegated to SED or DD for approval of a waiver to begin a practice before application approval.	131
STC authorities may be delegated to SED or DD for approval of a waiver to begin a practice before submitting an application.	131

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.

Forestland

Forestland means land that is at least 120 feet wide and 1 acre in size and at least 10 percent covered by live trees of any size.

Lifespan of a Practice

The lifespan of a practice is the typical minimum expected length of time that a practice is expected to serve its conservation purpose. During its lifespan, a 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.

Definitions of Terms Used in This Handbook (Continued)

Natural Disaster

Natural disasters are 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.

Non-Industrial Private Forestland (NIPF)

Nonindustrial private forest land (NIPF) means rural forest lands with existing tree cover, or which are suitable for growing trees, that are owned by a private non-industrial forest landowner.

Definitions of Terms Used in This Handbook (Continued)**Owners of Non-Industrial Private Forestland**

Owners of Non-Industrial Private Forestland means, for purposes of the EFRP, an individual, group, association, corporation, Indian Tribe, or other legal private entity owning nonindustrial private forest land or who receives concurrence from the landowner for making the claim in lieu of the owner; and, for practice implementation, the one who holds a lease on the land for a minimum of 10 years. Owners or lessees principally engaged in the primary processing of raw wood products are excluded from this definition. Owners of land leased to lessees who would be excluded under the previous sentence are also excluded.

Severe Drought

A severe drought, or D2 drought designation, is a deficiency in precipitation over an extended period, usually a season or more, resulting in a water shortage with effects such as:

- Crop or pasture loss is likely
- Fire risk is very high
- Water shortages are common
- Water restrictions may be imposed.

EFRP Service Level Agreement

The following is the current Service Level Agreement between FSA and FS.

Service Level Agreement (SLA) Between
The Forest Service, State & Private Forestry (FS), Cooperative Forestry
and the
Farm Service Agency (FSA)
For Provision of the Technical Assistance for the Emergency Forest Restoration Program
Through September 30, 2025

I. Purpose

The purpose of this Service Level Agreement (SLA) is to provide for the implementation, cooperation, expectations, and responsibilities between the Forest Service (FS) and Farm Service Agency (FSA) in carrying out technical assistance for the Emergency Forest Restoration Program (EFRP).

II. General Provisions

Technical assistance is needed for the implementation of EFRP. FSA has determined that FS, acting through the State forestry agencies, have personnel with expertise who can provide technical assistance needed for the implementation of EFRP.

III. Authority

This SLA is authorized by the Economy Act (31 U.S.C. 1535), section 407 of the Agricultural Credit Act of 1978 (16 U.S.C. 2206), the regulations at 7 CFR part 701, subparts A-General and C-Emergency Forest Restoration Program, section 8203 of the 2008 Farm Bill, as amended by 2010 Supplemental Appropriations Act (Public Law 111-212).

IV. Responsibilities

FS and FSA agree, subject to the availability of funds, that:

A. FS will:

1. As requested by FSA, provide Domestic Grants or Fixed Amount Awards (grants) for technical assistance to State forestry agencies for assistance to owners of nonindustrial private forest land (forest owners) to carry out emergency measures and conservation practices to restore the land and forest resources that were damaged by a natural disaster. The grants will allow for the State forestry agencies to do the work directly, or to make formal arrangements with qualified private sector technical assistance providers. The State forestry agencies will provide assurances to FSA through FS that all technical work to restore eligible

EFRP Service Level Agreement (Continued)

land will meet State Forestry standards.

2. Ensure that deliverables from the State Forestry Agencies to the FSA shall be included in the grant as follows:
 - a. Timely completion of site visits and a damage evaluation within 45 calendar days of request from FSA;
 - b. Documentation of the needs determination for each EFRP application on form FSA-848, page 2, consistent with State forestry standards which prescribe forestry practices including site preparation, proper tree planting recommendations, thinning and any other recommended forestry practices needed;
 - c. An aerial photocopy of the site or Geographic Information System (GIS) layer, as supplied by FSA, that denotes suitability for EFRP practices and delineates the tract and proposed practice components on the tract;
 - d. A job sheet or similar documentation delineating out the site preparation, planting, and management requirements of the proposed practices consistent with the standards in Handbook 1-EFRP and other USDA policies;
 - e. A schedule of planned activities and the estimated cost of the practices and components to be completed by the forest owner;
 - f. Informational material to assist the forest owner in reforesting the site and, if appropriate, management measures for wildlife and the control of noxious and/or invasive species;
 - g. An estimate of loss due to disaster conditions;
 - h. A verification in writing of whether the land is nonindustrial private forestland for EFRP; and therefore, meets the land eligibility requirement;
 - i. Timely completion of performance certifications within 45 days of request from FSA, including providing verification of proper practice installation on form FSA-848B to the county FSA office;
 - j. Assurance that seedlings come from appropriate seed sources (if possible, from endemic seed sources);
 - k. Site inspections and technical assistance be provided if a forestry practice failure occurs;

EFRP Service Level Agreement (Continued)

photograph is not available, a paper copy will be provided. The photo will include an outline of the tract(s) of land for which an EFRP application has been received. Form FSA- 848 will contain the following:

- a. EFRP Applicant Name(s);
 - b. Address;
 - c. Phone number;
 - d. Location;
 - e. Proposed practice(s) and acreage requested; and
 - f. Landowner permission to enter the property.
5. Provide electronic notification and hard copy of signed forms FSA-848, FSA-848A, and a copy of the FSA-848B, to the State forester or designee;
 6. Provide electronic notification of completed EFRP practices for certification to the State forester or designee;
 7. Ensure that the State FSA Offices review the plan developed by the State Forester or designee to ensure that the landowner's proposed actions and cost are in alignment with the plan;
 8. Provide reimbursement to FS for technical assistance on a quarterly basis, or as billed by FS. EFRP reimbursement for technical assistance will not exceed 8 percent of the current allocation of funds for EFRP for that EFRP disaster designation in each state;
 9. Serve as the lead agency for purposes of complying with the provisions of the NEPA, NHPA, ESA, and other applicable laws, Executive Orders, and regulations as provided for in FSA's Environmental Quality Programs Handbook 1-EQ and 7 CFR part 799;
 10. Complete all consultations with the SHPO, THPO, Tribal governments, as required of the lead agency, and all findings of historic property National Register of Historic Places eligibility and effects to these properties, as required by the Advisory Council on Historic Preservation (ACHP) regulations at 36 CFR Part 800. FSA will make the final determination of finding of effects in regard to the potential impacts to the environment, determinations of eligibility, and effect and decisions on appropriate treatments regarding cultural resources related to the proposed EFRP agreement and associated conservation practices according to regulations at 36 CFR part 800.2(a)(2); and
 11. Complete all consultations with the U.S. Fish and Wildlife Service and National Marine Fisheries Service, as required by the lead agency, including the development of Biological Assessments or other

EFRP Service Level Agreement (Continued)

documentation as deemed appropriate in order to make and support the determination of finding of effects in regard to the potential impacts to the environment, and effect and decisions on appropriate treatments regarding at-risk species and other natural resource concerns, related to the proposed EFRP agreement and associated conservation practices.

C. Technical and Administrative Contacts:

1. FSA

a. ADMINISTRATIVE

Shanita Landon
USDA FSA
Conservation Environmental Programs Division
1400 Independence Avenue, SW
Stop Code - 0513
Washington, DC 20250
Telephone Number: 202-690-1612
Email Address: Shanita.Landon@usda.gov

b. TECHNICAL

Kathie Moh
USDA FSA
Conservation Environmental Programs Division
1400 Independence Avenue, SW
Stop Code - 0513
Washington, DC 20250
Telephone Number: 202-720-0282
Email Address: Kathie.Moh@usda.gov

2. FS

a. ADMINISTRATIVE

Zanetta D. Bowden
US Forest Service, Cooperative Forestry
1400 Independence Avenue, SW
Yates Building, 3NW-03F
Washington, DC 20250-1123
Telephone Number: 202-205-0981
Email Address: zbowden@fs.fed.us

b. TECHNICAL

Laurie Schoonhoven

EFRP Service Level Agreement (Continued)

1400 Independence Avenue, SW
Yates Building, 3NW-03R
Washington, DC 20250-1123
Telephone Number: 202-401-4489
Email Address: laurie.schoonhoven@usda.gov

D. FS and FSA agree to the following provisions:

1. To fully comply with the information gathering provisions of section 1619 of the Food, Conservation, and Energy Act of 2008, 7 U.S.C. 8791 (b), section 1244(b) of the Food Security Act of 1985, 16 U.S.C. 3844(b), the Privacy Act, the Freedom of Information Act, and related acts concerning privacy and the dissemination of records.
2. To enter into a funded interagency agreement (FMS 7600A) at the beginning of each fiscal year based on the life of this SLA and any amendments hereto, for EFRP technical assistance grants. Each funded interagency agreement will contain reimbursement of FS established program management cost at the rate of 2 percent. Indirect cost will not be assessed.
3. To amend the interagency agreement, as deemed necessary by FSA, based upon current funds allocated for EFRP implementation areas in each State.
4. To cooperate at all levels to ensure consistent implementation of EFRP policies and procedures. When differences occur, the parties will provide information and recommendations to the next level (i.e., State forestry agencies would forward information and recommendations to FS, and FSA County Offices would forward information to FSA State Offices who would then forward information to FSA national office, as necessary). The Chief, FS, and Administrator, FSA, have final authority for ensuring consistent implementation of EFRP policies and procedures.

In accordance with established intergovernmental business procedures, parties to this agreement shall settle disputes unrelated to EFRP policies and procedures under this agreement by following direction in the [Intragovernmental Transaction \(IGT\) Guide \(Appendix 5\) of the Treasury Financial Manual](#) (includes the dispute resolution process).

5. This SLA may be terminated at any time by one party providing 30 calendar days written notice. Should this SLA be terminated, billing will be submitted for services rendered.
6. This SLA is effective when signed by both parties and shall continue in full force through September 30, 2025.

EFRP Service Level Agreement (Continued)

7. This SLA may only be modified by amendment duly executed by the Administrator, FSA, and the Director, Cooperative Forestry Staff, FS or their written designee(s).
8. All funding commitments in this SLA are subject to the availability of funds. In the event that adequate funding is not made available, FSA and FS may terminate their responsibility under this agreement as agreed to under the termination provisions of this agreement.

E. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement. In witness whereof, the parties hereto have executed this agreement as of the last date written below.

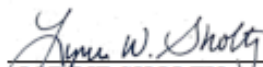
RICHARD FORDYCE Digitally signed by RICHARD FORDYCE
Date: 2020.12.14 12:09:48 -0500

RICHARD FORDYCE, Administrator Date
Farm Services Agency

BEATTRA WILSON Digitally signed by BEATTRA WILSON
Date: 2020.12.07 15:04:34 -0500

STEVEN W. KOEHN, Director Cooperative Date
Forestry
U.S. Forest Service, State & Private Forestry

The authority and format of this agreement has been reviewed and approved for signature.


LYNNE SHOLTY

U.S. Forest Service Grants & Agreements Specialist

December 7, 2020
Date

Forest Service Agreement #21-IA-11132544-003

FSA-770 EFRP

The following is an example of FSA-770 EFRP-1 located at <https://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>.

FSA-770 EFRP (02-10-23) EFRP CHECKLIST	U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		1. Applicant's Name		
	2. State and County FIPS Code		3. FSN		
	4. Agreement Number				
	5. Disaster Type, Disaster ID		6. FY Disaster Started		
This is an internal checklist and does not negate any responsibilities by the landowner. It does not indicate any misaction or misinformation on the part of the county office if it is not completed. However, it will be used to insure accountability of actions.					
Completion of this form is required by 1-EFRP (Rev. 1).					
		Handbook or Other Applicable References	YES	NO	N/A
Request for Assistance and Needs Determination					
7. Has the physical location county of application been approved to implement EFRP?		1-EFRP (Rev. 1) par. 91, 92			
8. Does the land meet eligibility requirements?		1-EFRP (Rev. 1) par. 46, 47			
9. Does the applicant(s) meet eligibility requirements?		1-EFRP (Rev. 1) par. 35-39, 6-PL			
10. Are acceptable CCC-902 and associated CCC-903 on file?		1-EFRP (Rev. 1) par. 6, 333, 6-PL			
11. Was the application submitted during designated signup period?		1-EFRP (Rev. 1) par. 91, 93, 95			
11A. If the application was not filed timely, was acceptance of application justified and documented in COC minutes?		1-EFRP (Rev. 1) par. 91, 93, 95			
12. Has the application been entered in CSS; or, if CSS was not available at time of request, was the application entered in CSS within 5 business days of the software becoming available?		1-EFRP (Rev. 1) par. 11, 95			
13. Does the EFRP application show all Farm and Tract Numbers, participants and shares, and all requested components?		2-EFRP par. 11, 95			
14. Was the minimum qualifying cost of restoration met?		1-EFRP (Rev. 1) par. 2, 73			
15. Was an onsite inspection completed, or is a DAFP approved waiver on file?		1-EFRP (Rev. 1) par. 101			
16. Was the application referred to the appropriate technical agency for onsite needs determination?		1-EFRP (Rev. 1) par. 77			
17. Was the needs determination section on FSA-848, page 2, completed, signed, and dated by the agency with technical responsibility? Was the date of the needs determination entered in software?		1-EFRP (Rev. 1) par. 77, 80, 153			
18. Did the technical agency develop and provide site-specific guidance to the applicant and FSA for completing restoration and conservation activities?		1-EFRP (Rev. 1) par. 76-80			
19. Was the practice(s) started before the applicant requested EFRP assistance and/or before the application was approved?		1-EFRP (Rev. 1) par. 95, 101, 103, 105, 131 and 1-EQ			
19A. If "YES", was a waiver to perform emergency actions approved and documented in COC minutes, with STC concurrence?					
20. Was the FSA-850, NRCS CPA-052 or State equivalent approved and on file?		1-EFRP (Rev. 1) par. 103, 131, and 1-EQ			
21. If a Programmatic FSA-850 is being used, no ground disturbance below the pre-existing ground disturbance will occur as part of restoration project?		1-EFRP (Rev. 1) par. 102, 1-EQ			
22. Are all necessary easements, permits, rights-of-way, and water rights documented?		1-EFRP (Rev. 1) par. 28, 135			

FSA-770 EFRP (Continued)

FSA-770 EFRP (02-10-23)

Page 2 of 3

Request for Assistance and Needs Determination	Handbook or Other Applicable References	YES	NO	N/A
23. Is the land enrolled in WRP, EWP or any other FSA, NRCS or State Forestry Agency C/S program that would create duplicate benefits?	1-EFRP (Rev. 1) par. 51			
24. Has the STC representative reviewed the required percentage of EFRP requests before COC approval?	1-EFRP (Rev. 1) par. 131			
25. Certification: I (we) the undersigned certify the above items have been verified or updated accordingly.				
25A. Signature of Preparer		25B. Date (MM/DD/YYYY)		
26A. I concur/do not concur the above items have been verified and updated.		<input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur		
26B. CED Signature		26C. Date (MM/DD/YYYY)		
27A. I concur/do not concur the above items have been verified and updated.		<input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur		
27B. DD Signature		27C. Date (MM/DD/YYYY)		
Approval				
28. Has delegation of authority been documented in the COC minutes?	1-EFRP (Rev. 1) par. 21, 26, 131, 136, Exhibit 1			
29. Has the application been reviewed and approved by the applicable authority based on approval authority cost share amount limits and special approval authority guidance?	1-EFRP (Rev. 1) par. 134			
30A. Has the COC/CED approved/disapproved the FSA-848A and documented details in the COC minutes? (Details include applicant's name, agreement number, FSN(s)/Tract(s), practice(s)/payment scenario(s), extent, c/s approval amount.)	1-EFRP (Rev. 1) par. 135			
30B. If disapproved, were appeal rights provided to the landowner?	1-EFRP (Rev. 1) par. 132			
31. Was the FSA-848A signed & dated by appropriate FSA representative (prior to sending to landowner)?	1-EFRP (Rev. 1) par. 135			
32. Was the FSA-848A sent to participant for signature with the Notification of Approval letter?	1-EFRP (Rev. 1) par. 135			
33. Did the applicant return a signed FSA-848A within 15 calendar days of COC decision notification?	1-EFRP (Rev. 1) par. 135			
34. Was an extension requested by the participant in writing prior to the practice expiration date?	1-EFRP (Rev. 1) par. 136			
35. If YES, was the COC decision documented in the COC minutes and recorded in software?				
Practice Performance				
36. Was the participant notified to submit certification of performance on FSA-848B and supporting documentation (bills, invoices, etc.) upon practice completion?	1-EFRP (Rev. 1) par. 137			
37. Did the applicant complete and submit the performance report for the practice(s) on FSA-848B before or by the expiration date?	1-EFRP (Rev. 1) par. 142-143			
38. Did the participants submit evidence of practice completion (landowner certification, bills, invoices, etc.)?	1-EFRP (Rev. 1) par. 146			
39. Has the FSA-848B, page 1 been signed and dated by <i>all</i> eligible landowners receiving a share of the payment?	1-EFRP (Rev. 1) par. 142			
40. Was the FSA-848B, page 2 and 3 completed and signed by responsible technical agency to verify the performance?	1-EFRP (Rev. 1) par. 152, 153			
41. Has the location of the completed/installed practice been recorded on aerial photography/imaging?	1-EFRP (Rev. 1) par. 145			

FSA-770 EFRP (Continued)

FSA-770 EFRP (02-10-23)

Page 3 of 3

	Handbook or Other Applicable References	YES	NO	N/A
Payments				
42. Does the C/S payment exceed 75 percent of the total allowable cost?	1-EFRP (Rev. 1) par. 179, 180, 311			
43. Has the participant certification, performance certification, and performance approval been updated on the FSA-848B and in CSS?	1-EFRP par. 331			
44. Has second party review of payment been completed?	1-EFRP (Rev. 1) par. 333			
45. Were payments issued timely? See 61-FI for prompt payment provisions.	1-EFRP (Rev. 1), par. 334, 64-FI			
Spot Checks				
46. Was the participant's certification of cost spot checked to verify with the supporting documentation?	1-EFRP par. 146			
47. Was the agreement selected for County Office spot check?	1-EFRP par. 390-392			
47A. If YES, was the spot check completed within the practice lifespan either on the ground or using aerial imagery?				
47B. If YES, was the practice in compliance?				
48. Were discrepancies or violations found?	1-EFRP par. 394			
49. If discrepancies or violations were found did the COC address the discrepancies with the landowner?	1-EFRP Part 8			
50. Was a summary of the spot check documented in the file?	1-EFRP (Rev. 1) par. 681			
51. Remarks				
52. Certification: I (we) the undersigned certify the above items have been verified or updated accordingly.				
52A. Signature of Preparer		52B. Date (MM/DD/YYYY)		
53A. I concur/do not concur the above items have been verified and updated.		<input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur		
53B. CED Signature		53C. Date (MM/DD/YYYY)		
54A. I concur/do not concur the above items have been verified and updated.		<input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur		
54B. DD Signature		54C. Date (MM/DD/YYYY)		

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

FSA-848

A FSA-848 Completion Instructions

Following is an explanation of entries on a completed FSA-848. See 2-ECP for instructions to complete the automated form. Manual entries must be added after the form is printed from CSS.

Item	Instructions
1	Enter the State and county codes.
2	Enter the name, address, and telephone number of the County Office.
3	Enter the C/S application number.
4	Enter the program code.
5	Not Applicable
6	Enter the description of the site and practice objectives and estimated start date.
7	Enter the primary disaster type for this application.
8	Select 1 or more of the listed crops.
9	Select 1 or more listed livestock and enter the amount in units.
10 A	Enter FSN.
10 B	Enter the tract number.
10 C	Manually enter the field number.
10 D	Enter the practice control number.
10 E	Enter the practice title.
10 F	Enter the practice units.
10 G	Enter the practice acres.
10 H	Enter the extent requested that corresponds to items 10 A through F.
10 I	Enter the requested C/S that corresponds to items 10 A through H.
10 J	Enter the total requested C/S that corresponds to the sum of item 10 I.
11 A	Enter the applicant's name, address, and telephone number.
11 B	Manually enter the applicant's estimated percent share.
11 C	Check (✓) the box to indicate whether the applicant is a limited resource producer, if applicable.
11 D	Check (✓) the box to indicate whether the applicant is a beginning farmer, if applicable.
11 E	Check (✓) the box to indicate whether the applicant is socially disadvantaged, if applicable.
11 F	The applicant or signing authority must sign (manual entry by participant).
11 G	Enter the title/relationship that corresponds to the signing authority in item 11 F (manual entry by participant).
11 H	Enter today's date. If there are additional applicants, complete FSA-848-1, item 4 (manual entry by participant).

FSA-848 (Continued)

A FSA-848 Completion Instructions (Continued)

Item	Instructions
12 A	Enter the program code.
12 B	Enter the program year.
12 C	Enter the State and county codes that correspond to item 1.
12 D	Not Applicable
12 E	Enter the application number that corresponds to item 3.
12 F	Not Applicable
12 G	Enter the disaster ID.
13 A	Enter FSN.
13 B	Enter the tract number.
13 C	Manually enter the field number.
13 D	Enter the practice control number.
13 E	Not Applicable
13 F	Enter the practice units.
13 G	Enter the practice extent requested that corresponds to item 10 H.
13 H	Enter the practice extent needed that corresponds to items 13 A through F (manual entry on FSA-848).
13 I	Enter the requested C/S rate and type that correspond to item 10 I, if the practice control number has a flat rate (manual Entry on FSA-848).
13 J	Enter the requested C/S that corresponds to items 10 I and 14 J, as applicable. If there are additional practices, complete FSA-848-1, item 6.
13 K	Enter the sum of all requested C/S from item 13 J and continuation pages.

FSA-848 (Continued)

A FSA-848 Completion Instructions (Continued)

Item	Instructions
14 A	Enter FSN.
14 B	Enter the tract number.
14 C	Manually enter the field number.
14 D	Enter the practice control number.
14 E	Enter the component number.
14 F	Enter the component title.
14 G	Enter the component units.
14 H	Enter the component extent requested that corresponds to items 14 A through G.
14 I	Enter the component extent needed that corresponds to items 14 A through G. (May be a manual entry on FSA-848)
14 J	Enter the requested C/S rate and type that correspond to items 14 A through C.
14 K	Enter the requested C/S rate and type that correspond to items 14 A through C. If there are additional components, complete FSA-848-1, item 7.
15 A	Enter FSN.
15 B	Enter the tract number.
15 C	Enter the field number.
15 D	Enter the practice control number.
15 E	Enter the technical practice code.
15 F	Enter the technical practice title.
15 G	Enter the technical practice units.
15 H	Check the box indicating if the technical practice is cost-shared.
15 I	Enter the technical practice extent planned that corresponds to items 15 A through G. If there are additional technical practices, complete FSA-848-1, item 8. (May be a manual entry on FSA-848)
16 A	The signing authority must sign, such as FSA, Forest Service, NRCS, or other technical service provider (manual entry by TSP).
16 B	Enter today's date (manual entry by TSP).
16 C	Enter the affiliation that corresponds to item 16 A.
16 D	Enter the practice control number.
16 E	Enter the date referred for needs determination.
16 F	Enter the date the referral expires.
16 G	Enter the needs statement. If there are additional practices with needs determinations, complete FSA-848-1, item 9. (May be a manual entry on FSA-848)

FSA-848 (Continued)

B Example of FSA-848

Following is an example of FSA-848.

OMB Expiration Date: 04/30/2024								
FSA-848 (04-07-21)	U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency COST-SHARE REQUEST							
THIS REQUEST is submitted by the undersigned owners, operators, tenants, and/or producers (who individually may be referred to as "the Applicant"). By signing this form, the Applicant agrees to the following: 1) the Applicant is requesting cost-share assistance to perform a practice(s) designed to meet the objectives of the program referenced in Box 5; 2) the Applicant agrees that this practice(s) would not be performed without Federal cost-sharing; and, 3) if cost-sharing is approved for the practice(s) requested, the Applicant agrees to refund all or part of the funds paid to him/her, as determined by the Approving Official, if, before expiration of the lifespan of the specified practice(s), the Applicant (a) destroys the approved practice(s), or (b) voluntarily relinquishes control of or title to, the land on which the approved practice(s) has been established, and the new owner and/or operator of the land does not agree in writing to properly maintain the practice(s) for the remainder of its life span. The Applicant further agrees that if he or she begins the practice(s) before receiving written approval, he or she may be denied cost-share funding. Further, the Applicant hereby authorizes a representative of USDA to have access to the practice site area(s). Further, the applicant understands that form FSA-848-1 is by reference incorporated herein. BY SIGNING THIS APPLICATION, THE APPLICANT ACKNOWLEDGES RECEIPT OF THE FOLLOWING FORMS: FSA-848 AND ANY ADDENDUM THERETO.								
1. ST. & CO. Code: _____ 2. County Office Name, Address and Telephone Number _____ 3. Application Number _____ 4. Program Code _____ 5. Contract ID (if applicable) _____								
6. Description of Site and Practice Objectives _____ EMERGENCY PROGRAMS ONLY								
7. Disaster Type: _____ 8. Crop(s) (Select): <input type="checkbox"/> Flowers or Bulbs <input type="checkbox"/> Vegetables or Fruits <input type="checkbox"/> Field Grown Ornamentals <input type="checkbox"/> Seed Crops <input type="checkbox"/> Grain or Row Crops <input type="checkbox"/> Other: _____ <input type="checkbox"/> Orchards or Vineyards <input type="checkbox"/> Hay Forage or Pasture								
9. Livestock(s) (Select and list amount with units): <input type="checkbox"/> Cattle: _____ <input type="checkbox"/> Buffalo/Beefalo: _____ <input type="checkbox"/> Sheep: _____ <input type="checkbox"/> Fish: _____ <input type="checkbox"/> Goats: _____ <input type="checkbox"/> Poultry: _____ <input type="checkbox"/> Swine: _____ <input type="checkbox"/> Horses, Mules or Donkeys: _____ <input type="checkbox"/> Other animals raised exclusively for commercial food or fiber: _____								
10. PRACTICES REQUESTED								
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Practice Title	F. Practice Units	G. Practice Acres	H. Extent Requested	I. Requested Cost-Share
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
J. Total Requested Cost-Share:								_____
11. APPLICANT'S REQUEST								
I (We) request cost-share assistance under the program to meet the objective(s) described above. The practice(s) on this request would not be performed without Federal cost-sharing. If cost-sharing is approved for the practice(s) requested, I agree to refund all or part of the funds paid to me as determined by the Approving Official, if, before expiration of the specified practice lifespan(s), I, (a) destroy the approved practice(s), or (b) voluntarily relinquish control or title to, the land on which the approved practice has been established and the new owner and/or operator of the land does not agree in writing to properly maintain the practice(s) for the remainder of the lifespan(s). I understand that if I begin the practice before receiving written approval I may be denied funding.								
A. Applicant's Name, Address and Telephone Number _____	B. Percent Share _____%	C. Limited Resource <input type="checkbox"/> YES <input type="checkbox"/> NO	D. Beginning Farmer <input type="checkbox"/> YES <input type="checkbox"/> NO	E. Socially Disadvantaged <input type="checkbox"/> YES <input type="checkbox"/> NO	F. Signature (By) _____	G. Title/Relationship of the Individual If Signing in a Representative Capacity _____	H. Date (MM-DD-YYYY) _____	
NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 701, 7 CFR Part 1410, the Commodity Credit Corporation Charter Act (16 U.S.C. 714 et seq.), and 16 U.S.C. § 2201-2206. The information will be used to determine eligibility to participate in and receive benefits under a cost-share assistance program through documentation of the applicant's agreement to comply with the terms and conditions contained in the cost-share request. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental 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/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under a cost-share assistance program.								
Public Burden Statement (Paperwork Reduction Act): According to the Paperwork Reduction Act of 1996, 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 0650-0002. The time required to complete this information collection is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.								
By signing this form, the Applicant 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.								
In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.								
Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.								
To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.asc.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 622-6922. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov . USDA is an equal opportunity provider, employer, and lender.								

FSA-848 (Continued)

B Example of FSA-848 (Continued)

FSA-848 (04-07-21)										Page 2
12. APPLICATION INFORMATION							EMERGENCY PROGRAMS ONLY			
A. Program Code	B. Program Year	C. ST. & CO. Code	D. Hydrologic Unit Code	E. Application Number	F. Contract ID	G. Disaster ID				
13. PRACTICES REQUESTED AND NEEDED										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Primary Purpose Code	F. Practice Units	G. Practice Extent Requested	H. Practice Extent Needed	I. Requested Cost-Share Rate and Type	J. Requested Cost-Share	
K. TOTALS:										
14. COMPONENTS REQUESTED AND NEEDED										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Component No.	F. Component Title	G. Component Units	H. Component Extent Requested	I. Component Extent Needed	J. Requested Cost-Share Rate and Type	K. Requested Cost-Share
15. TECHNICAL PRACTICES PLANNED										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Technical Practice Code	F. Technical Practice Title	G. Technical Practice Units	H. Technical Practice Cost-Shared	I. Technical Practice Extent Planned		
							<input type="checkbox"/> YES <input type="checkbox"/> NO			
							<input type="checkbox"/> YES <input type="checkbox"/> NO			
							<input type="checkbox"/> YES <input type="checkbox"/> NO			
16. Needs Determination										
			A. Signature of Technical Service Provider	B. Date	C. Affiliation	D. Practice Control No.	E. Date Referred	F. Referral Expiration	G. Needs Statement	

FSA-848A

A FSA-848A Completion Instructions

Following is an explanation of entries on a completed FSA-848A. See 2-ECP for instructions to complete the automated form. Manual entries must be added after the form is printed from CSS.

Item	Instructions
1	Enter the State and county codes.
2	Enter the name, address, and telephone number of the County Office.
3	Enter the C/S application number.
4	Enter the agreement number.
5	Enter the program year.
6	Enter the disaster ID number, if applicable.
7	Enter the program code.
8	Not Applicable
9 A	Enter FSN.
9 B	Enter the tract number.
9 C	Manually enter the field number.
9 D	Enter the practice control number.
9 E	Not Applicable because funding is assigned based on Disaster ID.
9 F	Enter the fund code
9 G	Enter the practice units.
9 H	Enter the practice extent approved that corresponds to items 9 A through G.
9 I	Enter the practice expiration date.
9 J	Manually enter the practice life span.
9 K	Not Applicable
9 L	Enter the approved C/S that corresponds to items 9 A through K and items 10 A through I, as applicable. If there are additional approved practices, complete FSA-848A-1, item 2.
9 M	Enter the sum of all C/S requested that corresponds to the sum of item 9 L.

FSA-848A (Continued)

A FSA-848A Completion Instructions (Continued)

Item	Instructions
10 A	Enter FSN.
10 B	Enter the tract number.
10 C	Manually enter the field number.
10 D	Enter the practice control number.
10 E	Enter the component number.
10 F	Enter the component title.
10 G	Enter the component units.
10 H	Enter the component extent approved that corresponds to items 10 A through G.
10 I	Enter the approved C/S rate and type that corresponds to items 10 A through H.
10 J	Enter the approved C/S rate and type that corresponds to items 10 A through I. If there are additional approved components, complete FSA-848A-1, item 3.
11 A	Manual entry by FSA representative must sign.
11 B	Manual entry by FSA representative of approval date.
11 C	Manually enter C/S will approve information and document amount in COC minutes.
11 D	Cost-Share Approved field will be populated by CSS once the approval data has been entered into CSS. County Offices will generate FSA-848A after approval data has been loaded into CSS for approving authority to sign. The Cost- Share Approved for each applicable practice/application will also be documented in COC minutes.
12 A	Enter the participant's name, address, and telephone number.
12 B	The participant or signing authority must sign (manual entry by participant).
12 C	Enter the title/relationship that corresponds to the signing authority in item 12 B (manual entry by participant).
12 D	Enter the date (manual entry by participant).
13 A	Enter the program code.
13 B	Enter the program year.
13 C	Enter the State and county codes that correspond to item 1.
13 D	Enter the agreement number that corresponds to item 4.
13 E	Not Applicable
13 F	Enter the disaster ID that corresponds to item 6.
14	County Office must utilize this section to document situations applicable to the application, which required DD or COC action, such as, approved practice extensions, practice extent increases, etc.

FSA-848A (Continued)

B Example of FSA-848A

Following is an example of FSA-848A.

This form is available electronically. Form Approved - OMB No. 0560-0082

<p>FSA-848A (12-02-19)</p> <p style="text-align: center;">U. S. DEPARTMENT OF AGRICULTURE Farm Service Agency</p> <p style="text-align: center;">COST-SHARE AGREEMENT <i>(See Page 2 for Privacy Act and Burden Statements)</i></p> <p><i>THIS AGREEMENT is entered into between the Farm Service Agency (referred to as "FSA") and the undersigned owners, operators, tenants, and/or producers (who individually will herein be referred to as "the Participant"). By signing this form, the Participant agrees to the following: 1) the Participant requested cost-share assistance to perform a practice(s) designed to meet the objectives of the program referenced on FSA-848; 2) the Participant agrees that this practice(s) would not be performed without Federal cost-sharing; and, 3) for the practice(s) approved, the Participant agrees to refund all or part of the funds paid to him/her, as determined by the Approving Official, if, before expiration of the lifespan of the specified practice(s), the Participant (a) destroys the approved practice(s), or (b) voluntarily relinquishes control of or title to, the land on which the approved practice(s) has been established, and the new owner and/or operator of the land does not agree in writing to properly maintain the practice(s) for the remainder of its life span. The Participant further agrees that if he or she began the practice(s) before receiving written approval, he or she may be denied cost-share funding. Further, the Participant hereby authorizes a representative of USDA to have access to the practice site area(s). Further, the participant understands that form FSA-848A-1 is by reference incorporated herein. BY SIGNING THIS AGREEMENT, THE PARTICIPANT ACKNOWLEDGES RECEIPT OF THE FOLLOWING FORMS: FSA-848A AND ANY ADDENDUM THERE TO.</i></p>	<p>1. ST. & CO. Code : [REDACTED]</p> <p>2. County Office Name, Address and Telephone Number [REDACTED]</p> <p>3. Application Number [REDACTED]</p> <p>4. Agreement Number [REDACTED]</p> <p>5. Program Year [REDACTED]</p> <p>6. Disaster ID Number [REDACTED]</p> <p>7. Program Code [REDACTED]</p> <p>8. Contract ID (if applicable) [REDACTED]</p>																																																												
<p>9. PRACTICES APPROVED</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>A. Farm No.</th> <th>B. Tract No.</th> <th>C. Field No.</th> <th>D. Practice Control No.</th> <th>E. Program Accounting Code</th> <th>F. Fund Code</th> <th>G. Practice Units</th> <th>H. Practice Extent Approved</th> <th>I. Practice Expiration Date</th> <th>J. Practice Life Span</th> <th>K. Approved Cost-Share Rate and Type</th> <th>L. Approved Cost-Share</th> </tr> </thead> <tbody> <tr> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> </tr> <tr> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> </tr> <tr> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> </tr> <tr> <td colspan="11" style="text-align: right;">M. TOTALS:</td> <td>[REDACTED]</td> </tr> </tbody> </table>		A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Program Accounting Code	F. Fund Code	G. Practice Units	H. Practice Extent Approved	I. Practice Expiration Date	J. Practice Life Span	K. Approved Cost-Share Rate and Type	L. Approved Cost-Share	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	M. TOTALS:											[REDACTED]
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<p>11. USDA USE ONLY – Application Approval</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">A. Signature of FSA Representative</td> <td style="width: 15%;">B. Date (MM-DD-YYYY)</td> <td style="width: 15%;">C. Cost-Share Willing to Approve</td> <td style="width: 20%;">D. Cost-Share Approved</td> </tr> <tr> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> </tr> </table>		A. Signature of FSA Representative	B. Date (MM-DD-YYYY)	C. Cost-Share Willing to Approve	D. Cost-Share Approved	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]																																																				
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<p>12. PARTICIPANT APPROVAL ACKNOWLEDGEMENT</p> <p><i>Your request for program cost-sharing to perform the practice(s) shown above is approved for the farm(s) identified above. By signing below, you agree to complete the specified practice(s) and components on or before the practice expiration date(s). To receive payment or credit for any cost-shares earned on these practice(s), report performance on the FSA-848B and file with the issuing office by the practice expiration date(s) listed above. If you decide not to perform this practice, or if you cannot complete it by the practice expiration date, please notify the Approving Official's office in writing at once.</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">A. Participant's Name, Address and Telephone Number</td> <td style="width: 33%;">B. Signature (By)</td> <td style="width: 17%;">C. Title/Relationship of the Individual if Signing in a Representative Capacity</td> <td style="width: 17%;">D. Date (MM-DD-YYYY)</td> </tr> <tr> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>[REDACTED]</td> </tr> </table>		A. Participant's Name, Address and Telephone Number	B. Signature (By)	C. Title/Relationship of the Individual if Signing in a Representative Capacity	D. Date (MM-DD-YYYY)	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]																																																				
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[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]																																																										

FSA-848A (Continued)

B Example of FSA-848A (Continued)

FSA-848A (12-02-18)					Page 2
13. AGREEMENT INFORMATION					EMERGENCY PROGRAMS ONLY
A. Program Code	B. Program Year	C. ST. & CO. Code	D. Agreement Number	E. Contract ID	F. Disaster ID
14. REMARKS					
<p>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 701, 7 CFR Part 1410, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and 16 U.S.C. § 2201-2206. The information will be used to determine eligibility to participate in and receive benefits under a cost-share assistance program through documentation of the participant's agreement to comply with the terms and conditions contained in the cost-share agreement. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental 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/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under a cost-share assistance program.</p> <p>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 0560-0082. The time required to complete this information collection is estimated to average 3 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</p> <p>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.</p> <p><small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/household status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small></p> <p><small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small></p> <p><small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-2027, found online at http://www.ee.usda.gov/complaint_filing_public.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9922. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.</small></p>					

FSA-848B

A FSA-848B Completion Instructions

Following is an explanation of entries on a completed FSA-848B.

Item	Instructions
1	Enter the State and county codes.
2	Enter the name, address, and telephone number of the County Office.
3	Enter the C/S application number.
4	Enter the C/S agreement number.
5	Enter the program year.
6	Enter the disaster ID number, if applicable.
7	Enter the program code.
8	Not Applicable.
9 A	Enter FSN.
9 B	Enter the tract number.
9 C	Manually enter the field number.
9 D	Enter the practice control number.
9 E	Enter the practice unit.
9 F	Enter the practice extent approved that corresponds to items 9 A through E.
9 G	If the practice in item 9 D is: <ul style="list-style-type: none"> • complete, ENTER “Yes” • not complete, ENTER “No” (manual entry by participant).
9 H	Enter the acres served. Acres Served field(s) will populate on FSA-848B, after the landowner and TSP performance certification has been entered into CSS for the applicable application. TSP certification must be manually entered in this field before sending a copy of FSA-848B to the ECP participant.
9 I	Enter the approved C/S that corresponds to items 9 A through F.
9 J	If the practice is complete, enter the sum of the actual cost that corresponds to items 9 A through I.
9 K	Not Applicable.
9 L	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 9 J. If there are additional practices, complete FSA-848B-1, item 2.
10 A	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 (manual entry by participant).
10 B	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 (manual entry by participant).

FSA-848B

A FSA-848B Completion Instructions

Item	Instructions
10 C	The landowner or signing authority must sign (manual entry by participant).
10 D	Enter the title/relationship that corresponds to the signing authority in item 10 C. Manual entry by participant
10 E	Enter today's date. Manual entry by participant
11 A	Enter the program code.
11 B	Enter the program year.
11 C	Enter the State and county codes.
11 D	Enter the C/S agreement number.
11 E	Not Applicable
11 F	Enter the disaster ID.
12 A	Enter FSN.
12 B	Enter the tract number.
12 C	Manually enter the field number.
12 D	Enter the practice control number.
12 E	Enter the practice units.
12 F	Enter the practice extent approved that corresponds to items 12 A through E.
12 G	Enter the practice extent performed that corresponds to items 12 A through F (manual entry by participant).
12 H	Enter the acres served that correspond to items 12 A through G.
12 I	Enter the approved C/S that corresponds to items 12 A through H.
12 J	Enter the total installation cost that corresponds to items 12 A through I (manual entry by participant).
12 K	Enter the total C/S earned that corresponds to items 12 A through J.
12 L	Enter the sum of all approved C/S from item 12 I and continuation pages, the sum of the total installation cost from item 12 J and continuation pages, and the total C/S earned from item 12 K and continuation pages. If there are additional practices, complete FSA-848B-1, item 4.
13 A	Enter FSN.
13 B	Enter the tract number.
13 C	Manually enter the field number.
13 D	Enter the practice control number.
13 E	Enter the component number.
13 F	Enter the component title.
13 G	Enter the component units.

FSA-848B

A FSA-848B Completion Instructions

Item	Instructions
13 H	Enter the component extent approved that corresponds to items 13A through 13G.
13 I	Enter the approved C/S that corresponds to items 13A through 13H.
13 J	Enter the component extent performed that corresponds to items 13A through I (manual entry by participant).
13 K	Enter the C/S earned that corresponds to items 13 A through J. If there are additional components, complete FSA-848B-1, item 5.
14 A	Enter FSN.
14 B	Enter the tract number.
14 C	manually enter the field number.
14 D	Enter the practice control number.
14 E	Enter the technical practice code.
14 F	Enter the technical practice title.
14 G	Enter the technical practice units.
14 H	Check (✓) the box indicating if the technical practice is cost shared.
14 I	Enter the technical practice extent planned that corresponds to items 14 A through H.
14 J	Enter the technical practice extent applied that corresponds to items 14 A through I. If there are additional technical practices, complete FSA-848B-1, item 6. Manual entry required by landowner, FSA or TA, as applicable.

FSA-848B (Continued)

A FSA-848B Completion Instructions (Continued)

Item	Instructions
15 A	The technical service provider or participant must sign, if applicable (manual entry).
15 B	Enter today's date (manual entry).
15 C	Enter the affiliation (manual entry).
15 D	Enter the practice control number.
15 E	Enter the performance statement. If there are additional practices with performance certifications, complete FSA-848B-1, item 7 (manual entry).
16 A	Enter the program code.
16 B	Enter the program year.
16 C	Enter the State and county codes.
16 D	Enter the C/S agreement number.
16 E	Enter the contract ID, if applicable.
16 F	Enter the disaster ID.
17 A	Enter FSN.
17 B	Enter the tract number.
17 C	Enter the field number (manual entry).
17 D	Enter the practice control number.
17 E	Enter the component number.
17 F	Enter the participant's name.
17 G	Enter the program accounting code.
17 H	Enter the partial or final payment for the practice.
17 I	Enter the partial or final payment for the agreement.
17 J	Enter the C/S earned (manual entry).
18 A	The FSA representative must sign to approve performance (manual entry).
18 B	Enter today's date.
18 C	Enter the total approved C/S for the agreement.
18 D	Enter the current amount earned.
18 E	If final payment, enter the total C/S earned on the agreement.

FSA-848B (Continued)

B Example of FSA-848B

Following is an example of FSA-848B.

This form is available electronically. Form Approved - OMB No. 0560-0082

FSA-848B (12-02-19)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency								
COST-SHARE PERFORMANCE CERTIFICATION AND PAYMENT (See Page 3 for Privacy Act and Burden Statements.)										
THIS CERTIFICATION AND REQUEST FOR PAYMENT is submitted by the undersigned owners, operators, tenants, and/or producers (who individually will herein be referred to as "the Participant"). By signing this form, the Participant agrees to the following: 1) the Participant requested cost-share assistance to perform practice(s) designed to meet the objectives of the program referenced on FSA-848; 2) the Participant agrees that this practice(s) would not be performed without Federal cost-sharing; and 3) for the practice(s) approved, the Participant agrees to refund all or part of the funds paid to him/her, as determined appropriate by the Approving Official, if, before expiration of the lifespan of the specified practice(s), the Participant (a) destroys the approved practice(s), or (b) voluntarily relinquishes control of or title to, the land on which the approved practice(s) has been established, and the new owner and/or operator of the land does not agree in writing to properly maintain the practice(s) for the remainder of its life span. The Participant further agrees that if he or she began the practice(s) before receiving written approval, he or she may be denied cost-share funding. Further, the Participant hereby authorizes a representative of USDA to have access to the practice site area(s). Further, the participant understands that form FSA-848B-1 is by reference incorporated herein. BY SIGNING THIS CERTIFICATION, THE PARTICIPANT ACKNOWLEDGES RECEIPT OF THE FOLLOWING FORMS: FSA-848B AND ANY ADDENDUM THERETO.										
NOTE: To receive payment or credit for any cost-shares earned on these practice(s), report performance below, by completing items 9 and 10, and file with the issuing FSA county office by the practice expiration date(s) listed on the FSA-848B.										
1. ST. & CO. Code :		2. County Office Name, Address and Telephone Number								
3. Application Number		4. Agreement Number								
5. Program Year		6. Disaster ID Number								
7. Program Code		8. Contract ID (if applicable)								
9. PRACTICES PERFORMED										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Practice Units	F. Practice Extent Approved	G. Is the Practice Complete? (YES or NO)	H. Acres Served	I. Approved Cost-Share	J. Total Installation Cost	K. If practice is not complete and cost-share is still requested for this practice, list codes for completed components.
L. TOTALS:										
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 issuing FSA county office by the practice expiration dates.										
10. CERTIFICATION BY PARTICIPANT. I certify that the above information is true and correct. I further certify that the entry(ies) in Item 9G show that the practice(s) was performed in accordance with the practice specifications and other requirements. If Item 9G indicates that the practice is not complete, I request cost-share for the completed components shown in Item 9K. I agree to complete the remaining components approved on the FSA-848A for this practice(s), by the practice expiration date, regardless of whether or not cost-share assistance is approved. I agree to refund any cost-share assistance paid to me under this practice(s), if I fail to complete it. I hereby apply for payment to the extent that the Approving Official has determined that the practice has been performed and further certify that this payment is not a duplicate of any other earned by me. I agree to maintain and use the practice(s) for the minimum maintenance period established for the practice(s). I agree to refund all or part of the cost-share assistance paid to me, as determined by the Approving Official, if before expiration of the practice lifespan specified above, (a) I destroy the practice installed, or (b) voluntarily relinquish control or title to the land on which the installed practice(s) have been established and the new owner and/or operator of the land does not agree in writing to properly maintain the practice(s) for the remainder of these lifespan. I understand that FSA-848 and FSA-848A and any addendum thereto are by reference incorporated herein and with this form constitutes the entire agreement between the parties.										
A(1) Did you and the other participants on this agreement bear the expense (except for program cost sharing) for performing this practice?						B(1) During the current fiscal year Oct. 1 – Sep. 30, have you received or will you or any participant on this agreement receive a cost-share payment under the same program on this or any other farm other than through this FSA-848B?				
<input type="checkbox"/> YES <input type="checkbox"/> NO						<input type="checkbox"/> YES <input type="checkbox"/> NO				
A(2) 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.						B(2) If "YES", report State, County, and amount by farm.				
C. Participant Signature (By)						D. Title/Relationship of the Individual if Signing in a Representative Capacity			E. Date (MM-DD-YYYY)	
<small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/genetic status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's Toll-Free Center at (800) 725-3869 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8229. Additionally, program information may be made available in languages other than English.</small>										
<small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form (FD-957), found online at www.aphis.usda.gov/complaint_filing_cust and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 688-6882. Submit your complaint from or letter to: USDA by (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-4302; (2) fax: (202) 646-7440; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.</small>										

FSA-848B (Continued)

B Example of FSA-848B (Continued)

FSA-848B (12-02-19)											Page 2
11. AGREEMENT INFORMATION										EMERGENCY PROGRAMS ONLY	
A. Program Code	B. Program Year	C. ST. & CO. Code	D. Agreement Number			E. Contract ID			F. Disaster ID		
12. PRACTICE EXTENT PERFORMED											
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Practice Units	F. Practice Extent Approved	G. Practice Extent Performed	H. Acres Served	I. Approved Cost-Share	J. Total Installation Cost	K. Cost-Share Earned	
L. TOTALS:											
13. COMPONENT EXTENT PERFORMED											
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Component No.	F. Component Title	G. Component Units	H. Component Extent Approved	I. Approved Cost-Share	J. Component Extent Performed	K. Cost-Share Earned	
14. TECHNICAL PRACTICE EXTENT APPLIED											
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Technical Practice Code	F. Technical Practice Title	G. Technical Practice Units	H. Technical Practice Cost-Shared	I. Technical Practice Extent Planned	J. Technical Practice Extent Applied		
							<input type="checkbox"/> YES <input type="checkbox"/> NO				
							<input type="checkbox"/> YES <input type="checkbox"/> NO				
							<input type="checkbox"/> YES <input type="checkbox"/> NO				
15. Performance Certification											
A. Signature of Technical Service Provider or Participant			B. Date	C. Affiliation	D. Practice Control Number		E. Performance Statement				

FSA-848B (Continued)

B Example of FSA-848B (Continued)

FSA-848B (12-02-19)										Page 3
16. AGREEMENT INFORMATION										EMERGENCY PROGRAMS ONLY
A. Program Code	B. Program Year	C. ST. & CO. Code	D. Agreement Number	E. Contract ID			F. Disaster ID			
17. COST-SHARE DETAILS										
A. Farm No.	B. Tract No.	C. Field No.	D. Practice Control No.	E. Component No.	F. Participant's Name	G. Program Accounting Code	H. Partial or Final Payment for Practice	I. Partial or Final Payment for Agreement	J. Cost-Share Earned	
18. USDA USE ONLY – Performance Approval		A. Signature of FSA Representative			B. Date (MM-DD-YYYY)	C. Total Approved Cost-Share	D. Current Earned Amount	E. If Final, Total Cost-Share Earned		
<p><small>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 701, 7 CFR Part 1410, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and 16 U.S.C. § 2201-2206. The information will be used to determine eligibility to participate in and receive benefits under a cost-share assistance program through documentation of the participant's agreement to comply with the terms and conditions contained in the cost-share performance certification and payment request. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental 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/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under a cost-share assistance program.</small></p> <p><small>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 0500-0082. The time required to complete this information collection is estimated to average 3 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</small></p> <p><small>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.</small></p>										

EFRP News Release – Example

Following is an example of the EFRP News Release.

**[NAME] County Farm Service Agency is Accepting Applications for
Emergency Forest Restoration Program (EFRP)**

(City, State) Month XX, YEAR - U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) County Executive Director, [INSERT CED NAME], announced that [INSERT COUNTY(IES)] are accepting applications for the Emergency Forest Restoration Program (EFRP) to address damages from [INSERT DISASTER EVENT]. The EFRP sign-up period will be open from [INSERT DATES].

EFRP provides payments to eligible owners of nonindustrial private forest (NIPF) land to restore land damaged by a natural disaster. Before an application for EFRP assistance is approved, an onsite inspection of the damages by FSA, in cooperation with a state forester, is required to verify the damages and enable an environmental review.

The approved EFRP practices under the authorization include:

[LIST AUTHORIZED PRACTICES].

"FSA remains committed to helping landowners impacted by this disaster," said [INSERT SED NAME], State Executive Director in [INSERT STATE]. "I encourage eligible landowners to contact the FSA county office as soon as possible to make an appointment to apply."

To meet eligibility requirements, NIPF land must have existing tree cover or had tree cover immediately before Hurricane Michael occurred and be sustainable for growing trees. The land must also be owned by any nonindustrial private individual, group, association, corporation or other private legal entity that has definitive decision-making authority over the land.

For more information on EFRP, please contact your local FSA county office or visit <https://www.farmers.gov/recover>. To find your local office, visit [farmers.gov/service-center-locator](https://www.farmers.gov/service-center-locator).

EFRP National Practices

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

Code	Practice	Page
EF1	Hardwood Forest Restoration	1-5
EF2	Softwood Forest Restoration	6-10
EF3	Mixed Forest Restoration	11-15
EF4	Longleaf Pine Restoration	16-20
EF9	Other Emergency Forest Restoration Measures	21-22

EF1 – Hardwood Forest Restoration

A Purpose

The purpose of this practice is to restore hardwood forests. The practices **must** provide for the long-term viability of hardwood ecosystem that has been impacted by the EFRP-designated disaster. The 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 to restore forest health and forest-related resources in a forest ecosystem dominated by hardwood trees.

C Eligibility

To be eligible for financial assistance, this practice will:

- 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.

EFRP National Practices (Continued)

EF1 – Hardwood Forest Restoration (Continued)

D Planting Period

The technical agency will specify the necessary practices/components, implementation dates, techniques, species, locations, and other details in the restoration plan. The landowner should implement the planned practice(s) in accordance with the restoration plan. The landowner has up to 2 years from the date the financial assistance agreement is approved to complete all planned restoration activities to reestablish the stand. With technical agency concurrence, COC's and STC's may extend expiration date of the c/s agreement to extend the replanting period for 1 additional year in accordance with paragraph 136.

E Practice Lifespan

The applied practice(s) will be maintained throughout the lifespan, provided in Exhibit 31, following the calendar year of installation. Advise landowners to follow the technical guidance provided in the restoration plan and the O&M requirements for the applicable practice(s) based on the NRCS eFOTG.

F Practice Requirements

The following requirements apply for this practice:

- at least 50 percent of the stand is **not** identified as any 1 species of tree
- plantings **must** be protected from destructive fire and grazing by domestic livestock for the practice lifespan
- plantings will **not** be harvested or grazed by domestic livestock for the practice lifespan
- 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
- noxious weeds and other undesirable plants, insects, and pests will 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

EFRP National Practices (Continued)

EF1 – Hardwood Forest Restoration (Continued)

G Natural Regeneration

Natural regeneration may be permitted under this practice if recommended by the technical agency.

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.

J Technical Responsibility

Technical responsibility for this practice will be assigned to FS and delivered through the State Forestry Agency or other TSP in accordance with Part 4. A forestry official or TSP will:

- complete the needs determination
- supply a conservation plan or forest restoration plan to include all necessary practices and components needed to restore the forest stand
- review the plan with the landowner to ensure practice implementation consistent with NRCS conservation practice standards
- certify practice compliance on FSA-848B, page 2.

EFRP National Practices (Continued)

EF1 – Hardwood Forest Restoration (Continued)

K Financial Assistance Rates

Express the financial assistance rate as follows:

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

L Financial Assistance Policy

The following table provides financial assistance policies for this practice.

If the activity and/or component is...	AND the justification is...	THEN financial assistance is authorized for...
obstruction removal	<ul style="list-style-type: none"> • required to remove trees and other debris as a result of the eligible disaster • necessary to rehabilitate or reestablish a stand • to enable site preparation for planting or natural regeneration 	326, 384, 460, 500, 643, 666.
site preparation	to prepare the site for reestablishment through planting or natural regeneration	314, 315, 490.
conservation cover	<ul style="list-style-type: none"> • temporary cover to prevent erosion • needed until required planting stock is available • needed because normal planting period for the species has passed • wildlife enhancement • to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	327, 340, 342, 379, 390, 484, 643.

EFRP National Practices (Continued)

L Financial Assistance Policy (Continued)

If the activity and/or component is...	AND the justification is...	THEN financial assistance is authorized for...
tree planting	<ul style="list-style-type: none"> • to reduce erosion from wind or water • provide food and cover for waterfowl and other wildlife • improve surface or ground water quality • restore forest health and forest-related resources 	380, 381, 391, 484, 612, 643, 650.
firebreaks and prescribed burning	to establish and maintain and reduce the risk of wildfire	338, 394.
fencing	it was preexisting and necessary for livestock exclusion	382.
roads and other structures	located on NIPF and necessary for forest restoration	373, 560, 568, 580, 587, 654, 655.
other restoration activities	necessary for restoration and protection of natural resources impacted by the disaster	395, 453, 584, 595, 610, 638, 645, 647.
roads and other structures	not located on NIPF	not authorized.
annual food plots		
to establish a tree species	<ul style="list-style-type: none"> • for ornamental purposes • for Christmas trees • nursery tree production • production of commercial nuts, other than species customarily planted for forestry purposes 	
herbicides or insecticides	to maintain the vegetative cover including trees	

EFRP National Practices (Continued)

EF2 - Softwood Forest Restoration

A Purpose

The purpose of this practice is to restore existing softwood forests. The practices **must** provide for the long-term viability of softwood ecosystem that has been impacted by the EFRP-designated disaster. The 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 to restore forest health and forest-related resources in a forest ecosystem dominated by softwood trees.

C Eligibility

To be eligible for financial assistance, this practice will:

- 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 technical agency will specify the necessary practices/components, implementation dates, techniques, species, locations, and other details in the restoration plan. The landowner should implement the planned practice(s) in accordance with the restoration plan. The landowner has up to 2 years from the date the financial assistance agreement is approved to complete all planned restoration activities to reestablish the stand. With technical agency concurrence, COC's and STC's may extend the expiration date of the c/s agreement to extend the replanting period for 1 additional year according to paragraph 136.

EFRP National Practices (Continued)

EF2 - Softwood Forest Restoration (Continued)

E Practice Lifespan

The applied practice(s) will be maintained throughout the lifespan, provided in Exhibit 31, following the calendar year of installation. Advise landowners to follow the technical guidance provided in the restoration plan and the O&M requirements for the applicable practice(s) based on the NRCS eFOTG.

F Practice Requirements

The following are requirements for this practice:

- approval **must** be obtained from the State Forester certifying that planting a predominance of softwood species is an appropriate silvicultural practice for the State
- plantings **must** be protected from destructive fire and grazing by domestic livestock for the practice lifespan
- plantings will **not** be harvested or grazed 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
 - noxious weeds and other undesirable plants, insects, and pests will be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands
 - will have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration may be permitted under this practice if recommended by the technical agency.

EFRP National Practices (Continued)

EF2 - Softwood 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 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.

J Technical Responsibility

Technical responsibility for this practice will be assigned to FS and delivered through the State Forestry Agency or other TSP according to Part 4. A forestry official or TSP will:

- complete the needs determination
- supply a conservation plan or forest restoration plan to include all necessary practices and components needed to restore the forest stand
- review the plan with the landowner to ensure practice implementation consistent with NRCS conservation practice standards
- certify practice compliance on FSA-848B, page 2.

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.”

EFRP National Practices (Continued)

EF2 - Softwood Forest Restoration (Continued)

L Financial Assistance Policy

The following table shows financial assistance policies for this practice.

If the activity and/or component is...	AND the justification is...	THEN financial assistance is authorized for...
obstruction removal	<ul style="list-style-type: none"> • required to remove trees and other debris as a result of the eligible disaster • necessary to rehabilitate or reestablish a stand • to enable site preparation for planting or natural regeneration 	326, 384, 460, 500, 643, 666.
site preparation	to prepare the site for reestablishment through planting or natural regeneration	314, 315, 490.
conservation cover	<ul style="list-style-type: none"> • temporary cover to prevent erosion • needed until required planting stock is available • needed because normal planting period for the species has passed • wildlife enhancement • to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	327, 340, 342, 379, 390, 484, 643.
tree planting	<ul style="list-style-type: none"> • to reduce erosion from wind or water • provide food and cover for waterfowl and other wildlife • improve surface or ground water quality • restore forest health and forest-related resources 	380, 381, 391, 484, 612, 643, 650.

EFRP National Practices (Continued)

EF2 - Softwood Forest Restoration (Continued)

L Financial Assistance Policy (Continued)

If the activity and/or component is...	AND the justification is...	THEN financial assistance is authorized for...
firebreaks and prescribed burning	to establish and maintain and reduce the risk of wildfire	338, 394.
fencing	it was preexisting and necessary for livestock exclusion	382.
roads and other structures	located on NIPF and necessary for forest restoration	373, 560, 568, 580, 587, 654, 655. 385.
other restoration activities	necessary for restoration and protection of natural resources impacted by the disaster	395, 453, 584, 595, 610, 638, 645, 647, 657, 659, 660.
roads and other structures	not located on NIPF	not authorized.
annual food plots		
to establish a tree species	<ul style="list-style-type: none"> • for ornamental purposes • for Christmas trees • nursery tree production • production of commercial nuts, other than species customarily planted for forestry purposes 	
herbicides or insecticides	to maintain the vegetative cover including trees	

EFRP National Practices (Continued)

EF3 - Mixed Forest Restoration

A Purpose

The purpose of this practice is to restore mixed forests. The practices **must** provide for the long-term viability of a mixed forest ecosystem that has been impacted by the EFRP-designated disaster. The 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 to restore forest health and forest-related resources in a forest ecosystem with approximately equal amounts of hardwood and softwood trees.

C Eligibility

To be eligible for financial assistance, this practice will:

- 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 technical agency will specify the necessary practices/components, implementation dates, techniques, species, locations, and other details in the restoration plan. The landowner should implement the planned practice(s) in accordance with the restoration plan. The landowner has up to 2 years from the date the financial assistance agreement is approved to complete all planned restoration activities to reestablish the stand. With technical agency concurrence, COC's and STC's may extend expiration date of the c/s agreement to extend the replanting period for 1 additional year in accordance with paragraph 136.

EFRP National Practices (Continued)

EF3 - Mixed Forest Restoration (Continued)

E Practice Lifespan

The applied practice(s) will be maintained throughout the lifespan, provided in Exhibit 31, following the calendar year of installation. Advise landowners to follow the technical guidance provided in the restoration plan and the O&M requirements for the applicable practice(s) based on the NRCS eFOTG.

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 grazing by domestic livestock for the practice lifespan
- plantings will **not** be harvested or grazed 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
- noxious weeds and other undesirable plants, insects, and pests will be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands
- will have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration may be permitted under this practice if recommended by the technical agency.

EFRP National Practices (Continued)

EF3 - Mixed 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 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.

J Technical Responsibility

Technical responsibility for this practice will be assigned to FS and delivered through the State Forestry Agency or other TSP in accordance with Part 4. A forestry official or TSP will:

- complete the needs determination
- supply a conservation plan or forest restoration plan to include all necessary practices and components needed to restore the forest stand
- review the plan with the landowner to ensure practice implementation consistent with NRCS conservation practice standards
- certify practice compliance on FSA-848B, page 2.

K Financial Assistance Rates

Express the financial assistance rate as follows:

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

EFRP National Practices (Continued)

EF3 - Mixed Forest Restoration (Continued)

L Financial Assistance Policy

The following table shows financial assistance policies for this practice.

If the activity and/or	AND the justification is...	THEN financial assistance is authorized for...
obstruction removal	<ul style="list-style-type: none"> • required to remove trees and other debris as a result of the eligible disaster • necessary to rehabilitate or reestablish a stand • to enable site preparation for planting or natural regeneration 	326, 384, 460, 500, 643, 666.
site preparation	to prepare the site for reestablishment through planting or natural regeneration	314, 315, 490.
conservation cover	<ul style="list-style-type: none"> • temporary cover to prevent erosion • needed until required planting stock is available • needed because normal planting period for the species has passed • wildlife enhancement • to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	327, 340, 342, 379, 390, 484, 643.
tree planting	<ul style="list-style-type: none"> • to reduce erosion from wind or water • provide food and cover for waterfowl and other wildlife • improve surface or ground water quality • restore forest health and forest-related resources 	380, 381, 391, 484, 612, 643, 650.

EFRP National Practices (Continued)

EF3 - Mixed Forest Restoration (Continued)

L Financial Assistance Policy (Continued)

If the activity and/or	AND the justification is...	THEN financial assistance is authorized for...
firebreaks and prescribed	to establish and maintain and reduce the risk of wildfire	338, 394.
fencing	it was preexisting and necessary for livestock exclusion	382.
roads and other structures	located on NIPF and necessary for forest restoration	373, 560, 568, 580, 587, 654, 655. 385.
other restoration activities	necessary for restoration and protection of natural resources impacted by the disaster	395, 453, 584, 595, 610, 638, 645, 647, 657, 659,
Roads and other structures	not located on NIPF	not authorized.
annual food plots		
to establish a tree species	<ul style="list-style-type: none"> • for ornamental purposes • for Christmas trees • nursery tree production • production of commercial nuts, other than species customarily planted for forestry purposes 	
herbicides or insecticides	to maintain the vegetative cover including trees	

EFRP National Practices (Continued)

EF4 - 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 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 to restore forest health and forest-related resources in a forest ecosystem dominated by Longleaf Pine trees.

C Eligibility

To be eligible for financial assistance, this practice will:

- 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 technical agency will specify the necessary practices/components, implementation dates, techniques, species, locations, and other details in the restoration plan. The landowner should implement the planned practice(s) according to the restoration plan. The landowner has up to 2 years from the date the financial assistance agreement is approved to complete all planned restoration activities to reestablish the stand. With technical agency concurrence, COC's and STC's may extend expiration date of the c/s agreement to extend the replanting period for 1 additional year in accordance with paragraph 136.

EFRP National Practices (Continued)

EF4 - Longleaf Pine Restoration (Continued)

E Practice Lifespan

The applied practice(s) will be maintained throughout the lifespan, provided in Exhibit 31, following the calendar year of installation. Advise landowners to follow the technical guidance provided in the restoration plan and the O&M requirements for the applicable practice(s) based on the NRCS eFOTG.

F Practice Requirements

The following are requirements for this practice:

- Longleaf Pine is the predominant species and is established in suitable soils
- plantings **must** be protected from destructive fire and grazing by domestic livestock for the practice lifespan
- plantings will **not** be harvested or grazed 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
- noxious weeds and other undesirable plants, insects, and pests will be controlled, including such maintenance as necessary to avoid an adverse impact on surrounding lands
- will have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration may be permitted under this practice if recommended by the technical agency.

EFRP National Practices (Continued)

EF4 - Longleaf Pine 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 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.

J Technical Responsibility

Technical responsibility for this practice will be assigned to FS and delivered through the State Forestry Agency or other TSP in accordance with Part 4. A forestry official or TSP will:

- complete the needs determination
- supply a conservation plan or forest restoration plan to include the necessary practices and components needed to restore the forest stand
- review the plan with the landowner to ensure practice implementation consistent with NRCS conservation practice standards
- certify practice compliance on FSA-848B, page 2.

K Financial Assistance Rates

Express the financial assistance rate as follows:

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

EFRP National Practices (Continued)

EF4 - Longleaf Pine Restoration (Continued)

L Financial Assistance Policy

The following table shows financial assistance policies for this practice.

If the activity and/or component is...	AND the justification is...	THEN financial assistance is authorized for...
obstruction removal	<ul style="list-style-type: none"> • required to remove trees and other debris as a result of the eligible disaster • necessary to rehabilitate or reestablish a stand • to enable site preparation for planting or natural regeneration 	326, 384, 460, 500, 643, 666.
site preparation	to prepare the site for reestablishment through planting or natural regeneration	314, 315, 490.
conservation cover	<ul style="list-style-type: none"> • temporary cover to prevent erosion • needed until required planting stock is available • needed because normal planting period for the species has passed • wildlife enhancement • to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	327, 340, 342, 379, 390, 484, 643.

EFRP National Practices (Continued)

EF4 - Longleaf Pine Restoration (Continued)

L Financial Assistance Policy

If the activity and/or component is...	AND the justification is...	THEN financial assistance is authorized for...
tree planting	<ul style="list-style-type: none"> • to reduce erosion from wind or water • provide food and cover for waterfowl and other wildlife • improve surface or ground water quality • restore forest health and forest-related resources 	380, 381, 391, 484, 612, 643, 650.
firebreaks and prescribed	to establish and maintain and reduce the risk of wildfire	338, 394.
fencing	it was preexisting and necessary for livestock exclusion	382.
roads and other structures	located on NIPF and necessary for forest restoration	373, 560, 568, 580, 587, 654, 655 385.
other restoration and management	necessary for restoration and protection of natural resources impacted by the disaster	395, 453, 584, 595, 610, 638, 645, 647, 657, 659,
roads and other structures	not located on NIPF	not authorized.
annual food plots		
to establish a tree species	<ul style="list-style-type: none"> • for ornamental purposes • for Christmas trees • nursery tree production • production of commercial nuts, other than species customarily planted for forestry purposes 	
herbicides or insecticides	to maintain the vegetative cover including trees	

EFRP 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.

IF component is...	THEN financial assistance is...
replacing or restoring a conservation or pollution abatement practice damaged by the natural disaster	authorized.
restoring forest health or forest-related resources directly related to a natural disaster	
for the solution of conservation or environmental problems existing before the disaster	

D Planting Period

If planting is an element of the practice, a planting period will 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

The applied practice(s) will be maintained throughout the lifespan, provided in Exhibit 31, following the calendar year of installation. Advise landowners to follow the technical guidance provided in the restoration plan and the O&M requirements for the applicable practice(s) based on the NRCS eFOTG.

EFRP National Practices (Continued)

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 will specify whether natural regeneration is acceptable under the practice.

H Management Activities

This practice description will 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.

FSA-850

A FSA-850 Example

The following is an example of FSA-850.

FSA-850 (03-23-22)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		1. GENERAL INFORMATION	
ENVIRONMENTAL SCREENING WORKSHEET				1A. Producer or Applicant Name	
				1B. State & County Code	
1C. Location of Proposed Action <i>(Farm, Tract, Field numbers, GPS location, etc.)</i>					
2A. BACKGROUND (1) FSA's proposed action is: <i>(Describe Action Below)</i> (2) Describe the site and its present use: (3) Describe the surrounding land uses; indicate the directions and approximate distances involved. The extent of the surrounding land to be considered depends on the extent of the potential impacts of the project and its related activities: (4) Will the action involve ground disturbance below the previous level of disturbance or change in land use? (5) Has another Federal Agency already completed an environmental evaluation for this specific action?					
2B. LISTED CATEGORICAL EXCLUSIONS (L-CATEX) (1) Do any of the "L" CATEX's fully cover the proposed action, as listed in Handbook 1-EQ (Rev. 3) Exhibit 17 (7 CFR Part 799.31)? If "YES", record the assigned code for the applicable "L" Categorical Exclusion:				YES <input type="checkbox"/>	NO <input type="checkbox"/>
(2) Are there extraordinary circumstances, as listed in Handbook 1-EQ Paragraph 25, triggered?				<input type="checkbox"/>	<input type="checkbox"/>
IF ITEM 2B1 IS ANSWERED 'YES', AND ITEM 2B2 IS ANSWERED 'NO', PROCEED TO ITEM 15.					
2C. SUPPORTED CATEGORICAL EXCLUSIONS (S-CATEX) Do any of the "S" CATEX's fully cover the proposed action, as listed in Handbook 1-EQ (Rev. 3) Exhibit 17 (7 CFR Part 799.32)? <i>(If operation is a medium or large CAFOs see Instructions)</i> If "YES", record the assigned code for the applicable "S" Categorical Exclusion:				YES <input type="checkbox"/>	NO <input type="checkbox"/>
IF ITEM 2B1 IS ANSWERED 'NO' AND ITEM 2C IS ANSWERED 'NO', AN ENVIRONMENTAL ASSESSMENT IS REQUIRED. PROCEED TO ITEM 15 AND SELECT FINDING B OR C, AS APPROPRIATE.					

FSA-850 (Continued)

A FSA-850 Example (Continued)

FSA-850 (03-23-22)		Page 2 of 5	
3. REQUIRED REVIEW			
3A. Date of Site Visit:			
For the below listed environmental resources, check the box in Column (1) to indicate the resources that are present on the site(s) of the proposed action or within the action's area of environmental impact, such as the areas adjacent to the proposed site(s). Attach appropriate documentation. Check the box as appropriate in Column (2) to the right to indicate land uses and environmental resources which may potentially be adversely impacted.	(1) Check if the resource is located within the area of potential effect.		(2) There is potential to impact the resource.
	YES	NO	
3B. Listed Endangered and Threatened Species or critical habitat. Attach IPaC map to this form. If the box in Column (2) is checked, then consult with the U.S. Fish and Wildlife and National Marine Fisheries Service, as applicable, to ensure that the proposed action is not likely to adversely affect a listed species or destroy or modify its "critical habitat" in accordance with the Endangered Species Act.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3C. Cultural Resources (NHPA Section 106 Compliance) Does the action: (1) include ground disturbing activities below the level of previous ground disturbance; (2) affect a building or structure that is at a minimum 50 years old or (3) affect a historic landscape? YES <input type="checkbox"/> NO <input type="checkbox"/> (Proceed to Item 3D.) If "YES", complete the check boxes in Column (1) & (2) to the right based on the results of the required consultations and attach the following: (1) Conduct research to identify the presence of cultural resources. (check National Register, State archaeological site files, tribal resources, and owner discussions) (2) Consultation with SHPO, THPO and Indian Tribes, as appropriate, to determine if further consultation required (needed identification surveys)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3D. Coastal Barrier in Coastal Barrier Resources System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3E. Approved Coastal Zone Management Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3F. Wilderness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3G. Wild and Scenic River, or listed on the Nationwide Rivers Inventory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3H. National Natural Landmark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3I. Sole Source Aquifer (Designated by Environmental Protection Agency)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3J. Floodplains – Flood Map Panel # _____ For actions with disturbances or development to occur within a floodplain, attach applicable floodplain development permit, elevation surveys, and maps, if available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3K. Wetlands (1) Does the proposed action have potential to adversely impact a wetland (e.g., ground disturbance, livestock, or nutrient waste)? If "YES", proceed to Item 3K(2) below. If "NO" proceed to Item 3L. (2) Is there a NRCS CPA-026e, United States Army Corps of Engineers, and/or State wetland determination on file or available based on the current AD-1026? If "YES", attach determination (including any USACE or state permits). If "NO", and a determination is not available, attach completed FSA-858.			YES
			NO
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FSA-850 (Continued)

A FSA-850 Example (Continued)

FSA-850 (03-23-22)		Page 3 of 5	
3. REQUIRED REVIEW CONT.		YES	NO
3L. SOILS (& HEL)			
(1) Does the proposed action involve the production of an agricultural commodity on Highly Erodible Land? Attach a copy of one of the following: Producer Farm Data Report, Producer Subsidiary Print or NRCS CPA-026e. If "NO", proceed to Item 4.		<input type="checkbox"/>	<input type="checkbox"/>
(2) Does the activity qualify for an exemption as discussed in Handbook 6-CP Paragraph 206? If "NO", attach conservation plan.		<input type="checkbox"/>	<input type="checkbox"/>
4. WATER QUALITY			
A. Does the action have the potential to adversely affect surface or ground water quality? If "YES", attach a discussion of impacts on water quality and include copies of: <ul style="list-style-type: none"> • Storm Water Pollution Prevention Plan and permit required for construction projects • National Pollutant Discharge Elimination System permits and nutrient or animal waste plans required for livestock operations • Clean Water Act, USACE, or State water quality permits required • State or County well or water use permits 		<input type="checkbox"/>	<input type="checkbox"/>
B. Will the proposed action impact the quality of surface or ground water? If "YES", attach a discussion of any impacts to surface or ground water and supporting documentation.		<input type="checkbox"/>	<input type="checkbox"/>
5. AIR QUALITY			
Will the proposed action produce air emissions or odors that are regulated by any Federal, State, or local laws or standards? If "YES", attach a discussion of any impacts to air quality and copies of any permits required.		<input type="checkbox"/>	<input type="checkbox"/>
6. NOISE			
Will the proposed action result in permanent increases in noise? If "YES", attach a discussion of any noise impacts.		<input type="checkbox"/>	<input type="checkbox"/>
7. IMPORTANT LAND RESOURCES			
A. Will the proposed action result in the conversion of prime or unique farmland to a nonagricultural use in violation of the Farmland Protection Policy Act?		<input type="checkbox"/>	<input type="checkbox"/>
B. Is the action consistent with local and state zoning requirements? If "YES", list the zoning:		<input type="checkbox"/>	<input type="checkbox"/>
8. SOCIOECONOMIC IMPACTS AND ENVIRONMENTAL JUSTICE			
A. Will the proposed action cause any adverse human health or environmental effects to tribal, minority, or low-income communities as defined in the Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"?		<input type="checkbox"/>	<input type="checkbox"/>
B. Will the proposed action have any negative impacts on the local social and economic conditions? If "YES", attach a discussion of any adverse effects.		<input type="checkbox"/>	<input type="checkbox"/>

FSA-850 (Continued)

A FSA-850 Example (Continued)

Page 5 of 5

FSA-850 (03-23-22)

14. CHECKLIST					
A. Permits & Consultations			B. Forms and Notices		
	Required	Not Required		Required	Not Required
Army Corps of Engineers Sec. 404 and/or 401 Wetland Permit	<input type="checkbox"/>	<input type="checkbox"/>	Form FSA-851, Environmental Risk Survey (only complete for real estate security)	<input type="checkbox"/>	<input type="checkbox"/>
Storm Water Pollution Prevention Plan (SWPPP) associated with an NPDES Permit	<input type="checkbox"/>	<input type="checkbox"/>	Form NRCS CPA-026e, HEL and WC Determination	<input type="checkbox"/>	<input type="checkbox"/>
National Pollutant Discharge Elimination System (NPDES) Permit – General or Individual	<input type="checkbox"/>	<input type="checkbox"/>	Form FSA-858, Determining If A Wetland May Be Present	<input type="checkbox"/>	<input type="checkbox"/>
Concentrated Animal Feeding Operation (CAFO) Permit	<input type="checkbox"/>	<input type="checkbox"/>	Public Notice for Floodplains as required by section 2(a)(4) of EO 11988	<input type="checkbox"/>	<input type="checkbox"/>
Floodplain Development Permit	<input type="checkbox"/>	<input type="checkbox"/>	Public Notice for Wetlands as required by EO 11990	<input type="checkbox"/>	<input type="checkbox"/>
USFWS and/or NMFS consultation for Endangered and Threatened, Species or critical habitats	<input type="checkbox"/>	<input type="checkbox"/>	C. Maps, Photos and Surveys		
			Location and Aerial Maps	<input type="checkbox"/>	<input type="checkbox"/>
			Topo Maps	<input type="checkbox"/>	<input type="checkbox"/>
State Historic Preservation Officer consultation	<input type="checkbox"/>	<input type="checkbox"/>	Site Photos	<input type="checkbox"/>	<input type="checkbox"/>
			Soil Survey	<input type="checkbox"/>	<input type="checkbox"/>
Tribal Historic Preservation Officer(s) consultation	<input type="checkbox"/>	<input type="checkbox"/>	Applicable Protected Resources Maps	<input type="checkbox"/>	<input type="checkbox"/>
<p>NOTE: Other permits, forms, maps, surveys and letters may be required and should be attached, as applicable. All permits, forms, maps, surveys and letters should be attached as exhibits corresponding to their appropriate section of this form.</p>					
15. FINDING					
<p>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:</p> <p><input type="checkbox"/> A. Per 7 CFR Part 799.30, this proposed action fits within the description of an existing categorical exclusion(s) and triggers no extraordinary circumstances. Neither an Environmental Assessment nor Environmental Impact Statement will be required.</p> <p><input type="checkbox"/> B. An Environmental Assessment should be completed to provide further and more complete analysis of any adverse impacts and approval of the action must be delayed pending the outcome of the assessment.</p> <p><input type="checkbox"/> C. An Environmental Impact Statement should be completed to provide further and more complete analysis of any adverse impacts and approval of the action must be delayed pending the outcome of the assessment.</p>					
16. REQUIRED SIGNATURES:					
A. NAME OF PREPARER			B. TITLE OF PREPARER		
C. SIGNATURE OF PREPARER			D. DATE DOCUMENT WAS PREPARED (MM-DD-YYYY)		
E. NAME OF APPROVAL OFFICIAL			F. TITLE OF APPROVAL OFFICIAL		
G. SIGNATURE OF APPROVAL OFFICIAL			H. DATE OF APPROVAL SIGNATURE (MM-DD-YYYY)		
<p><small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender, identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small></p> <p><small>Persons with disabilities who require alternative means of communication (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small></p> <p><small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.asc.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail, U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: usda.asc@usda.gov. USDA is an equal opportunity provider, employer, and lender.</small></p>					

FSA-276

A Example of FSA-276

The following table is an example of a completed FSA-276.

This form is available electronically.												
FSA-276 (01-29-20)						U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency			1. FARM NO.		2. PRODUCER'S NAME AND ADDRESS	
ON-FARM SPOT CHECK RECORD												
Completed form contains information that protected from unauthorized use/unauthorized disclosure by Federal statutes to include the Privacy Act (5 U.S.C. 552a - as amended) and the Freedom of Information Act (5 U.S.C. § 552 - as amended). USDA disclosure of the completed form is restricted to only the individual(s) to whom the information on the form pertains and to authorized personnel who have (1) the appropriate access clearances/permissions and (2) a demonstrated business need to know the information in order to perform their assigned official duties.												
3. NAME OF PERSON CONTACTED ON FARM				4. TELEPHONE NO. (Include Area Code)		5. STATE		6. COUNTY		7. FISCAL YEAR		
8. YEAR PRACTICE COMPLETED	9. PRACTICE NO.	10. DESCRIPTION	11. LOCATION (Field No. or Other)	12. EXTENT		13. SATISFACTORY MAINTENANCE		14. PROOF OF PAYMENT SUPPORTING COST-SHARE				
				A. REPORTED ON AD-245	B. SPOT CHECK UNITS	YES	NO	YES	NO			
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
15. REMARKS: <i>(Describe any discrepancies – use separate sheet(s) of paper)</i>												
16. SIGNATURE OF SPOT CHECKER								17. DATE OF SPOT CHECKER (MM-DD-YYYY)				
<small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small> <small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small> <small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410, (2) fax: (202) 690-7442, or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.</small>												

FSA-276

B FSA-276 Instructions

The following table provides instructions for completing FSA-276.

Item	Instructions
1	Enter the farm number.
2	Enter the landowner's name and address.
3 and 4	To be completed by spot checker. Enter the name and phone number of the person to contact on the farm during the spot check.
5	Enter the State name.
6	Enter the county name.
7	Enter the current FY.
8	Enter the calendar year the practice was completed.
9	Enter the practice number to be spot checked.
10	Enter the practice description of the practice to be spot checked.
11	To be completed by spot checker. Enter the location of the practice spot checked.
12 A	Enter the practice extent performed reported on FSA-848B.
12 B	To be completed by spot checker. 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.
13	To be completed by spot checker. Check "Yes" or "No", as appropriate, to indicate satisfactory or unsatisfactory maintenance.
14	To be completed by spot checker. Check "Yes" or "No", as appropriate, to indicate whether landowner supplied proof of payment of practice to support EFRP payments.
15	To be completed by spot checker. Document any discrepancies or other notes in the "Remarks" section.
16	To be completed by spot checker. Spot checker will sign when spot check is completed.
17	To be completed by spot checker. Spot checker will date when spot check is completed.

EFRP Restoration Plan Requirements

An EFRP restoration plan developed by the technical agency must include, but not limited to, the following.

Item	Explanation
Applicant name	Full name including contact information
FSN/Tract	FSA identifiers to correlate FSA-848 with the applicable restoration plan. Critical when assistance is requested on multiple farms/tracts.
Location/Map	Spatially identifies areas and extents on which restoration activities are planned.
Site Conditions	Provide existing site conditions, including description of disaster impacts.
Recommended NRCS technical conservation practices necessary for restoration	Identifies the specific planned practices needed to restore forestland and address natural resource concerns resulting from disaster. See Ex. 17 for a list of NRCS conservation practices for which EFRP c/s is available.
Extent of practices needed (i.e. acres)	Identifies the exact extent and unit of measure to be applied.
Date(s) of implementation	Provides a schedule of implementation for the participant to follow when implementing restoration activities. Example: Specify the date(s) to complete site preparation and tree planting to provide reasonable assurance of survival.
Implementation Requirements (IR)/Engineering designs	Provides guidance to the participant to properly implement the planned restoration activities as well as applicable operation and maintenance requirements throughout practice lifespan.
Name, date and certification of Forester or planner that developed the restoration plan	Provides point of contact for applicant and FSA staff if questions or clarifications are needed.

EFRP Activity Details with Lifespan

The following table details the EFRP restoration activities authorized for c/s in Exhibit 17 with the corresponding NRCS technical practices and the lifespan for each practice.

NRCS Conservation Practice	Practice Code	Lifespan (years)
Obstruction Removal		
Clearing and Snagging	326	5
Woody Residue Treatment	384	10
Land Clearing	460	10
Obstruction Removal	500	10
Forest Stand Improvement	666	10
Site Preparation		
Brush Management	314	10
Herbaceous Weed Control	315	5
Tree/Shrub Site Preparation	490	1
Conservation Cover		
Conservation Cover	327	5
Cover Crop	340	1
Critical Area Planting	342	10
Multi-Story Cropping	379	10
Riparian Herbaceous Cover	390	5
Mulching	484	1
Tree Planting		
Windbreak/Shelterbelt Establishment	380	15
Silvopasture	381	15
Riparian Forest Buffer	391	15
Tree/Shrub Establishment	612	15
Windbreak/Shelterbelt Restoration	650	15
Restoration of Rare or Declining Natural Communities	643	1
Fence		
Fence	382	20
Fire Management		
Prescribed Burning	338	1
Firebreak	394	5

EFRP Activity Detail with Lifespan (Continued)

NRCS Conservation Practice	Practice Code	Lifespan (years)
Structures		
Access Road	560	10
Trails and Walkways	575	10
Streambank and Shoreline Protection	580	20
Structure for Water Control	587	20
Road/Trail/Landing Closure and Treatment	654	10
Forest Trails and Landings	655	5
Other Restoration and Management		
Dust Control on Unpaved Roads and Surfaces	373	1
Stream Habitat Improvement and Management	395	5
Channel Bed Stabilization	584	10
Pest Management Conservation System	595	1
Saline and Sodic Soil Management	610	1
Water and Sediment Control Basin	638	10
Wetland Wildlife Habitat Management	644	1
Upland Wildlife Habitat Development/Management	645	1
Early Successional Habitat Development/Management	647	1
Wetland Restoration	657	15
Wetland Enhancement	659	15
Pruning	660	10