

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

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

**Amendment 2**

**Approved by:** Acting Deputy Administrator, Farm Programs



**Amendment Transmittal**

**A Reasons for Amendment**

This handbook has been amended to incorporate minor revisions to:

- replace references to “farms” with “NIPF”
- correct typographical errors.

Subparagraph 51 A has been amended to remove financial assistance provided through State programs as duplicate payments.

Paragraphs 86 and 87 have been amended to clarify about the TA reimbursement process.

Subparagraph 146 A has been amended to clarify salvage value received by EFRP participants will not impact C/S calculation.

Paragraphs 172 and 173 have been amended to clarify that a revision to FSA-848A is not required when the participant performs a lesser extent than the extent approved and the technical agency certifies the performance extent.

Exhibit 17 has been amended to indicate grazing may be permitted on restored lands according to Conservation Practice Standard 381, Silvopasture.

Page Control Chart		
TC	Text	Exhibit
3-6	2-35 through 2-60 3-23, 3-24 4-31, 4-32 5-1, 5-2 7-43 through 7-60 7-101 through 7-200	17, pages 1, 2 pages 7, 8 pages 11, 12 pages 17, 18



## Table of Contents (Continued)

Page No.

### Part 3 State and County EFRP C/S Establishment

#### Section 1 C/S Policies

66	Maximum C/S Payment Levels .....	3-1
67	C/S Levels with Limitations .....	3-1
68-70	(Reserved)	

#### Section 2 General C/S Eligibility

71	Items Eligible and Ineligible for C/S .....	3-21
72	Eligible Restoration Cost Considerations .....	3-23
73	Qualifying Minimum Cost of Restoration .....	3-24
74, 75	(Reserved)	

### Part 4 EFRP Technical Assistance (TA)

#### Section 1 Providing TA

76	EFRP TA Service Level Agreement .....	4-1
77	Major Responsibilities for EFRP TA .....	4-3
78	Outside Assistance .....	4-4
79	TA Costs to Participants .....	4-4
80	Assigned Technical Agency Responsibilities and COC Action .....	4-5
81-85	(Reserved)	

#### Section 2 Transfer of Funds for Technical Services

86	Billing TA Expenses .....	4-31
87	Processing TA Reimbursement .....	4-32
88, 89	(Reserved)	

## Table of Contents (Continued)

Page No.

### Part 5 Natural Disaster Event Occurrence and EFRP Implementation

#### Section 1 EFRP Action When Disaster Occurs

90	Assessment of Damage .....	5-1
91	County or Area EFRP Implementation Request Process.....	5-3
92	State Office Submission of EFRP Implementation Request.....	5-6
93	Program Implementation .....	5-8
94	(Reserved)	

#### Section 2 Accepting C/S Requests

95	Accepting FSA-848's.....	5-21
96	Obtaining Needed Information .....	5-23
97-100	(Reserved)	

#### Section 3 Practice Eligibility

101	Onsite Inspection .....	5-51
102	Programmatic FSA-850's .....	5-54
103	Environmental Compliance and Cultural Resource Protection .....	5-56
104	Refusals to Permit Entry or Inspection .....	5-59
105	Determining Eligibility .....	5-60
106	Using Priorities in Limited Funding Situations .....	5-61
107-109	(Reserved)	

### Part 6 EFRP Funds Management

#### Section 1 National Program Funds

110	National Reserve .....	6-1
111-113	(Reserved)	

#### Section 2 County C/S Funds Management

114	State Funds Management.....	6-21
115	County C/S Allocation.....	6-21
116	County Funds Management .....	6-22
117	Additional Funds.....	6-23
118	Expenditure Limitation and Authority.....	6-23
119-130	(Reserved)	

## Table of Contents (Continued)

Page No.

### Part 7 C/S Request, Approvals, and Performance

#### Section 1 Approving and Disapproving C/S Requests

131	Approvals and Disapprovals .....	7-1
132	Disapprovals and Deferred Action.....	7-4
133	Pending Requests .....	7-4
134	Requests Requiring Special Approval .....	7-5
135	Determining COC Decisions .....	7-7
136	Setting Expirations Dates.....	7-8
137	Expiration Notice .....	7-10
138	Terminating Approved Agreements .....	7-10
139-141	(Reserved)	

#### Section 2 Accepting Practice Performance Report

142	Filing Performance Reports .....	7-41
143	Reporting Dates .....	7-42
144	Reporting Practice Extent .....	7-43
145	Recording Practice Location.....	7-43
146	Supporting Documentation for Practice Completion.....	7-44
147	Maintenance and C/S Refund Responsibility .....	7-46
148-151	(Reserved)	

#### Section 3 Certifying Performance

152	Certification on FSA-848B When Technical Practices Assigned to Another Agency .....	7-61
153	Technical Practices Performed Without Technical Agency Assistance .....	7-62
154-160	(Reserved)	

#### Section 4 Reporting Contributions

161	Multiple Persons or Legal Entities Who Share Cost of Practice .....	7-81
162	Dividing C/S Based on Contributions.....	7-81
163	Cost Data When Ineligible Persons or Legal Entities Contributed.....	7-82
164	Processing C/S if Ineligible Participants Contributed .....	7-83
165-169	(Reserved)	

## Table of Contents (Continued)

### Page No.

#### Part 7 C/S Request, Approvals, and Performance (Continued)

##### Section 5 Change in Extent Performed

170	Changing Extent Performed as Reported by Participant .....	7-101
171	Adjustment for Practices Exceeding Requirements.....	7-101
172	Adjusting Extent or C/S Before Practice Performance.....	7-102
173	Adjusting Extent or C/S After Practice Performance and Before Payment.....	7-102
174	Increasing Extent or C/S After Practice Performance and After Payment .....	7-103
175	Increases Not Authorized.....	7-103
176-179	(Reserved)	

##### Section 6 Miscellaneous Situations

180	Performance Not Meeting Specifications or Requirements.....	7-121
181	Requirements Met but Practice Failed.....	7-121
182	Materials Not Applied at Specified Rate .....	7-122
183	Practice Performed With Material Not on EFRP Agreement.....	7-122
184	Practice Completed by Successor .....	7-123
185-310	(Reserved)	

##### Section 7 Processing C/S Earned

311	C/S Payments.....	7-201
312	Eligible and Ineligible Items for Processing C/S.....	7-202
313	Computing C/S.....	7-203
314-320	(Reserved)	

##### Section 8 Partial Payments

321	When Partial Payments May Be Made .....	7-221
322	Recovering C/S if Remaining Work Is Not Completed.....	7-222
323-330	(Reserved)	

##### Section 9 Issuing Payments

331	COC Payment Responsibilities.....	7-251
332	Agreements Between Landlords and Tenants.....	7-252
333	When to Prepare Payment.....	7-253
334	Preparing and Issuing Payment for Technical Services.....	7-254
335	Monitoring EFRP C/S Agreements and Obligations .....	7-255
336-340	(Reserved)	

##### Section 10 Adjusting Payments

341	When C/S Payment Adjustment Is Required.....	7-281
342-389	(Reserved)	

**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 EFRP and Duplicate Benefits**

EFRP C/S is not eligible to be earned on the same land on which the NIPF owner has or will receive funding from any other Federal C/S program for the same or similar expenses resulting in 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.

\* \* \*

**B Land With Practices Under Lifespan From Any Other Federal \* \* \* 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 \*--C/S program.

**C Determining Eligibility and Duplicate Benefit Applicability**

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

<b>IF...</b>	<b>AND...</b>	<b>THEN EFRP C/S may...</b>
measures will accomplish the purpose of the practice	the practice will <b>not</b> 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	<b>not</b> 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"> <li>• CRP</li> <li>• ECP</li> <li>• EQIP</li> <li>• TAP</li> <li>• EWP</li> <li>• ACEP</li> <li>• WRP/Emergency WRP</li> <li>• USFS program</li> </ul>		
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)**



## 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 NIPF, 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)**

## Section 2 Transfer of Funds for Technical Services

### 86 Billing TA Expenses

#### A Providing Reimbursement to USFS for TA

Along with the Interagency Agreement, 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 Providing Reimbursement to State Forestry Agency

State Forestry Agencies, or other groups or organizations providing TA for EFRP, will be reimbursed by USFS through a grant. The agency providing TA for EFRP should contact the USFS Regional Office for guidance and documentation necessary to enter into a grant agreement to initiate the process for EFRP TA reimbursement.

Refer to the USFS website for Regional Office contact information at <https://www.fs.usda.gov/about-agency/contact-us/regional-offices>.

**Note:** To expedite TA reimbursement, the State Forestry Agency, or other provider, will contact the USFS Regional Office as soon as EFRP is implemented to begin the grant process.

#### C TA Billing Review

The State Forestry Agency or technical service provider may periodically submit to USFS for reimbursement, invoices, or billing statements for expenses incurred during the delivery of EFRP TA. FSA may be asked to review the billing statement to verify the TA provided and expenses incurred are reasonable and consistent with the terms and conditions in the EFRP SLA. Billing statements referred to FSA State Offices may include the following:

- FY
- disaster ID
- county where service was provided
- itemization of charges, such as:--\*
  - number of personnel hours by employee
  - dates of service provided
  - employee lodging
  - POV mileage
  - GOV fuel
  - M&IE
- dollar amount of reimbursement.

**86 Billing TA Expenses (Continued)**

**D Billing Verification**

\*--The FSA State Office may forward a copy of the statement to the applicable County Office for CED and DD review, if necessary.

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 the billing accuracy.

**87 Processing TA Reimbursement**

**A Billing Concurrence**

If the billing review and verification process in paragraph 86 is completed, then the FSA State Office will:

- notify the State Forestry Agency of any concerns raised during billing verification
- coordinate with the State Forestry Agency to settle any disputed charges
- notify the submitting State Forestry Agency of concurrence with charges.

**B USFS Processing**

The USFS Regional Office will initiate the reimbursement, according to the grant agreement, to refund the State Forestry Agency for eligible 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 will 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 will 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 will submit a written request through 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 NIPF acres or landowners affected is not the primary criterion for offering assistance. EFRP may be implemented on a single NIPF tract 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.

**Note:** 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.

**144 Reporting Practice Extent****A Information To Be Reported**

Participants will report the extent of practices performed on FSA-848B \* \* \* 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.

<b>IF...</b>	<b>THEN...</b>
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.

**\*--Note:** Do not include salvage value payments in the calculation of actual costs or C/S. Income from salvage value will not be deducted from out-of-pocket costs for restoration.--\*

### 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	*--County Office Action--*
1	Review participant's documentation to determine whether practice requirements were satisfied.
2	<p>Allow participant to self-certify total eligible costs on FSA-848B. Supporting documentation must be provided for all agreements.</p> <p><b>Note:</b> 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.</p>



## 146 Supporting Documentation for Practice Completion (Continued)

**B Invoices and Documentation (Continued)**

Step	*--County Office Action--*
3	<p>Enter the total allowable, eligible cost of performing the approved practices/components 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"> <li>• specific activities performed</li> <li>• location of activity</li> <li>• dates of work performed</li> <li>• cost per hour charged for labor</li> <li>• expense of equipment used</li> <li>• type and cost of materials used</li> <li>• other applicable information.</li> </ul> <p><b>Note:</b> 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><b>Example:</b> 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 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**

\*--If the assigned technical agency determines a lesser extent is needed after approval but before performance, COC will decrease the extent and C/S originally approved on FSA-848A before performance is completed. 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 met:--\*

- 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 Documenting Adjustment**

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

**C Decrease After Performance and Before Payment**

\*--If the participant reports a lesser extent performed on FSA-848B than the extent approved on FSA-848A, and the technical agency certifies the extent of performance on FSA-848B as adequate to address the resources concerns, then the participant may receive C/S based on the lesser extent performed.

COC is not required to decrease the extent and C/S originally approved on FSA-848A after performance and before payment.--\*

**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**

**\*--A Overview--\***

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.

<b>IF materials are not applied at a specified rate and...</b>	<b>THEN...</b>
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"> <li>• amount originally approved on FSA-848A</li> <li>• result of multiplying the authorized extent times C/S rate per unit of material</li> <li>• result of multiplying the actual cost for the authorized extent times the approved C/S percentage.</li> </ul>

**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**

**\*--A Action--\***

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

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

**185-310 (Reserved)**



## **EFRP National Practices**

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

<b>Code</b>	<b>Practice</b>	<b>Page</b>
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 practices 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 re-establish 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.

**E Practice Lifespan**

The applied practices 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 practices 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 tree
- \*--must be protected from destructive fire for the practice lifespan
- newly established plantings will not be damaged, destroyed, or grazed by domestic livestock for the practice lifespan

**Exception:** Where existing forest is being grazed (before disaster or after restoration), grazing activity must be conducted according to the conservation plan or forest management plan provided by the technical agency and consistent with NRCS Conservation Practice Standard 381, Silvopasture.--\*

- 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)**

### **EF2 - Softwood Forest Restoration (Continued)**

#### **E Practice Lifespan**

The applied practices 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 practices based on the NRCS eFOTG.

#### **F Practice Requirements**

The following are requirements for this practice:

\* \* \*

- \*--must be protected from destructive fire for the practice lifespan
- newly established plantings will not be damaged, destroyed, or grazed by domestic livestock for the practice lifespan

**Exception:** Where existing forest is being grazed (before disaster or after restoration), grazing activity must be conducted according to the conservation plan or forest management plan provided by the technical agency and consistent with NRCS Conservation Practice Standard 381, Silvopasture.--\*

- 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)**

### **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 practices 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 practices 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
- \*--must be protected from destructive fire for the practice lifespan
- newly established plantings will not be damaged, destroyed, or grazed by domestic livestock for the practice lifespan

**Exception:** Where existing forest is being grazed (before disaster or after restoration), grazing activity must be conducted according to the conservation plan or forest management plan provided by the technical agency and consistent with NRCS Conservation Practice Standard 381, Silvopasture.--\*

- 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)**

#### **E Practice Lifespan**

The applied practices 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 practices 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
- \*--must be protected from destructive fire for the practice lifespan
- newly established plantings will not be damaged, destroyed, or grazed by domestic livestock for the practice lifespan

**Exception:** Where existing forest is being grazed (before disaster or after restoration), grazing activity must be conducted according to the conservation plan or forest management plan provided by the technical agency and consistent with NRCS Conservation Practice Standard 381, Silvopasture.--\*

- 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.”