

For: State and County Offices

Emergency Conservation Program (ECP) Streamlining Suggestions

Approved by: Deputy Administrator, Farm Programs



1 Streamlining Suggestions

A Background

At the request of DAFP, suggestions were submitted from the State and County Offices about streamlining FSA programs and functions. Each suggestion has been carefully reviewed to determine the impact of the suggestion on producers, statutory limitations, and if the suggestion would benefit all counties across the nation.

B Purpose

This notice provides responses to streamlining suggestions related to ECP.

C Suggestions and Responses

Suggestion 1: The need to refer ECP applications to State Historic Preservation Officers and the Fish and Wildlife Service to restore a site to pre-disaster conditions creates a burden for the County Office. More importantly, the producer then must wait for consultation when the damage is because of a disaster and has created an emergency situation. County Offices understand the need for new construction in the case of Farm Storage Facility Loans or the Conservation Reserve Enhancement Program in some cases. But ECP is for emergencies only, and these agencies take up to 30 calendar days to respond to consultations. This could adversely impact the producer’s ability to carry on with his or her farming operation.

Response 1: Actions occurring under ECP are considered Federal actions and are subject to review under the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), Endangered Species Act (ESA), and other environmental and cultural resource laws, regulations, and Executive orders. ECP does not qualify for exemptions available under these laws. Therefore, FSA must complete an evaluation of each ECP request to determine whether the proposed action would have the potential to effect important resources in such a manner as to require further review through the completion of an environmental assessment.

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1 Steamlining Suggestions (Continued)

C Suggestions and Responses (Continued)

Suggestion 2: National ECP Policy. The silt removal practice (EC7) should be removed from approved ECP drought practices. FSA should not be paying to clean out dugouts under a drought practice unless they are spring fed and will provide immediate water after being cleaned out.

Response 2: This is a good recommendation. This special practice was approved in prior years in the hopes that it would help alleviate the livestock water problem in times of severe drought. However, as was pointed out, this practice does not provide immediate relief for livestock.

Suggestion 3: For ECP, FSA should be the single agency responsible for determining needs, writing and developing plans, determining cost-share based on completed practices, etc. In summary, FSA has the knowledge and capability to fully implement and administer ECP as a stand-alone agency.

Response 3: FSA has very knowledgeable staff that possess the technical skills for many ECP tasks. In most cases, FSA personnel are capable of providing the needed technical requirements of ECP. However, in cases where there is a practice requiring detailed technical assistance, FSA wants to ensure that the practice is performed to certain standards and specifications. FSA relies on the expertise of NRCS technicians or other experts in their field for assurance that the practices performed under ECP will perform as designed and will continue to perform in the future. Many County Offices are not staffed with personnel with the detailed knowledge to provide the technical assistance needed to repair or replace practices that require detailed technical knowledge.