

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

**Notice SP-106**

**For:** IA, IL, KY, MN, MO, ND, SD, and TN State and County Offices

**Emergency Grain Storage Facility Assistance Program (EGSFP)  
Frequently Asked Questions (FAQ's)**

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



## **1 FAQ's**

### **A Background**

On August 8, 2023, the National Office conducted the EGSFP training EGSFP State Offices. During the training, State Offices were informed that because of a high volume of program applications that exceed available funding,

- FSA was closing the application period that was scheduled to run through December 29, 2023
- **no** additional FSA-413, EGSFP Applications and FSA-413-1, EGSFP Continuation Applications will be accepted, including requests to add additional affected counties.

While the EGSFP application period is closed, FSA is in the process of determining how assistance can be provided to affected producers still in need of emergency storage and more information is forthcoming.

### **B Purpose**

This notice provides EGSFP FAQ's (Exhibit 1).

### **C Contact**

State Offices may contact the following for additional information.

<b>IF the question is about EGSFP...</b>	<b>THEN contact...</b>
policy	Toni Williams by e-mail to <a href="mailto:toni.williams@usda.gov">toni.williams@usda.gov</a> .
calculation workbook	Jeannette Matetzschk by e-mail to <a href="mailto:jeannette.matetzschk@usda.gov">jeannette.matetzschk@usda.gov</a> .
automated payment process	Danielle Roder by e-mail to <a href="mailto:danielle.roder@usda.gov">danielle.roder@usda.gov</a> .
producer eligibility policy	Rebecca Csutoras by e-mail to <a href="mailto:rebecca.csutoras@usda.gov">rebecca.csutoras@usda.gov</a> .
conservation compliance	Joe Fuchtman by e-mail to <a href="mailto:joseph.fuchtman@usda.gov">joseph.fuchtman@usda.gov</a> .

**Disposal Date**

June 1, 2024

**Distribution**

Above State Offices; State Offices relay to County Offices

**EGSFP FAQ's****Required Environmental Reviews**

- Q1:** How were EGSFP applications approved within the first five days of EGSFP signup? The FSA-850 process requires time to complete?
- A1:** When the action falls under a Listed CatEx (e.g. drying and handling equipment), FSA-850s (Environmental Screening Worksheets) can be completed in a short time (15 minutes). These reviews do not need a field visit and only check for extraordinary circumstances.
- Q2:** The EGSFP NOFA provides that FSA will not prepare an environmental assessment or environmental impact statement and that this document will serve as documentation of the programmatic environmental compliance. So why is there a question about the FSA-850 on the FSA-414, EGSFP Checklist? Is there a difference between an environmental assessment and an environmental survey?
- A2:** An Environmental Assessment (EA) is a concise document that provides a rapid evaluation of the environmental impacts of a project, while an Environmental Impact Statement (EIS) is a comprehensive document that provides a thorough analysis of the environmental impacts of a project. The EGSFP does not necessitate either of these documents because the Farm Service Agency (FSA) can apply existing Categorical Exclusions (CatExes) to assess these projects in compliance with the National Environmental Policy Act (NEPA). The CatEx provides a site-specific environmental analysis that considers the particular conditions and impacts of a project or action.

**General Concerns**

- Q3:** Notice SP-103, subparagraph 2 C provides that the FSA-479 must be provided to all EGSFP applicants that were not approved for payment. If these are truly not approved should there be appeal rights given?
- A3:** OGC was consulted and confirmed because program applications exceeded the available EGSFP funding we are not required to offer appeal rights to EGSFP applicants not funded. Also, it was determined the FSA-479 is sufficient for notifying EGSFP applicants that were not approved for payment because applications exceeded available funding and no further actions are required.
- Q4:** SP-94 provided that the environmental review is required before EGSFP approval, therefore, should applications go by date received as for who will be funded?
- A4:** Consistent with the terms of the EGSFP Notice of Funding Availability published on March 16, 2023, FSA is funding eligible producer applications in the order in which applications were approved.

**EGSFP FAQ's (Continued)****General Concerns (Continued)**

- Q5:** The last paragraph on the FSA-479, Status Notification Letter to EGSFP applicants' states that the FSFL program can immediately provide low-interest financing for eligible producers. The FSFL program has many eligibility and approval requirements before assistance is immediately available including environmental eligibility. Clarification to the wording is recommended to prevent confusion.
- A5:** The information included for the FSFL program is to ensure producers are aware the program is available to assist them with their grain storage and handling needs. An environmental review for a FSFL for drying and handling equipment or storage and handling trucks does not require as much time to complete as an environmental review for ground-breaking grain bin projects. Consult with your State Environmental Coordinator for EGSFP and FSFL environmental requirements and review 1-FSFL, Part 6, Section 2.

**EGSFP Approvals**

- Q6:** I have a County Office where no EGSFP applications were approved by March 23, 2023, and all the EGSFP applicants will get the FSA-479, EGSFP Status Notification Letter, will the COC need to disapprove the FSA-413, provide appeal rights and document in the minutes?
- A6:** No. Because EGSFP funding was exhausted, the COC or STC is not required to disapprove the FSA-413 and provide appeal rights. The FSA-479 explains why the EGSFP applicant's FSA-413 request will not be funded and is legally sufficient. A copy of the FSA-479 must be filed in the producer's EGSFP folder and no further actions are required.
- Q7:** When will spot check procedures be issued to ensure grain producers who produce and haul grain in the affected counties were paid the EGSFP cost-share payment?
- A7:** The National Office is currently drafting a SP notice for EGSFP spot check procedures.
- Q8:** Are we authorized to make changes to the EGSFP Status Notification Letter or does the letter have to be sent as is?
- A8:** The EGSFP Status Notification Letter was developed by the National Office and no changes are authorized to the letter.

## EGSFP FAQ's (Continued)

## EGSFP Approvals (Continued)

- Q9:** Will the National Office mail the EGSFP Status Notification Letters to all applicants that will not receive a payment?
- A9:** Notice SP-103 provides **County Offices** must provide an FSA-479 to all EGSFP applicants that were not approved for payment. However, DAFP provided updated guidance to SP-103 in an email to the SEDs on August 14, 2023, and granted SED's authority to determine if CED's or SED's will sign and mail the FSA-420, Approval Notification Letters and FSA-479's.
- Q10:** SP-94, subparagraph 7 D states the STC is the approval authority for relatives of County Office employees, COC members and County Office employees. Will there be special provisions for those applications because there was no STC delegation or meeting held during the March 17 through March 23, 2023, EGSFP approval timeframe?
- A10:** **No.** There are no special provisions for EGSFP applications not approved because there was no STC delegation or meeting during the EGSFP approval period of March 17 through March 23, 2023. The EGSFP funding is exhausted, and no further actions may be taken.
- Q11:** Why does the FSA-414, EGSFP Payment Checklist item 8 have us check the production in an EGSFP affected county? FSA-413, item 13a states total crop year 2021 and 2022 harvested grain production combined for applicant and co-applicant?
- A11:** SP-94 Exhibit 7, Q&A No. 8 provides, to be eligible for an EGSFP payment, a grain producer, or group of producers, must have eligible grain production in an affected county, and demonstrate a need for additional storage.
- Q12:** What should I do if it is determined the EGSFP applicant is no longer eligible for the EGSFP payment after the FSA-414, EGSFP Checklist is completed?
- A12:** The National Office is currently drafting a forthcoming SP notice to provide the EGSFP Adverse Determination Notification Letter when it is determined the EGSFP applicant is ineligible after the completion of the FSA-414.
- Q13:** Can an approved EGSFP payment (approved on March 23, 2023) be issued if the applicant applied for an FSFL on April 5, 2023, (after EGSFP was paused) and the FSFL funds are currently obligated but not disbursed for the same grain bin project?
- A13:** The National Office will review these on a case-by-case basis. Send the following information to **EGSFPpolicy@usda.gov**: EGSFP applicant's name; COF name; EGSFP approval date; EGSFP approved amount; FSA-850 completion date(s) and FSFL No#. Allow the National Office time to review and consult with DAFP and OGC, if necessary.