

Overview of USDA Program Flexibilities for Flood Recovery



USDA’s Farm Production and Conservation agencies - Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS) and Risk Management Agency (RMA) are ready to assist impacted producers and are adding flexibilities to disaster assistance programs.

Flexibilities Specific to Texas Flood Recovery

Emergency Animal Mortality Disposal

NRCS provides technical and financial assistance to agricultural producers, including poultry and livestock producers, through its Environmental Quality Incentives Program (EQIP) to help with immediate needs and long-term support to recover from flooding and other natural disasters. This includes emergency animal mortality disposal for livestock.

- Because of the need to dispose of livestock quickly to mitigate environmental and disease impacts, flood-impacted producers can begin disposing of livestock once an initial application is submitted.
- NRCS is using the flexibility of an early-start waiver to producers once an initial application is submitted.
- An initial application includes a call, letter or email to NRCS with producer name(s); farm location(s) address; farm number, if available; phone number; and estimated number and type of livestock.

Livestock Indemnity Program (LIP)

LIP provides benefits to livestock owners and contract growers for livestock deaths in excess of normal mortality caused by eligible loss conditions including eligible adverse weather.

- FSA will not penalize producers for taking steps to end the suffering of animals caused by natural disasters. Law requires that losses are appropriately documented to attribute all animal mortalities to the natural disaster.
- Animals injured by the flood or related weather event that are sold within 30 days of the disaster event at a reduced rate also qualify for LIP assistance if the 2025 LIP price is higher than the sale price.

- LIP assistance extends to contract growers of poultry and swine and other confinement livestock in cases where the contract specifies that the producer has an ownership share or a financial interest in the livestock lost and shares in the risk of production.
- FSA has issued guidance to FSA County Committees and local staff to exercise maximum flexibility in determining acceptable loss documentation and to ensure LIP applications are acted on timely.

Emergency Assistance for Livestock, Honeybees, and Farm-raised Fish (ELAP)

ELAP assists with grazing losses due to flooding on affected acres, up to 150 days of grazing, for all non-federally managed land. ELAP provides assistance for purchased and produced feed losses due to flooding (hay bales, stacked hay, corn, silage, etc.). Feed purchased above normal due to flooding is eligible for ELAP assistance. The ELAP referenced assistance is limited to the value of the acres lost due to flooding and the number of livestock a producer had at the time of loss.

- FSA is authorizing the eligibility of ELAP transportation assistance in flood-impacted counties to assist with above normal costs to transport livestock to feed and/or transportation of feed/forage to livestock.



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- FSA is also authorizing ELAP water hauling assistance in flood-impacted counties to assist with above normal costs associated with water hauling.

Emergency Conservation Program (ECP)

ECP provides funding and technical assistance for farmers and ranchers to restore farmland damaged by natural disasters.

- FSA authorized a 60-day ECP signup that began July 14, 2025, and runs through Sept. 11, 2025, for the 16 counties affected by severe storms, straight-line winds and flooding.
 - ◆ Eligible counties: Burnet, Coke, Concho, Gillespie, Lampasas, Llano, Kerr, Kendall, Kimble, Mason, McCulloch, Menard, San Saba, Tom Green, Travis, and Williamson counties.
- FSA Executed Emergency Response (ER-853) authorization of emergency National Environmental Policy Act (NEPA) circumstances to expedite FSA approval of practices involving surface debris removal, fence restoration and non-ground disturbing activities.
 - ◆ FSA will continue to complete on-site environmental reviews for applicants who do not meet the required conditions.
- Waiver of onsite inspection requirement for non-engineering practices for ECP.
- Waiver of requirement for producers to obtain prior approval to conduct surface debris removal and fence repair to support critical disaster recovery efforts. Producers should contact FSA for any questions on allowable activities.

Emergency Haying and Grazing of Conservation Reserve Program (CRP) Acres

Haying and grazing of CRP acres is authorized under certain conditions to provide emergency relief to livestock producers due to certain natural disasters. There are two types of haying and grazing authorizations: emergency and non-emergency.

- FSA is temporarily authorizing emergency haying and grazing of CRP acreage in Texas to support affected livestock producers in the 16 counties who have suffered forage losses from recent flooding.
- This authority is available until the beginning of the 2026 Primary Nesting Season, which runs from March 1 until July 1 in Texas.
- CRP participants throughout Texas may provide haying or grazing rights to flood-impacted livestock producers in the 16 impacted counties.
 - ◆ Eligible counties: Burnet, Coke, Concho, Gillespie, Lampasas, Llano, Kerr, Kendall, Kimble, Mason, McCulloch, Menard, San Saba, Tom Green, Travis, and Williamson.
- CRP acreage eligible for emergency haying and grazing includes all practices except CP12 (wildlife food plot) and CP38 State Acres for Wildlife Enhancement (SAFE) if grazing is not included in the SAFE proposal. Emergency haying and grazing is only authorized on land enrolled through the Conservation Reserve Enhancement Program (CREP) if the CREP agreement specifically permits the activity.
- CRP participants outside of the 16 eligible counties impacted by flooding are not authorized to engage in emergency haying and grazing activities unless the county is otherwise declared eligible for CRP emergency haying and grazing because of drought conditions or loss of forage.
- *Non-emergency haying and grazing* provisions are available to CRP participants provided the activity is included in the CRP contract's Conservation Plan of Operations.

Disaster Designations

- FSA will immediately implement Presidential Disaster Declarations upon FEMA's approval of individual and/or public assistance in counties affected by flooding to deploy access to emergency loans and disaster set aside to help producers recover from disaster events.

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- In the absence of a Presidential Disaster Declaration, FSA will facilitate an Administrator's Physical Loss Notification (APLN) in affected counties suffering physical losses (buildings, structures, livestock losses) to support access to emergency loans and disaster set aside.
- Additionally, FSA is working with affected states to assemble crop loss information and State Emergency Board recommendations necessary to facilitate USDA Secretarial Disaster Designations for counties not approved through Presidential Disaster Declaration or an FSA Administrator's Physical Loss Notification (APLN).

The following FSA program flexibilities are available for counties with a Primary or Contiguous Disaster Designation due to flooding:

Conservation Reserve Program (CRP)

- In counties with a primary or contiguous disaster designation, emergency haying of CRP is authorized for up to 60 calendar days and emergency grazing of CRP is authorized for up to 90 calendar days.
- Cost share assistance is available to producers who remove, or replant CRP trees downed, damaged, or destroyed due to hurricanes.
- Participants with CRP trees damaged by hurricanes may choose to voluntarily terminate CRP tree practice contracts with less than 5 years remaining in the contract with no refunds.

Noninsured Crop Disaster Assistance Program (NAP)

NAP provides financial assistance to producers of non-insurable crops to protect against natural disasters (including flooding) that result in lower yields, crop losses, or prevents crop planting. NAP coverage must have been obtained prior to the sales closing date for the crop.

- FSA County Committees can waive the 72-hour notification requirement for losses to hand-harvested crops.
- FSA has provided flexibility for staff to perform loss adjustment activities and/or waive field inspections in cases where the cause of loss can be verified through other means.

Tree Assistance Program (TAP)

TAP offers financial support to orchardists and nursery tree growers who experience losses due to natural disasters. TAP covers the cost of replanting or rehabilitating eligible trees, bushes, and vines that produce annual crops and have been damaged or destroyed.

- FSA State Committees can waive the requirement of site inspections in cases where the cause of loss can be verified through other means.

Marketing Assistance Loans (MAL)

MALs provide producers interim financing at harvest time to meet cash flow needs.

- FSA is providing additional delivery time for farm-stored commodities delivered to the Commodity Credit Corporation (CCC) and providing additional time for producers to deliver MAL commodities to a buyer to repay MAL with sales proceeds.
- FSA is postponing MAL foreclosure letters applicable to losses or damages for up to 90 calendar days.

Farm Storage Facility Loans

The Farm Storage Facility Loan Program (FSFL) provides low-interest financing so producers can build or upgrade permanent and portable storage facilities and equipment.

- Borrowers in counties with a primary or contiguous disaster designation due to flooding who are experiencing a financial hardship may request an annual installment deferral that will extend the next installment due date by one year.

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Environmental Quality Incentives Program (EQIP)

Through EQIP, NRCS can help producers plan and implement conservation practices on disaster impacted lands.

- Practices can address:
 - ◆ Immediate soil erosion protection
 - ◆ Minimizing noxious and invasive plant proliferation
 - ◆ Protecting water quality
 - ◆ Restoring livestock infrastructure necessary for grazing management
 - ◆ Emergency animal mortality management
 - ◆ Debris removal
- States have the flexibility to use the Act Now process for expediting technical and financial assistance.

Emergency Watershed Protection (EWP)

Through EWP, NRCS helps communities address watershed impairments that pose an imminent hazard to life and property caused by floods, fires, windstorms, and other natural disasters.

- EWP work can include:
 - ◆ Removing debris from stream channels, road culverts, and bridges
 - ◆ Reshaping and protecting eroded banks
 - ◆ Correcting damaged drainage facilities
 - ◆ Repairing levees and structures
 - ◆ Reseeding damaged areas
 - ◆ Relocating people, or their homes, out of hazard prone areas.

- EWP requires an eligible project sponsor who acts as the fiscal agent for a proposed project. Eligible sponsors include cities, counties, towns, conservation districts, or any federally recognized Native American tribe or tribal organization.
- NRCS may bear up to 75 percent, or 90 percent for limited resource areas, of the construction cost of emergency measures. The remaining 25 percent, or 10 percent, for limited resource areas, must come from local sources and can be in the form of cash or in-kind services.

Technical Assistance

NRCS can provide technical assistance to assist impacted communities by providing technical information to help them repair damaged farms and ranches in the wake of a natural disaster.

- NRCS conservationists can offer advice on:
 - ◆ Covering and protecting exposed soil
 - ◆ Improving soil health
 - ◆ Directing floodwater away from areas vulnerable to erosion
 - ◆ Preventing future erosion and more.

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