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Infrastructure and Investment Jobs Act Watershed Programs Opportunities NRCS Training Session - December 6 & 7th, 2021

WELCOME
Kevin Farmer, Branch Chief Watershed Programs

WATERSHED AND FLOOD PREVENTION OPERATIONS (WFPO) PROGRAM
Ralph Smith, National Watershed Operations Programs Manager

WATERSHED REHABILITATION PROGRAM (REHAB)
Jesse Wilson, National Watershed Rehabilitation Program Manager

BREAK - 10 MINUTES

EMERGENCY WATERSHED PROTECTION (EWP) PROGRAM
John Derbish, National EWP Program Coordinator

TIMELINES FOR PROJECT PHASE COMPLETION
Kevin Farmer, Branch Chief Watershed Programs

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Outline

- Overview of the Watershed Operations Program
 - PL-566 Background
 - Purpose and Need
 - Statutory Requirements
 - Financial Assistance
 - Funding

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Watershed Operations Program PL-566 Background



Flood Prevention Operations Program authorized by the Flood Control Act of 1944 (P.L. 78-534)

Watershed Protection and Flood Prevention Act (PL-566)



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Watershed Operations Program Purpose and Need

Authorized Purposes

- Flood Prevention (Flood Damage Reduction)
- Watershed Protection
- Public Recreation
- Public Fish and Wildlife
- Agricultural Water Management
- Municipal and Industrial Water Supply
- Water Quality Management
- Watershed Structure Rehabilitation



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Watershed Operations Program Purpose and Need

Flood Prevention (Flood Damage Reduction)

Flood prevention or flood damage reduction measures are installed to prevent or reduce damages caused by floodwater. Flood damage reduction is further defined as the control and disposal of surface water caused by abnormally high direct precipitation, stream overflow, or floods aggravated or caused by wind or tidal effects. Flood damage reduction and mitigation measures reduce or prevent floodwater damages by reducing runoff, erosion, and sediment; modifying the susceptibility of improvements in the floodplain to damage; removing damageable property from the floodplain; or reducing the frequency, depth, or velocity of flooding. Measures may also include actions that prevent encroachment into the floodplain.



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Watershed Operations Program Purpose and Need

Watershed Protection

Watershed protection consists of onsite treatment of watershed natural resources concerns for the primary purpose of reducing offsite floodwater, erosion, sediment, and agriculture-related pollutants. Watershed protection plans may include ecosystem restoration type activities. ... Project measures for watershed protection include land treatment practices installed by land users to conserve and develop any of the following:

- Soil
- Water quality and quantity
- Woodland
- Fish and wildlife habitats
- Energy
- Recreation and scenic resources



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United States Department of Agriculture

Watershed Operations Program Purpose and Need

Public Recreation

Public recreation developments may be included in a watershed project plan when the SLO agrees to operate and maintain a reservoir or other area for public recreation. Project measures must include only minimum basic facilities needed for public health and safety and access to, and use of the area. Minimum basic facilities may include picnic areas, sanitary facilities, fishing piers, shelters, cooking grills, parking areas, swimming beaches, access roads, water, and trails. Also included are practices to provide needed access, water, and power.




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Watershed Operations Program Purpose and Need

Public Fish and Wildlife

Fish and wildlife development areas may be included in a watershed project plan when the SLO agrees to operate and maintain a reservoir or other area for public fish and wildlife access. Measures installed for public use of areas developed to improve the habitat or the environment for the breeding, growth, and development of fish and wildlife may be included in a watershed project plan.




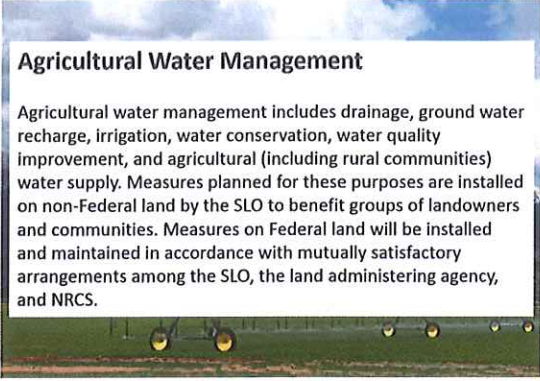
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Watershed Operations Program Purpose and Need

Agricultural Water Management

Agricultural water management includes drainage, ground water recharge, irrigation, water conservation, water quality improvement, and agricultural (including rural communities) water supply. Measures planned for these purposes are installed on non-Federal land by the SLO to benefit groups of landowners and communities. Measures on Federal land will be installed and maintained in accordance with mutually satisfactory arrangements among the SLO, the land administering agency, and NRCS.



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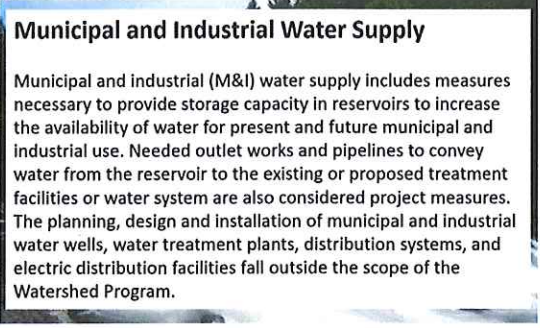
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Watershed Operations Program Purpose and Need

Municipal and Industrial Water Supply

Municipal and industrial (M&I) water supply includes measures necessary to provide storage capacity in reservoirs to increase the availability of water for present and future municipal and industrial use. Needed outlet works and pipelines to convey water from the reservoir to the existing or proposed treatment facilities or water system are also considered project measures. The planning, design and installation of municipal and industrial water wells, water treatment plants, distribution systems, and electric distribution facilities fall outside the scope of the Watershed Program.



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Watershed Operations Program Purpose and Need



Water Quality Management

Water quality management measures provide water storage capacity in reservoirs for regulation of stream flow to improve water quality in streams.

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Watershed Operations Program Purpose and Need



Watershed Structure Rehabilitation

Watershed structure rehabilitation is covered in Public Law 83-566 Section 14, which authorizes financial assistance to local organizations to cover a portion of the costs of rehabilitating dams originally constructed as part of a project carried out under any of the following four authorities—Public Law 83-566, Public Law 78-534, the pilot watershed program authorized under the Department of Agriculture Appropriation Act of 1954, or the Resource Conservation and Development Program authorized by the Agriculture and Food Act of 1981.

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Watershed Operations Program Statutory Requirements

- The Sponsor must meet eligibility requirements.
- The request is for \$25 million or less in NRCS funds.
- Agricultural benefits, including those to rural communities, comprise at least 20 percent of benefits.
- The project acreage is less than 250,000 acres in size.
- The project does not include any single structure that provides more than 12,500 acre-feet of floodwater detention capacity.
- The project provides no more than 25,000 acre-feet of total capacity.

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Watershed Operations Program Financial Assistance

Purpose	Engineering Technical Assistance	Installation Construction	Real Property Rights
Flood Prevention	100%	100%	0%
Watershed Protection	100%	Variable	9%
Agricultural Water Management (Drainage, Irrigation, Ground Water Recharge, Agricultural Water Supply Structure, Water Conservation, Water Quality)	Up to 100%	Up to 75%	0%
Nonagricultural Water Management			
- Public Fish & Wildlife Development	100%	No more than 50%	No more than 50%
- Public Recreation Development	100%	No more than 50%	No more than 50%
- Recreation Facilities	100%	No more than 50%	No more than 50%
- Water Quality Management	Up to 100%	180	0%
- Municipal & Industrial Water Supply	0%	No more than 50%	0%
Groundwater Recharge	100%	Up to 75%	0%
Rehabilitation	100%	65%	0%

This table is an excerpt from the National Watershed Manual Figure 500-F2, it should not be used to establish program cost sharing amounts by Purpose.

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Watershed Operations Program Funding

Fiscal Year 2022

- \$500 million in discretionary funds
 - Western Drought and Water
 - Historically Underserved and Socially Disadvantaged
 - Tribal Communities
 - New Sponsors

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Watershed Operations Program Working with your State NRCS Staff

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NRCS > Programs > Landscape Planning > Watershed and Flood Prevention Operations Program

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Authorization

Public Law 83-566, the Watershed Protection and Flood Prevention Act of 1954, as amended, Section 14.

- Provides technical and financial assistance to rehabilitate NRCS project dams that do not meet current NRCS and State design and safety criteria and performance standards and extend the service life.



44 LIVE 41:21 / 42:03

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Watershed Programs - United States Department of Agriculture

NRCS Strategic Plan

Phase	Duration
Assessment	Up to 12 months
Plan EA/EIS	Up to 18 months (goal)
Design	Up to 24 months (goal)
Construction (Rehabilitation)	2 - 3 years



44 LIVE 44:53 / 45:34

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Watershed Programs - **Tabbing** United States Department of Agriculture

Multi-disciplinary Team Approach

The diagram consists of four overlapping circles. The top-left circle is light orange and labeled 'PR&G/Economics'. The top-right circle is yellow and labeled 'Engineering'. The bottom-left circle is orange and labeled 'NEPA/Environmental'. The bottom-right circle is blue and labeled 'NRCS Planning Policy'. The circles overlap in various combinations, with a central area where all four overlap.

55:28 / 56:10

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Watershed Programs - **Tabbing** United States Department of Agriculture

Nine Steps of Planning

1. Identify Problems and Opportunities
2. Determine Objectives
3. Inventory Resources
4. Analyze Resource Data
5. Formulate Alternatives
6. Evaluate Alternatives
7. Make Decisions
8. Implement the Plan
9. Evaluate the Plan

55:48 / 56:30

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Watershed Programs - **Tabletop** | United States Department of Agriculture

Plan Content

Supplemental Watershed Plan and Environmental Assessment for Rehabilitation of Multiple Purpose Structure No. 1 of the Red Lick Creek Watershed, East, Jackson, and Madison Counties, Kentucky

Prepared For:
USFSA
United States Forest Service
Natural Resources Conservation Service
In Cooperation With
City of Rova, Kentucky
Red Lick Creek Watershed Community District
November 2016

- Cover
- Abstract
- Watershed Agreement
- Table of Contents
- Summary
- Purpose and Need for Action
- Scope
- Affected Environment
- Alternatives
- Environmental Consequences
- Consultation, Coordination, and Public Participation
- The Preferred Alternative
- References

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Plan Cost and Development

- NRCS provides 100% of cost to develop plan
- 18 months (goal) to complete plan
- Plan development:
 - NRCS staff or NRCS contract with engineering firm
 - Sponsor through an agreement with NRCS

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58:49 / 59:30


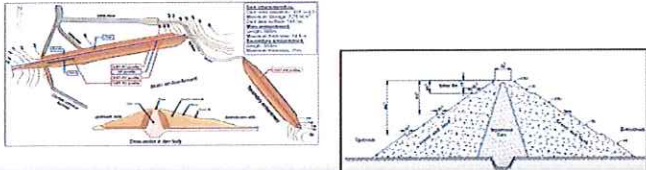
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Design Development and Cost

- NRCS covers 100% of design cost
- Design developed by:
 - NRCS Staff or engineering firm hired by NRCS
 - Sponsor Agreement
- Must meet NRCS design criteria
- Requires review and concurrence by NRCS




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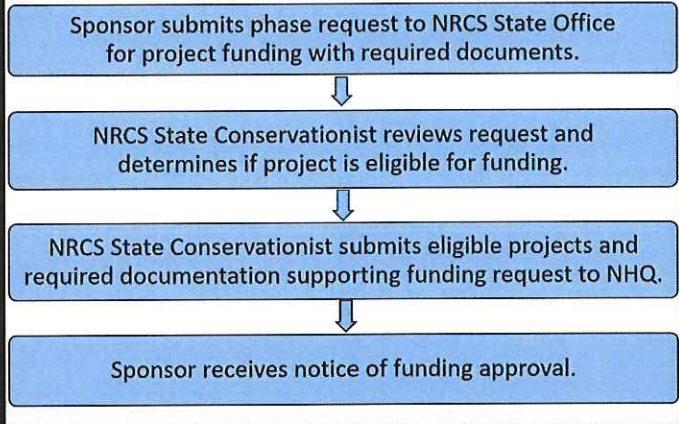


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Funds Request Summary



```
graph TD; A[Sponsor submits phase request to NRCS State Office for project funding with required documents.] --> B[NRCS State Conservationist reviews request and determines if project is eligible for funding.]; B --> C[NRCS State Conservationist submits eligible projects and required documentation supporting funding request to NHQ.]; C --> D[Sponsor receives notice of funding approval.];
```




106:47 / 107:29

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Introduction to the EWP Program

```
graph TD; USDA[USDA] --> NRCS[NRCS]; NRCS --> EWP[EWP Program]; EWP --> FE[Flooding and Erosion Protection];
```

Natural Occurrences

- Floods
- Fires
- Windstorms
- Ice storms
- Hurricanes/ Typhoons
- Tornadoes
- Earthquakes
- Volcanic actions
- Slides
- Drought

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Preview

```
graph TD; A[A natural disaster causes a watershed impairment] --> B[Sponsor formally requests assistance]; B --> C[NRCS documents eligible damages and estimates costs]; C --> D[Sponsor and NRCS enter formal agreement to carryout emergency work];
```

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EWP Authority

EWP Program authority = 16 US Code Section 2203

The Secretary of Agriculture is authorized to undertake emergency watershed protection measures, including the purchase of floodplain easements, for runoff retardation and soil-erosion prevention, in cooperation with landowners and land users, as the Secretary deems necessary to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood, or any other natural occurrence is causing or has caused a sudden impairment of that watershed.

50 States	District of Columbia	Commonwealth of Puerto Rico	U.S. Virgin Islands
Guam	Commonwealth of the Northern Mariana Islands	American Samoa	

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Program Eligibility

Natural Event + Watershed Impairment + Imminent Threat = Watershed Emergency

Property EWP Program Can Be Used to Protect:

- Permanent structures
- Houses & Buildings
- Roads & Utilities
- Dams & Flood Control

EWP Program Cannot Be Used to Protect Only:

- Standing Timber
- Orchards
- Agronomic crops (other USDA programs are available for Ag Land)

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Anonymous 2:44:17
What are some examples that would meet the 20% Ag benefit requirement?

Anonymous 3:15:51
Does dam "rehabilitation" include removal for structures not serving a purpose anymore?

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EWP Sponsors

EWP Assistance

- Technical
- Financial

➔

Recipient


- Sponsor
- Landowner (if easement preferred by NRCS)

Eligible Sponsors

- State
- Political Subdivision of State
- Qualified Indian Tribe or Tribal Organization
- Unit of local government
- *All sponsors must have a legal interest in or responsibility for the areas threatened*

Sponsor Responsibilities

- Share of project costs as determined by NRCS as cash or in-kind services
- Real property rights, water rights, and regulatory permits
- Provide for required O&M as determined necessary by NRCS
- Document they have insufficient resources to provide adequate relief



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Limits on EWP Assistance

- ✘ Situations where EWPP cannot provide assistance:
- ✘ The same structural practice 3 times within 10 years
- ✘ Existing operation and maintenance
 - ✘ Repair or rebuild, or maintain any transportation facilities, utilities, or similar facilities
- ✘ If funded by NRCS, on Federal lands if such assistance augments the appropriations of other Federal agency
- ✘ Repair of nonstructural management practices, such as conservation tillage
- ✘ Repair coastal erosion to beaches, dunes, and shorelines, including those along the Great Lakes
- ✘ The recovery measures are instead eligible for the Emergency Conservation Program (FSA)



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Practice Modifications and Increased Protection

Cost-Shared Modifications

- Technology advances
- Construction techniques
- Federal permitting requirements

Not Cost-Shared

- Increased the level of protection

12:05 / 147:36

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Anonymous 1:44:07
What are some examples that would meet the 20% Ag benefit requirement?

Anonymous 1:45:07
Does dam "rehabilitation" include removal for structures not serving a purpose anymore?

Anonymous 1:46:01
You mentioned the limit of \$25M for NRCS funding requests under the Operations Program. Is this a new requirement?

Anonymous 1:47:07
Does the WFPO fund tide gates?

Anonymous 1:48:01
How long does this Watershed Operations process take?

Anonymous 1:49:07
What was the timeline for discussions, PIR, planning, design, and construction on the MA project highlighted? Thanks.

Eric Hutchins 1:51:01
Do old dams built by NRCS need to be evaluated for their purpose and impact under current fish and wildlife goals and objectives?

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Eligible EWP Practices

'every time, all the time' EWP Conditions

- Provide protection from flooding or soil erosion
- Reduce threats to life or property
- Restore the hydraulic capacity to the natural environment to the maximum extent practical
- Be economically/environmentally defensible & technically sound

The Fine Print

- NRCS may determine that a measure is not eligible for assistance for any reason.
- NRCS will not provide funding for activities undertaken by a sponsor prior to the signing of an agreement.

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Anonymous 1:44:07
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Planning Considerations

- Environmental Impacts
- Construction
- Cultural & Wildlife Resources
- Economical
- Least Damaging
- Practical

1:31:08 / 1:50:39

589 500 +1.2%

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Anonymous 1:31:05
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Anonymous 1:31:04
Does the WFO fund tie gates?

Anonymous 1:31:04
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Eric Hubbs 1:31:01
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Fund Usage and the Formal Agreement

Previous Steps

- Formal Sponsor Request
- NRCS Completes the Damage Survey Report
- Funds Allocated within NRCS for EWP work

NRCS Funds Available

- Financial assistance (FA) funds are used for the NRCS share of construction and mitigation cost
- Technical Assistance (TA) funds are used for planning, design, contract administration, and construction inspection

Formal Agreement

- Details the responsibilities and cost share of NRCS and Sponsor
- Will document if/how funding will be provided to a sponsor based on the sponsor's contribution to planning, design, and construction

1:31:19 / 1:50:52

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Anonymous 1:31:24
What are some examples that would meet the 20% Ag benefit requirement?

Anonymous 1:31:23
Does dam "rehabilitation" include removal for structures not serving a purpose anymore?

Anonymous 1:31:21
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Anonymous 1:31:18
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Eric Hubbs 1:31:01
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Construction Time Limits

Standard Timeline

DSR completed and Funds Allocated

→

220 days

→

Construction Complete

Exigency Timeline


DSR completed and Funds Allocated

→

10 days

→

Construction Complete



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Anonymous 1:41 PM
What are some examples that would meet the 20% Ag benefit requirement?

Anonymous 1:49 PM
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Anonymous 1:50 PM
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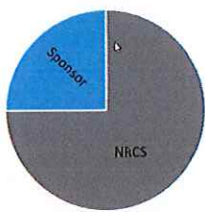
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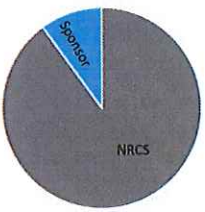
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Construction Cost-Sharing

Standard Cost Share = NRCS up to 75%



Limited Resource Area = NRCS up to 90%





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Sponsor Contributions


Sponsor Construction Cost-Share

- Cash
- In-kind services determined by NRCS
- Cash/In-Kind Combination

Sponsor Responsibilities and Costs

- Property/water rights, and permit
- Operation and Maintenance
- All services not considered in-kind as determined by the NRCS

Note: Other Federal grants cannot be used for a sponsor's matching share for EWP recovery measures.



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How long does this Watershed Operations process take?

Anonymous 1:49:07
What was the timeline for discussions, PIR, planning, design, and construction on the MA project highlights? Thanks.

Erik Hutchins 1:51:07
Do old dams built by NRCS need to be evaluated for their purpose and impact under current fish and wildlife goals and objectives?

Ask a question

Watershed Programs - TrainEx United States Department of Agriculture

Conclusion

The EWP Program provides protection from flooding and soil erosion when necessary to safeguard lives and property when a natural occurrence causes a watershed impairment.

Sponsor Request for Assistance

- Units of government
- Sponsors have responsibilities during planning, design, construction, and maintenance

→


Damage Survey Report

- NRCS will propose practices and cost estimates
- NRCS follows requirements, limits, and practice eligibility criteria when providing financial assistance

→

Formal Agreement

- The agreement will detail responsibilities and cost share
- The agreement will document if and how funding is provided based on the sponsor's role during planning, design, and construction



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Live event Q&A

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Anonymous 2:44:07
What are some examples that would meet the 20% Ag benefit requirement?

Anonymous 2:45:07
Does dam "rehabilitation" include removal for structures not serving a purpose anymore?

Anonymous 2:46:07
You mentioned the limit of \$25M for NRCS funding requests under the Operations Program. Is this a new requirement?

Anonymous 2:47:07
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Ask a question

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How to Contact NRCS

- Local NRCS Contact** • <https://offices.sc.egov.usda.gov/locator/app>
- State EWP Program Manager** • <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/landscape/ewpp/>
- NRCS State Conservationist** • <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/contact/states/>

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Live event Q&A

Featured My questions Most recent

Anonymous 1:22:07 What are some examples that would meet the 20% Ag benefit requirement?

Anonymous 1:23:07 Does dam "rehabilitation" include removal for structures not serving a purpose anymore?

Anonymous 1:23:30 You mentioned the limit of \$25M for NRCS funding requests under the Operations Program. Is this a new requirement?

Anonymous 1:21:19 Does the WFPD fund tide gates?

Anonymous 1:22:54 How long does this Watershed Operations process take?

Anonymous 1:22:34 What was the timeline for discussions, PFR, planning, design, and construction on the MA project highlighted? Thanks.

Eric Hublias 1:22:10 Do old dams built by NRCS need to be evaluated for their purpose and impact under current fish and wildlife goals and objectives?

Ask a question

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Task	Due By Date
NRCS conducts Agency Coordination workshop	November 22, 2021
NRCS conducts Agency watershed program funding training 1	November 30, 2021
NRCS conducts Agency watershed program funding training 2	December 2, 2021
NRCS conducts Public watershed program funding training 1 (Teams Live Event)	December 6, 2021
NRCS conducts Public watershed program funding training 2 (Teams Live Event)	December 7, 2021
NRCS releases the updated National Watershed Program Manual	December 30, 2021
NRCS makes decision on initial project funding selections.	January 29, 2022
Release of funds	February 18, 2022

FARM PRODUCTION AND CONSERVATION

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Live event Q&A

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Anonymous 2:44:24 What are some examples that would meet the 20% Ag benefit requirement?

Anonymous 1:23:30 Does dam "rehabilitation" include removal for structures not serving a purpose anymore?

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Ask a question

Watershed Programs - Training

USDA
United States Department of Agriculture

Phase	Duration
Assessment	Up to 12 months
PIFR	Up to 6 months
Plan EA/EIS	Up to 18 months
Design	Up to 24 months
Construction (WFPO/Rehab)	2-3 years
Construction (EWPP-Recovery)	220 days after funding

FARM PRODUCTION AND CONSERVATION

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Watershed Programs | Application Process

Step-by-Step Guide for Watershed Program Funding



Dull Knife Dam Spillway



Baxter Grist Mill Fish Ladder



Clear Branch Dam Restoration



Mentoway County Flood Bank Restoration



Upper Whitefish Watershed Dam



Snake River City Channel Storage



East Troublesome Fire

Pre-Application Phase

All Watershed Programs require a SPONSOR to apply for funding



Program Eligibility

