

# Types of Projects Eligible for the Emergency Watershed Protection Program



The Emergency Watershed Protection program (EWP) is used after a natural disaster to protect eligible sites from a subsequent natural occurrence of the same intensity or less to cause significant damage to property and/or threaten human life. The term “property” applies to significant infrastructures such as dwellings, office buildings, utilities, bridges, and roads. Land is not defined as property for the EWP program.

Federal funds can provide up to 75 percent of the actual eligible construction costs of emergency recovery measures.

Cost share for EWP program measures is divided into two activities:

- Construction Services (Financial Assistance – FA), and
- Technical Services (Technical Assistance – TA)

Construction services are those items related to actual physical repair of the damaged site and include such items as mobilization/demobilization, materials, earth work, and revegetation. The Federal share is 75 percent and the sponsor share is 25 percent.

Depending on the contracting method used by the sponsors, the sponsors may elect to perform some of the construction services with their own labor, materials, and equipment. In general, this “in-kind” construction work may be used to reduce their share of the project construction services cost. NRCS and the sponsor must agree on the amount, method, etc., of “in-kind” construction services prior to commencement of the works of improvement. All contracting will be through the local sponsor.

Technical services are items such as surveys, design, geotechnical services, contracting, contract administration, and construction inspection. Under locally led contracts, NRCS will reimburse the Sponsor for “in-kind” technical services costs subject to an agreed-to-amount.

Permitting fees, legal and other expenses associated with land rights, and legal opinions of locally- led contracting activities do not qualify as in-kind technical services.

## General Eligibility Requirements:

- The watershed impairment, or damage, must be the result of a specific natural occurrence, or event, in an area that has been declared a Presidential Disaster or a local disaster by the NRCS State Conservationist.
- Event caused a sudden impairment to the watershed and poses a threat to property and life.
- The restoration measures must be economically, socially and environmentally defensible.
- Flood protection structures in watersheds with more than 400 square miles of drainage area are not eligible for EWP funds.
- The project must have a public sponsor. Sponsors must have legally authority and agree to use it to obtain land-rights, water rights and permits as needed. They also must agree to operate and maintain the completed emergency measures.

## The Emergency Watershed Protection Program (EWP)

The Emergency Watershed Protection Program (EWP) is administered through the USDA– Natural Resources Conservation Service. EWP is designed to install recovery measures to safeguard lives and property as a result of a natural disaster. NRCS provides assistance to local sponsors (units of government or local municipality) to restore impaired watershed(s) to a stable hydrologic function following a natural disaster.

Watershed impairments that the EWP Program addresses include debris-clogged stream channels, scoured or eroded bridges, and undermined and/or unstable streambanks that pose an imminent threat to public infrastructure (i.e.: bridges, county roads, etc.).

Nebraska

Natural  
 Resources  
 Conservation  
 Service

[ne.nrcs.usda.gov/](http://ne.nrcs.usda.gov/)



- Restoration measures would be for runoff retardation or soil erosion prevention, cannot provide a higher level of protection than that provided before the event and must be technically sound.
- Land and improvements administered by other federal agencies are not eligible.
- Federal-aid highways are not eligible for EWP funds.
- EWP funds shall not be used to repair pre-existing conditions or Operation and Maintenance problems.
- Damage to structural measures at a given site can be repaired no more than twice every ten years using EWP funds. Sediment and debris removal are not considered structural measures.

## Specific Eligibility Requirements:

### Levees

- Case by case basis, contact the EWP Project Manager for additional guidance

### Drainage Ditches

- Ditch must have been operated and maintained in good condition prior to the event. Maintained channels should be free of trees, shrubs, and old sediments. Trees and shrubs along the banks of a channel are permitted. However, EWP funds will not be used for clearing of vegetation for equipment access to ditch.
- Replacement of a culvert that failed because it was not structurally sound is not eligible.
- Drainage ditches located between a levee and the creek or river are not eligible since these areas are prone to filling during ordinary flow events and sediment removal from these outlet channels is considered a normal maintenance activity. Except that if the blocked outlet channel is preventing the drainage of ditches located land side of the levee that are eligible for the EWP program, then the outlet channel may be included as part of the eligible drainage system.
- Isolated sediment blocks located at the junction of a field drain with a main drainage ditch are not eligible since this is a frequent occurrence and is considered a normal maintenance activity.
- Drainage ditches with less than 1 foot of new sediment depth are not eligible. Removal of sediment depths less than one foot are normal occurrences and are considered part of maintenance activities.
- Channel capacity cannot be increased beyond what existed prior to the event.

### Log Jams

- Debris blockage must be restricting at least 50% of the bankfull flow of the channel or debris must be located such that it is diverting channel flows and jeopardizing adjacent property.
- The majority of the debris must have accumulated during the current event.

### Stream Bank Stabilization

- The bank instability must have been created or the rate of bank erosion accelerated by the current event.

### Road Crossings at channel

- If the bridge or culvert is completely removed by the event, there is no infrastructure for EWP to protect and the site would not be eligible. If the sponsor replaces the crossing, EWP can protect the site for future events.

For additional information related to site eligibility or the EWP program, please refer to Nebraska NRCS Sponsor's EWP Guide or contact the EWP Program Manager.

Also, the link to EWP information on our website is <https://www.nrcs.usda.gov/wps/portal/nrcs/main/ne/programs/financial/ewp/>

### EWP Project Contacts:

Allen Gehring, P.E.  
 NRCS State Conservation Engineer  
 EWP Program Manager  
 Federal Building, Room 152  
 100 Centennial Mall North  
 Lincoln, NE 68508  
 Office: (402) 437-4037  
 Mobile: (402) 309-4029  
[Allen.Gehring@ne.usda.gov](mailto:Allen.Gehring@ne.usda.gov)

Jacob Robison, P.E.  
 NRCS Design Engineer  
 Federal Building, Room 152  
 100 Centennial Mall North  
 Lincoln, NE 68508  
 Office: (402) 437-4030  
[Jacob.Robison@ne.usda.gov](mailto:Jacob.Robison@ne.usda.gov)