

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

Tree Assistance Program 1-TAP (Revision 4)	Amendment 9
---	--------------------

Approved by: Acting Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 31 D has been amended for clarity.

Subparagraph 61 A has been amended for clarity.

Subparagraph 61.5 A has been amended to advise County Offices that manual CCC-899's are no longer authorized for cumulative plant disease losses, and instructs County Offices to load all previously filed manual CCC-899's for plant disease losses into the automated system.

Subparagraph 63 B has been amended to remove the request for completing manual CCC-899's for losses due to plant disease.

Subparagraph 152 C has been amended to:

- add Elderberries, JuJube, and Ume to the eligible list of crop codes
- remove bananas and plantains from the list of eligible crops beginning in crop year 2017. Bananas and plantains do not meet the definition of a tree, bush, or vine, and it is common practice for both crops to be replanted yearly. The loss of trees, bushes, or vines that would normally be replanted within a 12-month period following loss, in the absence of natural disaster, are not eligible for TAP.

Page Control Chart		
TC	Text	Exhibit
1,2	2-1, 2-2 3-1, 3-2 3-6.7, 3-6.8 3.6-9, 3.6-10 (remove) 3-10.5, 3-10.6 6-3 through 6-6	

Table of Contents

Page No.

Part 1 Handbook Purpose and Responsibilities

1	Handbook Purpose and Coverage	1-1
2	Authority	1-2
3	Internal Operating Guidelines	1-3
4	Publicizing TAP	1-4
5	Responsibilities	1-7
6-30	(Reserved)	

Part 2 General Eligibility Requirements

31	General Eligibility Requirements	2-1
32	Equitable Relief	2-3
33-60	(Reserved)	

Part 3 CCC-899's, Reimbursements, and Qualifying Losses

61	CCC-899, TAP Application for Assistance	3-1
61.5	CCC-899's for Cumulative Losses Due to Plant Disease.....	3-6.7
62	Reimbursement and Qualifying Losses	3-7
63	Loss Adjustment Requirements	3-10.5
64	Payment Calculations.....	3-12
65	Approval and Disapproval Letters	3-16
66-90	(Reserved)	

Part 4 Eligibility

91	Owner Eligibility for TAP	4-1
92	Successor-in-Interest	4-4
93-120	(Reserved)	

Part 5 Payment, Acreage, and Compliance Provisions

121	Payment Provisions.....	5-1
122	Acreage Provisions	5-2
123	Conservation Compliance and Administrative Provisions	5-3
124	National Compliance Reviews.....	5-4
125-150	(Reserved)	

Table of Contents (Continued)

Page No.

Part 6 TAP Criteria

151	Stand Criteria	6-1
152	TAP Payment and Mortality Rates	6-2
153	TAP Practice Completion and Expiration.....	6-6
154	Payment Policy	6-8
155	CCC-770 TAP, TAP Checklist.....	6-9
156-180	(Reserved)	

Parts 7-9 (Reserved)

181-270 (Reserved)

Part 10 TAP Software

Section 1 Level 2 eAuthentication Access

271	Accessing TAP Software	10-1
272	State, County, and Program Year Selection.....	10-3
273	TAP Application Summary.....	10-4
274-285	(Reserved)	

Subsection 1 Creating and Deleting CCC-899's

286	Creating Applications	10-21
287	Stand Summary	10-25
288	Deleting Applications	10-30
289-295	(Reserved)	

Subsection 2 Editing, Deleting, and Adding Stand Information

296	Editing Stands (Part B)	10-41
297	Deleting Stands	10-45
298	Editing Practice Information (Part B).....	10-48
299	Deleting Practice Information.....	10-50
300	Adding Practice Information (Part B).....	10-52
301-310	(Reserved)	

Subsection 3 Editing, Deleting, and Adding COC Action/Determination

311	Editing Stands for COC Action/Determination	10-71
312	Editing Practice Information for COC Action/Determination.....	10-79
313	Deleting Practice Information for COC Action/Determination.....	10-82
314	Adding Practice Information for COC Action/Determination.....	10-84
315-325	(Reserved)	

Part 2 General Eligibility Requirements

31 General Eligibility Requirements

A TAP Assistance

TAP provides disaster assistance to eligible orchardists and nursery tree growers to replant or rehabilitate trees, bushes, and vines that were lost because of an eligible natural disaster.

TAP applies to orchardists and nursery tree growers who commercially raise perennial trees *--for production of an annual crop and sustain tree deaths in excess of 15 percent in a calendar year (or loss period in a case of plant disease) because of natural disaster after adjustment for normal mortality. TAP authorizes payments to eligible orchardists and nursery tree growers who actually replant or rehabilitate eligible trees, bushes, and vines and who produce nursery, ornamental, fruit, nut, or Christmas trees for commercial sale. To be eligible for TAP, an eligible owner of trees, bushes, or vines, or a grower of the annual crop produced from the trees, bushes, or vines with a claim to ownership share in the annual crop, **must** have trees bushes and vines that were directly affected by an eligible natural disaster.--*

Note: A marketing or production contract grower **must** have production history for commercial purposes on planted or existing trees. Any questions on the eligibility of a grower's marketing or production contract should be referred to the appropriate OGC regional attorney.

Eligible tree losses must have occurred on or after October 1, 2011.

B Eligible Losses

To be considered an eligible loss under TAP, eligible trees, bushes, or vines **must** have reached mortality (that is, died) above and below ground, as a result of an eligible natural disaster event, as identified in Exhibit 2. The stand must have sustained a mortality loss in excess of 15 percent after adjustment for normal mortality.

--If a tree, bush, or vine is damaged to such an extent that it is no longer commercially viable, the tree, bush, or vine may be considered dead in determining the 15 percent-- mortality loss threshold.

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.

31 General Eligibility Requirements (Continued)**C Qualifying Mortality Losses in the Case of Plant Disease**

Determining mortality loss for plant disease differs from natural disaster because the time period between bacterial, fungal, or viral infection and symptom appearance can be from a few days to several years. Therefore, the 15 percent mortality threshold and normal mortality calculation for plant disease is cumulative based on the loss and time period, as approved by DAFP. STC's must submit documentation to DAFP for approval of STC determined loss and expected mortality time period according to subparagraph D.

D Requesting Cumulative Time Periods for Mortality for Plant Disease

For cumulative plant disease mortality losses, STC's **must** submit to DAFP, reliable documentation to support confirmed prognosis and the determined loss period for the claimed infected trees, bushes, or vines, such as:

- plant pathology reports
- entomology laboratory reports
- related environmental factors
- integrated pest management data that may include timing of application, including biological, cultural, and chemical controls, as appropriate
- any other related data on periphery of pathogen and stage of trees affected.

Note: There may be regional differences in disease severity within a State; therefore, STC **must** document requests by region.

*--County Offices **must** retain the producer's initial CCC-899 on plant disease confirmation in the automated system, and forward a copy to CCC representative to complete CCC-899, --* Part D when producer reports total mortality in subsequent years.

Part 3 CCC-899's, Reimbursements, and Qualifying Losses

61 CCC-899, TAP Application for Assistance

A Filing CCC-899's

To apply for TAP benefits, an applicant **must** file an automated CCC-899 (paragraph 286) in the administrative County Office that maintains the farm records for the agricultural operation by crop type, stand, and producer share.

Note: See subparagraph 61.5 A * * * on filing * * * CCC-899 for losses because of plant disease.

Applicants who suffered eligible tree, bush, and vine losses:

- **after** September 30, 2011, through the end of the 2014 calendar year must provide an application and supporting documentation to FSA by the later of January 31, 2015, or 90 calendar days after the disaster event or date when the loss is apparent to the producer
- on or after January 1, 2015, must provide an application and supporting documentation to FSA within 90 calendar days of each disaster event or date when the loss of trees, bushes, or vines is apparent to the producer.

Applicants who suffer multiple disasters during the calendar year may file multiple CCC-899's.

Applicants must certify and provide adequate proof that the losses were the direct result of an eligible natural disaster.

Notes: Applicants must be active in SCIMS with a legacy link to the administrative county accepting CCC-899 to apply and receive benefits under TAP.

Applicants must be active on a farm in the administrative county accepting CCC-899 to apply and receive benefits under TAP.

If an applicant is not in SCIMS with a legacy link to the administrative county accepting CCC-899, do the following:

- add the applicant to SCIMS
- create the legacy link according to 1-CM.

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

A Filing CCC-899's (Continued)

Each eligible applicant with a share interest in a stand who wants TAP payments **must** complete and sign a separate CCC-899 for that share of the stand.

Example 1: John Brown and others suffered eligible fruit tree losses and have the following interests in 2 counties that are administered in Jefferson County:

- B and B General Partnership has a permanent TIN and owns citrus groves in Jefferson County
- John Brown as 100 percent individual owner of pecan trees in Jefferson County
- John Brown and Jane Brown share owners of huckleberry bushes in Jefferson County; John Brown and Jane Brown have separate TIN's and jointly own the bushes on a 25-75 percent share
- John Brown as 100 percent individual owner of a stand of citrus trees in De Soto County that is administered in Jefferson County.

Assuming John Brown and others want TAP payments for their share of each stand, the following CCC-899's would need to be submitted:

- one CCC-899 for B and B General Partnership for 100 percent share of the citrus trees in Jefferson County
- one CCC-899 for John Brown for 100 percent interest in the pecan stand in Jefferson County
- one CCC-899 for John Brown for 25 percent interest in the huckleberry bushes operation in Jefferson County he shares with Jane Brown
- one CCC-899 for Jane Brown for 75 percent share of the citrus grove in Jefferson County she shares with John Brown
- one CCC-899 for John Brown with 100 percent share of the citrus grove physically located in De Soto County, but administered in Jefferson County.

61.5 CCC-899's for Cumulative Losses Due to Plant Disease**A Filing CCC-899's for Cumulative Plant Disease Losses --***

Producers suffering cumulative losses because of plant disease, such as citrus greening, must contact their administrative County Office to report the presence of the disease. For cases where STC has requested a loss period for plant disease and DAFP has approved that request, the loss period for the plant disease begins when the producer first recognizes the disease in the stand, and ends when an infected tree becomes either biologically dead or no longer commercially viable within the loss period established by STC and DAFP according to paragraph 31. The 15 percent mortality threshold and normal mortality calculation is cumulative based on the loss and time period. * * *

*--The Loss Adjuster Management software requires the stand number from the CCC-899 TAP application in order to pay LA's for performing field inspections for TAP; therefore, manual CCC-899's are no longer authorized for cumulative plant disease losses. County offices must enter all previously filed manual CCC-899's for cumulative mortality losses due to plant disease into the automated system.

Producers must * * * annually file CCC-899 by stand to report the number of trees lost, even though they may not file for assistance until a subsequent year in the loss period. At this time the County Office can update the total determined tree, bush, or vine losses in the automated system.

Note: Cumulative CCC-899's must be filed according to the time line in paragraph 31 C.

B Finalizing CCC-899 for Cumulative Losses Due to Plant Disease

The CCC-899 may be finalized when the producer requests to file one cumulative CCC-899 capturing all loss in the approved loss period.

Before approving CCC-899 for payment, the approving official must ensure that all eligibility requirements are met, and a field visit has been completed to verify practice completion. See paragraph 63 for LA requirements.--*

63 Loss Adjustment Requirements

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

For 2015 and subsequent years, certified FSA LA's shall be used to perform field visits for TAP. Certified LA's may also be used for any prior year TAP work being completed in 2015. 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
- 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
- name of lost and/or damaged crop
- stand number

--63 Loss Adjustment Requirements (Continued)*C Field Visit to Verify Applicant's Claim (Continued)**

- total determined number of trees in the stand
- 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.--*

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> / Notes: Applies to rehabilitation only . Does not apply to TAP pecans.	\$7
12	Rehabilitation cost per eligible tree (including Christmas trees and ornamental trees), bushes (including shrubs), and vines on a tree farm . Note: 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 on a tree farm .	\$2
14	Site preparation per acre (including cleanup, tree and debris removal, and tillage). Note: 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--*

Note: See subparagraph C for practice code applicability.

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.

152 TAP Payment and Mortality Rates (Continued)

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.

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
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
***	***	***	***
0250	Nectarines	NECTR	01, 02, 10, 11, 14
0254	Plums	PLUMS	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
0326	Apricots	APRCT	01, 02, 10, 11, 14
0375	Chestnuts	CHENT	01, 02, 10, 11, 14
0376	Hazel Nuts	HAZNT	01, 02, 10, 11, 14
0381	Pawpaw Trees	PAWPA	01, 02, 10, 11, 14
0463	Kiwifruit	KIWIF	03, 04, 10, 14
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
0906	Pummelo	PUMLO	01, 02, 10, 11, 14
0997	Atemoya	ATMYA	01, 02, 10, 11, 14
0998	Sapote	SAPBK	01, 02, 10, 11, 14
1010	Nursery – Container	NRSRY	07, 08, 10
1010	Nursery – Field	NRSRY	07, 08, 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
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.