

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

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**Tree Assistance Program  
1-TAP (Revision 4)**

**Amendment 12**

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**Approved by:** Acting Deputy Administrator, Farm Programs

*Bradley Karmen*

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**Amendment Transmittal**

**A Reasons for Amendment**

Subparagraph 1 B has been amended to add 1-EQ to the list of related handbooks.

Subparagraph 2:

- A has been amended to update the statutory authority
- B has been amended to update the regulatory authority.

Subparagraph 5:

- B has been amended to include SED responsibilities on environmental compliance
- D has been amended to include COC's responsibilities on environmental compliance
- E has been amended to include CED's responsibilities on environmental compliance.

Subparagraph 61 B has been amended to note that COC or designated representative cannot approve and sign CCC-899, Part E, before the appropriate level of environmental compliance has been completed.

Subparagraphs 62 D through F have been redesignated as subparagraphs 62 E through G, and new subparagraph 62 D has been added to specify TAP eligibility for beginning and veteran farmers and ranchers.

Subparagraph 63:

- B has been amended to add LA's responsibilities on advising TAP applicants not to begin practice completion until the appropriate level of environmental review has been received in writing
- C has been amended to state that LA's should take photos to assist with subsequent environmental review.

## Amendment Transmittal (Continued)

### A Reasons for Amendment (Continued)

Subparagraph 91 B has been amended to provide that to qualify for payment, TAP applicants must meet the environmental compliance provisions in 7 CFR 799.7, FSA Program Participant Responsibilities, and 1-EQ and subsequent revisions.

Paragraph 125 has been added to include environmental compliance and protected resource considerations.

Subparagraph 152 C has been updated to include prunes, mangos, rambutan, mahew berries, cacao, noni, and caimito to the list of eligible TAP crops.

Subparagraph 155 G has been amended to provide an updated example of CCC-770 TAP checklist.

Subparagraph 155 H has been amended to update the instructions for completing CCC-770 TAP.

Exhibit 2 has been amended to add the definition for commercially viable.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
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**Part 1 Handbook Purpose and Responsibilities**

**1 Handbook Purpose and Coverage**

**A Handbook Purpose**

This handbook provides procedure for TAP authorized under the 2014 Farm Bill and implemented by DAFP through PECD.

**B Related Handbooks**

Related handbooks include the following.

<b>IF the material concerns...</b>	<b>THEN see...</b>
referring possible fraud cases to OIG	9-AO.
TAP appeals	1-APP.
State and County Office records operations	25-AS.
signatures, power of attorney, name and address, controlled substance, deceased individuals, or closed estates	1-CM.
digital photography	8-CM.
Common Payment System	9-CM.
Farm Records	10-CM
acreage reporting or compliance	2-CP.
HELC/WC provisions	6-CP.
requests for relief or finality rule	7-CP.
*--Environmental Quality and Cultural Resource Protection (Cultural resources and wildlife protection and consultation)	1-EQ--*
bankruptcy flags, claims, or withholdings	58-FI.
prompt payment interest	61-FI.
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establishing and reporting debts in CRS	67-FI.
information policies and procedures or information available to the public	2-INFO.
eligibility flags or payment limitation allocations	2-PL.
web-based subsidiary files	3-PL.
AGI/payment limitation	5-PL.
direct attribution	5-PL.
loss adjuster management	2-NAP.

**2 Authority**

**A Statutory Authority**

\*--The Agricultural Act of 2014 (Pub. L. 113-79), as amended by the Agriculture Improvement Act of 2018 (Pub. L. 115-334), provides the authority to implement TAP.

**B Regulatory Authority**

Regulations governing general provisions for supplemental agricultural disaster programs, including TAP, are at 7 CFR Part 1416, Subpart A. Regulations for TAP are at 7 CFR Part 1416, Subpart E. Regulations governing environmental compliance are at 7 CFR Part 799, and 40 CFR 1500-1508, National Environmental Policy Act (NEPA).--\*

**C Regulatory Reference**

The following table provides the regulatory references for TAP.

<b>General Eligibility Provision</b>	<b>Regulatory Reference</b>
Applicability and general statement	7 CFR 1416.1 and .400
Administration	7 CFR 1416.2 and .401
Eligible producers on a farm	7 CFR 1416.3
Equitable relief	7 CFR 1416.5
Payment limitation	7 CFR 1416.6
Misrepresentation	7 CFR 1416.7
Appeals	7 CFR 1416.8
Offsets, assignments, and debt settlement	7 CFR 1416.9
Records and inspections	7 CFR 1416.10
Refunds, joint and several liability	7 CFR 1416.11
Minors	7 CFR 1416.12
Deceased individuals or dissolved entities	7 CFR 1416.13
Miscellaneous	7 CFR 1416.14
Definitions	7 CFR 1416.402
Eligible Losses	7 CFR 1416.403
Eligible orchardists and nursery tree growers	7 CFR 1416.404
Application	7 CFR 1416.405
Payment calculation	7 CFR 1416.406
Obligations of participant	7 CFR 1416.407

**D Funding Authority**

TAP is administered by FSA using funds from CCC.

## 5 Responsibilities

### A STC Responsibilities

STC's will:

- direct the administration of TAP
- establish maximum payment rates when they are lower than DAFP-established rates
- establish normal mortality rates
- ensure that State and County Offices follow TAP provisions
- thoroughly document all adverse actions in STC meeting minutes
- handle suspected fraud cases according to applicable procedure
- handle appeals according to 1-APP and 7 CFR Parts 11 and 780
- review and document in STC minutes, all CCC-899's approved or disapproved for State Office employees, COC members, CED's, County Office employees, and their spouses
- require reviews to be conducted by STC representative to ensure that TAP is implemented according to TAP provisions.

**Note:** STC may establish additional reviews to ensure that TAP is administered according to these provisions.

### B SED Responsibilities

SED's will:

- ensure that County Offices follow TAP provisions
- \*--be responsible for all environmental compliance within their State according to 1-EQ, paragraph 4, and subsequent revisions

**Note:** This authority is not delegable.

- nominate SEC'S to ensure adequate training is provided for environmental compliance and documentation is completed consistent with the requirements of 7 CFR 799 and 1-EQ and subsequent revisions

**Note:** There are no waivers or provisions for failure to complete environmental reviews for NEPA compliance.--\*

**5 Responsibilities (Continued)**

**B SED Responsibilities (Continued)**

- handle appeals according to 1-APP and 7 CFR Parts 11 and 780
- ensure DD's conduct required reviews according to subparagraph A

**Note:** SED may establish additional reviews to ensure that TAP is administered according to these provisions.

- ensure that County Offices publicize TAP provisions
- immediately notify the National Office of software problems, incomplete or incorrect procedures, and specific problems or findings
- ensure training is provided to FSA-certified LA's
- follow 2-NAP to obtain the services of certified LA's.

SED equitable relief authority in 7-CP applies to TAP.

**C DD Responsibilities**

DD's will:

- ensure that COC's and CED's properly carryout TAP provisions
- conduct reviews according to subparagraph A and any additional reviews established by STC and SED
- provide SED with a summary report of all reviews
- ensure County Offices publicize TAP provisions.

## 5 Responsibilities (Continued)

### D COC Responsibilities

COC's will:

- follow this handbook and regulations to properly administer TAP
- ensure CCC-899's are accepted from all interested producers and processed according to this handbook
- \*--ensure the appropriate level of environmental review has been completed before implementing any part of the FSA-funded action

**Note:** COC's are not authorized to complete or sign FSA-850 on behalf of FSA.

**Important:** COC's will not play a role in the environmental compliance process.--\*

- act on all submitted and completed CCC-899's

**Important:** COC may delegate authority to CED to approve routine cases.

- handle appeals according to 1-APP and 7 CFR Parts 11 and 780
- thoroughly document all adverse actions taken in COC minutes

**Important:** All of the following **must** be thoroughly documented for **all** TAP determinations made by COC:

- all factors reviewed or considered
  - all documentation reviewed
  - references to applicable handbooks, notices, and regulations
  - all sources of information obtained for review or consideration.
- ensure that applicants receive complete and accurate TAP information

**Note:** TAP information may be provided through the following:

- TAP leaflets, newsletters, and print media
  - meetings
  - radio, television, and video
  - County Office visits.
- handle suspected fraud cases according to applicable procedure
  - ensure that TAP general provisions and other important items are publicized according to paragraph 4.



## 5 Responsibilities (Continued)

### E CED Responsibilities

CED's will:

- follow this handbook and regulations to properly administer TAP
- ensure County Office employees are trained in and follow TAP provisions
- ensure certified FSA LA visits are completed in a timely manner
- act on completed and routine CCC-899's for TAP, if delegated
- \*--be responsible for demonstrating to SED that environmental compliance has been completed consistent with 7 CFR 799 and 1-EQ and subsequent revisions--\*
- handle appeals according to 1-APP and 7 CFR Parts 11 and 780
- ensure modifications to data by an applicant are accompanied by applicant initials and dates
- ensure a second party review is conducted before CCC-899 approval or disapproval
- immediately notify SED, through DD, of software problems and incomplete or incorrect procedures
- ensure general provisions and other important items are publicized according to paragraph 4.

### F PT Responsibilities

PT's will:

- follow all TAP provisions
- immediately notify CED of software problems and incomplete or incorrect procedures
- ensure applicants receive complete and accurate information.

6-30 (Reserved)

## 61 CCC-899, TAP Application for Assistance (Continued)

## A Filing CCC-899's (Continued)

**Example 2:** Smith Brothers, Inc., incurred eligible fruit tree losses and has 100 percent interest in the fruit trees.

Only one CCC-899 would be submitted for Smith Brothers, Inc., for its 100 percent share regardless of who owns Smith Brothers, Inc., or how it is comprised. The producer who suffered the loss is the producer who signs CCC-899. In this example, the Smith Brothers, Inc., is the producer that suffered the loss, and consequently, is the eligible applicant for TAP. The individual stockholders did not suffer the loss and are not individually eligible for the tree losses suffered by the corporation. Only an authorized representative of the corporation can sign CCC-899 on behalf of the corporation.

## B Completing CCC-899's

\*--An acreage report must first be filed according to 2-CP before completing CCC-899. Complete CCC-899 according to the following:

- Parts A, B, and C are to be completed when CCC-899 is submitted
- Part D is to be completed following FSA's field visit to verify cause of loss and determine trees/acres in stand according to paragraph 63
- COC or designated representative will then approve or disapprove the information--\* entered in Part D, by signing Part E

**Note:** COC or designated representative **cannot** approve and sign CCC-899, Part E, before the appropriate level of environmental compliance has been successfully completed by appropriate signatories according to 1-EQ, paragraph 125, and subsequent revisions.

- Part F is to be completed, and signed by applicant, after the applicant completes all practices and submits cost documentation for all components of the completed practices; receipts should include individual component cost indicating total cost for each practice, the date, and vendor's name and location

**Note:** If applicant chooses to replant different eligible trees, bushes, or vines than those initially lost, Part F must reflect the new crop, applicable practice codes, trees, acres, completed, and actual cost.

- COC or designated representative shall then approve or disapprove CCC-899, and sign Part G.

**Note:** The signature date and approval date will be entered in the automated system **only** after the actual cost data is entered and CCC-899 is ready for payment.

## 61 CCC-899, TAP Application for Assistance (Continued)

**C Signing and Certifying CCC-899's**

When signing CCC-899, item 17A the applicant is:

- applying for TAP benefits for the applicant listed on CCC-899, item 2A
- certifying **all** of the following:
  - all trees, bushes, or vines entered on CCC-899 were planted for commercial purposes, and were lost and/or damaged because of an eligible natural disaster, as defined in Exhibit 2
  - \*--applicant owns eligible trees, bushes, or vines, or is a producer of an annual crop from the tree, bush, or vine
  - all information on CCC-899 and all supporting documents provided is true and correct
  - benefits received under any other Federal disaster payment program for the same--\* loss has been or will be refunded, as applicable (paragraph 154)

**Note:** CCC-899's may be disapproved if information or evidence is false or in error, and other sanctions or penalties may apply.

- authorizing FSA officials to:
  - enter on, inspect, and verify **all** applicable acreage where the applicant has an interest for the purpose of confirming accuracy of the information provided
  - review, verify, and authenticate all information provided on CCC-899 and supporting documents.

**D Signature Requirements**

Follow 1-CM for signature requirements.

## 62 Reimbursement and Qualifying Losses

### A Eligibility Overview

TAP provides replanting and rehabilitation assistance to eligible orchardists and nursery tree growers that suffered more than a 15 percent tree, bush, or vine mortality loss, adjusted for normal mortality, on a stand as a result of natural disaster.

**Important:** A stand that did not sustain a mortality loss is **not** eligible for payment.

### \*--B TAP Eligibility for Those Who Replant Trees

Eligible orchardists or nursery tree growers who planted trees for commercial production, but lost those previously planted trees because of an eligible natural disaster, may be reimbursed for the cost of replanting trees and/or rehabilitating trees damaged, in excess of 15 percent mortality (adjusted for normal tree mortality), as follows:--\*

- for replanting and the cost of seedlings or cuttings, for tree, bush, or vine replacement the lesser of either of the following:
  - 65 percent of the actual total cost of the practice
  - total amount calculated using rates established by DAFP for the practice
- for the cost of pruning, removal, and other costs incurred for salvaging existing trees, bushes, or vines, or in the case of mortality, to prepare the land to replant trees, bushes, or vines, the lesser of either of the following:
  - 50 percent of the actual cost of the practice
  - amount calculated using rates established by DAFP for the practice.

## 62 Reimbursement and Qualifying Losses (Continued)

**C Eligibility for Replanting or Rehabilitation Under TAP Following Natural Disaster**

Eligible orchardists or nursery tree growers who did not plant the trees that were lost or suffered damage because of an eligible natural disaster, but have a production history for commercial purposes on planted or existing trees may be eligible for TAP for rehabilitation of damaged trees if **both** of the following occur:

- tree mortality exceeds 15 percent (adjusted for normal mortality)
- tree damage exceeds 15 percent (adjusted for normal tree damage).

**Notes:** An eligible orchardists or nursery tree grower who rehabilitates will not be eligible for TAP payments for replanting practices.

Only an owner of planted trees or a lessee who had planted trees that were lost because of natural disaster, and who also replants the trees (all other eligibility and loss threshold provisions apply) is eligible for replanting of trees.

If there is tree damage, then tree loss (mortality plus normal mortality) **must** be met **before** eligibility for tree damage can be determined. Payments for pruning, removing, and other costs incurred for salvaging existing trees or, for tree mortality, to prepare the land to replant trees, is the lesser of the following:

- 50 percent of the actual total cost of the practice
- total amount calculated using rates established by DAFP for the practice.

**Note:** Losses from different stands with the same crop type will **not** be averaged to determine loss eligibility.

**\*--D TAP Eligibility for Beginning Farmer to Rancher or Veteran Farmer to Rancher**

Beginning with 2019 losses, eligible beginning farmer or ranchers or veteran farmers or ranchers who planted trees for commercial production, but lost those previously planted trees because of an eligible natural disaster, may be reimbursed for the cost of replanting trees and/or rehabilitating trees damaged, in excess of 15 percent mortality (adjusted for normal tree mortality), as follows:

- for replanting and the cost of seedlings or cuttings, for tree, bush, or vine replacement the lesser of either of the following:
- 75 percent of the actual total cost of the practice
- total amount calculated using rates established by DAFP for the practice--\*

## 62 Reimbursement and Qualifying Losses (Continued)

**\*--D TAP Eligibility for Beginning Farmer to Rancher or Veteran Farmer to Rancher**

- for the cost of pruning, removal, and other costs incurred for salvaging existing trees, bushes, or vines, or in the case of mortality, to prepare the land to replant trees, bushes, or vines, the lesser of the following:
  - 75 percent of the actual total cost of the practice
  - total amount calculated using rates established by DAFP for the practice.

**Important:** Applicants must meet the definition of a beginning farmer or rancher or veteran farmer or rancher at the time the CCC-899 is filed.

**E Acreage Reports Determining Losses Without Physical Evidence**

An acreage report for trees, bushes, and vines must be filed according to 2-CP. If physical--\* evidence of the lost trees, bushes, or vines no longer exists, the owner must provide evidence acceptable for COC to determine the eligible trees, bushes, or vines existed and were lost on each stand because of the approved eligible natural disaster condition. The owner has the burden of proof to substantiate previous existence of trees that no longer exist. Evidence that COC may determine acceptable includes the following:

- receipts for the original purchase of the eligible trees, bushes, or vines where TAP is requested
- documentation of labor and equipment used to plant or remove the eligible trees, bushes, or vines that were lost
- chemical, fertilizer, or other related receipts to substantiate the existence of the eligible trees, bushes, or vines
- RMA appraisal worksheet may be used by COC to substantiate applicant's certification of trees lost

**Note:** This may be considered; however, FSA is under **no** obligation to find or obtain these records.

- certifications of tree, bush, or vine losses by third parties (indirectly involved), such as consultants, Extension Service, universities, or Government personnel, but only if the following conditions are met:
  - there is no other documentation available
  - COC determines the cost estimates are reasonable for the practice compared to actual cost documentation submitted by other contractors or vendors for comparable practice components for that crop type and stand.

## 62 Reimbursement and Qualifying Losses (Continued)

### F Ineligible Trees, Bushes, or Vines

See Exhibit 2 for the definitions of trees, bushes, or vines.

The following are examples of trees, bushes, or vines **not** eligible for TAP:

- trees grown for pulp or timber
- \*--other trees, bushes, or vines **not** grown for commercial sale or use or for production of--\* annual crops
- tomatoes, pumpkins, watermelons, and pineapple.

### G Ineligible Losses

Losses ineligible for TAP include the following:

- trees replanted, but destroyed either before an application for payment is filed or paid by FSA, or destroyed within 1 year of replanting for other than natural disaster
- losses because of lack of irrigation systems, or other conditions not included in the definition of natural disaster (see Exhibit 2 for definition)
- losses that could have been prevented through readily available horticultural measures
- losses of trees, bushes, or vines that would have normally been replanted within the 12-month period following the loss, in absence of a natural disaster
- losses of fruit and nut trees that were not planted for commercial purposes
- losses of eligible trees covered by a current CRP, ECP, or WRP contract (paragraph 154)
- losses of plants grown outside USDA hardiness zone for the recognized crop type grown
- losses of trees grown for commercial timber or pulp
- losses not directly affected by an eligible natural disaster.

**Example:** Damaging weather interrupts electrical power service causing irrigation pumps to fail. The loss of trees, bushes, or vines because of the lack of water from the failure of the irrigation equipment is **not** eligible because natural disaster did not directly impact the trees, bushes, or vines.

## 63 Loss Adjustment Requirements

### A Authorized Use of Certified FSA Loss Adjusters (LA) for TAP

\*--Certified FSA LA's will perform field visits for TAP. Certified LA's may also be used for any prior year TAP work. Follow procedure in 2-NAP to obtain the services of certified--\* LA's.

**Note:** If a certified LA is unable to timely perform the field visit, an FSA representative may be used.

### B Loss Adjustment Responsibilities for TAP

Responsibilities include, **but are not limited to**, the following:

- use and be proficient with the applicable loss adjustment equipment
- be familiar with TAP eligibility requirements, this handbook, TAP regulation (7 CFR §1416.400 – Subpart E), and CCC-899 (TAP Application)
- review applicant's CCC-899 and all supporting documentation; that is, review and verify acreage report, before performing on-site visual inspections to verify loss
- \*--advising applicant not to begin TAP practices until successful completion of the appropriate level of environmental review by designated FSA staff, and TAP approval has been received in writing

**Note:** LA's are not authorized to complete FSA-850 on behalf of FSA.--\*

- timely perform on-site visual inspections to verify **actual** qualifying losses and the number of tree and acres involved
- consult qualified experts, such as Department of Forestry, Universities, Extension Service, etc., for guidance in determining appropriate practices
- for plant disease mortality losses, consult with STC to verify the determined loss period established for a specific plant disease
- perform a second on-site visual inspection to verify practice completion.

### C Field Visit to Verify Applicant's Claim

Before COC approval of CCC-899, Part E, a certified FSA LA will perform a field visit and manually document the following on CCC-899, Part D:

- eligible disaster event
- date of disaster event



## 63 Loss Adjustment Requirements (Continued)

## C Field Visit to Verify Applicant's Claim (Continued)

- name of lost and/or damaged crop
- stand number
- total determined number of trees in the stand
- \*--LA's should take photos to assist with FSA's subsequent environmental review--\*
- total determined number of trees lost (reached mortality, i.e., dead, above and below ground) in the stand

**Note:** Death of a plant's graft or scion that necessitates removal and replacement of the plant's rootstock may be counted toward the 15 percent mortality adjusted for normal mortality.

- total determined number of trees lost (reached mortality, i.e., dead, above and below ground), eligible for payment
- total determined number of trees damaged in the stand
- total determined number of trees damaged in the stand eligible for payment
- total determined acres in the stand

**Note:** Review and verify the acreage report submitted by applicant.

- total determined damaged acres in the stand
- total determined damaged acres in the stand eligible for payment
- applicable DAFP-established practice codes
- trees and/or acres eligible for each practice code (see subparagraph 152 A for a list of eligible practice codes and maximum payment rates).

**Note:** LA's may consult qualified experts, i.e., Department of Forestry, Universities, Extension Service, etc., for guidance in determining appropriate practices.

**Important:** In cases of plant disease or insect infestation, COC may require information from a qualified expert to determine the extent of loss.

**Part 4 Eligibility****91 Owner Eligibility for TAP****A Eligible Orchardists and Nursery Tree Growers**

[7 CFR Part 1416.404] To be eligible for TAP payments, the eligible orchardist or nursery tree grower must:

- (1) Have planted, or be considered to have planted (by purchase prior to the loss of existing stock planted for commercial purposes) trees, bushes, or vines for commercial purposes, or have a production history, for commercial purposes, of planted or existing trees, bushes, or vines;**
- (2) Have suffered eligible losses of eligible trees, bushes, or vines occurring on or after October 1, 2011, as a result of a natural disaster or related condition;**
- (3) Have continuously owned the stand from the time of the disaster until the time that the TAP application is submitted.**

A new owner of an orchard or nursery who does **not** meet the requirements in this subparagraph may receive TAP payments if the provisions of paragraph 92 are satisfied.

Federal, State, and local Governments, and political subdivisions thereof, are **not** eligible for TAP payments in any instance.

**B Qualifying for Payments**

To qualify for payments, applicants **must** satisfy subparagraph A or paragraph 92 and the applicant **must**:

- file CCC-899 according to paragraph 61

**Note:** Contract growers operating under marketing or production contracts **must** have production history for commercial purposes on planted or existing trees, bushes, and vines. Any eligibility questions about grower marketing or production contract stipulations shall be referred to the appropriate OGC regional attorney.

- **not** be ineligible under the restrictions applicable to citizenship and foreign corporations contained in 7 CFR Part 1416.3
- **not** be a Federal, State, or local Government, or political subdivision thereof

## 91 Owner Eligibility for TAP (Continued)

**B Qualifying for Payments (Continued)**

- \*--meet environmental compliance provisions in 7 CFR 799.7, FSA Program Participant Responsibilities, and 1-EQ and subsequent revisions--\*
- meet **all** other requirements including, but **not** limited to, 7 CFR Part 1416, Subpart B that includes HEL/WC (6-CP).

**Note:** Regardless of whether an applicant is seeking payment as an initial applicant or as a successor (as a new owner, estate, or heir) all persons or entities seeking payment **must** be in compliance with common program eligibility provisions, such as citizenship, foreign ownership, and HEL/WC). See paragraph 92.

See subparagraph C for deceased persons and dissolved entities.

See subparagraph D for issuing payments to deceased persons, closed estates, and dissolved entities.

See subparagraph 92 D for inheritance provisions.

**C Deceased Owners or Dissolved Entities**

Authority to sign contracts, applications, and other documents on behalf of deceased applicants may vary according to State law. If an eligible applicant is now deceased or a dissolved entity, then an authorized representative of the deceased applicant or dissolved entity may sign CCC-899, if the authorized representative has authority to enter into a contract for the deceased applicant or dissolved entity. See 1-CM.

**Important:** Proof of authority to sign for the eligible deceased applicant or dissolved entity **must** be on file in the County Office **before** FSA will act on CCC-899. Proof of authority includes any of the following:

- court order
- letter from Secretary of State
- document approved by an OGC regional attorney.

FSA-325 is:

- only used in situations where CCC-899 was filed by an individual who subsequently died, is declared incompetent, or is missing before the payment is issued
- **not** applicable for determining who may file CCC-899 for a deceased, incompetent, or missing individual.

**123 Conservation Compliance and Administrative Provisions****A Conservation Compliance Provisions**

TAP participants are subject to conservation compliance provisions in 6-CP. A signed AD-1026 **must** be on file covering the program year for TAP **before** issuing payments. It is not necessary for the participant to complete a new AD-1026 if there are no changes to the farming operation since completing a previous AD-1026 by the participant.

If a new AD-1026 is required to be filed, payments may be issued to eligible producers after signing AD-1026, item 12. It is **not** necessary to delay issuing payments pending NRCS HELC or WC determinations. The continuous certification statement on AD-1026 **requires** producers to refund program payments if an NRCS determination results in the discovery of a HELC/WC violation.

**B Other Criteria**

The following are other program and administrative provisions that are applicable to TAP:

- controlled-substance provisions
- fraud/FCIC

**Note:** County Offices shall record determinations for the applicable criteria in the eligibility file according to 3-PL.

- equitable relief provisions.

**124 National Compliance Reviews**

**A National Selection Process**

County Offices are **required** to conduct farm inspections to ensure that producers comply with FSA program requirements. Producers will be selected for compliance reviews and spot check through a national selection process. If selected, producers will be spot checked and reviewed for TAP compliance.

**B Performing Reviews**

County Offices shall perform TAP compliance reviews for any producer that participated in TAP that was selected for spot check and review through the national producer selection process. Follow procedure in 2-CP, subparagraph 356, for performing 2011 and subsequent years TAP compliance reviews.

**\*--125 Environmental Compliance and Protected Resource Considerations****A Environmental Compliance and Protected Resource Considerations**

All TAP applications require completing FSA-850, or an EA, when appropriate. Environmental compliance must be completed consistent with 1-EQ, paragraph. 23, and subsequent revisions, without any extraordinary circumstances or adverse impacts to protected resources before signatures are obtained for those documents. Environmental compliance must be successfully completed before CCC-899 can be approved. All FSA-850's require a site visit by FSA or NRCS employees before any of the following can occur:

- ground disturbance below the site-specific plow zone
- new ground disturbance on previously undisturbed ground
- tree removal
- stump removal.

CCC-899 **cannot** be approved without additional environmental compliance when the potential exists to adversely affect protected resources, including, but not limited to 100-year floodplains, FSA-listed threatened or endangered species, wetlands, or historic properties according to 7 CFR Part 799 and 1-EQ. COC **cannot** approve CCC-899 for practices that would drain or negatively affect the 100-year floodplain or quality of any wetlands, as defined in the NRCS Field Office Technical Guide without additional environmental compliance, including public notification for any anticipated adverse impacts to wetlands or the 100-year floodplain.

Consult SEC for guidance on environmental compliance for protected resources listed in 1-EQ, Part 4, and subsequent revisions or any other environmental compliance-related matters.

This policy does not invalidate MOU's which have been agreed to between FSA and the State Historic Preservation Officer, Tribal Historic Preservation Officer(s), Tribal Governments, U.S. Fish and Wildlife Service or any other office that regulates the protected resources being evaluated. Copies of those agreements should be specifically cited or attached to the appropriate level of environmental compliance undertaken.--\*

**\*--125 Environmental Compliance and Protected Resource Considerations (Continued)****B Required Environmental Compliance Evaluations Before CCC-899 Approval**

NEPA requires (among other things) that Federal agencies consider the effects of their proposed activities on the environment before committing to those activities. For each CCC-899, FSA must complete an evaluation of the proposed practice or practices by successfully completing FSA-850 or NRCS-CPA-052, EA, or similar State documents, according to 1-EQ, and subsequent revisions, to determine whether the proposed practice would have any adverse impacts to the environment or protected resources. The environmental evaluation must be completed before CCC-899 approval.

If CED, SEC, or other FSA employee with DAFP approval authority is the FSA-850 preparer, then that person may also sign as the approving official.

**C Actions That Impede Completing the Appropriate Level of Environmental Review**

The following producer actions must not occur at the site location or the area associated with the proposed TAP practices before FSA-850 is considered successfully completed, and producer is notified of their TAP approval in writing, according to 7 CFR 799.7 and 11, and 1-EQ, or subsequent revisions:

- any actions related to the proposed TAP action being evaluated by FSA
- ground disturbance, regardless of depth
- removal of tree roots, vines or their roots
- site preparation including, but not limited to compacting, grading, leveling or filling
- purchase or acceptance of delivery of equipment and/or materials, including rootstock
- alterations to any structures that are 50 years old or older or within a historic district.

**125 Environmental Compliance and Protected Resource Considerations (Continued)****D Examples**

- Example 1:** The TAP amendment was released on September 26, 2019; however, a producer submitted CCC-899 on April 1, 2019, and it was approved on April 22, 2019. Regardless of when the producer submits documentation for TAP payment, FSA-850 is **not** required.
- Example 2:** A producer began removing dead trees on October 1, 2019, without prior approval of FSA-850, and submitted CCC-899 on October 23, 2019. Because the producer began activities listed in subparagraph 125 C prior to FSA-850 approval, CCC-899 **cannot** be approved.
- Example 3:** A producer submits CCC-899 for losses for nursery trees in containers with no site preparation or ground disturbance. Completing FSA-850 is still required according to this subparagraph; however, a “listed” categorical exclusion may apply, meaning only the first portion of FSA-850 requires completion along with signatures. See 7 CFR 799.31 and 32, and 1-EQ or subsequent revisions.

**126-150 (Reserved)**





152 TAP Payment and Mortality Rates (Continued)

A Maximum Payment Rates (Continued)

Practice Code	Practice	Maximum Rates
11	Pruning cost per eligible tree. <u>1</u> /  <b>Notes:</b> Applies to rehabilitation <b>only</b> .  Does <b>not</b> apply to TAP pecans.	\$7
12	Rehabilitation cost per eligible tree (including Christmas trees and ornamental trees), bushes (including shrubs), and vines <b>on a tree farm</b> .  <b>Note:</b> Research indicates that potted trees are not ordinarily rehabilitated, but are replaced.	\$4
13	Replacement cost per eligible tree (including Christmas trees, ornamental trees, and potted trees), bushes (including shrubs), and vines <b>on a tree farm</b> .	\$2
14	Site preparation per acre (including cleanup, tree and debris removal, and tillage).  <b>Note:</b> Not applicable to Practice Code 09 (pecan rehabilitation).	\$500
15	Replacement cost per eligible cranberry plant.	\$0.06
16	Planting cost per eligible cranberry plant.	\$0.03
17	Hawaii papaya replacement cost per hill.	\$0.67
18	Hawaii papaya replanting cost per hill.	\$1.04

**Notes:** See subparagraph C for practice code applicability.

\*--TAP does not provide cost share for royalty or shipping expenses.--\*

1/ Practice code 11 (Pruning - \$7) is only used, if pruning is the only practice completed. In all other cases, where stakes, ties, fertilizer, trellis, etc. are added to practice completion, practice code 02 (Rehabilitation - \$15) for orchards, which includes pruning, is eligible for payment. For orchards, applicant would never be eligible for both practice codes 02 and 11.

B Normal Mortality

Eligible orchardists and nursery tree growers may be eligible for TAP if the **tree mortality**, as a result of an eligible cause of loss, exceeds 15 percent (adjusted for normal mortality).

**Note:** State Offices are responsible for establishing normal mortality rates for their State.

## 152 TAP Payment and Mortality Rates (Continued)

**C Practice Code Applicability**

The following table provides the list of crop codes and practices to where they can be applied.

**Note:** Beginning in crop year 2017, bananas and plantains will no longer be eligible for TAP.

Crop Code	Crop	Crop Abbreviation	Eligible Practice Codes
0023	Oranges	ORANG	01, 02, 10, 11, 14
0024	Tangelo	TANGL	01, 02, 10, 11, 14
0028	Almonds	ALMND	01, 02, 10, 11, 14
0029	Walnuts	WLNUT	01, 02, 10, 11, 14
0030	Grapefruit	GFRUT	01, 02, 10, 11, 14
0032	Elderberries	ELDER	10, 12, 13, 14
0034	Peaches	PEACH	01, 02, 10, 11, 14
0035	Lemons	LEMON	01, 02, 10, 11, 14
0036	Limes	LIMES	01, 02, 10, 11, 14
0048	Tangerines	TANGR	01, 02, 10, 11, 14
0053	Grapes	GRAPE	03, 04, 10, 14
0054	Apples	APPLE	01, 02, 10, 11, 14
0058	Cranberries	CRNBR	14, 15, 16
0060	Figs	FIGS	01, 02, 10, 11, 14
*--0086	Prunes	PRUNS	01, 02, 03, 04--*
0100	Maple	MAPSP	05, 06, 10, 11, 14
0106	Avocado	AVOCD	01, 02, 10, 11, 14
0108	Blueberries	BLUBR	10, 12, 13, 14
0128	Cherries	CHERY	01, 02, 10, 11, 14
0143	Aronia (Photinia Melanocarpa, formerly Aronia Melanocarpa)	ARONIA	10, 12, 13, 14
0144	Pears	PEARS	01, 02, 10, 11, 14
0146	Pecans	PECAN	01, 09, 10
0175	Coconuts	COCON	01, 02, 10, 11, 14
0176	Coffee	COFFE	01, 02, 10, 11, 14
0181	Papaya	PAPAY	01, 02, 10, 11, 14, 17, 18
*--0182	Cacao	CACAO	01, 02, 10, 11, 14--*
0250	Nectarines	NECTR	01, 02, 10, 11, 14
0254	Plums	PLUMS	01, 02, 10, 11, 14
0326	Apricots	APRCT	01, 02, 10, 11, 14
0370	Mulberries	MULBR	01, 02, 10, 12, 13, 14
0375	Chestnuts	CHENT	01, 02, 10, 11, 14
0376	Hazel Nuts	HAZNT	01, 02, 10, 11, 14
0380	Dragonfruit	DRAGFR	03, 04, 10, 14
0381	Pawpaw Trees	PAWPA	01, 02, 10, 11, 14
*--0421	Noni	NONI	01, 02, 10, 11, 14--*

## 152 TAP Payment and Mortality Rates (Continued)

## C Practice Code Applicability (Continued)

Crop Code	Crop	Crop Abbreviation	Eligible Practice Codes
0463	Kiwifruit	KIWIF	03, 04, 10, 14
*--0464	Mango	MANGO	01, 02, 03, 04--*
0465	Persimmons	PERSI	01, 02, 10, 11, 14
0466	Plumcotes	PLUMC	01, 02, 10, 11, 14
0467	Pomegranates	POMEG	01, 02, 10, 11, 14
0468	Quinces	QUINC	01, 02, 10, 11, 14
0469	Macadamia	MACAD	01, 02, 10, 11, 14
0470	Pistachios	PISTA	01, 02, 10, 11, 14
0496	Dates	DATES	01, 02, 10, 11, 14
0498	Guavas	GUAVA	01, 02, 10, 11, 14
0500	Loquats	LOQUA	01, 02, 10, 11, 14
0501	Olives	OLIVE	01, 02, 10, 11, 14
0502	Passion Fruit	PASFT	03, 04, 10, 14
0622	Huckleberries	HUKBR	10, 12, 13, 14
*--7164	Rambutan	RMBTN	01, 02, 03, 04--*
*--9904	Mayhew berries	MAYHW	01, 02, 03, 04--*
0906	Pummelo	PUMLO	01, 02, 10, 11, 14
0997	Atemoya	ATMYA	01, 02, 10, 11, 14
0998	Sapote	SAPBK	01, 02, 10, 11, 14
0999	Carambola/Star Fruit	CRMBA	01, 02, 10, 11, 14
1010	Nursery – Container	NRSRY	07, 08, 10
1010	Nursery – Field	NRSRY	07, 08, 10, 11, 14
*--1166	Caimito (star apple)	CAMTO	01, 02, 10, 11, 14--*
1167	Guamabana/Soursop	GUANA	01, 02, 10, 11, 14
1290	Breadfruit	BREAD	01, 02, 10, 11, 14
1291	Cashew	CASHE	01, 02, 10, 11, 14
1292	Genip	GENIP	01, 02, 10, 11, 14
1297	Honeyberries	HONEYB	10, 12, 13, 14
1302	Tangors	TANGS	01, 02, 10, 11, 14
2018	JuJube	JUJU	01, 02, 10, 11, 14
2019	Ume	UME	01, 02, 10, 11, 14
6000	Caneberries	CANBR	03, 04, 10, 14
7037	Jack Fruit	JCKFR	01, 02, 10, 11, 14
7302	Wax Jambu	WXJM	01, 02, 10, 11, 14
7321	Christmas Trees	CHRUT	10, 12, 13, 14
8004	Longan	LONGN	01, 02, 10, 11, 14
8005	Lychee	LYCHE	01, 02, 10, 11, 14
8008	Sapodilla	SPDLA	01, 02, 10, 11, 14
8045	Cherimoya	CHRMY	01, 02, 10, 11, 14
9995	Citron	CTRON	01, 02, 10, 11, 14

**Note:** Eligible producers who did not plant or own trees will not be eligible for TAP payments for replanting practices.

## 153 TAP Practice Completion and Expiration

### A Practice Completion

Eligible owners are required to replant and rehabilitate **only** the qualifying eligible trees, bushes, or vines, on that portion where they seek payment. All practices **must** be completed and actual cost receipts provided on each stand **before** payments can be issued.

### B Practice Expiration

Eligible owners must complete approved replacement and rehabilitation practices within **\*--12 months** from the date CCC-899 is approved for payment by COC or designee. If an applicant is unable to complete the approved practice within 12 months from the date CCC-899, Part E is approved, STC's may grant an extension of up to 1 additional year.

**Notes:** If the producer still cannot complete the practice within the 1-year STC extension, the State Office must submit the request to DAFP along with supporting~~--\*~~ documentation, such as COC minutes, weather data, etc., indicating reasons why the practices could not be completed within the allotted time, and the timeframe required for practice completion.

If applicant chooses to replant different eligible trees, bushes, or vines than those initially lost, CCC-889, Part F must reflect the new crop, applicable practice codes, trees and/or acres completed, and actual cost.

**Example:** CCC-899, Part B indicates a loss of 500 orange trees on 3 acres in stand number 344 on September 12, 2012. COC determines applicant is eligible for practice codes 01, 02, 10, 11, and 14.

On August 1, 2013, applicant visits the County Office to report practice completion. Applicant reports their decision to replant blueberry bushes, instead of oranges. Applicant submits actual cost documentation for the replanting of 600 blueberry bushes on stand 344 which consists of 3 acres. Practice codes for blueberry bushes are 10, 12, 13, and 14.

### C Replanting Different Eligible Trees, Bushes, or Vines

When eligible trees, bushes, or vines are replanted, the eligible tree, bush, or vine:

- types planted may be different than types lost as long as the new eligible trees, bushes, or vines have the same general end use, as determined by COC

**Note:** Payments to eligible owners who replant different eligible trees, bushes, or vines ~~--\*~~ will **not** exceed the established maximum payment rates to re-establish the~~--\*~~ eligible trees, bushes, or vines that were actually lost, as determined by COC.

## 153 TAP Practice Completion and Expiration (Continued)

## C Replanting Different Eligible Trees, Bushes, or Vines (Continued)

- types planted may be replanted on the same farm in a different location than the lost stand.

**\*--Notes:** Payments for eligible owners who replant in a different field must **not** exceed--\* the cost to replant in the field where the loss actually occurred, as determined by COC.

Applicants may choose to replace damaged trees in cases where the rehabilitation expense exceeds the cost of tree replacement.

## D Cost Documentation

Eligible owners are required to submit actual cost documentation for all components of the completed practices. Receipts should include the following:

- date
- vendor's name
- vendor's location.

**Important:** Applicants receiving TAP payments, or any other legal entity or person who furnishes information for the purposes of enabling such participant to receive a payment **must**:

- maintain any books, records, and accounts supporting any information furnished for 3 years following the end of the calendar year that the request for payment was filed
- allow authorized representatives of USDA and OIG, during regular business hours, to inspect, examine, and make copies of such books or records, and to enter upon, inspect and verify **all** applicable acreage where the applicant has an interest for the purpose of confirming the accuracy of information provided by or for the applicant.

Producers who perform practices on their own land and/or trees, \* \* \* may submit cost estimates for each component of a practice. COC may approve the cost estimates if they are determined reasonable for the practice compared to documentation of actual costs submitted by other contractors or vendors in the area for the same practice components. CED shall document justification for determinations in COC minutes.

Producers must provide COC the documentation of actual costs to complete the practices, such as receipts for labor costs, equipment rental, and purchases of seedlings or cuttings. If the documentation is not available, COC **must** review CCC-899 and determine if the costs are reasonable and acceptable.

154 Payment Policy

\*--A Payment Eligibility and Duplicate Benefits

[7 CFR 1416.6] Payment eligibility and limitation.

(b) The Deputy Administrator may take such actions as needed to avoid a duplication of benefits under the programs provided for in this part, or duplication of benefits received in other programs, and may impose such cross-programs payment limitations as may be consistent with the intent of this part in order to help prevent a person or legal entity being paid more than the total value of their loss.

The following table provides guidance if an eligible owner is eligible for a TAP payment and may be eligible for benefits under another program.

IF an owner is eligible to receive TAP payment, and for the same loss, is also eligible for...	THEN the eligible owner...
NAP	can receive both, but not to exceed the total value of loss.
Indemnity payments under crop insurance policies, including pilots, for orchard trees	can receive both.
Emergency loans	can receive both.
2017 WHIP	
WHIP+	
ECP benefits, the Biomass Crop Assistance Program, CRP, EQIP, WRP, or any other program where duplication of benefits are received	<b>cannot</b> receive payment for the same or similar type of practices for the same or similar loss.
Florida, citrus, producers covered by block grant	

--\*

**\*--155 CCC-770 TAP, TAP Checklist (Continued)**

**F Determining When to Use CCC-770 TAP**

SED, STC or designee, DD, or CED shall determine:

- when County Offices are to complete CCC-770 TAP if apparent control deficiencies are found during CED, STC representative, or DD reviews
- whether CCC-770 TAP is necessary to avoid findings indicated by CORP reviews
- when additional internal controls are necessary to reduce improper payments.--\*



155 CCC-770 TAP, TAP Checklist (Continued)

G Example of CCC-770 TAP

This is an example of CCC-770-TAP.

This form is available electronically.

<b>CCC-770 TAP</b> (09-25-19)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. Applicant's Name		2. State Name	
<b>TREE ASSISTANCE PROGRAM (TAP) CHECKLIST</b>				3. County FSA Office Name		4. Crop Year	
				<b>Office Staff Actions</b>		<b>Applicable Handbooks</b>	
5. Has the FSA-578 Crop Report been timely filed and signed by the participant, including acreage of the eligible crop?		2-CP (Rev. 15), Part 2, and 1-TAP (Rev. 4), Paragraph 122					
6. Has the participant filed the required AGI certification and has the certification information been recorded in the web-based eligibility system?		5-PL, Paragraphs 3 and 41, and 1-TAP (Rev. 4), Subparagraph 121D					
7. Has the participant filed the required AD-1026 and has the eligibility information been recorded in the web-based eligibility system?		6-CP (Rev. 4), and 1-TAP (Rev. 4) Paragraph 123					
8. Did the stand sustain a mortality loss in excess of 15 percent after adjustment for normal mortality due to an eligible natural disaster?		1-TAP (Rev. 4), Paragraph 3					
9. Was the participant's stand information correctly recorded in Part B of the CCC-899?		1-TAP (Rev. 4), Paragraph 61					
10. Was Part C of the CCC-899 (Applicant Certification Statement) signed by a person or legal entity who has signature authority on file (if the person is signing in a representative capacity)?		1-CM (Rev. 3), Part 25, and 1-TAP (Rev. 4) Paragraph 61					
11. Was FSA-850 successfully completed prior to COC or authorized representative approval of CCC-899?		1-EQ, Rev. 3					
12. Was CCC-899, Part E, signed, dated, and approved by COC, or authorized representative, and recorded in the COC minutes?		1-TAP (Rev. 4), Paragraph 61					
13. Was an approval/disapproval letter issued to participant regarding the COC or authorized representative's decision for Part E?		1-TAP (Rev. 4), Paragraphs 61 and 65					
14. Has participant submitted applicable cost documentation for all components on the stand for the completed practices?		1-TAP (Rev. 4), Paragraph 153					
15. Has a loss adjuster completed a final inspection to verify practice completion?		1-TAP (Rev. 4), Paragraph 63					
16. Was the CCC-899, Part G, (Approval or Disapproval for TAP Payment) signed and dated by COC or authorized representative, and recorded in the COC minutes?		1-TAP (Rev. 4), Paragraph 61					
<b>Certification:</b>							
17A. Signature of Preparer(s)				17B. Date (MM-DD-YYYY)			
18A. I concur/do not concur the above items have been verified and updated.				<input type="checkbox"/> Concur		<input type="checkbox"/> Do Not Concur	
18B. CED Signature for Spotcheck				18C. Date (MM-DD-YYYY)			
19A. I concur/do not concur the above items have been verified and updated.				<input type="checkbox"/> Concur		<input type="checkbox"/> Do Not Concur	
19B. DD Signature for Spotcheck				19C. Date (MM-DD-YYYY)			

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

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To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9962. Submit your completed form or letter to USDA by (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW Washington, D.C. 20250-9410, (2) fax: (202) 690-7442, or (3) email: [program.discrimination@usda.gov](mailto:program.discrimination@usda.gov). USDA is an equal opportunity provider, employer, and lender.

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**\*--155 CCC-770 TAP, TAP Checklist (Continued)**

**G Example of CCC-770 TAP (Continued)**

<b>CCC-770 TAP</b> (09-25-19)	Page 2 of 2
20. Remarks:	

--\*

**\*--155 CCC-770 TAP, TAP Checklist (Continued)**

**H Completing CCC-770 TAP**

Complete CCC-770 TAP according to the following table.

<b>Item</b>	<b>Instructions</b>
1	Enter name of the applicant.
2	Enter applicable State name.
3	Enter administrative County Office name that is completing CCC-770 TAP.
4	Enter applicable crop year.
5 through 16	Check (✓) “Yes”, “No”, or ENTER “N/A”.
*--17A and 17B	County Office employee who reviews items 5 through 16 shall sign, as preparer, and enter the current date.
18A	When applicable, CED or designated representative shall indicate whether or not they concur with the accuracy of items 5 through 16.
18B and 18C	CED or designated representative who completed item 18 A shall sign and enter the current date.
19A	When applicable, STC or their representative shall indicate whether or not they concur with the accuracy of items 5 through 16.
19B and 19C	STC or its representative who completed item 19 A shall sign and enter--* the current date.
20	Enter applicable remarks.

**156-180 (Reserved)**

**Parts 7-9 (Reserved)**

**181-270 (Reserved)**

## Reports, Forms, Abbreviations, and Redelegations of Authority

### Reports

None

### Forms

This table lists all forms referenced in this handbook.

<b>Number</b>	<b>Title</b>	<b>Display Reference</b>	<b>Reference</b>
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification		123, 401, 403
CCC-36	Assignment of Payment		403
CCC-37	Joint Payment Authorization		403
CCC-526	2008 Payment Eligibility Average Adjusted Gross Income Certification		401
CCC-770	TAP Checklist	155	
CCC-899	Tree Assistance Program Application for Trees, Bushes, and Vines	61	Text
CCC-901	Members Information 2009 and Subsequent Years		403
CCC-941	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information - Agricultural Act of 2014		403
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		91, 401
FSA-578	Report of Acreage		122
FSA-850	Environmental Screening Worksheet		5, 63, 125
NRCS-CPA-052	Environmental Evaluation Worksheet		125

Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviations	Term	Reference
2002 Farm Bill	The Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171)	401
2014 Farm Bill	Agricultural Act of 2014 (Pub. L. 113-79)	1, 2, 121
EA	Environmental Assessment	125
ECPR	Estimated Calculated Payment Report	411
HTML	hyper-text markup language	271,376
NEPA	National Environmental Policy Act	2, 125
SEC	State Environmental Coordinator	5, 125

Redelegations of Authority

This table lists redelegations of authority in this handbook.

Redelegation	Reference
CED may redelegate approval authority to PT's for routine cases.	5, 61
<b>Note:</b> PT's shall <b>not</b> be delegated authority to disapprove any CCC-899's.	

## Definitions of Terms Used in This Handbook

### **Bush**

Bush means a low, branching, woody plant from which, at maturity of the bush, an annual fruit or vegetable crop is produced for commercial purposes, such as a blueberry bush. The definition does not cover plants that produce a bush after the normal crop is harvested such as asparagus.

### **Commercial Use**

Commercial use means used in the operation of a business activity engaged in as a means of livelihood for profit by an eligible grower.

### **\*--Commercially Viable**

Commercially viable means eligible trees, bushes, or vines, that are damaged, but which may rejuvenate and return to a level of expected production through rehabilitation and without planting.--\*

### **County Committee (COC)**

COC means the respective FSA COC.

### **County Office**

County Office means the FSA or USDA Service Center that is responsible for servicing the farm on which trees, bushes, or vines are located.

### **Cutting**

Cutting means a piece of vine which was planted in the ground to propagate a new vine for the commercial production of fruit, such as grapes, kiwi fruit, passion fruit or similar fruit.

### **Eligible Nursery Tree Grower**

Eligible Nursery Tree Grower means a person or legal entity that produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale.

### **Eligible Orchardist**

Eligible orchardist means a person or legal entity that produces annual crops from trees, bushes, or vines for commercial purposes.

**Definitions of Terms Used in This Handbook (Continued)****Farm**

Farm means, for determining TAP eligibility, a tract or tracts of land that are considered to be a separate operation. Where multiple tracts of land are to be treated as 1 farm, the tracts must have the same operator, and must also have the same owner, except that tracts of land having different owners may be combined if all owners agree to the treatment of multiple tracts as 1 farm. Each farm has an identifier of “farm serial number”. See 10-CM.

**Fruit Tree**

Fruit tree means a woody perennial plant having a single main trunk, commonly exceeding 10 feet in height and usually devoid of branches below but bearing a head of branches and foliage or crown of leaves at the summit that is grown for the production of an annual crop, including nuts, for commercial market.

**Lost**

Lost means, with respect to the extent of damage to a tree or other plant, that the plant is destroyed or the damage is such that it would, as determined by FSA, be more cost effective to replace the tree or other plant than to leave it in its deteriorated, low-producing state.

**Mortality**

Mortality means tree, bush, or vines that died during a specific growing period, because of natural disaster.

**Natural Disaster**

Natural disaster means:

- drought
- excessive rain and wind damage
- earthquake
- fire
- flood
- freeze