

For: State and County Offices

TAP for Pecan Losses Under the Consolidated Appropriations Act of 2018

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

The Consolidated Appropriations Act, 2018 (Pub. L. 115-141), signed into law on March 23, 2018, authorized \$15 million, until expended, to provide assistance to eligible pecan orchardists or pecan nursery tree growers for certain threshold mortality losses incurred January 1, 2017, through December 31, 2017. To be eligible, the pecan orchardist or pecan nursery tree grower must have suffered a mortality loss in excess of 7.5 percent, but not more than 15 percent, adjusted for normal mortality, on a stand. If TAP applications filed seeking payment on these losses exceed the available \$15 million, payments may have to be factored or limited.

Eligible orchardists and nursery tree growers, including any pecan orchardists or pecan nursery tree growers who suffered a mortality loss exceeding 15 percent mortality, adjusted for normal mortality, are not eligible to apply under this legislation. Those persons or legal entities are eligible to apply for assistance under the regular TAP provisions.

B Purpose

For pecan eligible orchardists or pecan nursery tree growers, this notice provides State and County Offices with information concerning:

- the provisions of the Consolidated Appropriations Act, 2018, for pecans
- when signup may begin.

Disposal Date	Distribution
November 1, 2018	State Offices; State Offices relay to County Offices

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2 Program Information for Pecan Growers

A Pecan TAP Qualifications

To qualify for a TAP payment for pecan tree losses, orchardists and nursery tree growers **must** have:

- planted, or be considered to have planted (by purchase before the loss of existing stock planted for commercial purposes) pecan trees for commercial purposes, or have a production history, for commercial purposes, of planted or existing trees
- suffered a qualifying pecan tree loss in excess of 7.5 percent mortality, but not more than 15 percent, adjusted for normal mortality, from January 1, 2017, through December 31, 2017
- continuously owned the stand from the time of the disaster until the time that the TAP application is submitted.

B Signup Period

The signup period will begin after publication of the regulation in the FR providing the new TAP provisions for eligible orchardists or nursery tree growers of pecan trees. A subsequent FSA notice will be issued with the specific application dates associated with accepting applications.

C Program Provisions and Regulations

Offices can access 1-TAP (Rev. 4) on the FSA Intranet at <https://inside.fsa.usda.gov/>. Click the “Handbooks” link at the top of the page.

Program regulations are included in 7 CFR Part 1416. The final rule will be published in the near future.

D Software

Web-based TAP application software to accommodate the change in mortality for pecan growers incurring losses from January 1, 2017, through December 31, 2017, will be available July 27, 2018.

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3 Action

A State Office Action

State Offices will instruct all County Offices to:

- publicize the contents of this notice
- widely publicize the signup start and end dates for pecan growers incurring losses from January 1, 2017, through December 31, 2017.

B County Office Action

County Offices will:

- accept CCC-899 for losses according to 1-TAP (Rev. 4)
- publicize the contents of this notice through all available means
- use the web-based TAP application software to enter CCC-899's.

Note: Automated 2017 TAP software is available; however, 2017 TAP Pecan software may not be available at the beginning of signup. If a TAP pecan applicant is eligible under regular TAP rules, the application **must** be loaded in the regular TAP software. If the County Office does not know if a TAP pecan applicant is eligible under regular TAP rules, the County Office will:

- load the 2017 TAP Pecan application into the regular 2017 TAP software
- complete Part D – COC Action/Determination in the regular 2017 TAP software
- verify eligibility based on the results of the system calculations for:
 - Total Determined Trees Lost for Payment
 - Total Determined Trees Damaged for Payment
 - Total Determined Acres for Payment.

Notes: See example on page 4.

If any of the 3 are equal to 0, the producer is not eligible for regular 2017 TAP and the application should be taken manually and loaded into the 2017 TAP Pecan software once available.

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3 Action (Continued)

B County Office Action (Continued)

The following is an example of the system calculations.

Total Determined Trees in Stand:	325
Total Determined Trees Lost:	72
Total Determined Trees Lost for Payment :	59
Total Determined Trees Damaged:	25
Total Determined Trees Damaged for Payment:	0
Total Determined Acres in Stand:	0.7500
Total Determined Damaged Acres in Stand:	0.1661
Total Determined Acres for payment:	0.1362
Total Replanted Trees:	0