

FSA
HANDBOOK

Emergency Forest Restoration Program

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For State and County Offices

SHORT REFERENCE

1-EFRP

UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
Washington, DC 20250

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Farm Service Agency
Washington, DC 20250

**Emergency Forest Restoration Program
1-EFRP**

Amendment 1

Approved by: Acting Deputy Administrator, Farm Programs



Amendment Transmittal

A Reason for Issuance

This handbook has been issued to provide policy and procedure for EFRP.

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Part 1 Basic Information

Section 1 General Provisions

1 EFRP Authorization

A EFRP Purpose

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

B Sources of Authority

Agricultural Credit Act of 1978, Section 407 (16 U.S.C. 2206) is the statutory authority for EFRP.

The regulations at 7 CFR Part 701 govern EFRP.

C EFRP Objective

The objective of EFRP is to provide assistance to owners of NIPF that has been damaged by a natural disaster.

Note: EFRP is **not**:

- an “entitlement” program
- intended that everyone who suffers a loss is entitled to a payment.

D 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.

2 Related Handbooks

A Handbooks and Forms

Follow provisions in the CSS User Guide and the CFLS User Guide located on the State and County Office CEPD Information Center web site at

<http://fsaintranet.sc.egov.usda.gov/ffas/dafp/cepdsto.htm>, except as instructed in this handbook.

B 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	1-APP.
directives management	1-AS.
clearing forms	3-AS.
records management	25-AS.
common management provisions	1-CM.
farm reconstitutions	2-CM.
quality control	1-COR.
compliance	2-CP.
failure to fully comply	7-CP.
environmental compliance	1-EQ.
making payments or assignment of payments	1-FI.
handling receipts and deposits	3-FI.
establishing claims	58-FI.
withholding nonresident alien income tax	62-FI.
assignments and joint payments	63-FI.
determining eligible persons, legal entities, and payment limitation	4-PL.
Loss Assessment Reports	1-DP.

3 Relief Actions

A Waiver Authority

Any procedural provision in this handbook may be submitted for review to the National Office by STC's as follows:

- 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.

4 AD-1026 Requirements

A AD-1026's

AD-1026 is **not** required.

B Additional Information About AD-1026's

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

5 Payments

A Maximum Payment Limitation

The maximum payment per person or legal entity, per disaster, including payments from pooling agreements, is \$500,000. Direct attribution will be applied according to 4-PL, Part 5. For applications and agreements processed through the web-based CSS, this payment limitation will be applied based on the disaster ID assigned by CEPD.

B Program Payment Information

See 4-PL for information about payment limitations.

C Assigning Program Payments

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

6 Special Concerns

A COC Action

COC shall **not** approve financial assistance on land that will have an adverse impact on endangered species or historic properties according to 7 CFR Part 799 and 1-EQ.

B Refund of EFRP Payment

Owners are **not** eligible to receive funding under EFRP for land on which the owner has or will receive funding for the same or similar expenses under:

- ECP
- WRP
- Emergency WRP
- Emergency Watershed Protection Program
- any other program that would create duplicate payments or, in effect, a higher rate of financial assistance than is allowed for EFRP.

EFRP payments received on acreage offered for WRP or Emergency WRP **must** be refunded if the EFRP practice is still within its lifespan before WRP or Emergency WRP payments will be disbursed.

Process refunds according to 3-FI.

6 Special Concerns (Continued)

C Land Enrolled Under CRP

In addition to the requirements in subparagraph E, owners who receive an EFRP payment on land enrolled in CRP **must** repay the CRP C/S payment. See 2-CRP, subparagraph 491 B.

D Land Under Practice Maintenance From C/S Programs

An owner is **not** eligible to receive funding to restore NIPF land on which the producer is required to maintain the practice or the land under any other Federal or State financial assistance program. See paragraph 110.

E Wetlands

Financial assistance shall **not** be approved for practices that would drain or negatively impact the quality of any wetlands as defined in the NRCS Field Office Technical Guide, available at www.nrcs.usda.gov/technical/efotg.

7 Record of Natural Disaster

A Maintaining County History

County Offices must ensure that natural disasters that resulted in EFRP must be included in the permanent file on natural disasters required under 1-ECP, paragraph 7.

B Minimum Permanent File Requirements

The permanent file may include news articles, but shall include as a minimum:

- dates
- type of natural disaster
- a record of the areas affected
- total program funds earned, if applicable
- map with areas identified
- Loss Assessment Report.

File with other EFRP documents according to Exhibit 4 and 25-AS.

8 Program Year

A FY

The EFRP year is October 1 through September 30.

B Determining Program Year for FSA-848's

To determine the program year for a specific FSA-848 (Exhibit 5), see FY at the time FSA-848 was filed.

9 Forms and Supplementation

A National Forms

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

Note: Only if the form is not available through CSS for an extended period of time, access forms through the FFAS Employee Forms Online Intranet site at <http://165.221.16.90/dam/ffasforms/form.html>; however, the following EFRP forms will be generated through CSS:

- FSA-848
- FSA-848-1
- FSA-848A
- FSA-848A-1
- FSA-848B
- FSA-848B-1.

B State Forms

Forms developed by STC's must:

- meet requirements in 3-AS
- be approved by **both** of the following:
 - CEPD
 - MSD.

9 Forms and Supplementation (Continued)

C Adding, Modifying, or Withdrawing Provisions

State Office issued handbook instructions shall **not** be less or more restrictive than the provisions of this handbook; however, State-specific amendments may be made that are consistent with EFRP provisions. For permanent directives, the following guidelines **must** be followed:

- issue a permanent State Office directive **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: Periodically, the National Office may select State Office amendments for review.

10 FSA-770 EFRP-1 and FSA-770 EFRP-2

A Using FSA-770 EFRP-1 and FSA-770 EFRP-2

FSA-770 EFRP-1 (Exhibit 6) and FSA-770 EFRP-2 (Exhibit 7) may be used as management tools to help address deficiencies identified by a review or spot check of whether policies or procedures are being followed before issuing EFRP approvals and/or payments.

B FSA-770 EFRP-1 and FSA-770 EFRP-2 Information

It is not intended for FSA-770 EFRP-1 or FSA-770 EFRP-2 to supersede or replace procedure. County Offices:

- should use FSA-770 EFRP-1 and FSA-770 EFRP-2 as reminders of the most frequently “erred” determinations and certifications
- may recognize that the questions asked on FSA-770 EFRP-1 and FSA-770 EFRP-2 are very general in nature.

Note: It would not be practical for FSA-770 EFRP-1 or FSA-770 EFRP-2 to address every conceivable situation about eligibility.

10 FSA-770 EFRP-1 and FSA-770 EFRP-2 (Continued)

C Completing FSA-770 EFRP-1 and FSA-770 EFRP-2

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

- when County Offices are to complete FSA-770 EFRP-1 and FSA-770 EFRP-2, if apparent internal control deficiencies are found during CED, STC representative, or DD reviews
- whether the applicable FSA-770 EFRP-1 and FSA-770 EFRP-2 is necessary to avoid findings indicated by COR reviews
- when additional internal controls are necessary to reduce improper payments.

Note: FSA-770 EFRP-1 and FSA-770 EFRP-2, developed by the National Office, are the **only** authorized checklists for EFRP. County Offices shall **not** use State or locally generated checklists for EFRP.

11-19 (Reserved)

Section 2 STC and State Office Responsibilities

20 STC Responsibilities

A Administering EFRP

STC is responsible for administering EFRP within the State according to national policy.

B STC Action

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

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

STC may delegate the authority to sign documents showing action taken by STC.

21 SED Responsibilities

A EFRP Oversight

SED shall:

- 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 County Offices have a clear understanding of EFRP policies and responsibilities
- ensure that information submitted supports requests for EFRP funds
- monitor EFRP including:
 - for the STC representative, to review a sampling of FSA-848's filed in each County Office as required in subparagraph 175 A
 - the sampling and monitoring needed for EFRP implementation and assistance
- in case of drought, monitor designated counties to determine whether drought conditions still exist and if EFRP is still needed to solve drought-related problems
- if it is determined that EFRP is no longer needed, provide COC guidelines to:
 - discontinue issuing approvals
 - determine which outstanding approvals remain eligible.

21 SED Responsibilities (Continued)**B Contacting National Office Before Implementation**

For all natural disasters, **except** droughts, SED or designee shall consult CEPD by telephone or e-mail **before** concurring with the County Office's request to implement or expand EFRP.

SED shall:

- **not** delay a County Office's request for several days in anticipation of receiving other County Offices' requests
- notify County Offices of concurrence or nonconcurrence by telephone and follow up in writing.

C Required Information

An SED's consultation should include all pertinent information about the disaster, including an estimate of the amount of funds needed to begin implementing EFRP. SED shall FAX or e-mail the following to CEPD:

- date and type of disaster
- names of the counties or parts of counties involved
- map of affected area, including county names and boundaries
- a request for an allocation of funds, if needed

Notes: The amount shall be based on COC's assessment of **eligible** damage considering the practices to be used.

Do **not** commingle EFRP funds from other ongoing or previous EFRP-designated disasters.

- practices required to solve the problems.

21 SED Responsibilities (Continued)

D SED and STC Exception

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

E CEPD Approval Required

CEPD approval is **required** for all drought-disaster designations.

For severe droughts, SED shall provide the following information to CEPD in addition to the information required by subparagraph 35 D:

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

F Allocating Funds

SED shall allocate funds to County Offices.

22-29 (Reserved)

Section 3 COC and County Office Responsibilities

30 COC Policies and Actions

A COC Responsibilities

COC is responsible for administering EFRP consistent with national and State policy.

Note: CED is responsible for implementing COC's policies.

B COC Action

COC determinations **must** be made by the full COC or a quorum. See 16-AO.

Note: COC may delegate authority to an individual COC member according to paragraph 34.

31 Documenting COC Determinations

A Written Documentation Required

Written documentation of COC determinations is **required**. Many routine COC determinations may be documented by an individual signing a form on behalf of COC.

B Acceptable Documentation

Either of the following is acceptable to document 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.

Notes: Document shall be cross-referenced to COC minutes.

COC minutes shall also reflect COC action.

C Required COC Minute Documentation

Each COC determination shall be documented in COC minutes and include the following:

- producer's name
- farm number
- sufficient information specific to **each** COC determination to create a justifiable record to support COC's actions.

32 County Office Employee Action

A CED Responsibilities

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.

CED shall perform **all** of the following functions:

- issue FSA-848 (Exhibit 5) and FSA-848A (Exhibit 11) to NIPF landowners
- send referrals to technical agencies
- compute financial assistance
- approve payments to producers using FSA-848B (Exhibit 12)
- prepare forms for division of payment between contributors
- complete spot checks.

Note: CED may designate PT to perform these and other functions **without** formal delegation.

B Additional CED Authorities

CED may also perform any or all of the following functions:

- determine the sufficiency of signatures and authority of persons signing in a representative capacity
- determine the value of:
 - ineligible contributions
 - contributions of each person or legal entity who contributed to performing a practice
- approve:
 - whether EFRP should be requested
 - applications for financial assistance, using FSA-848 and FSA-848A
 - changes in approved extent and financial assistance, using FSA-848A
 - increases in the approved extent, financial assistance, or both, if supported by the technical agency showing the need
 - extensions of time to complete and report performance of a practice, using FSA-848B.

32 County Office Employee Action (Continued)

C Documenting Action (Continued)

In addition to COC minutes, County Office employees shall create a written record to document the facts on either:

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

Note: The person that takes the action and records the facts shall sign or initial and date the documentation.

33 (Reserved)

34 Delegations of Authority

A COC Delegated Authorities

COC authorities may be delegated to CED.

Authorities that may be delegated include determining the following:

- the amount COC is willing to approve
- whether completing a component is a reasonable attainment toward completing the practice and prescribing the time for practice completion
- whether a practice not meeting all of the specifications adequately solves the problem
- whether an attempt was made to meet the specifications
- whether the performance justifies financial assistance on the extent performed.

34 Delegations of Authority (Continued)

B Limitations on Delegations

COC shall establish and specify determinations described in subparagraph A, if any that will be delegated to CED, recorded in COC minutes, and filed according to Exhibit 4 and 25-AS.

CED must **not** act on matters involving the farms of STC or COC members or CED's own farm.

CED shall carry out responsibilities according to COC delegations.

COC shall review delegated authorities annually to ensure that they are being followed.

C Authorities Not to Delegate

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

- approving P-A's
- approving limited resource designations
- hearing appeals for reconsideration and making decisions on appeals
- determining whether there is a violation of EFRP provisions
- determining priorities for approval of FSA-848's.

D Voting Limitation

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

35 Action When Natural Disaster Occurs

A Immediate Assessment of Damages

For all disasters, **except** severe drought, immediately after a disaster occurs, COC and/or CED must make an overall assessment of the damage to ensure that the damage meets the minimum requirements. CED must consult with the State Office to obtain concurrence before approving the natural disaster damage for financial assistance. See paragraph 153.

Concurrence may be by telephone or e-mail and shall be based on the following:

- description of the natural disaster
- an estimate of funds needed
- areas of county affected
- practices needed.

Note: CED or designee **must** follow telephone or e-mail concurrence with written documentation to the State Office. The State Office shall review and forward documentation to CEPD. Funding shall **not** be approved by telephone or e-mail. The documentation shall include, at the minimum, the following:

- copy of the Loss Assessment Report

Note: See 1-DP.

- description of the natural disaster as it affects NIPF land in the county
- practices requested
- number of farms expected to receive financial assistance
- amount of funds requested from the national reserve to administer EFRP
- that EFRP has been documented as 1 of the types of USDA assistance required
- any other pertinent information supporting request for funds, including documentation of any information supplied earlier by telephone or e-mail.

35 Action When Natural Disaster Occurs (Continued)

B 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 natural resources 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
- be physically located in a county in which EFRP has been implemented.

C Primary Consideration

The type and extent of individual farm damage shall be the primary consideration for EFRP eligibility. 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.

35 Action When Natural Disaster Occurs (Continued)**D COC Report of Drought Conditions**

For a severe drought, COC shall provide STC with a complete written report of current conditions.

STC shall determine whether conditions are severe enough to warrant a recommendation for EFRP implementation to CEPD.

The report forwarded to CEPD for **each** county shall include the following:

- actual rainfall history for each of the 3 years preceding the current year
- amount of precipitation by month for the last 12 consecutive months including last full month

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.

- percent of normal water for current underground and surface water supply, if applicable
- copy of Loss Assessment Report

Note: See 1-DP.

- any other pertinent information available supporting the request for EFRP designation.

E Severe Drought Designation

For severe drought, CEPD will determine the emergency EFRP designation in each county.

F Coordinating EFRP With Other Agencies

Coordinate EFRP activities with disaster assistance activity of other agencies, including FEMA, if applicable.

36-41 (Reserved)

Section 4 Financial Assistance Policies

42 Financial Assistance Levels

A National Policy on Financial Assistance Levels

Financial assistance levels, including C/S percentages up to 75 percent of the cost, are authorized for EFRP practices. In no case may the payment exceed 75 percent of the producer's actual cost to perform the practice.

B Setting County Financial Assistance Levels

The financial assistance level for any practice or component may be set at any level within national and State policies. Financial assistance levels **must** be set based on the minimum incentive needed to encourage producer participation and solve the problem. STC or COC shall establish financial assistance levels for each practice or component. Financial assistance levels shall not exceed 75 percent of the eligible cost of restoring the damage.

43, 44 (Reserved)

45 Financial Assistance Levels With Limitations**A Documenting Financial Assistance Levels With Limitations**

Financial assistance levels may be established for practices or components with a maximum limitation. The limitation is based on the average cost of performing the unit of measure. Financial assistance levels and maximum limitations shall be set based on the minimum incentive needed to encourage producer participation and solve the conservation problem.

Document financial assistance levels with a limitation as follows:

“____ percent of the actual cost, not to exceed \$____ per unit (acre, pounds, feet, etc.).”

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

Note: See subparagraph 5 A for maximum payment limitation.

B Supporting Data for Financial Assistance Levels with Limitations

The maximum limitation shall be based on documented average costs.

COC shall base maximum limitation on current cost data, such as, data from:

- applications of payment
- contractors
- dealers
- NASS
- NIFA
- NRCS
- quotations.

Data used to determine maximum limitation shall be maintained with the county eligibility status list.

46 Items Eligible and Ineligible for Financial Assistance

A Items Eligible for Financial Assistance

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

- labor
- seeds, seedlings, or other new or used materials
- sales tax
- services.

Note: If used materials are approved by COC, it **must** be documented in COC minutes.

B Items Ineligible for Financial Assistance

The costs of the following items are ineligible for financial assistance:

- engineering charges or permit fees
- consultant's fees, unless specifically permitted in the practice writeup
- providing land
- 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 costly alternative in providing electric fence or water for livestock.

- meeting supplemental requirements, such as abstaining from harvesting
- producer's own transportation costs
- weed control measures
- loss of or reduction in revenue because of the disaster
- rent or other costs of using land
- cost of pumps and pumping accessories, **except** for permanently installed submersible pumps in wells during drought emergencies
- dry wells
- donated material.

47 Eligible Costs**A Safety Requirement**

Financial assistance shall be limited to restoring structures and other installations to the immediate predisaster condition, **except** if:

- restoring a structure to the immediate predisaster conditions would make the structure a safety hazard to human habitation downstream as certified by technical service provider

Note: In this case, the structure shall be restored to meet NRCS standards and financial assistance may be approved for the entire project.

- the cost would not be greater to restore a structure or installation to current NRCS standards rather than to the immediate predisaster condition.

B Restoring to Predisaster Conditions

Structures that are restored to the immediate predisaster conditions, but do not meet current NRCS technical standards and specifications, may be eligible for financial assistance. However, COC's are strongly encouraged to require conservation structures be restored to current NRCS technical standards and specifications.

EFRP participants **must** pay the additional cost incurred to improve land and structures beyond the immediate predisaster condition.

C Limitations on Eligible Expenses

If a producer is eligible for EFRP assistance, financial assistance may be authorized for all reasonable expenses incurred, as follows:

- eligible expenses for personal labor shall be limited to personal labor not normally required for the forestry operation, as determined by COC
- eligible expenses for personal equipment shall be limited to costs incurred beyond the normal expenses for the forestry operation.

D Assignments

Payments earned may be assigned according to 63-FI.

48, 49 (Reserved)

50 Arbitrary Holddowns

A STC Responsibilities

STC shall ensure that arbitrary holddowns are **not** used when:

- establishing financial assistance rates and limitations
- approving practices.

B COC Responsibilities

COC shall ensure that arbitrary holddowns are **not** used when:

- establishing financial assistance rates and limitations
- approving practices.

51 Fencing Policy

A Disasters Involving Fencing

COC shall establish a maximum financial assistance rate per foot for restoring fences.

B Financial Assistance Payments Shall Not Exceed Established Rates

Regardless of the kind of fence installed, financial assistance shall **not** be based on costs exceeding fence materials provided in subparagraphs C and D.

C Fencing Materials

For barbed wire, high tensile wire, woven wire, and heavy-duty fences:

- posts shall be placed no closer than 12 feet apart and made of:
 - metal
 - treated wood
 - other material meeting NRCS technical standards and specifications
- labor rate shall be the prevailing rate in the county
- wire fences must consist of no more than 5 strands of wire that is no heavier than 11 gauge.

Woven wire fences shall be:

- not more than 4 feet in height
- no heavier than 10 gauge
- not to exceed 2 strands at the top and 1 strand at the bottom.

51 Fencing Policy (Continued)

D Fencing Limitations

Financial assistance must be limited to restoring or repairing fences damaged by natural disaster. Ornamental fences are **not** eligible for assistance.

Fences must be used for:

- exclusion or inclusion of livestock
- protection of seedling establishment.

Note: COC shall consider the following before making approvals:

- age of fence at time of disaster
- if fence was used for excluding or enclosing livestock
- type of fence existing before disaster
- extent of damage of fence.

E Fencing of Public Land

Fencing on public land is **not** eligible for EFRP.

F Adjusting for Age of Fencing

COC's shall adjust financial assistance for fencing based on the age of the fence.

IF the age of the fence at time of disaster is...	THEN the allowable financial assistance percentage is...
0 to 5 years	100 percent.
6 to 10 years	75 percent.
11 to 30 years	60 percent.
over 30 years	0 percent if all components are over 30 years old.

If some of a fence's components have been replaced since the fence was erected and the average of the components is less than 30 years, then the allowable financial assistance percentage determined by COC is not to exceed 60 percent.

Examples: Fence was 6 years old at time of disaster. The total eligible cost of restoration is \$50,000. Financial assistance computation is $50,000 \times .75 \times .75 = \$28,125$.

Fence has been in place over 30 years, but the average age of all of fence components is 25 years. Total eligible cost is \$50,000. Financial assistance computation is $50,000 \times .75 \times .60 = \$22,500$.

52 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 on land they do not own or to install 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 Financial Assistance

COC shall:

- not pay financial assistance, if necessary easements, permits, or other necessary permission has not been obtained by the participant
- indicate on FSA-848A, “Remarks” section whether necessary permission has been obtained
- confer with responsible technical agency to ensure that necessary easements, permits, or other necessary permission has 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 financial assistance for the practice.

Note: NRCS policy may be more restrictive in some States.

D Producer’s Responsibility for Losses

The person or legal entity receiving financial assistance 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.

53 Bartering**A Applicability**

Bartering is allowable as an eligible cost for EFRP financial assistance when COC, on a case-by-case basis and with STC approval, determines that **all** of the following apply:

- bartering directly relates to the EFRP practice
- value of the bartered goods and services is commensurate with the services rendered or goods received
- EFRP financial assistance payment will not be made until bartered goods have been received or the bartered service has actually been rendered.

Note: Bartering shall **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

EFRP participants shall present a signed document that provides the details of barter agreements **before** financial assistance is computed. Documentation shall provide sufficient information for COC to determine when bartered goods or services are exchanged.

If bartered goods or services are not actually received or rendered, the producer shall refund any financial assistance paid for the bartered services or goods.

C Legality

USDA has no involvement in bartered goods or services. Bartered services are strictly between the producer and the supplier of the bartered goods or services.

D Spot Checks

COC shall ensure that all financial assistance payments involving bartered goods or services are included in an EFRP spot check.

54-63 (Reserved)

Section 5 EFRP Funds Management

64 State and County Allocations

A State Control of Funds

EFRP funds are held in reserve at the national level. Funds are allocated after a determination has been made authorizing EFRP designation.

Funds are allocated to State Offices based on the estimate of funds needed to begin implementing EFRP.

Note: Technical assistance funds will be allocated at the national level.

B Allocations for County Offices

SED's shall allocate funds to County Offices.

65 Reserves**A State Reserve**

State Offices may maintain a reserve sufficient to cover needed adjustments and technical assistance needs not addressed at national level.

B Transferring EFRP Funds

EFRP funds may be transferred from EFRP's State reserve for a disaster to a nondesignated EFRP county to pay financial assistance for eligible restoration work where the producer's farm is administratively headquartered.

C Unused EFRP Funds

Unused EFRP funds shall be returned to CEPD according to paragraph 66.

Note: EFRP allocations shall continue to be based on State Office requests for counties authorized to implement EFRP as a result of a natural disaster.

66 Expenditure Limitation Authority**A Overobligation Authority**

STC's, SED's, and State Offices do **not** have overobligation authority.

B Additional Limitations

EFRP funding should be handled with the following limitations:

- funds shall only be expended for disaster designations approved by the National Office
- State Offices shall only establish a reserve for the disaster designation for which funds were approved
- funds **cannot** be moved between disaster designations
- State Offices may transfer funds approved for a disaster designation to any County Office for which implementation is approved for that disaster designation
- County Offices may only expend funds for the disaster designation for which funds were approved.

67 Requesting and Releasing Funds

A State Office Request for Additional Funds

With proper justification, SED may request additional funds from CEPD.

B Releasing Unused Funds

SED shall return EFRP funds to CEPD as soon as it is determined that the funds will not be needed for the disaster for which they were originally allocated, as follows:

- COC shall notify State Office, in writing, of the amount to be released
- State Offices shall notify CEPD, Attention: Program Analysis Branch, in writing, of the amount to be released.

Note: STC reserves are **not** authorized except as provided for in paragraph 65.

68-77 (Reserved)

Section 6 Transfer for Technical Services**78 Technical Services****A Phases of Reimbursable Technical Services**

Technical assistance to be provided in servicing assigned practices may involve all of the following phases of implementing a practice:

- determining whether the practice is needed and feasible
- selecting a site

Note: Determine measures needed and any required layout and design of the practice when selecting a site.

- supervising practice installation, if needed, to ensure that practice conforms with specifications
- inspecting practices to determine whether specifications have been met and the extent performed.

B Providing Technical Services

The assigned technical agency shall ensure that needed technical assistance is provided to producers for approved practices to the extent that resources permit.

C Assigned Responsibility for Technical Services

Each assigned technical agency is responsible for carrying out its assigned responsibilities.

The assigned agencies shall use technical information provided by the experiment station, County Extension Service, and other agencies to help producers apply practices correctly.

D Technical Responsibility

Technical responsibility for practices includes the following:

- developing standards and specifications for the practice
- providing technical assistance on the phases in this paragraph.

E Technical Services Not Chargeable to Producers

A producer who uses technical assistance provided by the assigned technical agency may **not** be required to pay for these services.

79 Outside Assistance**A Agencies Using Outside Assistance**

Assigned technical agencies 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 shall certify that EFRP practices were performed according to specifications.

B Producers Using Outside Assistance

A producer is **not** required to use the technical services available through EFRP.

Producers using outside assistance for practices will qualify for financial assistance if the assigned technical agency:

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

Note: A producer that uses outside assistance shall be urged to keep sufficient records to permit the technician to make the necessary determinations.

80 Assigned Technical Agency Responsibilities and COC Action

A Reporting on FSA-848, Page 2

The assigned technical agency shall report on FSA-848, page 2, if the practice is needed and feasible.

FSA-848, page 2 shall include the following:

- an accurate estimate of needed units and cost on which COC can base its commitment of funds
- needed extent and any other pertinent information.

B Required Action for Favorable Determinations

If the assigned technical agency indicates a favorable determination, the technical agency shall take the following actions.

Step	Assigned Technical Agency Action
1	Indicate the extent needed.
2	Complete the needs statements on FSA-848, page 2.
3	Enter estimated cost of the practice.
4	Sign and date FSA-848, page 2.
5	Return FSA-848, page 2 to COC for review.

80 Assigned Technical Agency Responsibilities and COC Action (Continued)

C Required Action for Unfavorable or Questionable Determinations

The following action is required when an unfavorable or questionable determination is received by COC.

IF the assigned technical agency indicates...	THEN...
an unfavorable determination	<ul style="list-style-type: none"> • there shall be a statement to that effect, including the reasons, on FSA-848, page 2 • the assigned technical agency should explain the basis for the unfavorable determination to the producer • COC shall: <ul style="list-style-type: none"> • promptly notify the producer, in writing, that the practice was not approved and the basis for the decision • advise the producer of the right to appeal the determination.
a practice may not be eligible	<ul style="list-style-type: none"> • the assigned technical agency shall provide written description of the eligibility question on FSA-848, page 2 • COC shall consider this statement when reviewing FSA-848's for approval.

D Change in Estimated Cost Before Performance

The assigned technical agency shall provide the following information, if the estimated cost changes before performance.

If the assigned technical agency determines the financial assistance estimate is too low or too high **before** the practice is performed:

- assigned technical agency shall submit a revised estimate to COC on FSA-848, page 2
- COC may choose to modify FSA-848 and increase the approval on FSA-848A, accordingly.

Note: See the CSS User Guide (link is provided in subparagraph 2 A) for contract maintenance instructions.

81-90 (Reserved)

Section 7 Person, Legal Entity, and Land Eligibility

91 Eligible and Ineligible Persons and Legal Entities

A Person and Legal Entity Eligibility

See 4-PL for eligibility determinations for persons and legal entities.

CCC-901 is required to apply direct attribution for all entities named on FSA-848.

If a minor is a participant or member of entity on FSA-848, hand-write at the top of CCC-902I, “**For EFRP direct attribution purposes only**”, to designate the purpose of CCC-902I, and complete **only** the following items or parts:

- Item 1, “County”
- Item 2, “State”
- Item 3, “Program Year”, ENTER “**2009**”
- Part A, “Basic Information”
- Part B, “Additional Information for items 4A, 5A, 5B, 5C, 5D, 6A, 6B 6C, 6D, and 6E”.

B Individual Eligibility Determinations

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

COC shall determine which cases are truly emergency situations.

C Assistance Not Needed

Do **not** provide assistance if the applicant clearly has adequate financial resources and COC determines that the applicant can repair the damage without assistance and without causing a financial hardship.

91 Eligible and Ineligible Persons and Legal Entities (Continued)

D Reevaluation

If drought conditions change, reevaluate the applicant's eligibility.

E 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 financial assistance.

F Assistance in Organized Districts

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

Under P-A's, participation **must** be voluntary and costs **must** be paid by the participant.

COC shall:

- review the conditions under which P-A is made to ensure that participation is voluntary
- submit P-A and its recommendation to STC for approval.

STC shall act on COC's recommendation for P-A's located within an irrigation district with taxing and assessment authority.

92 Determining Eligible and Ineligible Persons and Legal Entities

A Owner Eligibility

By law, EFRP eligibility is limited to NIPF owners.

B Determining Eligibility

Determine EFRP eligibility according to the following.

IF an applicant is a...	AND...	THEN the applicant is...
nonindustrial private: <ul style="list-style-type: none"> • association • business enterprise • corporation • estate • group • Indian Tribe • individual • legal entity • partnership member • trust 	owner, operator or 10-year lease holder of NIPF (with concurrence from land owner) who contributes part of the practice cost	eligible for EFRP benefits.
Note: Foreign nationals are eligible. <ul style="list-style-type: none"> • district with taxing authority • Federal agency • political subdivision of a State • State • State agency 		ineligible for EFRP benefits.
minor		only eligible if he or she is legally responsible and independently participating in the operation of a farm as an eligible person or legal entity. See 1-CM and 4-PL.

93 Eligibility of Native Americans

A Native American Tribes

A Native American tribe that owns eligible NIPF land is eligible for financial assistance.

B Individual Native Americans on Tribal Lands

Individual Native Americans are eligible if they qualify as tenants or sharecroppers on the land.

C Individual Native Americans on Nontribal Lands

Individual Native Americans on nontribal lands must meet the requirements in paragraph 92 to be eligible for financial assistance.

D Individuals With Grazing Rights on Tribal Land

An individual holding written permission to graze Native American tribal land is eligible as a tenant to perform practices on the land if the lease or permit is issued by an appropriate official.

94 Forestry, Woodland, and Tree Farm Associations

A Eligibility for Financial Assistance

Forestry, woodland, and tree farm associations that meet the requirements in paragraph 92 are eligible for financial assistance.

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

B Individual Members

Individual members of associations who have the legal right to operate on land owned or leased by the association are considered tenants, who they are eligible for financial assistance. However, financial assistance approvals shall **not** be issued to both the association or district and the individual members for practices to be performed on this land.

95 Clubs and Organizations

A Eligibility

Clubs and organizations such as 4-H clubs, Future Farmers of America, and scout troops are eligible for financial assistance if:

- they qualify as an eligible person or legal entity according to paragraph 92
- the necessary EFRP forms are signed by an adult who officially represents the organization.

B Sports Clubs

A sports club is eligible for financial assistance if it qualifies as an eligible person or legal entity according to paragraph 92.

96 (Reserved)

97 Government Entities

A State Government and Agencies

State Governments or any of their agencies are **not** eligible persons or legal entities under EFRP.

Note: State-supported colleges or universities are **not** eligible as persons or legal entities under EFRP.

B Local Government Units

County, city, or other local Government units are **not** eligible for EFRP.

C School Districts

Independent school districts are **not** eligible persons or legal entities under EFRP.

98 Organized Districts**A Policy**

Producers 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 financial assistance in districts or on facilities owned by districts.

Financial assistance may **not** be approved where both of the following are true:

- the district has the legal obligation to carry out the conservation improvement measures
- the district has 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 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.

C Eligibility of Organized Districts

The district, as a separate and distinct entity from its individual stockholders or members, is eligible for financial assistance on NIPF when it qualifies as an eligible person or legal entity according to paragraph 92.

98 Organized Districts (Continued)

D Eligibility of Individuals or Groups Within Organized Districts

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

Financial assistance must be paid to or on behalf of the individual eligible person or legal entity.

Producers 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 producers will be treated as their contributions.

E CEPD Exceptions

CEPD may grant exceptions 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 producers using their own funds may be considered the contributions of an ineligible person or legal entity.

98 Organized Districts (Continued)

G Example of Ineligible Contributions Made by District

The XYZ Ditch Company's (XYZ's) charter provides for all of 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.

The members of XYZ are eligible to form an EFRP P-A for lining the company's earth ditches. If XYZ makes a contribution to the lining of the ditch, the contribution is that of an ineligible contributor.

XYZ does **not** own or lease NIPF; therefore, XYZ does not qualify as an eligible person or legal entity according to paragraph 92.

99-109 (Reserved)

Section 8 Land Eligibility**110 Eligible Land****A General Provisions**

The provisions in this subparagraph apply to specific land, such as farm or tract, if known, for which FSA-848 is filed or has been filed.

Land that is eligible under EFRP includes NIPF land or which all of the following are true:

- 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 damage to natural resources 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

If land is within NIPF and conservation structures are installed on the land, the land may be eligible.

Example: Examples of conservation structures include waterways, terraces, sediment basins, diversions, windbreaks, etc.

See subparagraph B for examples of land eligible for EFRP.

110 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	Firelane.	Yes, if on NIPF land.	
2	Fuel break.	Yes, if on NIPF land.	
3	Stream crossing.	Yes, if stream flows through NIPF land.	
4	Wildlife food plot.	Yes, if on NIPF land.	
5	Grade stabilization structure.	Yes, if on NIPF land.	
6	Woodland.	Yes, if NIPF land.	
7	Land that is next to a stream, including perennial and intermittent streams.	Yes, if NIPF land.	
8	Debris on NIPF access road.	Yes, if located on NIPF land and interferes with normal NIPF operations.	
9	Damaged levee.	Yes, if located on NIPF land and interferes with normal NIPF operations.	
10	Damaged land between levee and a stream.	Yes, if NIPF land.	
11	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 51.
12	Other land not considered NIPF land.	No.	Not NIPF land. See subparagraph A.
13	Land that is not physically located in a county that has been approved for EFRP.	No.	Not in a county that has been approved for EFRP. See subparagraph A.
14	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.

110 Eligible Land (Continued)

C Land Located in Nondesignated EFRP Counties

Land eligible for EFRP financial assistance shall include any NIPF physically located in an EFRP designated county. This shall include land that is physically located in the EFRP designated county, but which is administratively located in a nondesignated EFRP county.

D Eligible Native American Land

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.

111 Ineligible Land

A General Provisions

Land that is ineligible for EFRP includes land:

- owned or controlled by States, State agencies, or other political subdivisions of a State
- owned or controlled by the United States
- damaged by wildfire started by other than natural causes.

112 Land Under Other Financial Assistance

A Possible Eligibility

Not all land under other financial assistance is eligible for financial assistance under EFRP. Follow subparagraph B to determine whether land under C/S programs is eligible.

B Determining Eligibility

Determine eligibility of land under other financial assistance according to the following.

IF...	AND...	THEN EFRP financial assistance may...
measures will accomplish the purpose of the practice	the practice will not be C/S under another Federal program	be authorized.
a component of a practice is C/S'd under another program	another component of the same or comparable practice is 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 • EWRP • WRP 		
participants have or will receive funding for the same or similar practices under EQIP, EWP, or other C/S programs		

113-129 (Reserved)

Part 2 Practice Provisions

130 Practice Approvals

A COC-Approved Practices

COC shall:

- use the nationally approved EFRP practices as they are written according to national policy and procedure
- submit any request to STC for review and approval **before** any revised practice is used.

See Exhibit 17 for nationally approved practices.

B Practices Requiring CEPD Approval

Approval authority for EFRP practice EF7 is **required** by CEPD **before** practice implementation.

131 Practice Lifespans and Maintenance

A Natural Disaster

Practices that are later damaged by a subsequent 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 that are 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 shall follow practice maintenance procedure in Exhibit 17.

C Requirements

Producers shall maintain practices according to Exhibit 17.

D Maintenance

A practice must be maintained for the practice lifespan specified in the practice writeup.

Note: County Offices shall advise producers that they are required to maintain the practice for its useful lifespan.

132 Size of Structures and Minimum Costs

A Determining Eligible Size of Structures

COC shall limit financial assistance on any practice to the size:

- existing before the disaster
- needed to solve the conservation or environmental problem if different than prior existing size.

Note: The costs of installing the part of a structure that is larger than what originally existed is the participant's responsibility.

B Qualifying Minimum Cost of Restoration

To be eligible for EFRP assistance, the eligible damage must be so costly that Federal assistance is or will be required to complete the EFRP practice. The minimum qualifying cost of restoration is \$1,000 per participant.

The \$1,000 minimum qualifying cost shall be based on the total eligible cost of all practices for the same disaster.

Each State may establish a higher minimum qualifying cost of restoration.

Producers may request a waiver of the minimum qualifying cost of restoration to COC. The waiver shall be in writing and will document the following:

- how failure to grant the request will result in environmental damages or hardship to the producer
- how the waiver will accomplish the goals of EFRP.

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

133-150 (Reserved)

Part 3 EFRP Requests

Section 1 Accepting Requests

151 EFRP Availability

A Effective Dates of Procedure

Accept and approve FSA-848's using the procedures and rules in effect on the date the disaster occurred.

B EFRP Announcement

COC's shall notify affected producers after receiving EFRP authorization. Include the policy and specific criteria for producer eligibility in the information release. See subparagraph D for an example.

C EFRP Applicants

All producers, regardless of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, or reprisal shall have an opportunity to submit FSA-848's for EFRP.

151 EFRP Availability (Continued)

D Example Format for Providing Disaster Information to News Media

The following is an example format for providing natural disaster information to news media.

A (flood, tornado, etc.) has caused severe damage in _____ area(s) of the county. Nonindustrial private forest (NIPF) landowners suffering severe damage may be eligible for assistance under the Emergency Forest Restoration Program (EFRP) that is administered by the _____ Farm Service Agency (FSA) County Office, if the damage is caused by a natural disaster to natural resources on NIPF land, if untreated would:

- impair or endanger the natural resources on the land, and
- materially affect the use of the land.

A producer qualifying for EFRP assistance may receive financial assistance levels not to exceed 75 percent of the eligible cost of restoration measures. The emergency measures must restore forest health and forest-related resources. The following types of measures may be eligible:

- removing debris from NIPF
- site preparation on NIPF
- seeding establishing on NIPF, and
- restoring conservation structures and other similar installations.

Producers who have suffered a loss from a natural disaster may contact the local FSA County Office and request assistance from ___(date)___ to ___(date)___.

To be eligible for assistance, practices must **not** be started until **all** of the following are met:

- an application for financial assistance (FSA-848) has been filed
- the local FSA County Committee (COC) or its representative has conducted an onsite inspection of the damaged area
- the Agency responsible for technical assistance, such as the State forestry agency has made a needs determination, which may include cubic yards of earthmoving, etc., required for rehabilitation.

152 Signup

A Establishing a Signup Period

COC shall establish a signup period for filing FSA-848's as soon as concurrence has been given to implement EFRP.

B Signup Period Length

The signup period shall be at least 30 calendar days, but no more than 60 calendar days, from the date EFRP is implemented. CEPD may approve extensions of signup periods that are longer than 60 calendar days.

153 Accepting FSA-848's**A When to File FSA-848's**

Except for EFRP drought, COC may accept FSA-848's before:

- obtaining concurrence from STC
- establishing signup periods
- receiving an allocation for the disaster.

B Late-Filed FSA-848's

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

C Funds Not Available

County Offices receiving STC concurrence to implement EFRP without an EFRP allocation, or County Offices that have a current EFRP allocation, but have exhausted all the funds, may:

- accept FSA-848's
- complete an onsite inspection and assessment of the damage according to paragraph 171.

For each FSA-848, inform the producer **in writing** that although the County Office has accepted FSA-848 and conducted field visits, this does **not** imply that financial assistance will be made available. See subparagraph D.

If funds become available, process FSA-848's and approve FSA-848A's, as applicable.

D No EFRP Signup

Always accept FSA-848 if the producer wants to apply, even if the county is not approved for EFRP, as follows:

- after FSA-848 is taken, take the appropriate action
- inform the applicant, in writing, why a particular decision was made
- provide appeal rights according to 1-APP.

E Sample Letter for Producers About Lack of Funds for EFRP

See the CSS User Guide (link is provided in subparagraph 2 A) for a sample letter to notify producers of lack of funds for EFRP.

154 Filing FSA-848's

A FSA-848 Requirements

Multiple requested practices may be filed on FSA-848.

Note: The number of persons and legal entities involved in a practice has no bearing on the number of FSA-848's created for that practice.

Example: If a practice is requested for a joint venture of 3 persons:

- prepare only one FSA-848 for the practice
- record the multiple producer data according to the CSS User Guide (link is provided in subparagraph 2 A).

B Assisting Applicants Filing FSA-848's

When an applicant requests practices, advise producers of EFRP eligibility requirements. The following table provides steps to take to assist applicants filing FSA-848's.

Step	Action
1	Help applicant describe the disaster damage.
2	Determine whether there is an eligible solution.
3	Advise applicant of responsibility for complying with EFRP requirements.
4	Obtain and record any information needed to determine practice priority and eligibility.
5	Advise applicant of the minimum required lifespan for the practices.
6	Ensure that the applicant understands the meaning of the practice provision, "after the calendar year of installation".

155 Obtaining Needed Information

A Obtaining Information From Producers

Obtain necessary information from the producer when FSA-848 is filed.

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

156-170 (Reserved)

Section 2 Reviewing FSA-848's

171 Onsite Inspection

A Documenting Damage

After obtaining concurrence to implement EFRP, COC shall document each FSA-848, including FSA-848's received when funds were not available to show that an FSA employee or designee:

- made an individual onsite inspection as soon as possible to determine whether the damage met EFRP requirements
- determined whether type and extent of damage qualified according to paragraph 35
- document damage with at least 1 dated photograph.

B Environmental Compliance

For each FSA-848, FSA will complete FSA-850 (Exhibit 21), NRCS-CPA-052, or NRCS State equivalent to determine whether the proposed practices would have any adverse impacts to the human environment. The environmental evaluation will be completed **before** COC approval.

Follow 1-EQ when completing or reviewing an environmental evaluation.

171 Onsite Inspection (Continued)**C Submitting Requests for Waivers of Onsite Inspections**

COC's or CED's shall sign and submit:

- waiver requests
- the required documentation for waiver requests to their respective State Office.

STC's or SED's shall sign and submit:

- waiver requests
- the required documentation for waiver requests to the CEPD only if the State Office deems that the required documentation supports a request for waiver.

D Required Information for Requests for Waivers

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

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

171 Onsite Inspection (Continued)**E Evaluating Requests for Waivers**

The requirement for onsite inspections will only be waived in dire circumstances where CEPD evaluates that damage:

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

F Implementing Waivers of Onsite Inspections

State and County Offices shall evaluate the amount of financial payment and the relative potential for inaccurate payment when determining whether to use an approved waiver for a particular FSA-848.

172 Determining Eligibility**A Determining Eligibility**

When determining eligibility, COC or CED shall determine whether the:

- applicant and the land are eligible
- requested practices justify the investment of funds
- costs of the practices are beyond what the producer would accomplish with his or her own resources
- approval of financial assistance meets EFRP objectives.

B Ineligible Practices

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

- practice has been started before FSA-848 was filed
- work is considered normal upkeep or maintenance
- 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 producer's convenience
- practice will create a conservation or environmental hazard, such as erosion or flood, to other land
- practice was started before it was approved by COC.

Notes: See subparagraph 175 D for exceptions to this provision.

FSA-850, NRCS-CPA-052, or NRCS State equivalent must be completed **before** COC determination of the practice approval.

173 Using Priorities

A Prioritizing All FSA-848's

All FSA-848's shall be prioritized by COC **before** approval of associated FSA-848A.

B Prioritization Factors

Prioritization factors that may be taken into account in setting priorities and approval amounts include, but are **not** limited to, the following:

- availability of funds
- availability of technical assistance
- environmental concerns
- forest health
- forest-related resources
- safety, such as a dam that poses a threat to life or property
- status as limited resource producer
- type and degree of damage
- type of practices needed to address the problem.

174 (Reserved)

175 Approvals and Disapprovals**A Reviewing FSA-848's**

An STC representative shall review a sample of FSA-848's **before** COC approval to ensure that FSA-848's reviewed meet EFRP requirements.

B COC Action

COC shall:

- advise applicants, in writing, of action taken or to be taken on FSA-848's
- issue a practice approval only if **all** of the following are met:
 - request filed on FSA-848 is eligible for financial assistance
 - producer filed FSA-848 before starting the practice
 - funds are available
 - an onsite inspection has been completed by an FSA or other authorized agency employee, such as NRCS or NIFA, with approval from CEPD
 - practice was started after the agency responsible for technical assistance has made any necessary technical determinations
- complete FSA-770 EFRP-1 (Exhibit 6) before approving FSA-848 **only** if deemed necessary by COC, SED, or STC representative
- complete FSA-850 (Exhibit 21), NRCS-CPA-052, or NRCS State equivalent) **before** approving FSA-848.

COC in the headquarters county shall 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.

175 Approvals and Disapprovals (Continued)

C Waiver When Producer Starts Practice Before Approval

In certain instances after filing FSA-848, producers need to start the EFRP practice before the practice can be approved. COC may, with STC concurrence, waive the prior approval rule on a case-by-case basis, if justified. Justification may include availability of contractor or steps to prevent further losses. See subparagraph D.

For the EFRP purpose, a practice is considered started when a producer first:

- purchases material for the practice
- signs a contract
- physically starts work on the project.

D Granting Relief for Starting a Practice Before Filing FSA-848

COC, with STC or its representative concurrence, may grant relief on a case-by-case basis when a producer does not submit FSA-848 before starting restoration measures, if all of the following apply:

- EFRP-designated disaster created a situation that required the producer to take immediate steps to prevent further losses

Examples: Examples are emergency repair of:

- fences to contain livestock
 - a dam that poses an immediate threat to life and property.
- FSA-848 filed between the date of the disaster and the end of the signup period
 - practice was started no more than 60 calendar days before the EFRP disaster designation was approved for the applicable County Office.

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

176 Limited Resource Provisions**A Limited Resource Producer Financial Assistance Percentage**

The maximum C/S percentage for limited resource producers is 75 percent.

B Qualification for Limited Resource Producer

County Offices shall review USDA's web site to be prepared to assist producers who want to qualify as a limited resource producer. The web site is:

- used as an online tool to determine producer eligibility
- at www.lrfatool.sc.egov.usda.gov/tool.asp.

C Outreach for Limited Resource Producers

State and County Offices shall make a concerted effort to ensure that information about EFRP signup and eligibility requirements are made available to limited resource producers.

177 Disapprovals and Deferred Action**A Disapproving FSA-848's and/or Practices**

If COC disapproves FSA-848 and/or a practice, promptly notify the applicant of the:

- reason for disapproval according to the CSS User Guide (link is provided in subparagraph 2 A)
- right to appeal COC's decision according to 1-APP.

B Documenting COC Minutes

Document FSA-848 and/or a practice disapprovals individually in COC minutes and, at a minimum, include the following:

- producer's or agent's name
- FSN or control number
- practice
- reason for disapproval.

C Deferred Action

COC may defer action on FSA-848's and/or practices for which funds are not currently available. Advise applicants of the deferral.

178 Pending EFRP Requests

A Maintaining Pending EFRP Requests

Maintain a file of pending EFRP requests that COC would be willing to approve if funds were available. See the CSS User Guide (link is provided in subparagraph 2 A) for a sample letter. The original FSA-848 shall remain on file until it is approved or disapproved.

If additional funds become available, promptly advise applicants.

B Reviewing Pending EFRP Applications

Review the file of pending EFRP applications periodically, at a minimum every 90 calendar days. Cancel requests of producers who are no longer interested in participating in EFRP, and modify willing to approve amounts for FSA-848's where needs have changed. Modify county funding request, if necessary.

179 EFRP Applications Requiring Special Approval

A Reviewing and Approving EFRP Applications

Before COC approval, an STC representative shall review FSA-848's and FSA-848A's and approve financial assistance for:

- State Office employees
- COC members
- County Office and any other county-level USDA employees.

Before COC approval, CEPD shall review FSA-848's and FSA-848A's and approve financial assistance for:

- STC members
- SED's.

Note: Copies of FSA-848 and FSA-848A's shall be submitted for EFRP applications requiring special approval. Do **not** send original paperwork.

B Financial Assistance Approval Authority

According to subparagraph A, approvals for total EFRP financial assistance per person or legal entity, per EFRP-designated disaster, shall be as follows.

IF financial assistance amount is...	THEN approval authority is...
\$50,000 or less	COC.
\$50,001 to \$100,000	STC.
more than \$100,000	CEPD.

179 EFRP Applications Requiring Special Approval (Continued)**C Submitting EFRP Applications to CEPD**

When submitting EFRP applications to CEPD, the following information **must** be included as part of the documentation:

- exact amount of financial assistance requested
- EFRP practices that are involved
- copy of FSA-848 and FSA-848A
- if applicable, computations showing the total eligible cost multiplied by C/S percentage

Notes: The total eligible cost is the total sum of all eligible practice costs on which to base financial assistance.

The total EFRP financial assistance requested must equal the financial assistance calculated for each practice minus any financial assistance paid previously.

- map of affected farms
- photographs.

180 Determining Approval Amount**A Factors to Consider**

In determining approval amount, consider the following factors:

- extent of damage and estimated eligible repair costs
- amount of financial assistance requested on FSA-848
- size of farm
- type of operation
- time sensitive nature of request.

B Additional Factors to Consider

COC's recommendation, if applicable, for amount of financial assistance and justification for the recommended amount shall be considered if STC or CEPD approval is required.

181 Documenting COC Decisions**A Action**

COC shall review FSA-848 and document the decision on the hard copy of FSA-848A.

B COC Determinations

All COC determinations involving action taken on all FSA-848's and FSA-848A's **shall** be recorded in COC minutes.

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

- producer's or agent's name
- FSA-848, FSA-848A, or P-A number
- practices
- financial assistance approved.

Note: Each FSA-848 **shall** be listed **separately**.

C Notifying Applicants

Notify the applicant of the practice extent and approved financial assistance with a copy of FSA-848A.

Note: FSA-848A must be signed by the NIPF landowner and returned to the County Office within 15 calendar days.

Include with FSA-848A, other explanatory information needed to help the applicant perform the practices and qualify for financial assistance. Examples of other explanatory information include the following:

- practice specifications and any other information needed to comply with EFRP requirements
- how to complete FSA-848B and submit supporting documentation for performance
- rules governing dividing or withholding financial assistance when another person or legal entity contributes to the cost of performing the practices and the necessity for reporting those contributions on FSA-848B
- encouraging the applicant to complete the practices at the earliest possible time
- advising the applicants of their responsibility to obtain necessary easements and permits.

182 Setting Expiration Dates

A Practice Expirations and Extensions

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

B Extensions

Extensions:

- may be granted, if necessary
- shall be documented and approved by an STC representative.

STC or its representative may approve 2 extensions, totaling up to 1 year in length, under unusual circumstances.

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

C Drought Extensions

Drought practice approvals shall **not** extend more than 6 months from the date COC approves the practice. If drought conditions change, reevaluate the applicant's eligibility.

STC or its representative may approve **1** extension up to 3 months under unusual circumstances

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

183 Expiration Notice

A Preparing Expiration List

Prepare a computer-generated list of FSA-848A's expiring in 30 calendar days every 15 calendar days to keep track of approvals that need to be completed within a 30-calendar-day period.

B Documenting Extensions in COC Meetings

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

- producer's or agent's name
- FSA-848A agreement or P-A number
- practices
- reason for extension.

184 Canceling FSA-848A's**A Canceling Approved FSA-848A's**

Cancel an approved FSA-848A when FSA-848B, page 2 and/or performance documentation is **not** filed by the expiration date, as follows:

- notify the assigned technical agency
- document the action taken on FSA-848A
- cancel FSA-848A using the Agreement Maintenance Module as described in the CSS User Guide (link is provided in subparagraph 2 A)
- notify the producer.

B Suspending Cancellations

If performance report is **not** filed promptly, cancellation of FSA-848A may be delayed if the County Office has a definite indication that the practice was performed in a timely manner, as follows:

- certification of performance on FSA-848B, page 2 and personal knowledge of COC member or County Office employee are acceptable reasons for suspending cancellations
- take immediate action to obtain FSA-848B, page 1 and performance documentation.

Note: If FSA-848B, page 1 and required supporting documentation data is **not** obtained within 60 calendar days of the practice expiration date, cancel FSA-848A.

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

C Conditions to Reinstate Canceled FSA-848A's

COC may reinstate a canceled FSA-848A when **all** of these conditions apply:

- participant requests reinstatement in writing
- practices were started before cancellation
- practices were or will be completed within a time prescribed by COC
- funds are available to reinstate FSA-848A.

185-210 (Reserved)

Section 3 Performance Report Requirements

211 Filing Performance Reports

A Who May File

Any eligible person or legal entity that paid a part of the cost of a completed practice may sign FSA-848B. See subparagraph 92 B and 1-CM for provisions applying to minors.

B Performance Reports

To be eligible for financial assistance payments, participants who perform approved practices must complete FSA-848B, and provide any required supporting data by the practice completion date.

C Dates and Signatures on FSA-848B's

FSA-848B's must be signed and dated by the participant or the authorized representative whose name appears on the approved FSA-848A. Mailed FSA-848B's shall be date stamped when received.

The following 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.

212 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 211.

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 producer 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.

213 Reporting Practice Extent

A Information To Be Reported

Participants shall 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 shall be certified by another agency	do not process until FSA-848B, page 2 is completed.
a practice is reported in units other than units for which payment is made	convert reported units to the payment units.
measurements have been reported instead of the acreage	compute the acreage from the measurements and enter on FSA-848B.
all required information is not submitted with FSA-848B	do not process until all information is submitted.

B Information for P-A's

Unless otherwise specified, the participant or P-A's agent shall enter on FSA-848B, the extent of practices performed, if known, to meet the specifications. Only one FSA-848B is required.

C Another Agency

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

214 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
- lifespan
- FY completed.

B Retaining Location Records

See Exhibit 4 and 25-AS for requirements for retaining location records.

215 **Supporting Data**

A Obtaining Evidence

In all cases, obtain evidence to determine whether practice requirements are met and to determine proper payment. This may include:

- 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 financial assistance.

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

Step	COC Action
1	Applicant must provide satisfactory evidence to determine whether practice requirements were satisfied, which may include: <ul style="list-style-type: none"> • invoices • canceled checks • paid receipts.
2	Enter the cost of performing the components of the practice in CSS.
3	If a discount was applied, use the sale price minus the discount to compute EFRP financial assistance.
4	Consider costs reported paid by ineligible persons or legal entities.

215 Supporting Data (Continued)

B Invoices and Documentation (Continued)

Step	COC Action
5	If used materials are involved, COC shall determine and document the value of the used materials based on current commercial rates.
6	<p>If the producer performed the practice with the producer’s own labor, equipment, or materials, the producer shall submit signed, itemized statements.</p> <p>Statements shall include:</p> <ul style="list-style-type: none"> • dates of work performed • cost per hour charged for labor • type of equipment used • charge for equipment • type and cost of materials used • other applicable information. <p>Costs allowed in these cases shall not exceed the prevailing current commercial rates determined by COC.</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. See Exhibit 4 and 25-AS.

For EFRP financial assistance 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.

216 Maintenance and Financial Assistance Refund Responsibility

A Certification on FSA-848B

Ensure that the participant is aware of the practice maintenance and financial assistance refund responsibilities when certifying practice performance on FSA-848B.

The participant agrees to refund all or part of the financial assistance paid as determined by COC if, before the expiration of the practice lifespan specified on FSA-848A, the practice is destroyed or not properly maintained.

B Relinquishing Control or Title to the Land

If the participant voluntarily relinquishes control or title to the land on which the practices have been established, 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, as follows:
 - the written statement must be attached to the original FSA-848B
 - if a written statement is obtained from the new owner, lessee, or both:
 - the original participant is no longer responsible for practice maintenance or for refunding any financial assistance as determined by COC
 - the person signing the written statement is responsible for practice maintenance and refunding any financial assistance as determined by COC
- retain responsibility for practice maintenance and financial assistance refunds, if a written statement from the new owner, lessee, or both, is **not** obtained.

Note: It is the participant's option to obtain a written statement from the new owner, lessee, or both. **If the practice is not maintained and used for its intended purpose**, the original participant is responsible for financial assistance refunds, if a written statement has **not** been obtained.

217-224 (Reserved)

Section 4 Certifying Performance

225 Certification on FSA-848B for Practices Assigned to FSA

A FSA-Assigned Practices

FSA-848B, page 1, items 10 A and E, “Certification by Participant” for practices assigned to FSA may be accepted without onsite verification if COC determines a measurement or inspection is not required. Producer must also complete FSA-848B, page 2, items 12 A through 15 E.

B FSA Verification of Performance

If a performance certification is assigned to FSA and it is determined that a participant cannot reasonably be expected to determine the extent performed and/or whether specifications have been satisfied (FSA-848B, page 2, items 12 A through 15 E), then inspection will be **required** to verify performance.

C Measurements Required

Measure amount, acreages, and linear feet, if the following apply:

- COC believes the participant cannot adequately determine the extent
- participant’s reported extent appears to be in error
- inspection during a spot check or other site visit indicated that the extent performed is questionable.

D Expressing Measurements

Determine and express fractions for measurement according to the following.

IF measurement is...	THEN express in...
acreage	whole and fractions of acres in tenths.
<ul style="list-style-type: none"> • miles • tons • cubic yards of concrete or rubble masonry 	whole numbers and fractions to the nearest tenth.
<ul style="list-style-type: none"> • number • linear feet • pounds • cubic yards of material other than concrete or rubble masonry 	whole numbers.

226 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**, as follows:

- notify the assigned technical agency when FSA-848B, page 1 is filed, if certification of the assigned technical agency performance on FSA-848B, page 2 has not been received
- make National Agriculture Imagery Program imagery or aerial photography and current slides available to assigned technical agency to use in determining acreage performed
- County Office employees shall **not** inspect, for verification, any practice for which another agency certifies performance
- COC shall accept the agency certification of the extent performed for approving payments to participants.

B Items To Be Reported by Technical Agency

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

- a certification showing items 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 nontechnical items for which FSA will later accept a report from the producer shall be listed; however, payment shall **not** be authorized until completion of the specified uncompleted nontechnical items.

227 Technical Practices Performed Without Technical Agency Assistance

A Technical Practices Performed Before Needs Determined

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 financial assistance.

B Determining Eligibility

Determine if practice may be eligible for financial assistance according to the following table.

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 financial assistance.

228-234 (Reserved)

Section 5 Reporting Contributions**235 Multiple Persons or Legal Entities Who Share Cost of Practice****A List Persons or Legal Entities Who Share Cost of Practice**

FSA-848B shall 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 shall 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 person or legal entity who is fully compensated or reimbursed for materials, equipment, services, or labor is **not** a contributor.

C FSA-848B 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 92 and 4-PL
- each contributor is eligible to receive financial assistance
- any contributors are ineligible according to paragraph 239.

236 (Reserved)

237 Dividing Financial Assistance Based on Contributions**A All Costs Paid by 1 Eligible Person or Legal Entity**

A person or legal entity that pays all costs of performing a practice is entitled to the financial assistance 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 financial assistance equally.

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, COC shall:

- prorate the financial assistance 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 financial assistance shall **not** include contributions made by ineligible persons or legal entities.

Make no financial assistance 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 91 and 92 for eligible and ineligible participant provisions.

238 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.

239 Computing Financial Assistance if Ineligible Participants Contributed**A Computing Financial Assistance**

If an ineligible participant contributed to a practice, financial assistance is computed based only on the **eligible** participant's contribution.

B Example

Producer A, an eligible participant, incurs \$4,000 for a practice extent of 50 feet. Producer B, an ineligible participant, contributes \$1,000 for a practice extent of 150 feet. Total installation cost of the practice was \$5,000. Financial assistance rate is 75 percent, **not to exceed** \$40 per foot.

Producer A will receive a financial assistance payment of \$2,000 (the lesser of $.75 \times \$4,000 = \$3,000$ **or** $\$40 \times 50 = \$2,000$).

Producer B will receive \$0.

240-250 (Reserved)

Section 6 Change in Extent Performed**251 Changing Extent Performed as Reported by Participant****A FSA-848B, Page 2 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 FSA-848B, Page 2 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 254.

252 Adjustment for Practices Exceeding Requirements

A General Policy

Adjust the extent and costs to the minimum requirement for practices constructed in excess of the minimum size needed, or for the participant's convenience, **before** computing financial assistance.

Note: Ineligible costs are costs incurred in excess of the costs required to meet the minimum practice extent.

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 shall be modified, according to the CSS User Guide (link is provided in subparagraph 2 A), to reflect the increased extent if all the following conditions exist:

- work was done by a contractor and not by the producer with whom costs are to be shared
- excess extent 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 producer and contractor as a discount or other consideration to the producer.

C When Increase Is Not Authorized

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

253 Adjusting Extent or Financial Assistance Before Practice Performance**A Increase Based on Greater Extent**

COC may increase the extent or financial assistance 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 contract modification process provided in the CSS User Guide (link is provided in subparagraph 2 A).

B Decrease Before Practice Performance

COC shall decrease the extent and financial assistance originally approved on FSA-848A before performance is completed, if the assigned technical agency determines a lesser extent is needed. Use contract modification process provided in the CSS User Guide.

C Documenting Adjustment

Signature on the revised FSA-848A is **required**.

254 Adjusting Extent or Financial Assistance After Practice Performance and Before Payment**A Increase in Extent or Financial Assistance**

COC, on a case-by-case basis, may increase the extent or financial assistance originally approved on FSA-848A after performance is completed, but before payment is made if funds are available and either of the following conditions is satisfied:

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

Note: Use the contract modification process provided in the CSS User Guide (link is provided in subparagraph 2 A).

B Decrease After Performance and Before Payment

COC may decrease the extent and financial assistance 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

Signature on the revised FSA-848A is **required**.

255 Increasing Extent or Financial Assistance After Practice Performance and After Payment

A When to Increase Extent or Financial Assistance

COC may increase the extent or financial assistance 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 financial assistance payment.

B Documenting Increase

Documenting the extent or financial assistance increase shall include a signed FSA-848A modification through the corrections process provided in the CSS User Guide (link is provided in subparagraph 2 A).

Note: Additional payments **must** be processed by recording additional performance certifications on FSA-848B.

256-271 (Reserved)

Section 7 Miscellaneous Situations

272 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:

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

Note: This provision does **not** apply if the producer should have known it was in error.

B Adequate Solution to Conservation Problem

Financial assistance may be paid for the extent actually performed if:

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

273 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 producer's control.

B COC Actions

COC shall determine whether the producer must perform other needed measures as a condition for financial assistance.

Note: Costs may be shared for other eligible required measures, if the producer files a new FSA-848 or the existing agreement is modified.

274 Materials Not Applied at Specified Rate

A STC or COC Maximum Rates

If applicable, STC or COC shall determine minimum and maximum rates for determining financial assistance, according to subparagraph B.

B Determining Financial Assistance

STC or COC shall 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 financial assistance 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 financial assistance rate per unit of material • result of multiplying the actual cost for the authorized extent times the approved financial assistance percentage.

275 Practice Performed With Material Not on FSA-848A

A Material Not on FSA-848A

A practice performed with material that was not approved on FSA-848A may be allowed if the material and the practice meet all applicable provisions and specifications. Limit financial assistance to the smaller of:

- financial assistance originally approved
- financial assistance computed for the materials actually applied.

B Documenting Additional Material

The assigned technical agency must concur. The agreement **must** be modified to reflect additional components, as necessary, as provided in the CSS User Guide (link is provided in subparagraph 2 A).

276 Practice Completed by Successor

A Successor Participation

If a successor takes over practice completion, determine payment shares according to subparagraph B.

B Determining Payment Shares

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...
discontinues farming operations	the practice is completed by a successor	<ul style="list-style-type: none"> • the original participant or participant's estate may be paid any financial assistance attributable to the participant • successor, if an eligible producer who completes the practice, may be paid and financial assistance attributed to the successor's contribution.
sells the farm		
dies before the practice is completed		

277-291 (Reserved)

Part 4 Payments**Section 1 Computing Financial Assistance Earned****292 Payments****A Issuing Payments**

Issue payments according to 63-FI and the CSS User Guide (link is provided in subparagraph 2 A). Payments are automatically issued through the EFRP web-based software/payment interface when performance is recorded on FSA-848B. **All** of the following must be complete **before** performance is recorded and payments are issued:

- FSA-848B, page 1, items 10 A through E, “Certification by Participant”
- FSA-848B, page 2, items 15 A through E, “Performance Certification”
- FSA-848B, page 3, item 18, “Performance Approval”.

Note: Person authorizing the payment shall review the financial assistance details and sign FSA-848B, page 3, item 18, “Performance Approval”, **only** if the payment is approved.

B Ineligible Contributions

Ineligible contributions shall be handled according to paragraph 239.

C Producer Maximum

The producer shall receive no more than 75 percent of out-of-pocket costs. See paragraph 53 for bartering.

D FSA-770 EFRP-2

COC or designee may complete FSA-770 EFRP-2 before an EFRP payment is made. See Exhibit 7.

293 Eligible and Ineligible Items for Computing Financial Assistance**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.

B Ineligible Costs

Ineligible costs for computing financial assistance earned include any items specified in subparagraph 46 B.

294 Computing Financial Assistance**A When to Compute Financial Assistance**

The software will compute financial assistance earned for the practice only after **all** the following actions have been taken:

- the following have been reviewed, approved, and documented in CSS:
 - FSA-848B, page 1, items 10 A through E, “Certification by Participant”
 - FSA-848B, page 2, items 15 A through E, “Performance Certification”
 - FSA-848B, page 3, item 18, “Performance Approval”
- all required information has been obtained
- approved adjustments have been made in:
 - financial assistance
 - extent
 - materials
 - practice components.

B Rounding

The software will round all financial assistance earned to the nearest whole dollar as follows:

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

294 Computing Financial Assistance (Continued)**C Extent Performed Equals Extent Approved**

If the extent performed equals the extent approved and contributions equal contributions estimated at approval in CSS, the financial assistance approved will equal financial assistance earned.

D Extent Performed Less Than or Greater Than Extent Approved

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

- financial assistance approved
- financial assistance C/S rate percentage multiplied times the total cost
- maximum not to exceed rate per unit multiplied times extent performed.

Example: EF1 practice was approved for 75 percent of the actual cost not to exceed \$100 per acre. There were 10 acres performed at a total cost of \$5,000. The total financial assistance paid would be \$1,000, calculated as follows:

$$10 \text{ Acres} \times \$100 \text{ Per Acre} = \$1,000.$$

Note: 75 percent of the actual cost would be \$3,750, or \$375 per acre, but there was a restriction of \$100 per acre.

295-320 (Reserved)

Section 2 Partial Payments**321 When Partial Payments May Be Made****A Authority for Partial Payment**

Partial payment for a practice may be paid if the applicant will complete **all** of the practice, with or without financial assistance, 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:

- FSA-848B, page 1 is filed
- 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 the FSA-848B, page 1.

322 Recovering Financial Assistance if Remaining Work Is Not Completed**A Recovering Financial Assistance**

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

Note: See subparagraph 404 C 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
- change in plans for land use.

323-330 (Reserved)

Section 3 Issuing Payments

331 Issuing EFRP Payments

A Making EFRP Payments and Reporting Data

EFRP payments are issued when **all** the following have been completed:

- FSA-848B, page 1, items 10 A through E, “Certification by Participant”
- FSA-848B, page 2, items 15 A through E, “Performance Certification”
- FSA-848B, page 3, item 18, “Performance Approval”
- performance is recorded in the conservation C/S software.

B CFLS

EFRP allocations are recorded in CFLS. If sufficient funds are not available, the payment request will fail.

C eFMS

EFRP allotments are recorded in accounting’s eFMS. If sufficient funds are not available, the payment request will fail.

332 COC Payment Responsibilities

A Controlling Allocations

COC is responsible for keeping EFRP payments within the amount allocated to the County Office. This shall be accomplished using CFLS and eFMS. The State Office will allocate funds to the County Office for a specific program accounting code (and “Disaster ID” for CFLS). State Office allocations will be available for obligation at agreement approval. Payments above the obligation amount will **not** be approved.

B Issuing Payments

Payments may be issued to:

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

333 Agreements Between Landlords and Tenants

A Effect of Agreement

Pay financial assistance to the eligible participant who pays the costs of performing the practice **regardless** of whether the 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 FSA-848B is correct. To determine who paid the costs, COC shall 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.

C 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 producer as having contributed to the cost of performing a practice if COC finds that the producer 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.

334 When to Prepare Payment**A Preparing Payment**

Record performance and issue payment, according to the CSS User Guide, when all of the following have been completed:

- FSA-848B, page 1, items 10 A through E, “Certification by Participant” according to paragraph 211
- FSA-848B, page 2, items 15 A through E, “Performance Certification”
- supporting documentation is submitted according to paragraph 215
- other pertinent information is received, if applicable.

B FSA-848B Reviews

FSA-848B’s shall be reviewed by an employee other than the employee who entered performance data. The reviewer:

- may be CED, designated employee, or COC member
- shall sign and date FSA-848B, page 3, item 18
- shall **not** have an interest in the farm involved
- shall approve ACP-153A (Exhibit 26) for P-A’s.

C Payments Due Deceased, Missing, or Incompetent Persons

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

335 Preparing and Issuing Payment for Technical Services

A State Office Action

State Offices shall prepare and issue payment to NRCS for technical services for EFRP according to 1-FI and document the payments, according to the CFLS User Guide.

B Correcting Payments

Correct technical service payments according to 1-FI.

336 Refunds, Priority of Offsets, Withholdings, and Assignments

A Handling Refunds

Handle refunds according to 3-FI.

B Offset Applicability

Offsets apply to EFRP.

C Determining Priority

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

337-350 (Reserved)

Section 4 Adjusting Payments

351 When Payment Adjustments Are Required

A Conditions Requiring FSA-848B Adjustments

Adjusted FSA-848B, page 1 is required if:

- overpayment is caused by an error in data or computations, including excess credit to any refund or other charge
- underpayment is caused by an error in computations, including deficient credit to a refund or other charge
- underpayment is caused by erroneous data

Notes: If the applicant reported the erroneous data on the original FSA-848B, page 1, the applicant must sign a corrected FSA-848B, page 1, to receive the additional payment or credit.

If the County Office made the error in the data, the applicant's signature is **not** required.

For P-A's, make correction on ACP-153A. Obtain the initials of the participant and FSA employee making the correction.

- penalty is erroneously assessed that applies if the data and computations on the original FSA-848B, page 1, are correct and the penalty was deducted in error.

B Correction Process

See the CSS User Guide (link is provided in subparagraph 2 A) to correct FSA-848B and, as applicable, issue additional payments or create a receivable. Corrections will generally be processed in the conservation C/S software as additional performance certifications.

352-390 (Reserved)

Part 5 Compliance

Section 1 Spot Checks

391 Lifespan and Maintenance Policy

A Definition of Lifespan of a Practice

Lifespan of a practice means a period of time for which the 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.

B Maintenance Policy

A practice **must** be maintained for the practice lifespan specified in EFRP practice writeup.

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

392 Spot-Check Policy**A Spot-Check Provisions**

2-CP provisions apply to EFRP spot-checking, **except** as provided in this section.

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

Review producer's proof of payment and supporting evidence to ensure that they conform to the reported cost of the practice if spot checks are performed within 1 year after FY in which the practice was completed.

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

B Spot Check Requirements

Spot checks are required to:

- verify practice maintenance
- identify and uncover erroneous or inadequate reporting by producers
- encourage accurate reporting.

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

Exception: This spot-check requirement does **not** apply to CMC members.

393 Extent of Spot Checks

A Performing Spot Checks

The following tables provide steps for performing spot checks.

Current Year Practices	
Step	Action
1	Obtain report on EFRP practices completed during the current FY.
2	Select the performed practices that require spot checks.
3	Select a minimum random sample of at least 5 percent or 5 of the total practices performed (including required spot checks) that are completed during the current FY.
4	For all practices selected, check any other EFRP practices with an unexpired lifespan on the same farm.
5	Complete FSA-276 according to Exhibit 29 for each farm.

Prior Year Practices	
Step	Action
1	Obtain report of all prior year EFRP practices still within their active lifespan not listed on the current FY report.
2	Select practices that require spot checks.
3	Select a minimum random sample of at least 5 percent or 5 of the total practices performed (including required spot checks) that are on the manual list (including required spot checks).
4	For all practices selected, check any other EFRP practices with an unexpired lifespan on the same farm.
5	Complete FSA-276 according to Exhibit 29 for each farm.

B State Office Spot Checks

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

394 Scope of Spot Checks**A Accuracy of On-Farm Checks**

By visual inspection, verify the accuracy of the information submitted with FSA-848B. List discrepancies on FSA-276.

Note: If the discrepancies on FSA-276 indicate that the practice fails to meet minimum specifications or requirements, enter whether the practice appears to be solving the conservation problem on FSA-276, item 15.

B Measurements

When acreage is involved in practice report, verify the acreage and document findings on FSA-276.

C Inspecting Producer's Records

Review producer's proof-of-payment and supporting evidence to ensure that they conform to the reported cost of the practice. See subparagraph 215 B.

395 Followup Action on Discrepancies**A Corrective Action**

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

396-400 (Reserved)

Section 2 Violations**401 Failure to Maintain and Use Practices****A Policy**

A practice must be maintained and used throughout its normal lifespan for the purposes for which financial assistance 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:

- CEPD determines, after reviewing STC/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:

- failure to perform normal repair, upkeep, and maintenance
- 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 financial assistance 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.

Note: Partial refunds shall be based on the actual financial assistance 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 producer'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.

E Liability for Repayment Under P-A's

If failing to maintain a practice renders the practice ineffective in restoring forest health or forest-related resources, each person is jointly and severally liable for the entire amount to be recovered. This includes persons who:

- share in the P-A payment
- had control of the land on which the practice was performed at the time the violation occurred.

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 EFRP purpose. In these cases, all or any part of financial assistance 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.

C Violations Requiring Special Handling

The following types of violations shall be referred to STC:

- scheme or device depriving other persons or legal entities of financial assistance
- knowingly filing false claims
- evading the maximum financial assistance limitation
- evading 1-PL or 4-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 shall refund all or any part of financial assistance 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 who have a personal interest in the outcome of a case on which COC or STC is to act shall disqualify themselves. In case of disqualifications, the remaining COC or STC members shall determine whether to:

- dispose of the case
- refer the case to CEPD for advice.

B Policy

Procedures in this part do **not** cover personnel actions when STC or COC members, County Office employees, or Federal employees are implicated in EFRP infractions.

The criminal, civil, or administrative liability of any of the persons listed, only as it involves EFRP aspects of the case, shall be handled under this paragraph, as follows:

- report facts about the participation of Government employees to appropriate administrative officials of the agency concerned
- program infractions shall be investigated and handled according to 9-AO even if employees of other agencies are involved
- report, in writing, any information indicating infractions involving personnel of another Government agency to that agency.

404 Withholdings and Late Payment and Refund Interest

A Refunds

Handle refunds on pending cases according to 4-CP.

B Statutory Civil Remedies

Handle statutory civil remedies for damages for filing false claims according to 4-CP.

C Late Payment and Refund Interest Policy

Late payments and refund interest rates apply to financial assistance refunded according to 58-FI.

405 COC and STC Responsibility

A Referring EFRP Infractions

COC shall refer any EFRP infractions that appear to violate a Federal statute to STC according to 4-CP.

B Ensuring Full Compliance

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

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

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

406 Handling EFRP Infractions

A County Office Action

If a person or legal entity may have violated EFRP provisions 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, handle promptly according to 4-CP
- is a violation of EFRP provisions and does not involve a false claim or fraud, COC shall 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 Producer Notification

COC or STC shall promptly notify the producer if COC or STC finds that EFRP provisions have been violated. Include a statement of:

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

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

407-416 (Reserved)

Part 6 P-A's

Section 1 P-A Provisions

417 Developing P-A's

A Definition of P-A

P-A means a substantial pooling of resources, efforts, finances, or other contributions by 2 or more eligible persons or legal entities on 2 or more farms to solve a mutual disaster-related conservation problem.

B How to Develop P-A's

The following table provides steps to take when developing P-A's.

Step	Action
1	An individual or group of producers should take the lead in initiating a project and contacting the County Office. The feasibility of the project and technical and financial assistance should be discussed with the appropriate agencies.
2	Individuals choosing to proceed with the project application shall: <ul style="list-style-type: none"> <li data-bbox="407 953 1393 1024">• obtain more detailed information on size, scope, and cost of the project to determine the project's physical and economic feasibility and benefits <li data-bbox="407 1066 1373 1125">• determine whether the project would provide benefits to rural and urban communities.

417 Developing P-A's (Continued)

A How to Develop P-A's (Continued)

Step	Action
3	<p>If factors are favorable, the participants may:</p> <ul style="list-style-type: none"> • organize as a group • designate an agent • attempt to get a commitment from other persons or legal entities who have an interest • indicate the proportionate part of the cost each participant will bear. <p>Examples: Methods that are used to divide proposed costs include the following.</p> <ul style="list-style-type: none"> • Thirty farms receive water from an irrigation ditch that is to be repaired. It might be considered equitable to assess the cost against each participant based on a flat rate per acre multiplied times the acres on the farm receiving water from the ditch. For a mutual district, the contribution may be based on shares. • Repairing a water runoff control measure involves 1,000 units of a practice on Farm A and only 200 units on Farm B. Only 20 acres are benefitted on Farm A, but 80 acres are benefitted on Farm B. It might be equitable to base the division of costs on each participant's benefitted acreage.
4	<p>The group should decide whether to request financial assistance for a practice under P-A. To request P-A, the agent must file FSA-848 and complete ACP-153.</p> <p>Note: See Exhibit 26 for instructions on completing ACP-153A.</p> <p>The agent will take ACP-153 to obtain the participant's signature to explain in detail P-A conditions, participant responsibility, and how payment will be made.</p>

418 Practice Provisions**A General Provisions**

Participants in P-A's are responsible for obtaining the authorities, rights, permits, easements, or other approvals necessary to perform the practice, as follows:

- all participants in P-A's are jointly and severally responsible for practice maintenance
- by signing ACP-153, each participant in P-A conveys authorities, rights, easements, or other approvals to the other P-A participants to use the land to install, maintain, and repair the practices
- each participant in P-A's must meet the policy for small payments outlined in subparagraph 132 B.

B P-A Practice Approvals

To approve P-A's, STC's may establish a maximum total financial assistance for which COC's can approve P-A's without prior STC approval.

Note: When the total financial assistance requested exceeds this established maximum total financial assistance amount, P-A's must be submitted to STC for prior approval.

C Conditions That Make Practices Ineligible Under P-A

Practices are ineligible for P-A's when:

- the purpose is to permit 1 producer to install a practice on the land of another, primarily for the first producer's own benefit
- only 1 eligible participant contributes to the cost of a practice or if only token contributions are made by other eligible participants, even though the practice may benefit other farms
- an identical problem exists independently on a number of farms and the type of practice would result in primary and direct benefits only to the area treated on each farm.

D Number of FSA-848's

Prepare one FSA-848 for all practices under each P-A.

419 Designating P-A Agents

A P-A Agent Responsibilities

The signatories to P-A shall designate an agent to:

- secure necessary easements, labor, and equipment
- serve as the contact person with COC and the assigned technical agency.

The agent may be a P-A participant or someone other than a contributing eligible participant.

B Authority of P-A Agents

The agent's authority is included on ACP-153.

The appointment of an agent on ACP-153 does **not** authorize the agent to sign ACP-153 for the participants.

The agent must have a power of attorney on file in the County Office to sign on behalf of a P-A applicant.

C Payment to Agent

If the P-A payment will be assigned to the P-A agent, then CCC-36 assignment **must** be completed. Handle assignments according to 63-FI.

420 P-A's Across State and County Lines**A Land in More Than 1 State**

If a proposed P-A involves farms administratively located in another State, the affected COC shall promptly refer the matter to its STC for coordination between the State Offices involved.

Develop, approve, and administer separate P-A's in each County Office according to subparagraph B.

Do **not** transfer funds from 1 State Office to another to pay financial assistance for P-A's.

B Land in More Than 1 County

P-A's may be used to solve a mutual disaster-related conservation problem on farms located in 2 or more counties.

Prepare separate P-A's for each county showing separate control and P-A numbers, and make a cross-reference on the documents that they are related P-A's.

If there is only 1 farm in P-A in any of the participating counties, document that it is part of P-A in another county.

Each COC:

- must show on FSA-848A that financial assistance is based on the satisfactory completion of the entire project in all counties involved
- shall make separate approvals and pay financial assistance for the part of the project for the farms located in its county.

One COC shall **not** commit another COC to approve financial assistance under P-A.

C Statistical Data

Split the statistical data for P-A proportionately between the counties involved.

421 P-A Locations

A Recording P-A Locations

P-A specifics shall be recorded according to subparagraph B.

B Aerial Photography or GIS

Use aerial photograph or GIS to identify the following for each P-A:

- location of the practices
- area to be served
- farm numbers and ownerships
- participant names.

422-430 (Reserved)

Section 2 P-A Approvals

431 Factors to Consider When Approving P-A's

A P-A Approvals

The factors in subparagraph B shall be taken into account **before** approving P-A's.

B COC Consideration Factors

When reviewing proposed P-A's, COC shall consider whether the:

- project is needed to solve a mutual disaster-related problem
- project will result in direct disaster-related benefits involving each participant's farm
- project will solve a community disaster-related problem that would not be otherwise accomplished without P-A
- proposed P-A would provide benefits to both rural and urban communities.

432 ACP-153, ACP-153A, and ACP-308

A Preparation Guidelines

Prepare ACP-153 for each P-A and prepare ACP-153A for each practice in P-A according to Exhibit 26.

COC shall use its discretion to set the financial assistance amount approved subject to payment limitation and allocations.

A COC member shall sign and date ACP-153.

B Approvals

If ACP-153 is disapproved, notify the P-A agent and all other signatories of the reason and provide them with appeal rights according to 1-APP.

If STC approval is required, COC shall send any permits or easements, needed reports, and aerial photographs or photocopies to the State Office with ACP-308. See subparagraph D.

STC shall:

- complete, sign, and date ACP-308, item 25
- return the original ACP-308 and the file to County Office
- keep a copy of ACP-308.

Note: If disapproved, ensure that the reason for disapproval is in ACP-308, item 25.

432 ACP-153, ACP-153A, and ACP-308 (Continued)

C Completion Instructions

Complete ACP-308 for P-A's according to the following.

Item	Instructions
1 and 2	Enter State and county name under which agreement is recommended for approval.
3	Enter P-A number from ACP-153A.
4	Enter the program year under which P-A is recommended for approval.
5	Check block for "Pooling Agreement".
6 and 7	Leave blank.
8	Enter name and address of STC.
9	Enter name and address of County Office.
10	Enter general location of P-A.
11	Indicate whether the P-A participants are a particular group of farmers or ranchers, such as, limited resource or new participants. If "all eligible producers" include some "limited resource producers", check both boxes.
12	Summarize the agreement objectives stating the problem and the proposed solution.
13A and 13B	Enter the number of farms in the affected area and the estimated number expected to participate.
13C	Enter the amount, if any, that STC will allocate to the county from the State reserve if the P-A is approved.
14A	Enter the total estimated cost of practices to be performed as part of P-A.
14B, 14C, and 14D	These blocks are a breakdown on how the costs will be financed.
15A(1)	Identify the practices to be used in P-A.
15A(2)	For each practice, enter the percentage of cost which is represented by the regular rate of financial assistance approved for the county.
15A(3)	Leave blank.
16	Leave blank.
17	Document any public participation obtained and the publicity received and planned, if any.
18A, 18B, and 18C	COC shall give recommendations why P-A should or should not be approved and shall sign and date.
19A, 19B, and 19C	STC shall give recommendations if the decision differs from COC and shall sign and date.

432 ACP-153, ACP-153A, and ACP-308 (Continued)

D Example of ACP-308

The following is an example of a completed ACP-308.

This form is available electronically. ACP-308 U.S. DEPARTMENT OF AGRICULTURE (03-30-04) Farm Service Agency TRANSMITTAL		1. State Name PA	2. County Name Lebanon
		3. Project Number from ACP-153A 0010	4. Program Year
5. Type of Transmittal <input checked="" type="checkbox"/> Pooling Agreement <input type="checkbox"/> Special Project		6. Project Is: <input type="checkbox"/> New <input type="checkbox"/> Extended	
8. TO: (STC Name and Address) Pennsylvania State FSA Committee 321 Front St. Harrisburg, PA 12468		9. FROM: (County FSA Office Address) Lebanon County FSA Office 123 Main St. Lebanon, PA 12345	
10. Project Area Michaels-Bush ditch - 10 mile south of town			
11. Participation Limited Primarily To: <input type="checkbox"/> Low Income Producers <input checked="" type="checkbox"/> All Eligible Producers <input type="checkbox"/> New Participants <input type="checkbox"/> Other (Specify):			
12. Major Objective(s) of Project Repair firebreak servicing 3 farms.			
13. NUMBER OF FARMS		14. FINANCING OF PROJECT	
A. In Area 285	B. Expected to Participate 3	A. Total Cost \$ 15,000	B. C/S Funds \$ 22,500
C. Amount to be allocated from State Reserve for current program year. \$			C. Producers \$22,500
			D. Other \$
15. PRACTICES AND RATES OF COST-SHARING			
A. Regular			B. Special
(1) Practice Number	(2) Current Rate (% of Cost)	(3) Proposed Rate (% of Cost)	(1) Practice Number
			(2) Proposed Rate (% of Cost)
EF-4	300	300	
16. Justification for Increased Rates (if applicable)			
17. Public Participation and Publicity (Brief statements) None			
18A. COC Recommendations and Comments Recommend project to repair firebreak damaged by natural disaster.		19A. STC Recommendations and Comments Agree	
18B. For County FSA Committee	18C. Date (MM-DD-YYYY) XX-XX-XXXX	19B. For State FSA Committee	19C. Date (MM-DD-YYYY) XX-XX-XXXX

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433 P-A Revisions

A Revised ACP-153’s

If a landlord or tenant, including new persons on a farm under an approved P-A has an interest in the project, but did not sign the original P-A, the landlord or tenant may sign a revised ACP-153.

B Completing Revised ACP-153’s

Do **both** of the following when completing revised ACP-153’s:

- ENTER “**Revised**” on ACP-153 and ACP-153A and have COC member initial and date
- attach a copy of a statement of explanation to the revised ACP-153 and send a copy to all participants.

434 Preparing FSA-848A for Approval

A Approved P-A Requirement

An approved P-A is required **before** FSA-848A can be completed, according to subparagraph B.

B Completing FSA-848A After P-A Is Approved

The following table provides steps to complete FSA-848A **after** P-A is approved.

Step	Action
1	Complete FSA-848A in the same way as other approvals, except show the P-A number instead of the farm number.
2	Attach a copy of ACP-153 and 2 copies of ACP-153A to FSA-848A to report each person’s or legal entity’s contribution when the agent reports performance.
3	Issue FSA-848A to the P-A agent.

435-445 (Reserved)

Section 3 P-A Payments

446 Computing Financial Assistance for P-A's

A P-A Agent Reporting Requirements

P-A agents shall report:

- performance and sign FSA-848B, page 1
- contributions of each participant on ACP-153A.

B Computing Financial Assistance

Divide financial assistance for P-A using whole dollars rounded to the nearest dollar, according to paragraph 294, among the eligible participants who contributed to the cost, and take the following actions.

Step	Action
1	Determine each participant's percentage share based on their contribution to the total cost.
2	Attach the original ACP-153 and ACP-153A to FSA-848B.

Note: If any of the cost of performing practices under P-A is attributable to involuntary performance or to a part of the practice installed for the benefit of ineligible land, adjust the gross payment to eliminate ineligible performance.

C Issuing P-A Payments

See Part 4, Section 3 to issue P-A payments.

Reports, Forms, Abbreviations, and Redelegations of Authority

Reports

None

Forms

The following table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
ACP-153	Pooling Agreement		417-419, 432-434, 446, Ex. 4, 26
ACP-153A	Pooling Agreement Worksheet	Ex. 26	334, 351, 417, 432-434, 446, Ex. 4
ACP-308	Transmittal - Pooling Agreement/Special Project	432	Ex. 4
AD-1026	Appendix to Form for AD-1026 Highly Erodible Land Conservation (HELIC) and Wetland Conservation (WC) Certification		4
CCC-36	Assignment of Payment		419
CCC-901	Members Information 2009 and Subsequent Years		91
CCC-902I	Farm Operating Plan for an Individual 2009 and Subsequent Program Years		91
FSA-276	On-Farm Spot Check Record	Ex. 29	393, 394, Ex. 4
FSA-770 EFRP-1	EFRP Checklist Before Approval Is Made	Ex. 6	10, 175
FSA-770 EFRP-2	EFRP Checklist Before Payment Is Made	Ex. 7	10, 292
FSA-848	Cost Share Request	Ex. 5	Text, Ex. 4, 17
FSA-848-1	Continuation Sheet for Cost Share Request		9, Ex. 5
FSA-848A	Cost Share Agreement	Ex. 11	Text, Ex. 4
FSA-848A-1	Continuation Sheet for Cost Share Agreement		9, Ex. 11
FSA-848B	Cost Share Performance Certification and Payment	Ex. 12	Text, Ex. 4, 17, 26, 29
FSA-848B-1	Continuation Sheet for Cost Share Cost Share Performance Certification and Payment		9, Ex. 12
FSA-850	Environmental Evaluation Checklist	Ex. 21	171, 172, 175, Ex. 17
NRCS-CPA-052	Environmental Evaluation Checklist		171, 172, 175

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
CFLS	Conservation Funds Ledger System	2, 331, 332, 335
CSS	Cost Share Software	Text
EFRP	Emergency Forest Restoration Program	Text and Exhibits
eFMS	electronic Funds Management System	331, 332
NIFA	National Institute of Feed an Agriculture	45, 175
NIPF	Nonindustrial Private Forest	Text, Ex. 17
P-A	pooling agreement	Text, Ex. 2, 26
TSP	Technical Service Provider	Ex. 17

Delegations of Authority

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

Delegation	Reference
STC may redelegate authority to sign documents showing STC action taken.	20
COC may redelegate authority to an individual COC member.	30
COC may redelegate authority to CED.	34

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.

Farmland

Farmland means the sum of the following:

- cropland
- noncropland.

Definitions of Terms Used in This Handbook (Continued)

Lifespan of a Practice

Lifespan of a practice means a period of time for which the 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.

Limited Resource Producer

Limited resource producer means:

- an applicant or participant with direct or indirect gross farm sales not more than the current indexed value in each of the previous 2 years 1/
- has a total household income 2/ at or below the national poverty level for a family of 4, or less than 50 percent of the county median household income in each of the previous 2 years.

1/ This value will be increased to adjust for inflation using the “prices Paid by Farmer Index” compiled by NASS.

2/ Total household income will be determined annually and indexed for inflation using Commerce Department Data.

Definitions of Terms Used in This Handbook (Continued)

Livestock

Livestock means animals used for food or fiber, such as:

- beef and dairy cows
- horses, mules, and donkeys used for commercial food or human consumption or kept for producing food and fiber, such as, draft horses or cow ponies
- buffalo or beefalo not running wild or uncontrolled on the range
- goats for food or milk production
- poultry for food including domesticated chickens, ducks, geese, and turkeys, and those kept for egg production
- sheep for food or wool production
- swine for food
- fish for food
- other animals raised exclusively for commercial food or fiber.

Note: Animals that are **ineligible** include animals:

- used for recreational activities or recreational business, such as, race horses, pack animals, rodeo stock, and polo ponies
- running wild or uncontrolled on the range
- maintained for slaughter purposes other than human consumption such as, glue or fur.

Definitions of Terms Used in This Handbook (Continued)

Natural Disaster

Natural disasters means 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.

Pooling Agreement (P-A)

P-A means a substantial pooling of resources, efforts, finances, or other contributions by 2 or more eligible persons on 2 or more farms to solve a mutual disaster-related conservation problem.

Severe Drought

Severe drought means available livestock water and irrigation water for orchards and vineyard have been reduced below normal and survival is unlikely without additional water.

State

State means any of the United States of America, Puerto Rico, The Virgin Islands, Guam, or Commonwealth of the Northern Mariana Islands.

Emergency Forest Restoration Program Files

Listed in this exhibit are the subject file codes for EFRP files.

Disposition: Except as noted, destroy all files under this subject when they are 5 years old.

Color Code: The color code for this subject is yellow.

Emergency Forest Restoration Program Files. This subject provides financial assistance to owners of nonindustrial private forest land that carry out emergency measures to restore the land after the land is damaged by a natural disaster.		
Subject	Type of Material To Be Filed	Retention
EFRP Emergency Forest Restoration Program	General material about EFRP too broad to be filed under 1 of the more specific subjects in this exhibit.	Destroy these files when 5 years old.
EFRP 1 Program Development	Correspondence about the development of the program, including objectives, funding allocation, cost-share limitations, and approved practices.	
EFRP 1-1 Practice Specifications	Correspondence about technical specifications for practices and materials authorized for use in EFRP projects. This includes practices developed at all levels of FSA, and special practices for which FS developed the technical specifications.	
EFRP 2 Interagency Cooperation	Correspondence about cooperation between the County Office and other Federal and State agencies, such as the State Forestry Department and FS. This includes memorandum of understanding with soil conservation districts.	
EFRP 3 Reports and Statistics	Reports covering all subjects included under this subject that cannot be filed under 1 of the more specific subjects in this exhibit. Subdivide these files as needed.	
EFRP 4 Program Development	Correspondence about the control of program activities and funds.	
EFRP 4-1 County Allocation Control Ledger	The sequential ledger entry report, the detailed ledger used to control program funds, and related correspondence.	
EFRP 4-2 Control Technical Services Referrals	Correspondence about the control of referrals to State Foresters and other agencies.	
EFRP 4-3 FS Transfer of Funds	Correspondence about the transfer of funds to FS or State Foresters for technical assistance.	
EFRP 5 Financial Assistance Requests	General correspondence about requests for financial assistance too broad to be filed under 1 of the more specific subjects in this exhibit.	

Emergency Forest Restoration Program Files (Continued)

Subject	Type of Material To Be Filed	Retention
EFRP 5-1 Pending COC Consideration	FSA-848's received in the County Office but not yet reviewed by COC.	Move to appropriate file after COC review.
EFRP 5-2 Pending Needs Determinations	Requests pending determination of need and feasibility by technician. This includes copies of FSA-848, page 2 forwarded to technical agencies.	Destroy these files when 5 years old.
EFRP 5-3 Pending Reports of Performance	Requests pending report from producer on FSA-848B, page 1 and certification by responsible technical agency on FSA-848B, page 2 that practices approved by COC have been completed and payment is due.	
EFRP 5-4 Pending Payment	Requests pending issuance of payment to producer and entry on the automated ledger report. Issue checks as soon as possible after completion certification by producer and technical agency, if applicable.	
EFRP 6 Participant Folders	Individual folders containing FSA-848, FSA-848A, FSA-848B, other forms, and related correspondence about the participation of the farm in EFRP and the approval of and payment for request financial assistance practices. Disapproved or canceled requests.	
EFRP 7 Pooling Agreements	Individual folders for each pooling agreement containing ACP-153's, ACP-153A's, ACP-308's, FSA-848's, FSA-848A's, FSA-848B's, and related correspondence.	Destroy these files when 5 years old.
EFRP 8 Appeals	Appeals pending.	
EFRP 9 Spot Checks	FSA-276's and other related documentation.	

Completing FSA-848

A Completion Instructions

Complete FSA-848 according to the following table.

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	Enter the contract ID, if applicable.
6	Enter the description of the site and practice objectives.
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.
10A	Enter FSN.
10B	Enter the tract number.
10C	Enter the field number.
10D	Enter the practice control number.
10E	Enter the practice title.
10F	Enter the practice unit.
10G	Enter the practice acres.
10H	Enter the extent requested that corresponds to items 10A through 10F.
10I	Enter the requested C/S that corresponds to items 10A through 10H.
10J	Enter the total requested C/S that corresponds to the sum of item 10I.
11A	Enter the applicant's name, address, and telephone number.
11B	Enter the applicant's estimated percent share.
11C	Check the box to indicate whether the applicant is a limited resource producer.
11D	Check the box to indicate whether the applicant is a beginning farmer, if applicable.
11E	Check the box to indicate whether the applicant is socially disadvantaged, if applicable.
11F	The applicant or signing authority shall sign.
11G	Enter the title/relationship that corresponds to the signing authority in item 11F.
11H	Enter today's date. If there are additional applicants, complete FSA-848-1, item 4.
12A	Enter the program code.
12B	Enter the program year.
12C	Enter the State and county codes that correspond to item 1.
12D	Enter the hydrologic unit code.
12E	Enter the application number that corresponds to item 3.
12F	Enter the contract ID that corresponds to item 5, if applicable.
12G	Enter the disaster ID.
13A	Enter FSN.
13B	Enter the tract number.
13C	Enter the field number.

Completing FSA-848 (Continued)

A Completion Instructions (Continued)

Item	Instructions
13D	Enter the practice control number.
13E	Enter the primary purpose code.
13F	Enter the practice unit.
13G	Enter the practice extent requested that corresponds to item 10H.
13H	Enter the practice extent needed that corresponds to items 13A through 13F.
13I	Enter the requested C/S rate and type that correspond to item 10I, if the practice control number has a flat rate.
13J	Enter the requested C/S that corresponds to items 10I and 14 J, as applicable. If there are additional practices, complete FSA-848-1, item 6.
13K	Enter the sum of all requested C/S from item 13J and continuation pages.
14A	Enter FSN.
14B	Enter the tract number.
14C	Enter the field number.
14D	Enter the practice control number.
14E	Enter the component number.
14F	Enter the component title.
14G	Enter the component unit.
14H	Enter the component extent requested that corresponds to items 14A through 14G.
14I	Enter the component extent needed that corresponds to items 14A through 14G.
14J	Enter the requested C/S rate and type that correspond to items 14A through 14C.
14K	Enter the requested C/S rate and type that correspond to items 14A through 14C. If there are additional components, complete FSA-848-1, item 7.
15A	Enter FSN.
15B	Enter the tract number.
15C	Enter the field number.
15D	Enter the practice control number.
15E	Enter the technical practice code.
15F	Enter the technical practice title.
15G	Enter the technical practice unit.
15H	Check the box indicating if the technical practice is cost-shared.
15I	Enter the technical practice extent planned that corresponds to items 15A through 15G. If there are additional technical practices, complete FSA-848-1, item 8.
16A	The signing authority shall sign, such as FSA, Forest Service, NRCS, or other technical service provider.
16B	Enter today's date.
16C	Enter the affiliation that corresponds to item 16A.
16D	Enter the practice control number.
16E	Enter the date referred for needs determination.
16F	Enter the date the referral expires.
16G	Enter the needs statement. If there are additional practices with needs determinations, complete FSA-848-1, item 9.

Completing FSA-848 (Continued)

B Example of FSA-848

The following is an example of a completed FSA-848.

This form is available electronically.		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		Form Approved - OMB No. 0560-0082				
FSA-848 (09-27-10)		COST-SHARE REQUEST		1. ST. & CO. Code : 19 165				
				2. County Office Name, Address and Telephone Number Example: County FSA 2519 SOUTHWEST AVE HARLAN, IA 51537-2378 (712) 755-5116				
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 THERE TO.		3. Application Number 19 165 2010 0009		4. Program Code EFRP				
5. Contract ID (if applicable)								
6. Description of Site and Practice Objectives Tornado impacted NIFF with debris and damage to firebreaks.								
EMERGENCY PROGRAMS ONLY								
7. Disaster Type: TORNADO			9. Livestock(s) (Select and list amount with units):					
8. Crop(s) (Select): <input type="checkbox"/> Flowers or Bulbs <input type="checkbox"/> Seed Crops <input type="checkbox"/> Orchards or Vineyards <input type="checkbox"/> Vegetables or Fruits <input type="checkbox"/> Grain or Row Crops <input type="checkbox"/> Hay Forage or Pasture <input type="checkbox"/> Field Grown Ornamentals <input checked="" type="checkbox"/> Other:			<input type="checkbox"/> Cattle: <input type="checkbox"/> Fish: <input type="checkbox"/> Swine: <input type="checkbox"/> Other animals raised exclusively for commercial food or fiber: <input type="checkbox"/> Buffalo/Beefalo: <input type="checkbox"/> Goats: <input type="checkbox"/> Horses, Mules or Donkeys: <input type="checkbox"/> Sheep: <input type="checkbox"/> Poultry:					
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
5854	16614	1	2010_0009_01_EF1	EF1 Bottomland Hardwood Forest Restoration	Acres	10.00	15.00	\$5,625.00
5854	16614	5				50.00		
5854	16635	10	2010_0009_01_EF5	EF5 Upland Hardwood Forest Restoration	Acres	5.00	5.00	\$375.00
J. Total Requested Cost-Share:								\$6,000.00
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), (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 COSTSHARE APPLICANT 2519 SOUTHWEST AVE. HARLAN, IA 51537 (123) 456-7890	B. Percent Share 100%	C. Limited Resource <input type="checkbox"/> YES <input checked="" 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) 10-04-2010	
NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 701, 7 CFR Part 1410, and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and non-governmental 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 for program benefits.								
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 8 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.								
The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, marital or divorce status, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9942 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.								

Completing FSA-848 (Continued)

B Example of FSA-848 (Continued)

FSA-848 (09-27-10)										Page 2
12. APPLICATION INFORMATION										EMERGENCY PROGRAMS ONLY
A. Program Code EFRP	B. Program Year 2011	C. ST. & CO. Code 19 165	D. Hydrologic Unit Code 160300030101	E. Application Number 19_165_2010_0009	F. Contract ID	G. Disaster ID 1471				
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	
5854	16614	1	2010_0009_01_EF1	G	Acres	15.00	10.00		\$5,625.00	
5854	16614	5								
5854	16635	10	2010_0009_01_EF5		Acres	5.00	0.00		\$375.00	
K. TOTALS:									\$6,000.00	
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
5854	16614	1	2010_0009_01_EF1	R600	Heavy Debris Removal Forest	Acres	15.00	10.00	75% of Cost - Not to Exceed \$375.00/unit	\$5,625.00
5854	16614	5								
5854	16635	10	2010_0009_01_EF5	S50	Seeding	Acres	5.00	0.00	75% of Cost - Not to Exceed \$75.00/unit	\$375.00
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		
5854	16614	1	2010_0009_01_EF1	500	Obstruction Removal	Acres	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	10.00		
5854	16614	5					<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
5854	16635	10	2010_0009_01_EF5	394	Firebreak	Acres	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	0.00		
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	
				10-05-10	FS	2010_0009_01_EF1			Only 10 acres needed and feasible	
				10-09-10	FS	2010_0009_01_EF5	10-04-2010	10-19-2010	Not needed due to natural regeneration.	

Example of FSA-770 EFRP-1

The following is an example of FSA-770 EFRP-1 that is available from the FFAS Employee Forms Online Web Site at <http://165.221.16.90/dam/ffasforms/forms.html>.

This form is available electronically.		FSA-770 EFRP-1 (11-22-10)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		1. Applicant's Name	
EFRP CHECKLIST BEFORE APPROVAL IS MADE		2. State Office Name		3. County Office Name			
		4. Application Number		5. FSN			
		6. Disaster ID		7. Fiscal Year			
This is an internal checklist and does not negate any responsibilities by the applicant. It does not indicate any misaction or misinformation on the part of the county office if it is not completed. However, it may be used to ensure accountability of actions.							
Completion of this form before issuing approvals is optional.							
Verification		Handbook or Other Applicable References		YES	NO	N/A	
8. County confirms that State has recorded EFRP allocation in the Conservation Funds Ledger System.		Part 1, Section 5					
9. Onsite inspection has been completed.		1-EFRP, paragraph 171					
10. FSA-848, page 2, Needs Determination, complete.		1-EFRP, paragraph 80					
11. Practice was started after the producer requested EFRP assistance. If "NO", see paragraph 175.		1-EFRP, paragraph 175					
12. Was the CCC-770 ELIG 2008 Eligibility Checklist 2008 Farm Bill completed and verified to ensure the applicant's are in compliance to receive payments?		1-EFRP, paragraph 91, 3-PL, paragraph 3					
13. STC representative has reviewed sample EFRP requests before COC approval.		1-EFRP, subparagraph 175A					
14. All easements, permits, rights-of-way, water rights are in order.		1-EFRP, paragraph 52					
15. FSA-850, NRCS CPA-052 or State equivalent is on file.		1-EQ					
16. Ensure that no approvals are made on land that will have an adverse impact on endangered species or historical sites.		1-EFRP, paragraph 6 and 1-EQ					
17. No EFRP approvals on land under WRP or for the same or similar practices under EWP.		1-EFRP, paragraph 6					
18. EFRP application has been entered into CSS and signed by applicant.		CSS User Guide					
To Be Completed After Approval							
19. COC has approved the FSA-848A and documented it in the COC minutes.		1-EFRP, paragraph 181					
20. Participant notified of approved extent and financial assistance with copy of FSA-848A and letter.		1-EFRP, paragraph 181					
21. Participant signs acknowledgement on FSA-848A.		1-EFRP, subparagraph 181C					
22. Remarks							
Certification:							
I (we) the undersigned certify the above items have been verified or updated accordingly.							
23A. Signature of Preparer				23B. Date (MM-DD-YYYY)			
24A. I concur/do not concur the above items have been verified and updated.				<input type="checkbox"/> Concur		<input type="checkbox"/> Do Not Concur	
24B. CED Signature for Spotcheck				24C. Date (MM-DD-YYYY)			
25A. I concur/do not concur the above items have been verified and updated.				<input type="checkbox"/> Concur		<input type="checkbox"/> Do Not Concur	
25B. DD Signature for Spotcheck				25C. Date (MM-DD-YYYY)			
<p><i>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).</i></p> <p><i>To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</i></p>							

Example of FSA-770 EFRP-2

The following is an example of FSA-770 EFRP-2 that is available from the FFAS Employee Forms Online Web Site at <http://165.221.16.90/dam/ffasforms/forms.html>.

This form is available electronically.				
FSA-770 EFRP-2 (11-22-10)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		1. Applicant's Name
EFRP CHECKLIST BEFORE PAYMENT IS MADE		2. State Office Name		3. County Office Name
		4. Agreement Number		5. FSN
		6. Disaster ID		7. Fiscal Year
		This is an internal checklist and does not negate any responsibilities by the participant. It does not indicate any misaction or misinformation on the part of the county office if it is not completed. However, it may be used to ensure accountability of actions.		
Completion of this form before issuing approvals is optional.				
Verification		Handbook or Other Applicable References		YES
				NO
				N/A
8. Computation:				
A. Supporting documentation (bills, invoices, etc.) has been provided by the participant and is date stamped.		1-EFRP, paragraph 215		
B. Minimum qualifying cost of restoration is met.		1-EFRP, subparagraph 132B		
C. Only eligible items are cost shared.		1-EFRP, paragraphs 46 and 293		
D. List of all eligible persons or legal entities to receive an EFRP payment.		1-EFRP, Part 3, Section 5		
E. Make sure financial assistance is rounded to the nearest dollar.		1-EFRP, subparagraph 294B		
F. No payment or combination of payments exceeds \$500,000 per person or legal entity per disaster.		1 EFRP, subparagraph 5A		
9. Payments:				
A. Was the CCC-770 ELIG2008 Eligibility Farm Bill checklist complete and verified to ensure the producer(s) are in compliance to receive payments.		3-PL, paragraph 3		
B. Practice expiration date was not exceeded.		1-EFRP, paragraph 182		
C. STC representative has reviewed any request from COC, County Office or State Office personnel.		1-EFRP, subparagraph 179A		
D. Approvals are within authorized approval authority.		1-EFRP, subparagraph 179B		
E. FSA-848B, page 1 has been signed by the participant.		1-EFRP, subparagraph 211C		
F. FSA-848B has been timely filed – before practice expiration date.		1-EFRP, paragraph 212		
G. Practice completed by eligible person or legal entity on eligible land.		1-EFRP, Part 1, Sections 7 and 8		
H. FSA-848B, page 2 completed and signed by responsible technical agency.		1-EFRP, paragraphs 225 and 226		
I. Practice location is recorded on aerial photography/GIS.		1-EFRP, paragraph 214		
J. FSA-848B is updated with final performance data.		1-EFRP, subparagraph 211B		
K. Payment does not exceed 75 percent of the participant's actual costs.		1-EFRP, subparagraph 42A		
L. For drought, EFRP drought designation approved by CEPD before sign-up period is approved.		1-EFRP, subparagraphs 35D and E		
M. Has county office made second party review?		1-EFRP, paragraph 334		
N. Payments are issued timely. See 61-FI for prompt payment provisions.		1-EFRP 61-FI		
10. Remarks				
Certification: <i>I (we) the undersigned certify the above items have been verified or updated accordingly.</i>				
11A. Signature of Preparer				11B. Date (MM-DD-YYYY)
12A. I concur/do not concur the above items have been verified and updated. <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur				
12B. CED Signature for Spotcheck				12C. Date (MM-DD-YYYY)
13A. I concur/do not concur the above items have been verified and updated. <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur				
13B. DD Signature for Spotcheck				13C. Date (MM-DD-YYYY)
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</small>				

Completing FSA-848A

A Completion Instructions

Complete FSA-848A according to the following table.

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	Enter the contract ID, if applicable.
9A	Enter FSN.
9B	Enter the tract number.
9C	Enter the field number.
9D	Enter the practice control number.
9E	Enter the program accounting code.
9F	Enter the fund code.
9G	Enter the practice unit.
9H	Enter the practice extent approved that corresponds to items 9A through 9G.
9I	Enter the practice expiration date.
9J	Enter the practice life span.
9K	Enter the approved C/S rate and type that correspond to items 9A through 9J, if the practice control number has a practice rate.
9L	Enter the approved C/S that corresponds to items 9A through 9K and items 10A through 10I, as applicable. If there are additional approved practices, complete FSA-848A-1, item 2.
9M	Enter the sum of all C/S requested that corresponds to the sum of item 9L.

Completing FSA-848A (Continued)

A Completion Instructions (Continued)

Item	Instructions
10A	Enter FSN.
10B	Enter the tract number.
10C	Enter the field number.
10D	Enter the practice control number.
10E	Enter the component number.
10F	Enter the component title.
10G	Enter the component unit.
10H	Enter the component extent approved that corresponds to items 10A through 10G.
10I	Enter the approved C/S rate and type that correspond to items 10A through 10H.
10J	Enter the approved C/S rate and type that correspond to items 10A through 10I. If there are additional approved components, complete FSA-848A-1, item 3.
11A	The FSA representative shall sign.
11B	Enter today's date.
11C	Enter C/S willing to approve.
11D	Enter the C/S approved amount.
12A	Enter the participant's name, address, and telephone number.
12B	The participant or signing authority shall sign.
12C	Enter the title/relationship that corresponds to the signing authority in item 12B.
12D	Enter the date.
13A	Enter the program code.
13B	Enter the program year.
13C	Enter the State and county codes that correspond to item 1.
13D	Enter the agreement number that corresponds to item 4.
13E	Enter the contract ID that corresponds to item 8.
13F	Enter the disaster ID that corresponds to item 6.
14	Enter any applicable remarks.

Completing FSA-848A (Continued)

B Example of FSA-848A

The following is an example of a completed FSA-848A.

This form is available electronically. FSA-848A (09-27-10)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		Form Approved - OMB No. 0560-0082								
COST-SHARE AGREEMENT (See Page 2 for Privacy Act and Burden Statements)		1. ST. & CO. Code: 19 165		2. County Office Name, Address and Telephone Number Example County FSA 2519 SOUTHWEST AVE HARLAN, IA 51537-2378 (712) 755-5116								
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 THERETO.		3. Application Number 19 165 2010 0009		4. Agreement Number 19 165 2010 0009								
		5. Program Year 2011		6. Disaster ID Number 1471								
		7. Program Code EFRP		8. Contract ID (if applicable)								
9. PRACTICES APPROVED												
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	
5854	16614	1	2010_0009_01_EF1	3340		Acres	10.00	10-09-2012			\$3,750.00	
5854	16614	5										
5854	16635	10	2010_0009_10_EF5			Acres	0.00		15.00		\$0.00	
M. TOTALS:											\$3,750.00	
10. COMPONENTS APPROVED												
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 Rate and Type	J. Approved Cost-Share			
5854	16614	1	2010_0009_01_EF1	R600	Heavy Debris Removal Forest	Acres	10.00	75% of Cost - Not to Exceed \$375.00/unit	\$3,750.00			
5854	16614	5										
5854	16635	10	2010_0009_01_EF5	S50	Seeding	Acres	0.00		\$0.00			
11. USDA USE ONLY - Application Approval		A. Signature of FSA Representative			B. Date (MM-DD-YYYY) 10-10-2010		C. Cost-Share Willing to Approve \$3,750.00		D. Cost-Share Approved \$3,750.00			
12. PARTICIPANT APPROVAL ACKNOWLEDGEMENT 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.												
A. Participant's Name, Address and Telephone Number COSTSHARE APPLICANT 2529 SOUTHWEST AVE. HARLAN, IA 51537 (123) 456-7890				B. Signature (By)				C. Title/Relationship of the Individual If Signing in a Representative Capacity			D. Date (MM-DD-YYYY)	

Completing FSA-848A (Continued)

B Example of FSA-848A (Continued)

FSA-848A (09-27-10)					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
EFRP	2011	19 165	19_165_2010_0009		1471
14. REMARKS					
Remarks on the agreement.					
<p>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 701, 7 CFR Part 1410, and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to determine eligibility for program benefits. 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 for program benefits.</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 8 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.</p> <p>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>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</p>					

Completing FSA-848B

A Completion Instructions

Complete FSA-848B according to the following table.

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	Enter the contract ID, if applicable.
9A	Enter FSN.
9B	Enter the tract number.
9C	Enter the field number.
9D	Enter the practice control number.
9E	Enter the practice unit.
9F	Enter the practice extent approved that corresponds to items 9A through 9E.
9G	If the practice in item 9D is: <ul style="list-style-type: none"> • complete, ENTER “Yes” • not complete, ENTER “No”.
9H	Enter the acres served.
9I	Enter the approved C/S that corresponds to items 9A through 9F.
9J	If practice is complete, enter the total installation cost that corresponds to items 9A through 9I.
9K	If the practice is not complete and C/S is still requested for this practice, list codes for completed components for that practice.
9L	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 9J. If there are additional practices, complete FSA-848B-1, item 2.
10A	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.
10B	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.
10C	The producer or signing authority shall sign.
10D	Enter the title/relationship that corresponds to the signing authority in item 10C.
10E	Enter today’s date.
11A	Enter the program code.
11B	Enter the program year.
11C	Enter the State and county codes.
11D	Enter the C/S agreement number.
11E	Enter the contract ID, if applicable.
11F	Enter the disaster ID.

Completing FSA-848B (Continued)

A Completion Instructions (Continued)

Item	Instructions
12A	Enter FSN.
12B	Enter the tract number.
12C	Enter the field number.
12D	Enter the practice control number.
12E	Enter the practice unit.
12F	Enter the practice extent approved that corresponds to items 12A through 12E.
12G	Enter the practice extent performed that corresponds to items 12A through 12F.
12H	Enter the acres served that correspond to items 12A through 12G.
12I	Enter the approved C/S that corresponds to items 12A through 12H.
12J	Enter the total installation cost that corresponds to items 12A through 12I.
12K	Enter the total C/S earned that corresponds to items 12A through 12J.
12L	Enter the sum of all approved C/S from item 12I and continuation pages, the sum of the total installation cost from item 12J and continuation pages, and the total C/S earned from item 12K and continuation pages. If there are additional practices, complete FSA-848B-1, item 4.
13A	Enter FSN.
13B	Enter the tract number.
13C	Enter the field number.
13D	Enter the practice control number.
13E	Enter the component number.
13F	Enter the component title.
13G	Enter the component unit.
13H	Enter the component extent approved that corresponds to items 13A through 13G.
13I	Enter the approved C/S that corresponds to items 13A through 13H.
13J	Enter the component extent performed that corresponds to items 13A through 13I.
13K	Enter the C/S earned that corresponds to items 13A through 13J. If there are additional components, complete FSA-848B-1, item 5.
14A	Enter FSN.
14B	Enter the tract number.
14C	Enter the field number.
14D	Enter the practice control number.
14E	Enter the technical practice code.
14F	Enter the technical practice title.
14G	Enter the technical practice unit.
14H	Check the box indicating if the technical practice is cost-shared.
14I	Enter the technical practice extent planned that corresponds to items 14A through 14H.
14J	Enter the technical practice extent applied that corresponds to items 14A through 14I. If there are additional technical practices, complete FSA-848B-1, item 6.

Completing FSA-848B (Continued)

B Example of FSA-848B

The following is an example of a completed FSA-848B.

This form is available electronically.		Form Approved - OMB No. 0560-0082								
FSA-848B (09-27-10)		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-848A.										
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.
5854	16614	1	2010_0009_01_EF1	Acres	10.00	Yes	10.00	\$3,750.00	\$700.00	
5854	16614	5								
L. TOTALS:								\$3,750.00	\$700.00	
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 all the expense (except for program cost sharing) for performing this practice? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						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 checked="" 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)		
The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2000 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll free at (866) 632-9892 (English) or (800) 877-8339 (TDD) or (866) 877-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.										

Completing FSA-848B (Continued)

B Example of FSA-848B (Continued)

FSA-848B (09-27-10)											Page 2
11. AGREEMENT INFORMATION										EMERGENCY PROGRAMS ONLY	
A. Program Code EFRP	B. Program Year 2011	C. ST. & CO. Code 19 165	D. Agreement Number 19_165_2010_0009			E. Contract ID			F. Disaster ID 1471		
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	
5854	16614	1	2010_0009_01_EF1	Acres	10.00	10.00	10.00	\$3,750.00	\$700.00	\$525.00	
5854	16614	5									
L. TOTALS:								\$3,750.00	\$700.00		
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	
5854	16614	1	2010_0009_01_EF1	R600	Heavy Debris Removal Forest	Acres	10.00	\$3,750.00	10.00	\$525.00	
5854	16614	5									
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		
5854	16614	1	2010_0009_01_EF1	500	Obstruction Removal	Acres	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	10.00	10.00		
5854	16614	5					<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			
				FS	2010_0009_01_EF1			10 acres of debris removed.			

National Practices

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

Code	Practice	Page
EF1	Bottomland Hardwood Forest Restoration	2
EF2	Bottomland Softwood Forest Restoration	7
EF3	Bottomland Mixed Forest Restoration	12
EF4	Bottomland Longleaf Pine Restoration	17
EF5	Upland Hardwood Forest Restoration	22
EF6	Upland Softwood Forest Restoration	27
EF7	Upland Mixed Forest Restoration	32
EF8	Upland Longleaf Pine Restoration	37
EF9	Other Emergency Forest Restoration Measures	42

National Practices (Continued)

EF1 Bottomland Hardwood Forest Restoration

A Purpose

The purpose of this practice is to restore bottomland hardwood forests. The practices **must** provide for the long-term viability of bottomland hardwood trees that have been impacted by the EFRP-designated disaster. The bottomland hardwood 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 that has tree cover (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources in a bottomland forest ecosystem dominated by hardwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- 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 producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC's may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

National Practices (Continued)

EF1 Bottomland Hardwood Forest Restoration (Continued)

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.

F Practice Requirements

The following requirements apply for this practice:

- approval **must** be obtained from the State Forester and State Wildlife Agency certifying that planting of cottonwood as a nurse crop is appropriate for the State and site
- plantings **must** be protected from destructive fire and from grazing by domestic livestock for the practice lifespan
- the seeded area shall **not** be harvested or grazed by domestic livestock for the practice lifespan
- noxious weeds and other undesirable plants, insects, and pests shall 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
- 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.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

National Practices (Continued)

EF1 Bottomland Hardwood 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 preserving and improving the environment, forest health, wildlife, and other forest-related resources when making determinations about types of plantings, spacing, and other practice specifications.

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is **not** available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established
- certify practice compliance on FSA-848B, page 2 and note acreage treatment.

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.”

The limitation shall be based on the average cost of performing the unit of measure.

National Practices (Continued)

EF1 Bottomland Hardwood Forest Restoration (Continued)

L Financial Assistance Policy

The following table provides financial assistance policies for this practice.

IF the component is...	AND the justification is...	THEN financial assistance is...
temporary cover	<ul style="list-style-type: none"> required in the practice specification needed until required planting stock is available needed because normal planting period for the species has passed to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 644, 647, 650, 654, 655, 657, 658, 659, and 666.
debris removal	required to establish a stand or assist in the natural regeneration	
wildlife enhancement	<ul style="list-style-type: none"> provides cover opening that will provide additional wildlife benefits to the stand to establish and maintain a cover that provides habitat for wildlife in otherwise open areas <p>Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.).</p>	
to establish no more than 49 percent of the silviculturally appropriate softwood species, as determined by STC and determined appropriate by State Forester	to enhance 1 of the following: <ul style="list-style-type: none"> wetland development wildlife habitat stand health and vigor 	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides or insecticides	specified as necessary in the approved tree planting plan to establish the cover	
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
fencing, tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing <p>Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings.</p>	
roads	located on NIPF and necessary for forest restoration	
clean tilling	for firebreaks, fuelbreaks, or firelanes	

National Practices (Continued)

EF1 Bottomland Hardwood Forest Restoration (Continued)

L Financial Assistance Policy (Continued)

IF the component is...	AND the justification is...	THEN financial assistance is...
roads	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	
tree thinning		

National Practices (Continued)

EF2 Bottomland Softwood Forest Restoration

A Purpose

The purpose of this practice is to restore existing bottomland softwood forests. The practices **must** provide for the long-term viability of bottomland softwood trees that have been impacted by the EFRP-designated disaster.

B Program Policy

Apply this practice to eligible NIPF that has tree cover (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources in a bottomland forest ecosystem dominated by softwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC's may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.

National Practices (Continued)

EF2 Bottomland Softwood Forest Restoration (Continued)

F Practice Requirements

The following are requirements for this practice:

- approval **must** be obtained from the State Forester certifying that planting up to 50 percent softwoods is an appropriate silvicultural practice for the State
- plantings **must** be protected from destructive fire and from grazing 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
- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

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.

National Practices (Continued)

EF2 Bottomland Softwood Forest Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is **not** available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established
- certify practice compliance on FSA-848B, page 2 and note acreage treatment.

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.”

The limitation shall be based on the average cost of performing the unit of measure.

National Practices (Continued)

EF2 Bottomland Softwood Forest Restoration (Continued)

L Financial Assistance Policy

This table shows financial assistance policies for this practice.

IF the component is...	AND the justification is...	THEN financial assistance is...
to establish a minimum of 3 different varieties of softwood tree and shrub species	<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 	authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 644, 647, 650, 654, 655, 657, 658, 659, and 666.
temporary cover	<ul style="list-style-type: none"> required in the practice specification needed until required planting stock is available needed because normal planting period for the species has passed to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	
debris removal	required to establish a stand or assist in the natural regeneration	
wildlife enhancement	<ul style="list-style-type: none"> provides cover opening that will provide additional wildlife benefits to the stand to establish and maintain a cover that provides habitat for wildlife in otherwise open areas <p>Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.).</p>	
to establish no more than 49 percent of the silviculturally appropriate hardwood species, as determined by STC and determined appropriate by State Forester	to enhance 1 of the following: <ul style="list-style-type: none"> wetland development wildlife habitat stand health and vigor 	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides or insecticides	specified as necessary in the approved tree planting plan to establish the cover	
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
fencing, tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing <p>Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings.</p>	
roads	located on NIPF and necessary for forest restoration	
clean tilling	for firebreaks, fuelbreaks, or firelanes	

National Practices (Continued)

EF2 Bottomland Softwood Forest Restoration (Continued)

L Financial Assistance Policy (Continued)

IF the component is...	AND the justification is...	THEN financial assistance is...
roads	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	
tree thinning		

National Practices (Continued)

EF3 Bottomland Mixed Forest Restoration

A Purpose

The purpose of this practice is to restore bottomland mixed forests. The practices **must** provide for the long-term viability of a mixed bottomland forest ecosystem that has been impacted by the EFRP-designated disaster. The bottomland mixed 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 that had tree cover before an EFRP-designated disaster (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources of a bottomland tree stand with approximately equal amounts of hardwood and softwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC's may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.

National Practices (Continued)

EF3 Bottomland Mixed Forest Restoration (Continued)

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 from grazing 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
- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

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.

National Practices (Continued)

EF3 Bottomland Mixed Forest Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is **not** available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established
- certify practice compliance on FSA-848B, page 2 and note acreage treatment.

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.”

The limitation shall be based on the average cost of performing the unit of measure.

National Practices (Continued)

EF3 Bottomland Mixed Forest Restoration (Continued)

L Financial Assistance Policy

This table shows financial assistance policies for this practice.

IF the component is...	AND the justification is...	THEN financial assistance is...
to establish a minimum of 3 different varieties of tree and shrub species	<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 	authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 644, 647, 650, 654, 655, 657, 658, 659, and 666.
temporary cover	<ul style="list-style-type: none"> required in the practice specification needed until required planting stock is available needed because normal planting period for the species has passed to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	
debris removal	required to establish a stand or assist in the natural regeneration	
wildlife enhancement	<ul style="list-style-type: none"> provides cover opening that will provide additional wildlife benefits to the stand to establish and maintain a cover that provides habitat for wildlife in otherwise open areas. <p>Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.).</p>	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides or insecticides	specified as necessary in the approved tree planting plan to establish the cover	
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
fencing, tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing <p>Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings.</p>	
roads	located on NIPF and necessary for forest restoration	
clean tilling	for firebreaks, fuelbreaks, or firelanes	

National Practices (Continued)

EF3 Bottomland Mixed Forest Restoration (Continued)

L Financial Assistance Policy (Continued)

IF the component is...	AND the justification is...	THEN financial assistance is...
roads	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	
tree thinning		

National Practices (Continued)

EF4 Bottomland 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 bottomland 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 that had tree cover before an EFRP-designated disaster (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources of a Longleaf Pine tree stand.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce soil erosion to less than the soil loss tolerance
- restore forest health and forest-related resources
- be maintained for the practice lifespan
- be included in the approved practice plan and listed on the signed FSA-848, page 1.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC's may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.

National Practices (Continued)

EF4 Bottomland Longleaf Pine Restoration (Continued)

F Practice Requirements

The following are requirements for this practice:

- plantings **must** be protected from destructive fire and from grazing 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
- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

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.

National Practices (Continued)

EF4 Bottomland Longleaf Pine Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is **not** available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established
- certify practice compliance on FSA-848B, page 2 and note acreage treatment.

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.”

The limitation shall be based on the average cost of performing the unit of measure.

National Practices (Continued)

EF4 Bottomland Longleaf Pine Restoration (Continued)

L Financial Assistance Policy

This table shows financial assistance policies for this practice.

IF the component is...	AND the justification is...	THEN financial assistance is...
to establish a minimum of 3 different varieties of tree and shrub species	<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 	authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 644, 647, 650, 654, 655, 657, 658, 659, and 666.
temporary cover	<ul style="list-style-type: none"> required in the practice specification needed until required planting stock is available needed because normal planting period for the species has passed to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	
debris removal	required to establish a stand or assist in the natural regeneration	
wildlife enhancement	<ul style="list-style-type: none"> provides cover opening that will provide additional wildlife benefits to the stand to establish and maintain a cover that provides habitat for wildlife in otherwise open areas. <p>Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.).</p>	
to establish no more than 49 percent of the silviculturally species other than Longleaf Pine, as determined by STC and determined appropriate by State Forester	to enhance 1 of the following: <ul style="list-style-type: none"> wetland development wildlife habitat stand health and vigor 	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides or insecticides	specified as necessary in the approved tree planting plan to establish the cover	
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
fencing, tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing <p>Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings.</p>	
roads	located on NIPF and necessary for forest restoration	
clean tilling	for firebreaks, fuelbreaks, or firelanes	

National Practices (Continued)

EF4 Bottomland Longleaf Pine Restoration (Continued)

L Financial Assistance Policy (Continued)

IF the component is...	AND the justification is...	THEN financial assistance is...
roads	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	
tree thinning		

National Practices (Continued)

EF5 Upland Hardwood Forest Restoration

A Purpose

The purpose of this practice is to restore upland hardwood forests. The practices **must** provide for the long-term viability of upland hardwood trees that have been impacted by the EFRP-designated disaster. The upland hardwood 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 that has tree cover (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources in an upland forest ecosystem dominated by hardwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC's may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.

National Practices (Continued)

EF5 Upland Hardwood Forest Restoration (Continued)

F Practice Requirements

The following are requirements for this practice:

- plantings **must** be protected from destructive fire and from grazing 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
- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

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.

National Practices (Continued)

EF5 Upland Hardwood Forest Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is **not** available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established
- certify practice compliance on FSA-848B, page 2 and note acreage treatment.

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.”

The limitation shall be based on the average cost of performing the unit of measure.

National Practices (Continued)

EF5 Upland Hardwood Forest Restoration (Continued)

L Financial Assistance Policy

This table shows financial assistance policies for this practice.

IF the component is...	AND the justification is...	THEN financial assistance is...
to establish a minimum of 3 different varieties of hardwood tree and shrub species	<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 	authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 645, 647, 650, 654, 655, and 666.
temporary cover	<ul style="list-style-type: none"> required in the practice specification needed until required planting stock is available needed because normal planting period for the species has passed to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	
debris removal	required to establish a stand or assist in the natural regeneration	
wildlife enhancement	<ul style="list-style-type: none"> provides cover opening that will provide additional wildlife benefits to the stand to establish and maintain a cover that provides habitat for wildlife in otherwise open areas. <p>Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.).</p>	
to establish no more than 49 percent of the silviculturally species other than hardwood, as determined by STC and determined appropriate by State Forester	to enhance 1 of the following: <ul style="list-style-type: none"> wildlife habitat stand health and vigor 	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides or insecticides	specified as necessary in the approved tree planting plan to establish the cover	
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
fencing, tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing. <p>Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings.</p>	
roads	located on NIPF and necessary for forest restoration	
clean tilling	for firebreaks, fuelbreaks, or firelanes	

National Practices (Continued)

EF5 Upland Hardwood Forest Restoration (Continued)

L Financial Assistance Policy (Continued)

IF the component is...	AND the justification is...	THEN financial assistance is...
roads	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	
tree thinning		

National Practices (Continued)

EF6 Upland Softwood Forest Restoration

A Purpose

The purpose of this practice is to restore existing upland softwood forests. The practices **must** provide for the long-term viability of upland softwood trees that have been impacted by the EFRP-designated disaster.

B Program Policy

Apply this practice to eligible NIPF that has tree cover (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources in an upland forest ecosystem dominated by softwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC's may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.

National Practices (Continued)

EF6 Upland Softwood Forest Restoration (Continued)

F Practice Requirements

The following are requirements for this practice:

- approval **must** be obtained from the State Forester certifying that planting up to 50 percent softwoods is an appropriate silvicultural practice for the State
- plantings **must** be protected from destructive fire and from grazing 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
- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

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.

National Practices (Continued)

EF6 Upland Softwood Forest Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is **not** available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established
- certify practice compliance on FSA-848B, page 2 and note acreage treatment.

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.”

The limitation shall be based on the average cost of performing the unit of measure.

National Practices (Continued)

EF6 Upland Softwood Forest Restoration (Continued)

L Financial Assistance Policy

This table shows financial assistance policies for this practice.

IF the component is...	AND the justification is...	THEN financial assistance is...
to establish a minimum of 3 different varieties of softwood tree and shrub species	<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 	authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 645, 647, 650, 654, 655, and 666.
temporary cover	<ul style="list-style-type: none"> required in the practice specification needed until required planting stock is available needed because normal planting period for the species has passed to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	
debris removal	required to establish a stand or assist in the natural regeneration	
wildlife enhancement	<ul style="list-style-type: none"> provides cover opening that will provide additional wildlife benefits to the stand to establish and maintain a cover that provides habitat for wildlife in otherwise open areas <p>Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.).</p>	
to establish no more than 49 percent of the silviculturally appropriate hardwood species, as determined by STC and determined appropriate by State Forester	to enhance 1 of the following: <ul style="list-style-type: none"> wildlife habitat stand health and vigor 	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides or insecticides	specified as necessary in the approved tree planting plan to establish the cover	
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
fencing, tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing <p>Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings.</p>	
roads	located on NIPF and necessary for forest restoration	
clean tilling	for firebreaks, fuelbreaks, or firelanes	

National Practices (Continued)

EF6 Upland Softwood Forest Restoration (Continued)

L Financial Assistance Policy (Continued)

IF the component is...	AND the justification is...	THEN financial assistance is...
roads	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	
tree thinning		

National Practices (Continued)

EF7 Upland Mixed Forest Restoration

A Purpose

The purpose of this practice is to restore upland mixed forests. The practices **must** provide for the long-term viability of a mixed upland forest ecosystem that has been impacted by the EFRP-designated disaster. The upland mixed 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 that had tree cover before an EFRP-designated disaster (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources of an upland tree stand with approximately equal amounts of hardwood and softwood trees.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce erosion to less than the soil loss tolerance
- prevent degradation of environmental benefits from recurring
- be maintained for the practice lifespan
- be included in the approved tree planting plan.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC's may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.

National Practices (Continued)

EF7 Upland Mixed Forest Restoration (Continued)

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 from grazing 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
- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

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.

National Practices (Continued)

EF7 Upland Mixed Forest Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is **not** available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established
- certify practice compliance on FSA-848B, page 2 and note acreage treatment.

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.”

The limitation shall be based on the average cost of performing the unit of measure.

National Practices (Continued)

EF7 Upland Mixed Forest Restoration (Continued)

L Financial Assistance Policy

This table shows financial assistance policies for this practice.

IF the component is...	AND the justification is...	THEN financial assistance is...
to establish a minimum of 3 different varieties of tree and shrub species	<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 	authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 645, 647, 650, 654, 655, and 666.
temporary cover	<ul style="list-style-type: none"> required in the practice specification needed until required planting stock is available needed because normal planting period for the species has passed to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	
debris removal	required to establish a stand or assist in the natural regeneration	
wildlife enhancement	<ul style="list-style-type: none"> provides cover opening that will provide additional wildlife benefits to the stand to establish and maintain a cover that provides habitat for wildlife in otherwise open areas <p>Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.).</p>	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides or insecticides	specified as necessary in the approved tree planting plan to establish the cover	
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
fencing, tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing <p>Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings.</p>	
roads	located on NIPF and necessary for forest restoration	
clean tilling	for firebreaks, fuelbreaks, or firelanes	

National Practices (Continued)

EF7 Upland Mixed Forest Restoration (Continued)

L Financial Assistance Policy (Continued)

IF the component is...	AND the justification is...	THEN financial assistance is...
roads	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	
tree thinning		

National Practices (Continued)

EF8 Upland Longleaf Pine Restoration

A Purpose

The purpose of this practice is to restore upland forest dominated by Longleaf Pine. The practices **must** provide for the long-term viability of upland Longleaf Pine trees that have been impacted by the EFRP-designated disaster. The upland 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
- promote carbon sequestration
- restore and connect wildlife habitat.

B Program Policy

Apply this practice to eligible NIPF that had tree cover before an EFRP-designated disaster (or had tree cover immediately before the EFRP-designated disaster and is suitable for growing trees) to restore forest health and forest-related resources of an upland Longleaf Pine tree stand.

C Eligibility

To be eligible for financial assistance, this practice shall:

- reduce soil erosion to less than the soil loss tolerance
- restore forest health and forest-related resources
- be maintained for the practice lifespan
- be included in the approved practice plan and listed on the signed FSA-848, page 1.

D Planting Period

The producer has 2 years from the date the financial assistance agreement is approved to remove debris and replant or allow natural regeneration of the stand. COC's may waive the replanting period for 1 additional year. Waiver should be based on conditions that are generally beyond the control of the producer. For example, drought or lack of planting stock would be reason to authorize a waiver.

E Practice Lifespan

The practice shall be maintained for at least 10 years following the calendar year of installation.

Tree thinning or harvest of cottonwood species may be permitted after year 9 of the EFRP agreement, as appropriate for the stand as determined by the State Forester.

National Practices (Continued)

EF8 Upland Longleaf Pine Restoration (Continued)

F Practice Requirements

The following are requirements for this practice:

- plantings **must** be protected from destructive fire and from grazing 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
- shall have periodic management activities performed according to the practice plan, during the practice lifespan, as determined by COC.

G Natural Regeneration

Natural regeneration by nuts or seed may be permitted under this practice, provided that the certified forester believes a viable stand can be reestablished.

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.

National Practices (Continued)

EF8 Upland Longleaf Pine Restoration (Continued)

J Technical Responsibility

Technical responsibility for this practice shall be assigned to FS. If FS representative is **not** available, this responsibility may be redelegated to NRCS or TSP. A forestry official or TSP shall:

- complete the practice plan and FSA-848, page 2
- review the plan with the producer and ensure proper control of weeds and undergrowth
- conduct an annual status review with the producer until the stand is established
- certify practice compliance on FSA-848B, page 2 and note acreage treatment.

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.”

The limitation shall be based on the average cost of performing the unit of measure.

National Practices (Continued)

EF8 Upland Longleaf Pine Restoration (Continued)

L Financial Assistance Policy

This table shows financial assistance policies for this practice.

IF the component is...	AND the justification is...	THEN financial assistance is...
to establish a minimum of 3 different varieties of tree and shrub species	<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 	authorized using technical practice codes 314, 315, 322, 326, 327, 338, 340, 342, 373, 379, 380, 381, 382, 384, 390, 391, 394, 395, 453, 460, 484, 490, 500, 527, 560, 568, 580, 584, 587, 595, 610, 612, 638, 643, 645, 647, 650, 654, 655, and 666.
temporary cover	<ul style="list-style-type: none"> required in the practice specification needed until required planting stock is available needed because normal planting period for the species has passed to establish a cover where a solid condition, such as chemical residue, will not immediately allow establishment of permanent cover 	
debris removal	required to establish a stand or assist in the natural regeneration	
wildlife enhancement	<ul style="list-style-type: none"> provides cover opening that will provide additional wildlife benefits to the stand to establish and maintain a cover that provides habitat for wildlife in otherwise open areas <p>Note: This may relate to debris removal and salvage activities (planting load landings, temporary roads, etc.).</p>	
to establish no more than 49 percent of the silviculturally species other than Longleaf Pine, as determined by STC and determined appropriate by State Forester	to enhance 1 of the following: <ul style="list-style-type: none"> wildlife habitat stand health and vigor. 	
seeding firebreaks, fuelbreaks, or firelanes	to establish and maintain the cover according to State requirements	
herbicides or insecticides	specified as necessary in the approved tree planting plan to establish the cover	
minerals or nutrients	substantiated as needed by COC to establish the approved cover	
fencing, tree shelters, netting, plastic tubes, or other animal control devices	approved by STC for the area and substantiated as needed by technician and COC to prevent damage from wildlife browsing <p>Note: STC must designate areas where using such measures are warranted and cost-effective to protect seedlings.</p>	
roads	located on NIPF and necessary for forest restoration	
clean tilling	for firebreaks, fuelbreaks, or firelanes	

National Practices (Continued)

EF8 Upland Longleaf Pine Restoration (Continued)

L Financial Assistance Policy (Continued)

IF the component is...	AND the justification is...	THEN financial assistance is...
roads	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	
tree thinning		

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	
	not authorized.

D Planting Period

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

All practices **must** specify a minimum lifespan. Generally, the practice lifespan should be similar to that for other practices in this handbook.

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 shall specify whether natural regeneration is acceptable under the practice.

H Management Activities

This practice description shall 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.

Example of FSA-850

The following is an example of FSA-850 that is available from the FFAS Employee Forms Online Web Site at <http://165.221.16.90/dam/ffasforms/forms.html>.

<p>This form is available electronically.</p> <p>FSA-850 U.S. DEPARTMENT OF AGRICULTURE (06-14-02) Farm Service Agency</p> <p align="center">ENVIRONMENTAL EVALUATION CHECKLIST</p>		<p>1. PROJECT INFORMATION</p> <p>1A. PRODUCER or APPLICANT NAME</p>					
		1B. PROJECT NUMBER	1C. STATE & COUNTY CODE				
1D. TYPE OF PROJECT	1E. PROJECT OR DESCRIPTION	1F. GENERAL LOCATION					
LOAN <input type="checkbox"/> CRP <input type="checkbox"/> ECP <input type="checkbox"/> OTHER <input type="checkbox"/>							
<p>2. BACKGROUND</p> <p>a. Describe the purpose and need for the project:</p> <p>b. Describe the project site and its present use:</p> <p>c. Describe the surrounding land uses; indicate the directions and distances involved. The extent of the surrounding land to be considered depends on the extent of the potential impacts of the project, its related activities, and the primary beneficiaries:</p> <p>Attach adequate location maps of the project area, as well as (1) an aerial photo of the site, (2) if available, topographic map which clearly delineates the area and the location of the project elements, (3) if available, site photos, and (4) if completed, a standard soil survey for the project. When necessary for descriptive purposes or environmental analysis, include land use maps or other graphic information. All graphic materials shall be of high quality resolution.</p>							
<p>3. PROTECTED RESOURCES</p> <p>For the below listed land uses or environmental resources, check the appropriate answer in Column A to indicate those that are present on the site(s) of the proposed action. Check the appropriate answer in Column B for those resources that are within the action's area of environmental impact, such as the areas adjacent to the proposed site(s). Check the appropriate answer in Column C for those land uses and environmental resources that will be adversely affected by the proposed action.</p> <p>Check the appropriate boxes as provided:</p> <ul style="list-style-type: none"> - If "YES" is checked in Column A or B, then Column C must be completed. - If "YES" is checked in Column C, attach as Exhibit 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, and 3i as applicable, a discussion and description of all potential impacts. 		A		B		C	
		Located on the site of the proposed action		Located within the proposed action area of environmental impact		Adversely affected by the proposed action	
		YES	NO	YES	NO	YES	NO
<p>a. Wetlands</p> <p>An AD-1026 must be completed by all producers who request USDA program or loan benefits covered by the FSA of 1985, as amended by the Federal Agriculture Improvement and Reform Act of 1996. If any of questions 8 through 10 of the AD-1026 are answered "YES," then a NRCS CPA-026e must be completed and attached.</p>							
<p>b. Floodplains - Flood Map Panel # _____</p> <p>For projects involving construction/development in floodplains, attach applicable floodplain development permits.</p>							
<p>c. Sole Source Aquifer Recharge Area (Designated by Environmental Protection Agency)</p> <p>The proposed action must not contaminate or contribute to the contamination of a sole source aquifer to the extent that a significant hazard to public health is created.</p>							
<p>d. Critical Habitat or Endangered/Threatened Species (listed or proposed)</p> <p>Consult with the U.S. Fish and Wildlife to ensure that the proposed action will not jeopardize a listed species or destroy or modify its "critical habitat" in accordance with the Endangered Species Act.</p>							
<p>e. Wilderness</p>							
<p>f. Coastal Barrier in Coastal Barrier Resources System or Approved Coastal Zone Management Area</p>							
<p>g. Wild or Scenic River</p>							
<p>h. Natural Landmark</p>							
<p>i. Historical, Archeological Sites</p>							

Example of FSA-850 (Continued)

<p>FSA-850 (Page 2) (06-14-02)</p> <p>4. WATER QUALITY</p> <p>a. Will the proposed action adversely affect the quality of surface and/or ground water? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>b. Will the proposed action comply with the requirements of the Clean Water Act and any applicable State water quality laws? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If Item 4a is answered "YES," attach as Exhibit 4, a discussion of any impacts to water quality.</p>
<p>5. AIR QUALITY</p> <p>Will the proposed action produce air emissions or odors that will violate any Federal, State, or local laws or standards? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If "YES," attach as Exhibit 5, a discussion of any impacts to air quality.</p>
<p>6. NOISE</p> <p>Will the proposed action result in permanent increases in noise levels? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If "YES," attach as Exhibit 6, a discussion of any noise impacts.</p>
<p>7. IMPORTANT LAND RESOURCES</p> <p>Will the proposed action result in the conversion of important farmland, prime forest land, or prime rangeland to a nonagricultural use? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If "YES," attach as Exhibit 7, a discussion of which land resources would be affected along with any alternatives to the proposed action.</p>
<p>8. UNIQUE NATURAL FEATURES AND AREAS</p> <p>a. Will the project be located near natural features (i.e. bluffs, caves, or cliffs) or near public or private scenic areas? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>b. Are other natural resources visible on the site or in the vicinity? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>c. Will any such resources be adversely affected or will they adversely affect the project? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If Item 8c is answered "YES," attach as Exhibit 8, a discussion of such natural features or areas and potential adverse impacts.</p>
<p>9. ENVIRONMENTAL JUSTICE</p> <p>Will the proposed action cause any adverse human health or environmental effects to minority or low income communities as defined in the Executive Order 12896, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If "YES," attach as Exhibit 9, a discussion of any adverse effects.</p>
<p>10. SOCIAL AND ECONOMIC IMPACTS</p> <p>Will the proposed action have any negative impacts on the local social and economic conditions? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If "YES," attach as Exhibit 10, a discussion of any negative impacts.</p>
<p>11. STATE ENVIRONMENTAL POLICY ACT</p> <p>Is the proposed project subject to a State NEPA? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If "YES," attach as Exhibit 11, a discussion of the results of compliance with these requirements.</p>
<p>12. PUBLIC REACTION</p> <p>Have there been any negative reactions from the public related to the proposed project? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If "YES," attach as Exhibit 12, a discussion of any associated comments and related correspondence.</p>

Example of FSA-850 (Continued)

FSA-850 (Page 3) (06-14-02)

13. CUMULATIVE IMPACTS
 Are there any cumulative impacts resulting from the proposed project? YES NO
 If "YES," attach as Exhibit 13, a discussion of the cumulative impacts of this project and the related activities. Give particular attention to land use changes and air and water quality impacts.

14. ALTERNATIVES
 Based on the answers provided in this form, will alternatives have to be considered? YES NO
 If "YES," attach as Exhibit 14, a discussion of the feasibility of alternatives to the project and their environmental impacts.

15. MITIGATION MEASURES
 Based on the answers provided in this form, will mitigation measures have to be considered? YES NO
 If "YES," attach as Exhibit 15, a discussion of any measures which will be required to avoid or mitigate the identified adverse impacts.

16. COMMENTS

17. CHECKLIST

Permits			Forms		
	Required	Not Required		Required	Not Required
Army Corps of Engineers 404			Form FSA-851, Environmental Risk Assessment		
NPDES Storm Water			Form NRCS CPA-026e, HEL and WC Determination		
Floodplain Development Permit			Form FEMA 81-93, Standard Flood Hazard Determination		
CAFO Permit					

Letters and Other Requirements					
	Required	Not Required		Required	Not Required
Fish and Wildlife Service clearance on Endangered/Threatened Species			Public Notice for Floodplains as required by section 2(a)(4) of EO 11988		
State Historic Preservation Officer consultation			Tribal Historic Preservation Officer consultation		

NOTE: Other permits, forms, and letters may be required and should be attached as applicable. All permits, forms, and letters should be attached as exhibits corresponding to their appropriate section of this form.

18. FINDING
 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:

a. There will be no adverse impacts as a result of this proposed action or any adverse effects, either individually or cumulatively. The project can be considered as categorically excluded per §799.10 of 7 CFR Part 799. Neither an Environmental Assessment or Environmental Impact Statement will be required. The project is recommended for approval.

b. An Environmental Assessment should be completed to provide further and more complete analysis of any adverse impacts and approval of the project must be delayed pending the outcome of the assessment.

19A. NAME OF PREPARER	19B. TITLE OF PREPARER
19C. SIGNATURE OF PREPARER	19D. DATE (MM-DD-YYYY)
19E. SIGNATURE OF CONCURRING OFFICIAL	19F. TITLE OF CONCURRING OFFICIAL

Completing ACP-153A

A Entries Before Releasing ACP-153A to P-A Agents

County Offices shall make the following entries before releasing ACP-153A to P-A agents.

Item	Entries Made by County Office Before Releasing ACP-153A to Agent
1	CHECK (✓) "No" to indicate that P-A is not a special project.
2	Enter "1" of "1" if report consists of 1 page. If continuation page is needed, enter "1" of "2" on the first page and "2" of "2" on the second page. If more pages are needed, enter page numbers as required.
3	Enter FY, which should be the same FY as on corresponding ACP-153.
4	Enter agreement number from corresponding ACP-153.
5 and 6	Enter State and county names, which should be the same State and county on corresponding ACP-153.
7	Enter brief, accurate description of location.
8 and 9	Enter number and title of practice needed to address the disaster related damages.
15	Enter the farm number of each participant ensuring that the lines on this form and ACP-153 have the same identical number.

B Entries Reported by P-A Agent

P-A agents shall complete the following entries.

Item	Entries Reported by P-A Agent
16	Enter actual value, dollar or other, of each participant's eligible contribution.
24 and 25	P-A agent shall sign and date.

Completing ACP-153A (Continued)

C Entries Completed by County Office When Returned by Agent

County Offices shall complete the following entries after ACP-153A has been returned by the P-A agent.

Item	Entries Reported by County Office When ACP-153A Is Returned by P-A Agent
10	This data is obtained from FSA-848B. An exception is when limited resource producers are involved according to paragraph 176. Only one FSA-848B per practice is required for entire group participating in P-A.
11	Enter the total deductions, if any, for partial payments, assignments, and debts. Use whole dollars according to paragraph 294.
12	Enter total ineligible contributions, if any.
13	Enter total eligible cost of the project.
14	Enter result of item 13 minus item 12.
17	Enter result of item 16 divided by item 14.
18	Enter the result of item 10 multiplied by item 17 in whole numbers . Total should equal item 10.
19	Enter any deductions for debts, assignments, or partial payment advanced. Enter amount in dollars and cents as necessary. See paragraph 294.
20	Enter the result of item 18 minus item 19.

D Distributing ACP-153's and FSA-848B With ACP-153A

Distribute ACP-153's, FSA-848B's, and ACP-153A's according to the following:

- COC retains original of ACP-153.
- Give 1 copy of ACP-153 to NRCS.
- Give 1 copy of ACP-153 and FSA-848B and 2 copies of ACP-153A to the agent.

Completing ACP-153A (Continued)

E Example of ACP-153A

The following is an example of a completed ACP-153A.

Note: See subparagraphs A, B, and C for a description of the data on ACP-153A.

This form is available electronically.				1. SPECIAL PROJECT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		2. PAGE 1 OF 1		3. FISCAL YEAR 2004		4. AGREEMENT NO. 0010	
ACP-153A U.S. DEPARTMENT OF AGRICULTURE (03-30-04) Farm Service Agency				5. STATE PA				6. COUNTY Lebanon			
POOLING AGREEMENT WORKSHEET											
PART A - DESCRIPTION											
7. IDENTIFICATION OF PROJECT AREA (<i>Brief description with attached ACP-308 Transmittal, if used</i>) The Michael-Bush Ditch 10 miles south of town						8. PRACTICE NO. EC-4		9. TITLE Restoring Conservation Structures and other Installations			
						10. COLUMN H of AD-245 4,000		11. DEDUCTIONS 0		12. INELIGIBLE CONTRIBUTIONS 0	
						13. TOTAL COST 8,000			14. NET TOTAL (Item 13 minus Item 12) 8,000		
PART B - FOR USE AFTER PROJECT IS COMPLETED											
15. FARM NO.		16. CONTRI- BUTIONS (\$)	17. FACTOR	18. C/S EARNED (\$)	19. PAYMENT DEDUCTION (\$)	20. NET PAYMENT (\$)		21. CHECK NO.		22. REMARKS	
A. A-45		4,000	.50	2,000		2,000					
B. 4-68		2,000	.25	1,000		1,000					
C. A-23		2,000	.25	1,000		1,000					
D.											
E.											
F.											
G.											
H.											
I.											
J.											
K.											
L.											
M.											
N.											
O.											
P.											
Q.											
R.											
S.											
T.											
23. TOTALS		8,000		4,000		4,000					
PART C - CERTIFICATION											
<i>I certify that the contributions listed in column 16 were made by the participants as shown.</i>						24. AGENT'S SIGNATURE			25. DATE (MM-DD-YYYY) XX-XX-XXXX		
The extent and cost-shares will be shown on one AD-245 for the entire agreement.											
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Completing FSA-276

A Completion Instructions

The following provides instructions for completing FSA-276.

Item	Instructions
1	Enter the farm number.
2	Enter the producer'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 producer 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 shall sign when spot check is completed.
17	To be completed by spot checker. Spot checker shall date when spot check is completed.

Completing FSA-276 (Continued)

B Example of FSA-276

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

This form is available electronically. FSA-276 (10-12-01)			U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency			1. FARM NO. A-45		2. PRODUCER'S NAME AND ADDRESS James Michaels 100 School House Rd. Lebanon, PA 12345								
ON-FARM SPOT CHECK RECORD						3. NAME OF PERSON CONTACTED ON FARM		4. TELE. NO. (Area Code) 123-987-8546		5. STATE PA		6. COUNTY Lebanon		7. FISCAL YEAR 2004		
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	YES	NO	NO	NO	NO	NO	
2003	300	Fencing	120 D	1,000 ft.												
15. REMARKS: <i>(Describe any discrepancies - use separate sheet of paper)</i>																
16. SIGNATURE OF SPOT CHECKER <i>/s/ Spot Checker</i>										17. DATE OF SPOT CHECK XX-XX-XXXX						

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