

PROPOSED ERFO MANUAL CHANGES

January, 2010

No.	SUBJECT	CURRENT USC, CFR, MANUAL	PROPOSED CHANGE
1	Eligible Roads	Manual: Roadways damaged as a result of preexisting and non-disaster related deficient conditions are not eligible	Roads that are not routinely maintained are not eligible and they are identified by at least one of the following: 1) Shoulder/embankment failures that have not been repaired 2) Unsafe and inefficient construction access 3) Drainage ditches and culverts blocked with vegetation and sediment 4) Rotten, separated, piping culverts Routine Road Maintenance is defined as grading, cleaning ditches, culvert cleaning, spot rocking, and mechanical brushing every five years or less.
2	Eligible Roads	Manual: During times of funding shortage FS and BLM Maintenance Level 2 roads will not be funded	Eliminate this guidance.
3	Replacement Facilities	CFR: Replacement Facilities are appropriate when it is not practical and economically feasible to repair or restore damaged elements to pre-existing conditions	Fund up to 100% of the least cost environmentally viable alternative (replacement facility) when major changes are required by a federal regulatory agency, as determined through consultation. It is not proposed to fund State or FLMA requirements (e.g. NW Forest Plan, Wild and Scenic River, MOU's with States, etc).
4	Culverts	Manual: Repair in-kind	Allow up sizing destroyed culverts to FHWA design standards (typically Q25 and not Q100).
5	DSR Submittal Timeline	No minimum time for submittal of Damage Survey Report is stated.	Damage sites older than 9 months from the positive finding date without a DSR are NOT eligible.
6	Cost Accounting	Manual: Costs must be reported by site. Non-ERFO repairs must be accounted for separately. The FLHDE must be notified in writing and separate accounts must be set up.	Expenditures that cannot be satisfactorily assigned to a specific DSR will not be approved at closeout. When non-eligible repairs are made and the added costs and funding source cannot be satisfactorily documented the site will become ineligible and all ERFO expenditures at that site will be disallowed at closeout.
7	Requests for FLH Assistance	N/A	FLMAs must submit their requests for FLH assistance within 90 days of discovering the damage and with sufficient time to allow field assessment and survey in the first construction season after the disaster.

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8	Road Management Objectives (RMO)	N/A	<p>Require the FS to provide RMOs that have been approved by a line officer within the last 5-years.</p> <p>Limit repairs to those necessary to meet the traffic needs and design criteria in the RMOs.</p>
9	Environmental Compliance Timeline	<p>CFR: Emergency relief work shall be given prompt attention and priority over non-emergency work.</p> <p>CFR: Projects not under construction by the end of the second fiscal year following the year of the disaster will be withdrawn from the Program of Projects unless suitable justification is provided</p>	In addition to requiring that a project be given prompt attention and priority, add that all projects without environmental clearance will be withdrawn from the Program of Projects at the end of the second fiscal year after the year of the disaster and NOT be granted a time extension.
10	Emergency Repairs	Manual defines Emergency Repairs as 60 days from when access is established	Define Emergency Repairs as repairs made within 180 days after the site was damaged. The proposed change provides more flexibility (time) for emergency repairs and matches the ER Program requirements.
11	Aesthetic Treatments (i.e. Stone Masonry)	N/A	<p>Specifically eliminate stone masonry as an eligible surface treatment on new walls, traffic barriers, bridge abutments, etc.</p> <p>Stone masonry existing prior to the damage will continue to be eligible.</p>
12	Parking Lots	Manual: Roads within picnic, camping and rest areas are eligible	Clarify that parking areas are not eligible and the traveled way within the parking areas are eligible.
13	Financial Accounting	<p>CFR: ERFO shall not duplicate assistance. Funding only available for eligible work. Actual PE and CE costs on approved projects. Federal share payable is 100% of the cost.</p> <p>Manual requires Financial records be properly documented for each DSR</p>	<p>Submitted costs that cannot be satisfactorily assigned to a specific DSR will not be allowed.</p> <p>When non-eligible repairs are added to a project and the funding source of those repairs is not satisfactorily documented, all ERFO expenditures will be disallowed.</p>

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14	Parking Areas	N/A	Added Parking Areas that are an integral part of the roadway cross section or a roadway terminus are eligible for ERFO funding.
15	Multiuse Trails	N/A	Added Multiuse Trails providing accessible handicap access are eligible for limited ERFO funding. Only those damaged all-weather trail surfaces that are within an integral part of the roadway cross section, parking areas or roadway terminus are eligible for ERFO funding.
16	Designated National Scenic and Historic Trails – National Trails System Act of 1968	Manual approves Trails and trailheads if they are Designated by the U.S. Congress as a National Trail under the National Trails System Act of 1968 (as amended)	Added Appendix E – listing the Designated National Scenic and Historic Trails – identified with the National Trails System Act of 1968