

Farmers' Guide to Disaster Assistance—Fifth Edition

December 2004 Update

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NOTE: This sheet provides general information about changes made to programs covered in *Farmers' Guide to Disaster Assistance* as of December 31, 2004. In some cases, regulations implementing the new program provisions have not yet been issued. For more information—and for news of further changes—check the Disaster Assistance page on FLAG's web site at www.flaginc.org/disaster/disaster.htm.

Chapter 2: Federal Emergency Management Agency (FEMA)—Increased Benefit Limits

On October 19, 2004, FEMA issued a notice increasing the maximum levels of benefits available under the Individuals and Households Program (IHP). Beginning with emergencies and disasters declared on or after October 1, 2004, the maximum total benefit under IHP for any single disaster is \$26,200. Of this amount, no more than \$5,200 may be used for housing repair and no more than \$10,500 may be used for replacement of a primary residence.

The notice can be found in Volume 69 of the *Federal Register*, at page 61,515, or on the Internet at <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/pdf/04-23321.pdf>.

Chapter 5: Emergency Conservation Program (ECP)—\$100 Million in New Funding

The Emergency Hurricane Supplemental Appropriations Act of 2005 was enacted on October 13, 2004. The Act is Public Law No. 108-324. Among other things, the Act included an additional \$100 million in funding for ECP administered by the Farm Service Agency (FSA). On October 25, 2004, Agriculture Secretary Ann Veneman announced new ECP funding totaling \$103 million.

The USDA press release setting out ECP allocations by state can be found on the Internet at www.fsa.usda.gov/pas/FullStory.asp?StoryID=1899.

On December 6, 2004, FSA issued notice ECP-32, "Emergency Conservation Program (ECP) Clarification," to provide guidance to FSA offices implementing both ECP and the Tree Assistance Program (TAP). The notice states that in no case may a producer receive benefits from both ECP and TAP for the same loss.

FSA notice ECP-32 can be found on the Internet at ftp://ftp.fsa.usda.gov/public/notices/ECP_32.pdf.

Chapter 6: Disaster Assistance for Livestock Producers—LAP and AILFP for 2003 and 2004 Losses

The Emergency Hurricane Supplemental Appropriations Act of 2005, enacted on October 13, 2004, also directed USDA to provide assistance to producers under the Livestock Assistance

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Program and American Indian Livestock Feed Program for losses in 2003 or 2004. The Act is Public Law No. 108-324.

FSA has not yet issued regulations or policy notices implementing LAP and AILFP for the new coverage period.

Additional Programs: Funding and Authorization

The Emergency Hurricane Supplemental Appropriations Act of 2005, enacted on October 13, 2004, provided funding and authorization for USDA to implement additional disaster assistance programs for farmers which are not discussed in the fifth edition of *Farmers' Guide to Disaster Assistance*. The Act is Public Law No. 108-324.

- **Crop Disaster Program (CDP)** – coverage for 2003 or 2004 losses (also 2005 losses in some cases). This coverage may be in addition to coverage from crop insurance or the noninsured crop disaster assistance program (NAP) up to 95 percent of the expected value of the crop.

On December 30, 2004, FSA issued notice DAP-212, "2003, 2004, and 2005 Crop Disaster Program (CDP)." This notice provides general information about the new CDP and announces that signup for 2003 and 2004 CDP is expected to begin in late March 2005.

FSA notice DAP-212 can be found on the Internet at ftp://ftp.fsa.usda.gov/public/notices/DAP_212.pdf.

- **Tree Assistance Program (TAP)** – authorized for losses between December 1, 2003, and December 31, 2004. The Act includes \$8.5 million for pecan producers who suffered tree loss or damage related to hurricanes or tropical storms in 2004.
- **Emergency Watershed Protection Program** – \$250 million for repair of waterways and watersheds.
- **Dairy production losses and spoilage** – \$10 million for losses suffered by dairy farmers in counties declared a disaster due to hurricanes in 2004.
- **2004 Crop Cottonseed Payment Program** – \$10 million for losses suffered by producers and first handlers of cottonseed in counties declared a disaster due to hurricanes in 2004.
- **Sugar Program** – \$32.8 million for losses due to hurricanes, tropical storms, excessive rains, and floods in Florida in calendar year 2004, to compensate producers and first processors of sugarcane.

USDA also provided **assistance to farmers in Florida** whose production of citrus, certain tropical fruits, fruits and vegetables, and nursery crops was affected by the 2004 hurricane season, using funds established under an existing law intended to restore the purchasing power of farmers. The existing law was section 32 of the Act of August 24, 1935, which can be found in the United States Code at 7 U.S.C. § 612c.

A notice of program implementation for the assistance for Florida producers was published on October 29, 2004, in Volume 69 of the *Federal Register*, beginning at page 63,134. The notice is available on the Internet at <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/pdf/04-24290.pdf>.