



# Emergency Watershed Protection (EWP) Program

Restoration Assistance After a Natural Disaster



## When Disaster Strikes

A tornado rips through a county causing debris to fill a local stream, threatening bridges and roads. A flood damages a stream-bank, making the adjacent road unsafe. A wildfire strips the vegetation that protects a watershed from erosion and sedimentation. While these local disasters may not make the national news, they can be devastating to a local community.

The Emergency Watershed Protection Program (EWP) helps communities with restoration after disaster strikes. EWP provides financial and technical assistance for projects where the damage done in the aftermath of a disaster poses an imminent threat to life or property or both.

## Types of Work Eligible for Assistance

There is no prescribed list of construction practices for EWP. Each case is investigated to determine the project's requirements.

All projects must reduce threats to life and property, be economically, environmentally, and socially sound, and designed to NRCS engineering standards.

## Examples of Work Under EWP

*Debris-clogged stream channels, road culverts, and bridges*

*Undermined and unstable streambanks*

*Jeopardized water control structures and federal assisted watershed dams*

*Purchasing floodplain easements*

*Damaged upland sites stripped of protective vegetation by fire or drought*

## Projects Require a Public Sponsor

Public and private landowners are eligible for assistance when they are represented by a project sponsor.

Project sponsor(s) must be a public entity of state, county, or city government, or a special district or tribal government.

*EWP can be used to remove threats to life and property. Threats include debris-clogged stream channels, undermined and unstable stream banks, jeopardized water control structures and public infrastructure, and damaged upland sites stripped of protective vegetation by fire or drought.*

## About EWP

Established by Congress to help local groups, rather than individuals, get assistance when a natural disaster creates an imminent hazard to life and property.

Unlike other types of disaster assistance, EWP doesn't require a disaster declaration by Federal or State officials.

To request assistance, the sponsoring organization merely sends a letter to your state's NRCS State Conservationist. The request should include the nature, location, and scope of the problem needing help.

From there, NRCS will guide the sponsor through the process.

## EWP Limitations

Funds cannot be used to fix problems that existed before the disaster.

EWP does not fund operation and maintenance work or to repair private or public transportation facilities or utilities. EWP work cannot adversely affect downstream water rights or stream quality.

Your local NRCS office can provide more details on a specific situation.



Bank erosion along the Sheyenne River near Ft. Ransom, North Dakota



Streambank erosion threatening infrastructure in LaMoure County, ND along Bone Hill Creek

## Cost Share Between NRCS and the Sponsor

NRCS covers up to 75 percent of the construction cost. The sponsor(s) are responsible for at least 25 percent of the remaining cost. The local match can be in the form of cash or in-kind services or combination of both. In addition, NRCS will cover engineering costs of the Sponsor up to 7.5% of construction cost.

### Examples of Eligible In-Kind Cost Share Provided by a Sponsor

Besides cash, a sponsor may fulfill their cost share with in-kind contributions. Examples are shown in the matrix below:

Labor	Equipment	Materials
Surveying	Design	Construction Management
Contracting	Others as approved by NRCS	

### Sponsor Pays 100 Percent of these Costs

Sponsors must provide 100 percent of the cost for some elements of the project which are not included in their 25 percent cost share. Those cost elements are shown in the table below.

Costs for acquiring land rights, easements, or other types of property rights necessary to complete the project
Costs related to obtaining permits
Operation and maintenance on the installed components

### Two Types of Projects: Exigency and Non-Exigency

Projects types are assigned by NRCS. The degree of the threat to life and property determines the type of project.

Exigency Project—An urgent and compelling need for restoration. An imminent threat to life and property exists and requires immediate federal action. Exigency projects must be completed within 10 days of funding and access to the site in order to protect life and property.

Non-Exigency Project—The threat to life and property constitutes an emergency, but does not pose an imminent threat. Non-exigency projects must be completed within 220 days after funding approval.



Repair of aux. spillway for Bourbanis Dam in Cavalier County

## Sponsor Responsibilities

The work can be done either through federal or local contracts, as well as by the sponsor's crews. Sponsor responsibilities are defined for each project. The list of sponsor responsibilities shown below are typical.

### Project Sponsor Responsibilities

Providing written request to the NRCS state conservationist and application documentation
Managing request for assistance from landowners
Conducting outreach to under-served populations
Participating with NRCS's Damage Survey Report team
Helping establish the priorities of the work
Obtaining real property rights, including rights for relocation of fences, bridges, and items need to complete the design
Obtaining federal, state, tribal, and local permits
Developing design drawings and specifications
Providing the required local match of the costs
Accepting the completed work
Executing the operation and maintenance of the completed project according the plan

ACBs installed in repair of Lake LaMoure aux. spillway



## NRCS Responsibilities

NRCS leads a team of stakeholders to complete a Damage Survey Report (DSR). This report provides a case-by-case investigation of the work necessary to restore a site.

### NRCS Responsibilities

NRCS EWP program manager sends Electronic Disaster Report (EDR) within 5 days of a natural disaster event to initiate an EWP response. Also notifies state and federal agencies
Helping the sponsor through the application process
NRCS mobilizes a response team to evaluate the damages
Completes the Damage Survey Report (DSR)
NRCS State Conservationist request funds. Project is put on a national EWP waiting list until Congress approves funding. Funding can take a few days to several months
NRCS completes cooperative agreement with sponsor, outlining the details of the cost share and responsibilities of the stakeholders
NRCS develops or reviews plans and specifications
NRCS deposits payments in sponsor's account





## How a Project Typically Flows from Beginning to End

The table shown below provides a typical sequence of events for an EWP project. Each project has a specific plan spelling out the responsibilities of the sponsor and NRCS based on the sponsor's cost match. Use this table as a general guide.

Project Phases	Sponsor	NRCS
Disaster Strikes- First Steps	<p><i>Did the disaster cause a sudden watershed impairment?</i></p> <p><i>Is there an imminent threat to life or property?</i></p>	<p><i>NRCS meets with potential sponsor(s).</i></p> <p><i>Is the recovery effort economically feasible?</i></p> <p><i>Is there an eligible sponsor that can be responsible for the work.</i></p>
Application	<p><i>Sponsor submits a request for assistance to the NRCS State Conservationist.</i></p> <p><i>Sponsor submits the application packet to the state EWP program manager.</i></p> <p><i>The request for assistance must be submitted within 60 days of the disaster event.</i></p>	<p><i>NRCS assists the sponsor with the documentation.</i></p> <p><i>The EWP program manager forms a stakeholder team to do an initial Damage Survey Report (DSR). This report assesses the damage and outlines recovery alternatives that are environmentally and economically sound.</i></p> <p><i>The NRCS State Conservationist requests funding for the project.</i></p> <p><i>Eligible projects are put on the national EWP list for funding appropriation.</i></p>
Design	<p><i>Once approved, Sponsor (or NRCS) creates construction design documents for bid solicitation or construction implementation.</i></p> <p><i>Design work performed by the Sponsor can be applied as local cost match.</i></p>	<p><i>NRCS develops or reviews construction plans and specifications.</i></p>
Construction	<p><i>Sponsor can assist with construction implementation as a local cost match (for example, if the sponsor has crews that can do the work).</i></p>	<p><i>NRCS may provide technical assistance for construction inspection if not conducted by the Sponsor.</i></p>
Completion	<p><i>Sponsor certifies construction completion and submits required documents for final reimbursement request.</i></p>	<p><i>NRCS certifies construction completion meets specifications and provides to EWP program manager.</i></p> <p><i>EWP program manager submits reimbursement request for the Federal share of the approved construction cost.</i></p>

## Did You Know?

Major flooding in North Dakota during the spring of 2009 led to substantial riverbank and dam spillway erosion.

The flooding was caused by abnormally heavy winter snows atop saturated and frozen ground. The snow melt along with additional spring precipitation events led to flooding in the eastern part of the state.

This 2009 flood brought record flood levels to the Fargo-Moorhead area. The Red River water level crested at a stage height of 40.82 feet at Fargo on March 28.

Many river banks along the tributaries of the Red River suffered substantial erosion due to the saturate banks and elevated flow velocities. A number of EWP projects were implemented and constructed to provide protection to both life and property



*Erosion of aux. spillway at Lake LaMoure*



*Threatened infrastructure along Bone Hill Creek*

# EWP Working for North Dakota Communities

## How to Get Assistance

All requests for consideration under the EWP program must be received within 60 days of the disaster for consideration. A formal letter will need to be submitted by the Sponsor to the NRCS State Conservationist at:

220 East Rosser Avenue  
Bismarck, ND 58501

Eligible sponsors must have the ability and legal authority to enter into contracts and obtain any needed land rights, water rights, and permits for the lands they sponsor. For more information, contact your local USDA, NRCS office or follow one of the links below.

## Key Sponsor Forms

Your state NRCS EWP contact will help you with these forms. Sponsors will need a Data Universal Number System (DUNS) number to complete the application packet and maintain an active registration in the System for Award Management (SAM).

Form	Description
SF-424	Application for Federal Assistance
	Administrative Readiness Questionnaire
SF-424C	Budget Information for Construction Programs
SF-424D	Assurances-Construction Programs
SF-1199A	Direct Deposit Sign-Up Form (so sponsor can receive payments)
NRCS-ADS-78	Assurances relating to real property acquisition

## Useful Links for More Information

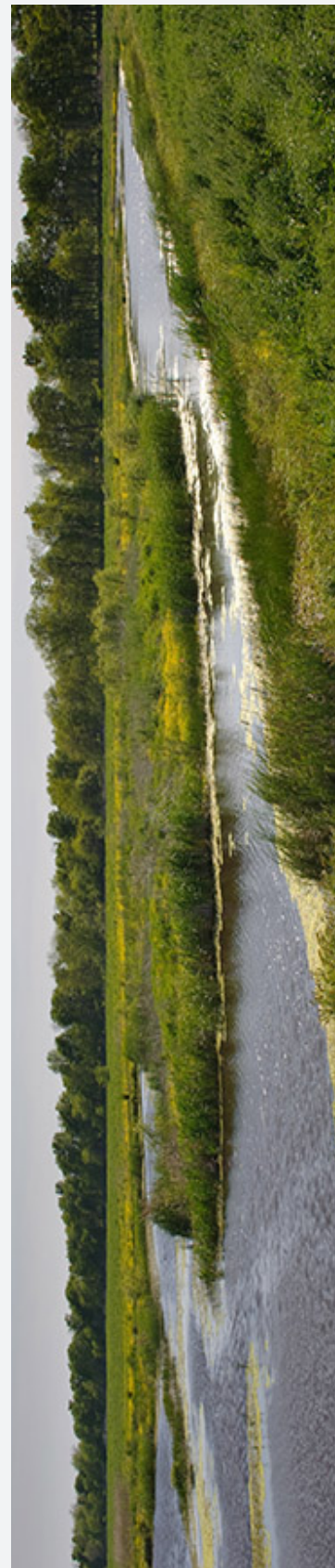
Description	Link
North Dakota NRCS EWP	<a href="http://www.nrcs.usda.gov/wps/portal/nrcs/main/nd/programs/financial/ewp/">www.nrcs.usda.gov/wps/portal/nrcs/main/nd/programs/financial/ewp/</a>
USDA NRCS EWP	<a href="http://www.nrcs.usda.gov/programs/landscape_planning/emergency_watershed_protection">www.nrcs.usda.gov/programs/landscape_planning/emergency_watershed_protection</a>
North Dakota EWP Program Manager	Christi Fisher, State Conservation Engineer Email: <a href="mailto:christi.fisher@nd.usda.gov">christi.fisher@nd.usda.gov</a> Office Phone: 701.530.2091 Cell Phone: 701.426.3396

## Legal Information

The USDA Natural Resources Conservation Service (NRCS) is authorized under Section 216 of Public Law 81-516, Section 403 of Title IV of the Agricultural Credit Act of 1978, Public Law 95-334, and Section 382, Title III, of the 1996 Farm Bill PL 104-127 to provide technical and financial assistance for emergency watershed protection. Codified rules for administration of the Emergency Watershed Protection (EWP) program are set forth in 7 CFR 624.



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