



Farm Service Agency
U.S. DEPARTMENT OF AGRICULTURE

USDA Offers Disaster Program Flexibilities for Flood-Impacted Producers in the Northeast

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HARRISBURG, Pennsylvania, Aug. 15, 2023 – The U.S. Department of Agriculture’s (USDA) Farm Service Agency (FSA) and Risk Management Agency (RMA) have authorized policy flexibilities for key disaster assistance programs and crop insurance to aid Northeast agricultural operations that have been significantly impacted by recent flooding in 2023.

“The production and physical losses to flooding have devastated farmers and ranchers in the Northeast,” said Robert Bonnie, USDA’s Under Secretary for Farm Production and Conservation, who visited with agricultural producers and organizations in Vermont this week. “USDA is committed to assisting these producers in their ongoing recovery efforts. To ensure our programs effectively address actual recovery concerns, we are actively engaging with and listening to producers, elected officials and stakeholders and adapting our programs to fit their expressed needs where we have the authority to do so.”

Farm Service Agency Policy Flexibilities

FSA has authorized policy exceptions in all flood-impacted counties in **Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont.**

“We’re here to help producers recover after natural disasters, and we’re adapting our disaster assistance and loan programs to better assist those who have been impacted by floods,” said FSA Administrator Zach Ducheneaux. “If your operation was impacted, please reach out to FSA at your local USDA Service Center to learn more about what assistance is available.”

These flexibilities apply to the following commodity price support, crop and livestock disaster assistance and conservation programs:

- [Farm Storage Facility Loans \(FSFL\)](#) borrowers experiencing financial hardship can request an annual installment deferral which will extend the next installment due date by one year. FSFL provides eligible producers with financing to build or upgrade farm storage and handling facilities.
- For livestock producers in need of alternative feed sources, FSA is authorizing emergency haying for up to 60 calendar days or emergency grazing for up to 90 calendar days on [Conservation Reserve Program \(CRP\)](#) acres. CRP participants enter 10 to 15-year contracts and agree to remove environmentally sensitive land from agricultural production and plant species that re-establish valuable land cover to help improve water quality, prevent soil erosion and reduce loss of wildlife habitat.
- For producers who have a [Noninsured Crop Disaster Assistance Program \(NAP\)](#) policy on crop for which federal crop insurance is not available, FSA has waived the 72-hour notification requirement for filing a notice of loss for hand-harvested and other applicable crops. NAP provides financial assistance to producers of noninsurable crops when low yields, loss of inventory or prevented planting occur due to natural disasters. FSA has waived the 72-hour notification requirements for notice of loss for hand-harvested and other applicable crops.
- The deadline to file a 2023 notice of loss for [Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program \(ELAP\)](#) assistance has been extended to Jan. 30, 2024. ELAP compensates eligible producers for hive loss, stored feed and grazing losses.
- The deadline for filing a notice of loss for the [Livestock Indemnity Program \(LIP\)](#) has been extended through Jan. 30, 2024. LIP provides benefits to eligible livestock owners and contract growers who experience livestock deaths in excess of normal mortality caused by specific adverse weather including floods.
- The deadline for qualifying orchardists and nursery tree growers to submit an application and supporting documentation for [Tree Assistance Program \(TAP\)](#) has been extended through Jan. 30, 2024. TAP provides financial cost-share assistance to replant or, where applicable, rehabilitate eligible trees, bushes and vines lost by natural disasters.

Additionally, Producers who are experiencing financial hardships and find themselves behind on their FSA [Marketing Assistance Loan \(MAL\)](#) repayment should contact their USDA Service Center to discuss repayment concerns with FSA staff. MALs provide interim financing at harvest time to help

agricultural producers meet cash flow needs without having to sell their commodities when market prices are typically at harvest-time lows.

Exceptions for Acreage Reporting Requirements

FSA uses annual acreage reports, as provided by producers for all cropland on a farm to determine program payment eligibility. The recent extreme flooding in the Northeast created challenges for producers needing to timely file their 2023 crop acreage report by the July 17 deadline. To ensure producers have adequate time to file, FSA is offering the following acreage reporting flexibilities for producers in flood-impacted counties:

- **2023 Crop Year** – All acreage reports filed within 30 days after the acreage reporting date will be considered timely filed. *This policy does not impact 2022 late-filed acreage reports which can only be accepted through the 2023 reporting date.?*
- **2024 Crop Year** – For any crop that has an acreage reporting date before August 1, 2023, all acreage reports filed within 30 days after the reporting date will be considered timely.
- **Organic Plans** – Extreme flooding has caused a delay in producers receiving organic certifications. Check with your local FSA office for extended dates to submit documentation.??

Risk Management Agency Flexibilities

RMA is authorizing crop insurance companies to apply flexibilities to reporting requirements and the claims process for producers impacted by the recent flooding in **Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont**. This ensures that producers will get paid as soon as possible without unnecessary delays.

“Crop insurance and other USDA risk protection options help producers manage risk because we never know what nature has in store for the future. These program flexibilities allow impacted producers much-needed time to assess agricultural damages and losses while tending to the many competing priorities in their post-flood lives,” said RMA Administrator Marcia Bunker. “The crop insurance companies, loss adjusters and agents are experienced and well trained in handling these types of events.”

Key flexibilities include:

- Producers who were unable to report their acreage by the deadline of July 17 due to the flooding will not lose coverage. The crop insurance company will address these situations on a case-by-

case basis.

- Once a loss is known, producers typically have 72 hours to report a loss to their crop insurance agent. These modified procedures allow crop insurance companies to waive this requirement on a case-by-case basis when producers are not able to report due to the flooding event impacting communication and related infrastructure.
- Approved Insurance Providers are authorized to provide additional time for policyholders to make payment of premium and administrative fees.
- Electronic communication such as phone, text, or email are authorized for the producer to report information to their agent, such as production or policy elections. Additionally, the crop insurance company may provide verbal consent to sell, destroy or move crops if sending written notification is not feasible.
- Crop insurance companies can determine flooded crops to be a total loss and start the loss adjustment process if the producer certifies the crop will be destroyed.

More Information

On [farmers.gov](https://www.farmers.gov), the [Disaster Assistance Discovery Tool](#), [Disaster Assistance-at-a-Glance](#) [fact sheet](#), and [Loan Assistance Tool](#) can help producers and landowners determine program or loan options. For assistance with a crop insurance claim, producers and landowners should contact their [crop insurance agent](#). For FSA and NRCS programs, they should contact their [local USDA Service Center](#).

USDA touches the lives of all Americans each day in so many positive ways. In the Biden-Harris administration, USDA is transforming America's food system with a greater focus on more resilient local and regional food production, fairer markets for all producers, ensuring access to healthy and nutritious food in all communities, building new markets and streams of income for farmers and producers using climate smart food and forestry practices, making historic investments in infrastructure and clean energy capabilities in rural America, and committing to equity across the Department by removing systemic barriers and building a workforce more representative of America. To learn more, visit usda.gov.

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