

Emergency Watershed Protection Program

EWP Training
For Zone 3 District
Conservationists
July 20, 2006

EWP Programmatic Review Results

- More Training is needed
- SCE will prepare a visual key for initial assessment
- Consistency of Teams
- Better Communication
 - Project Categories
 - Funding
- STC said that EWP proceeds other priorities in order to check for exigencies



Program Objective

624.2 Objective. The objective of the EWP Program is to assist sponsors, landowners, and operators in implementing emergency recovery measures for runoff retardation and erosion prevention to relieve imminent hazards to life and property created by a natural disaster that causes a sudden impairment of a watershed

Definitions

- *Imminent threat* means a substantial natural occurrence that could cause significant damage to property or threaten human life in the near future
- *Natural occurrence* includes, but is not limited to, floods, fires, windstorms, ice storms, hurricanes, typhoons, tornadoes, earthquakes, volcanic actions, slides, and drought.

Definitions (cont.)

- *Watershed emergency* means adverse impacts to resources exist when a natural occurrence causes a sudden impairment of a watershed and creates an imminent threat to life or property.

Definitions (cont.)

- *Watershed impairment* means the situation that exists when the ability of a watershed to carry out its natural functions is reduced to the point where an imminent threat to health, life, or property is created. This impairment can also include sediment and debris deposition in floodplains and upland portions of the watershed.

Definitions (cont.)

- *Exigency* means those situations that demand immediate action to avoid potential loss of life or property, including situations where a second event may occur shortly thereafter that could compound the impairment, cause new damages or the potential loss of life if action to remedy the situation is not taken immediately.

How is EWP Activated

- Presidential Declaration
- Secretary Drought Declaration
- State Conservationist Declaration

How is EWP Funded

■ Special Congressional Appropriation

- Non-exigencies may have two years before finally funded
- Exigencies may be funded from NHQ (if available).

Eligibility Criteria

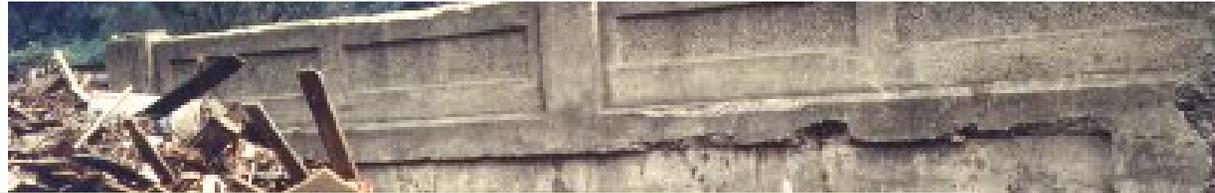
- Reduce Threat to Life and Property
- Economically, Environmentally, and Socially Defensible, and Technically Sound
- Alleviate a Sudden Watershed Impairment

Measures Must Provide

- Immediate, adequate and safe relief from hazard
- Limited to measures that reduce applicable threat to a stable condition
- Approximate conditions prior to event (impairment)

Eligible Measures

➔ Debris Removal



Eligible Measures

➔ Streambank Stabilization



Eligible Measures

➔ Critical Area Treatment



Eligible Measures

➔ Levee Repair



Eligible Measures

➔ PL 78-534 & 83-566 Structure Repair



Solutions

➔ Floodplain Easement (unfunded at present)



Other Eligible Measures

- Levee Repair (under 400 mi² drainage)
- Repair of structural, enduring, and long-life conservation practices
 - i.e. Grassed waterways, terraces, embankment ponds, diversions, etc.
 - Except where eligible under FSA's Emergency Conservation Program (ECP)
 - Sponsor must document they have exhausted or insufficient funds
- Cannot compete with other Federal Programs



Ineligible Measures



➔ **Restore Agricultural Productivity to Farmland**





Ineligible Measures

➔ Replacement of Infrastructure





Ineligible Measures

➔ Flood Fighting/Rescue



Zone 3 Training



Ineligible Measures



➔ **Correcting Pre-existing Problems**



In-eligible Measures

- Performing O&M type Work
- Repair of a site more than 2 times in 10 years for same type event.
- Work on Federal Lands
- Repair Animal Waste Lagoons
- Work competing with other Federal Programs (Farm Services Agency's-Emergency Conservation Program or Federal Highway Administration-Emergency Program)
- Repair, rebuild, or maintain public or private transportation facilities or facilities of Federal Highway Administration
- Increase pre-disaster channel capacity
- Removal of sediment or debris from Reservoirs
- Work on levees of rivers with drainage of greater than 400 square miles
- Landscaping for aesthetics



Priority of Sites

- Exigency situation
- Serious but not immediate threat to loss of life
- Sites where buildings, utilities, and other infrastructure are threatened
- Sites with federally protected resources at risk without EWP Practice:
 - T&E species or habitat
 - Sites containing or proximity of cultural resources on National Registry

Priority of Sites (cont.)

- Sites with federally protected resources at risk without EWP Practice: (cont.)
 - Prime farmland
 - Wetlands
 - Sites that would have a major affect on water quality
- Sites containing unique habitats:
 - State listed T&E species
 - State game management and preserves
 - State-identified sensitive areas
- Other priorities as set by Chief of NRCS

Eligible Sponsors

- State Government
- Local Units of Government
- Other Government Entities
- Indian Tribes and Tribal Organizations
- Most work has been with County Commissions and Tribes or Tribal Organizations

Responsibilities – Local Sponsor

- Providing a written request to STC for assistance and appropriate documentation
- Accepting requests for assistance from local landowners
- Obtaining necessary real property rights, including any rights needed for the relocation of fences, bridges, etc.
 - A signed ADS-78
 - A signed attorney's opinion, as appropriate
- Obtaining required Federal, State, Tribal, and local permits

Responsibilities – Local Sponsor (cont.)

- Assisting with relocation of utilities
- Providing required local share of installation costs
- Ensuring compliance with O&M plan
- Assisting in establishing of priorities of work
- Publicizing the availability of the EWP Program
- Participating on a DSR team, as needed
- Accepting the completed work
- Conducting outreach to underserved populations

Sponsor's Application-Draft

- A description of the problems encountered.
- Assistance needed, including the following:
 - Nature of the problem
 - Location
 - Scope of the problem
- Commitment by the sponsor to assume the following responsibilities—
 - Provide local cost-share
 - Land rights acquisition
 - Permits
 - Operations and Maintenance (O&M), if required
- A statement indicating that funds have either been exhausted or are insufficient to provide adequate recovery measures from the applicable hazards.
- A statement identifying any other State or Federal funding received or application submitted.

Special Note on Land Rights

- Case where land owner will not sign easement but approves work
- Land owner who gives verbal approval acceptable
- Local sponsor must have written statement of person witnessing verbal approval and witnessed by another party
- NRCS employees cannot be a witness for this statement

Limited Resource Areas

- Use the most recent Census Bureau data to make determination on a county basis.
- Average housing values less than 75% of state average housing value
- Per capita income must be 75% or less than median income for the nation
- Unemployment rate must be twice the U.S. average over the past three years.

Limited Resource Communities

- Limited Resource Communities may exist within counties that do not qualify for the reduced cost share rate.
- STC may make exception if the above criteria can be documented on a community basis.
- Community Definition:
 - *Six or more homes*
 - Sharing institutions such as churches, post office, store(s), repair garage, etc.
- In no case will limited resource status be granted for one individual, household, or landowner.



EWP Flow Chart

1. Disaster event occurs.

Working Days 1 to 4 after the event

2. Sponsor and District Conservationist (DC) review the site(s) for preliminary eligibility.
3. DC informs the Assistant State Conservationist (FO), EWP Program Manager, SCE, and DSR Team of potential EWP event
4. DC completes and submits via e-mail or facsimile a data sheet for the EDR providing preliminary disaster damage assessment including the names of counties involved, date of event, type of disaster, type of damage, type of repairs needed, number of sites, and a total cost estimate of EWP restoration work needed to the State Office (EWP Program Manager) (EDR-EWP.XLS). EDR is to be submitted to the EWP Program Manager within 4 days of the event.



EWP Flow Chart (cont.)

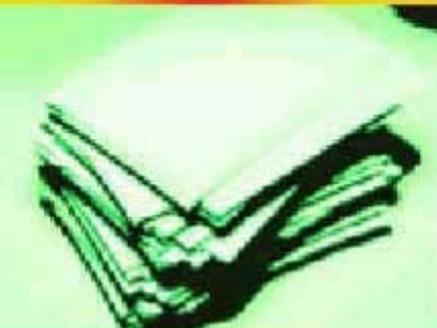


Working Day 5 after the event

5. A combined event EDR is sent to NHQ by Program Coordinator

Working day 5 to 10 after the event

6. State Conservationist issues a declaration of eligibility for counties that have provided a preliminary damage assessment and instructs DC to coordinate with Local Sponsors to see if assistance is needed



No Later than Calendar Day 60 after the event:

7. Sponsor(s) submit a letter to the State Conservationist noting that they have exhausted or nearly exhausted all resources on their recovery effort and request NRCS assistance.
 8. District board submits a letter to the State Conservationist supporting the local sponsor request that NRCS assist in the recovery effort.
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EWP Flow Chart (cont.)

Working day 10 to 60 days after Sponsor's Letter

9. The DC contacts all DSR Team members and coordinates with team to complete Damage Survey Reports (DSR's) within the 60 day time limit.
 - a. District Conservationist coordinates the Interdisciplinary Team's [DC, RC&D Coordinator, Resource Engineer (RE) and/or Project Engineer (PE), and Resource Specialist] review and preparation of DSR's. A minimum of two alternatives will be evaluated along with the "No Action" alternative.
 - b. Provide a vicinity map of the proposed EWP site
 - c. A plan view (sketch) of the work along with a typical cross section (if the alternative is to do some stream bank stabilization)
 - d. A PDM-7 will be prepared for all structural work for submission of a permit request to do the work.
 - e. A PDM-11 will be prepared for each alternative that estimates the total cost with a break out of Federal and local cost components. The local share must be 25% or greater. If not, then the Sponsor will need to provide cash to make up the difference.

EWP Flow Chart (cont.)

10. DC and county commissioners reconnoiter utilities, access bridges, and available stockpile areas. Sponsors call OKIE (1-800-522-6543) regarding location of utilities (sign ADS-78) before construction begins.
11. Get Sponsor priorities list and discuss programmatic priorities (Page 10 DSR)
12. DSR Team (DC is team leader) submits following information
 - a. Vicinity Map (Map contains site location, latitude and longitude, etc.)
 - b. EWP cost estimate and cost-share breakout (OK-PDM-11)
 - c. EWP Permit Synopsis (OK-PDM-7)

EWP Flow Chart (cont.)

- d. EWP Damage Survey Report (Without Project, Proposed, and Alternative)
 - i. Summary Pages 1 and 2
 - ii. Environmental Evaluation Pages 3 and 4
 - iii. Social/Economics Defensibility Page 5, 6, and 7
 - iv. Required Consultation Page 8
 - v. Engineering Cost Page 9
 - vi. EWP Funding Priority Page 10
 - vii. Findings Page 11
- e. The TSO engineer submits a cost estimate for job with input from others as needed. Include mobilization and performance time. Also needed is a neat sketch of a plan view of the work area (including stockpile areas) along with a typical cross section of the proposed work.

EWP Flow Chart (cont.)

- f. Contact State Archaeology Office in Norman with potential EWP site for review
 - g. SCS-ADS-78 (Land Rights Certification including utilities) due before construction
 - h. Specifications of proposed alternative (prior to contracting)
 - i. Letter of Sponsors request for assistance
 - j. Letter of Conservation District concurrence
13. The following forms signed by the person shown in parenthesis:
- a. DSR-Page 2 (STC and EWP Program Manager)
 - b. DSR-Page 11 (Sponsor representative and DC)

EWP Flow Chart (cont.)

14. Program Manager send Page 1&2 of each approved DSR and Funding Request to NHQ
15. NEPA Coordinator prepares requests for permits (401, 404, and DEQ).

EWP Flow Chart (cont.)

No later than 220 days after receiving funds all construction is to be complete

16. When funds arrive Program Manager funds projects based on priorities and notifies:
 - a. State Conservationist
 - b. Assistant for Field Operations
 - c. State Administrative Officer
 - d. Administrative Services (Contracting)
 - e. Financial Management
 - f. District Conservationist
 - g. Resource Engineer at the Technical Service Office
 - h. Resource Specialist at the Technical Service Office
 - i. Resource Conservation and Development Coordinator

EWP Flow Chart (cont.)

17. DC contacts Sponsor(s) to finalize landright (signed ADS-78)
18. SCE prepares final design and specification for a construction package
19. Program Manager submits an AD-700 for construction contract
20. Project Agreement
 - a. Management Services prepares a project agreement for Sponsor
 - b. DC works with Sponsor to procure signature on project agreement and on
21. Contract Package
 - a. Management Services prepares a pre-solicitation package
 - b. Management Services sets a site showing date w/DC and COR

EWP Flow Chart (cont.)

- c. Management Services prepares solicitation package and contact potential contractors
- d. Management Services awards the contract
- e. COR begins job dairy and works with winning contractor on start date.



EWP Flow Chart (cont.)

No later than 90 days after construction completion on last site in an event code

22. Construction Completion Activities

- a. Management Services closes contract with final payment to contractor
- b. DC collects written comments about EWP process from Sponsor and submits to Program Manager
- c. Program manager prepares final report and returns any unexpended funds to NHQ

EWP Flow Chart (cont.)

Time Frames

- Electronic Disaster Report Data (EDR) from DC to EWP Program Manager
.....within 4 days of the event
- Request from Sponsor
.....within 60 days of the event
- Funding Request
.....within 60 days of the Sponsor request
- Contracting Complete
.....within 220 days of funds commitment
- For Project Code Number
..... all contracts completed within 365 days of event
- Exigency is different in that it must be completed within 10 days of funding

EWP Exigency Notes

1. A minimum DSR team for an exigency is a DC and TSO Engineer
2. Must be on site as soon as possible after DC discovers a potential exigency
3. Make all NRCS contacts as soon as possible (SCE or Program Manager may go out and make exigency determination or rely on the Trip Report).
4. Prepare a trip report to be transmitted to Program Manager and SCE as soon as possible. The trip report will have pictures of site and notes detailing why the site may be exigent. The TSO engineer will have to make a cost estimate and determine structural soundness of site.

EWP Exigency Notes (Cont.)

5. If TSO engineer believes site is exigent based on structural soundness, the complete DSR ASAP
6. The Program Manager will work with team to collect permits and NHQ for funding
7. Basically 2-16 above is done over a two day period.
8. Upon funding from NHQ; 17 to 22 is done over the next 10 days.

Key is that we have no weekends if an exigency is identified and NRCS accepts responsibility for repairing the site (*if funds are available from National Headquarters*).

Your First Steps after Event

- Notify the EWP Program Coordinator of a potential EWP event.
- Collect newspaper clippings, etc. for event file as documentation of event
- Get with county commissioner or other local potential sponsor to determine if any damage meets program
- Estimate value of repairs that meet broad program guidelines
- Prepare information for Electronic Disaster Report within 4 calendar days of event and forward to EWP Program Coordinator
- The Program Coordinator will work with you from there



Contact for Questions

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EWP Website (under Construction)