



USDA Provides Additional Flexibilities to Respond to 2024 Hurricanes, Expedites Emergency Conservation and Disaster Recovery Payments for Producers in Nine States Impacted by Hurricanes in 2016 to 2023

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WASHINGTON, Dec. 5, 2024 - Today the U.S. Department of Agriculture (USDA) announced it is taking steps to streamline and provide flexibilities for environmental compliance requirements for 2024 hurricanes Debby, Helene and Milton allowing the Farm Service Agency (FSA) to expedite approval of payments and practice implementation for the Emergency Conservation Program (ECP), Emergency Forest Restoration Program (EFRP), and Tree Assistance Program (TAP) applicants impacted by these three named storms in 2024. Additionally, USDA is waiving certain requirements for ECP and EFRP to provide restoration cost share assistance payments more quickly to producers impacted by hurricanes occurring Oct. 1, 2016, through Sept. 30, 2023. FSA is waiving the requirement that producers impacted by hurricanes submit receipts and documentation related to land restoration.

ECP provides financial and technical assistance to help agricultural producers rehabilitate ag land and conservation structures damaged by natural disasters. EFRP provides financial and technical assistance to eligible owners of nonindustrial private forestland to complete forest restoration activities to restore forest resources and forest health. TAP provides financial assistance to orchardists and nursery tree growers to help cover the cost of replanting or rehabilitating eligible trees, bushes and vines that produce annual crops that were damaged or destroyed by a natural disaster.

"Producers impacted by natural disasters, including hurricanes, are often up against the clock when it comes to recovery efforts to bring damaged agricultural land back into production, coupled with the day-to-day management of their operations, time is of the essence," said FSA Administrator Zach Ducheneaux. "By reducing required documentation and simplifying environmental compliance reviews, producers can implement restoration activities sooner, our offices can approve cost share payments more quickly and we can clear the application backlog in states where producers have been hard-hit by numerous catastrophic hurricanes and other natural disaster events over the last eight years."

Environmental Compliance Flexibilities for 2024 Hurricanes Debby, Helene and Milton

In response to 2024 hurricanes Debby, Helene and Milton, FSA provided flexibility for ECP and EFRP applicants to start *non-ground disturbing* activities like surface debris removal and fence restoration without FSA prior approval or on-site inspection. Today's announcement of additional flexibilities

allows FSA to streamline the environmental compliance process for certain *ground-disturbing* practices related to hurricanes Debby, Helene and Milton. These additional flexibilities also apply to TAP to allow eligible orchardists and nursery tree growers to complete site preparations in order to replant eligible trees, bushes and vines and offset the costs of getting the land back into production.

Due to emergency circumstances, FSA received a categorical exclusions waiver that will allow alternative arrangements to meet National Environmental Policy Act (NEPA) compliance for seven ground disturbing activities. Because these activities occur in locations where the natural disaster event itself caused the ground disturbance, these restoration activities have low potential to adversely impact resources.

The exclusions waiver covers the following practices:

- Fence replacement
- Sediment removal, incorporation, grading, shaping and leveling
- Tree, root and stump removal
- Roads, bridges and culverts necessary to facilitate forest restoration
- Burning of woody debris
- Vegetation removal, including tree stumps, on 40 or more total acres
- Clear cutting operations for timber on 100 or more total acres

The program flexibilities will allow FSA to more quickly complete an environmental review to determine the impact to natural and cultural resources for the disaster area as a whole rather than on an individual case-by-case basis.

"Completing an environmental review for an entire disaster area, as a whole, simplifies the process for FSA staff, eliminates the need for numerous on-site inspections, and allows producers to quickly begin restoration activities," Ducheneaux said.

These flexibilities also allow participants to restore private agriculture and forestland to pre-disaster conditions and prevent subsequent damage. They also address hazards to public health and safety, critical infrastructure, and mitigate hazards to natural resources like woody debris or sediments, and removing downed vegetation and other debris. Once land has been restored to pre-disaster condition, producers can apply for TAP to financial assistance to replace damaged trees, bushes and vines to bring the land back into production.

Documentation Waiver in Nine States for Hurricanes Occurring 2016 -2023

Typically, ECP and EFRP applicants must submit a cost share performance certification and payment request with supporting receipts and documentation after restoration activities are complete. To expedite emergency conservation program payments, FSA is authorizing a documentation waiver for approved applicants in Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Virginia, West Virginia and Puerto Rico. This waiver applies to hurricanes occurring Oct. 1, 2016, to Sept. 30, 2023, only.

Through this waiver, approved ECP and EFRP participants are no longer required to submit supporting documentation to verify restoration activities. Instead, the technical agency, FSA, or the producer will certify that practices are complete and meet USDA practice standards. After verification is complete, FSA will issue the cost-share payment.

FSA spot check provisions still apply so program participants should still maintain all invoices, receipts and documentation. Participants selected for spot check will be notified in writing and will be required to supply receipts and other supporting documentation to justify the total installation cost claimed.

More Information

For questions on ECP, EFRP and TAP or to apply for disaster recovery assistance, producers should call their FSA county office. To find their FSA county office, visit farmers.gov/service-center-locator.

For more information on hurricane recovery assistance and additional flexibilities, visit farmers.gov/hurricane.

FSA helps America's farmers, ranchers and forest landowners invest in, improve, protect and expand their agricultural operations through the delivery of agricultural programs for all Americans. FSA implements agricultural policy, administers credit and loan programs, and manages conservation, commodity, disaster recovery and marketing programs through a national network of state and county offices and locally elected county committees. For more information, visit fsa.usda.gov.

USDA touches the lives of all Americans each day in so many positive ways. In the Biden-Harris administration, USDA is transforming America's food system with a greater focus on more resilient local and regional food production, fairer markets for all producers, ensuring access to healthy and nutritious food in all communities, building new markets and streams of income for farmers and producers using climate smart food and forestry practices, making historic investments in infrastructure and clean energy capabilities in rural America and committing to equity across the department by removing systemic barriers and building a workforce more representative of America. To learn more, visit usda.gov.

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