

For: State and County Offices

Undelivered Allocations for Forest Land (Timber) TAP

Approved by: Deputy Administrator, Farm Programs



1 Preparing For Additional Timber TAP Payments

A Background

Pub. L. 108-324 authorized \$15 million in funding to provide assistance to eligible timber owners for losses incurred between December 1, 2003, and December 31, 2004. To be eligible, the forest timber owner **must** have suffered a 15 percent loss in addition to normal mortality. Forest timber owners were eligible to receive the lesser of 75 percent of the actual cost or the maximum payment rate for replanting trees. Rates were established by STC's for the cost of the tree, labor, and site preparation for replanting. Funding was limited to \$15 million. Signup for Timber TAP ended on May 31, 2005.

During the initial payment review, it was determined that the calculated maximum eligible payment amount exceeded the \$15 million funding limit. Software for loading Timber TAP applications was closed-out August 26, 2005, so a payment factor could be determined. The payment factor for Timber TAP, based on applications loaded, was determined to be 51 percent. County Offices were authorized to issue payments on October 17, 2005, according to Notice TAP-34.

Funding for Timber TAP is still available and as a result, an additional payment can be made to Timber TAP producers. However, **before** a final payment factor can be determined, **all** outstanding payments **must** be issued as soon as possible, but no later than **April 1, 2008**. Because of bankruptcy and appeals, it is recognized that some payments still may not be able to be issued by the April 1, 2008, deadline. As a result, a report of outstanding payments **must** be submitted to the National Office for consideration in establishing the final payment factor.

Disposal Date	Distribution
May 1, 2008	State Offices; State Offices relay to County Offices

Notice TAP-39

1 Preparing For Additional Timber TAP Payments (Continued)

B Purpose

This notice informs State and County Offices that **all**:

- Timber TAP payments eligible for payment **must** be issued by COB, **April 1, 2008**
- outstanding Timber TAP payments that **cannot** be issued by April 1, 2008, **must** be reported to the National Office by COB, **April 2, 2008**.

Note: Failure to identify payments to be issued **after** April 1, 2008, will result in unidentified payments **not** being issued when the final Timber TAP payment factor is determined. This includes, but is **not** limited to, bankruptcy or appeals.

After outstanding payments are identified and a final payment factor is determined, an additional payment for Timber TAP will be issued.

C State Office Action

State Offices shall:

- ensure that County Offices are immediately informed of the contents of this notice
- ensure that County Offices issue **all** payments by COB, **April 1, 2008**, unless the payment is pending because of bankruptcy or appeal
- FAX a list that includes the following information, for payments that could **not** be issued by April 1, 2008, to Steve Peterson, National Office at 202-720-0051, by **April 2, 2008**
 - county name
 - program name
 - producer name
 - amount of outstanding payment
 - reason for nonissuance.

Notes: The list shall be signed by SED, certifying that the information is complete and that all other payments were issued by April 1, 2008.

A **negative** report is required.

If payments that could **not** be issued by COB, April 1, 2008, are **not** reported, the unreported payments will **not** be issued when the final Timber TAP payment factor is determined.