

January 12, 2024

The Honorable Mike Johnson
Speaker of the House

The Honorable Charles Schumer
Senate Majority Leader

The Honorable Hakeem Jeffries
House Minority Leader

The Honorable Mitch McConnell
Senate Minority Leader

Dear Speaker Johnson, Leader Schumer, Leader Jeffries, and Leader McConnell,

The undersigned California agricultural entities write to bring attention to the severe impacts and losses felt by California's agricultural producers and communities throughout the 2023 calendar year due to relentless natural disasters. Following our October 27, 2023, letter to Members of the California delegation, we express our deep concern regarding the lack of attention disaster funding has received in Congress. We urge Congress to urgently address and prioritize a disaster relief package for farmers and ranchers before proceeding with other foreign supplemental issues.

During 2023, producers across California faced unprecedented weather events. Storms from the previous December continued into March, and multiple atmospheric rivers caused intense rainfall and flooding. In August and September, severe impacts followed Hurricane Hilary and related rain events. All told, it is estimated at this time that the state has been hit with a staggering \$2.4 billion in agricultural damages and losses.

We are concerned that the urgency to assemble a disaster assistance package has not been adequately met by Congress. It is vital that USDA disaster programs are sufficiently authorized and funded to support California's farmers and ranchers for the hardships endured in 2023. The President's Funding Request to Meet Critical Needs proposes \$2.8 billion to compensate U.S. crop and livestock producers for uncovered losses from natural disasters in 2023. However, the USDA estimates losses not covered by crop insurance and other disaster assistance at \$8.5 billion. We respectfully request Congress to bridge this significant funding gap, enabling disaster programs to effectively operate and provide essential relief to our farmers, ranchers, and rural communities.

As Congress deliberates on funding for disaster relief, we also urge you to address these implementation challenges that producers face with the Emergency Relief Program (ERP):

- Given the dire circumstances, it is critical for USDA to expedite the delivery of disaster assistance more responsively. Streamlining disaster programs for quicker delivery is essential.
- We suggest USDA adopt a consistent and standing framework for ERP, eliminating the two-phase implementation approach. This change will prevent certain commodities' producers from being consistently deprioritized and aid in faster program delivery.
- Additionally, it is important that any supplemental disaster assistance recognizes and compensates for a broad range of damages, including revenue losses, not just physical damages.

In conclusion, we implore Congress to work collaboratively and act swiftly to address the urgent disaster relief needs of California's farmers and ranchers.

Respectfully,

Almond Alliance
American Pistachio Growers
California Agricultural Commissioners and Sealers Association
California Apple Commission
California Alfalfa and Forage Association
California Association of Wheat Growers
California Association of Winegrape Growers
California Avocado Commission
California Bean Shippers Association
California Cherry Growers and Industry Association
California Citrus Mutual
California Date Commission
California Farm Bureau
California Fresh Fruit Association
California Grain and Feed Association
California Pear Growers Association
California Pork Producers Association
California Seed Association
California Strawberry Commission
California Sweetpotato Council
California Table Grape Commission
California Tomato Growers Association
California Walnut Commission
California Warehouse Association
Grower-Shipper Association of Central California
Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties
International Fresh Produce Association
Olive Oil Commission of California
Milk Producers Council
Ventura County Agricultural Association
Western Ag Crop Insurance Services
Western Growers

cc: The Honorable Patty Murray
Chair of the Senate Committee on Appropriations

The Honorable Kay Granger
Chair of the House Committee on Appropriations

The Honorable Susan Collins
Vice Chair of the Senate Committee on Appropriations

The Honorable Rosa DeLauro
Ranking Member of the House Committee on Appropriations

The Honorable Martin Heinrich
Chair of the Senate Appropriations Subcommittee on Agriculture, Rural Development,
Food & Drug Administration, & Related Agencies

The Honorable Andy Harris, MD
Chair of the House Appropriations Subcommittee on Agriculture, Rural Development,
Food & Drug Administration, & Related Agencies

The Honorable John Hoeven
Ranking Member of the Senate Appropriations Subcommittee on Agriculture, Rural
Development, Food & Drug Administration, & Related Agencies

The Honorable Sanford Bishop
Chair of the House Appropriations Subcommittee on Agriculture, Rural Development,
Food & Drug Administration

California Congressional Delegation

ATTACHMENT

October 27, 2023

Dear Members of the California Congressional Delegation:

The undersigned California agricultural entities write to bring attention to the severe impacts and losses felt by the state's agricultural producers and communities from throughout the 2023 calendar year's unrelenting natural disasters. We urge Congress to swiftly respond and pass a disaster relief package for farmers and ranchers.

During 2023, producers across California have experienced unprecedented weather events. Storms that began last December carried into this March; multiple atmospheric rivers brought intense rainfall and subsequent flooding that continues to present challenges even today. The months of August and September brought about severe impacts from Hurricane Hilary and related rain events. All told, it is estimated at this time that the state has been hit with a staggering \$2.4 billion in agricultural damages and losses.

As Congress assembles a disaster assistance package, it is important that standing disaster programs are adequately funded and authorized to provide assistance to California's farmers and ranchers for the harm they faced during 2023. We also request that Congress consider the following disaster program improvement recommendations:

TIMELINESS OF PROGRAM DELIVERY

Given the dire circumstances many producers are facing, it is imperative that USDA expedite delivery of disaster assistance in a more responsive fashion. Disaster programs need to be streamlined in some capacity for quicker program delivery. If Congress intends to use the Emergency Relief Program (ERP) framework, then we recommend that USDA utilize a standing, consistent framework and eliminate the two-phase implementation approach so that producers of certain commodities are not continuously deprioritized. We also recommend that any supplemental disaster assistance continue to acknowledge and pay out for a wide variety of damages incurred including revenue damage not just physical damages.

DISASTER PROGRAM ADJUSTED GROSS INCOME LIMITATIONS

The current adjusted gross income (AGI) limitation of \$900,000 on disaster program eligibility disproportionately prohibits producers with high input costs from accessing federal relief in a meaningful way. For example, specialty crop producers impacted by the winter flooding and late summer storms have acutely experienced this issue and have been shut out from standing disaster programs. Implementing AGI flexibilities allowed in the past three disaster packages and the COVID relief assistance programs, we can help more farmers secure crucial assistance in times of severe disaster. To better reflect the financial realities of farming today, we recommend amending AGI allowances for the following standing disaster programs: the Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program (ELAP), Livestock Forage Disaster Program (LFP), Livestock Indemnity Program (LIP), Tree Assistance Program (TAP), and Noninsured Crop Disaster Assistance Program (NAP). Since these changes would impact future disbursements, obviously we want any 2023 supplemental disaster assistance to also carry forward prior AGI flexibilities.

EMERGENCY CONSERVATION PROGRAM

Natural disasters can devastate farmland and grazing land, threatening the livelihood of farmers and

ranchers who depend on the land on which they live which the Emergency Conservation Program (ECP) can help resolve. However, during California's early 2023 severe storm events, many producers enrolled in ECP only to encounter many obstacles related to increased utilization and reduced staffing, inspection requirements, and uncovered activities. For this reason, we recommend amending ECP as follows:

Removal of Farm Service Agency/Natural Resources Conservation Service employee inspection requirements prior to cleanup for every ECP applicant. All excessive reporting requirements should be reviewed to lessen the burden on both applicants and USDA staff in the aftermath of severe storms. In times of natural disaster, producers are not usually looking to complete new projects but rather return their operation to a pre-disaster state so visual inspections are unnecessary. During disasters, staff is already facing an exponentially increased workload and physical inspections of projects to return land to a pre-disaster state is burdensome. As an alternative, we encourage USDA to develop self-certification measures, so producers can begin recovery and cleanup and still be eligible for ECP with proper documentation of damages. Verification utilizing satellite mapping is another option.

Elimination of the requirement of a disaster declaration for ECP eligibility. California produces over 400 commodities, so it is extremely difficult for counties with highly diverse agriculture to hit a county wide 30% production loss even though extensive damages from natural disaster are being experienced. In the case of the severe storms experienced early this year, some producers were damaged more severely from storms that did not receive a designation. Compounded, back-to-back damages from multiple storms were also experienced.

Expand ECP eligible activities, including allowance for ECP to cover expenses related to pumping water off agricultural lands. This would include expenses relative to sourcing generators, fuel, labor to operate and set-up, pumping, and ongoing pumping to avoid more serious flooding as the event is occurring. Additionally, ECP should be expanded to cover removal of trash, rubbish, and debris even when found much later.

Lengthen ECP spend timelines. Following a severe weather event, many contractors are in high demand creating competition for services and increasing wait times. Additionally, physical conditions may not allow access for some time, and materials or inputs can be scarce.

DAIRY FEED ASSISTANCE

The severe storms displaced families and cattle, damaged farms and feed supplies, and severely impacted crops being grown to feed the state's 1.7 million dairy cows. With this, dairy operations faced significant challenges due to the amount and availability of feed for their herds. To assist with recovery, we recommend USDA activate existing authority it has under Section 5(b) of the CCC Charter Act (15 U.S.C. 714c(b)) to create an assistance program that provides feed vouchers to eligible dairy operations for acquiring feed from eligible feed vendors.

LIVESTOCK INDEMNITY PROGRAM

The Livestock Indemnity Program (LIP) provides benefits to livestock producers for livestock deaths in excess of normal mortality caused by adverse weather or by attacks by animals reintroduced into the wild by the Federal Government. Because the program only covers actual mortalities, many California dairies who lost cows not to flooding itself, but due to stress and other factors associated with evacuation activities such as stress, mastitis, pneumonia, lameness, and early and heavier culling have not received assistance. We recommend the LIP be amended to include loss of livestock due to these

extenuated impacts caused by natural disaster.

In conclusion, we ask that the California delegation work collaboratively to ensure swift action from Congress to address the disaster relief needs of California farmers and ranchers. We stand ready to assist in any way necessary.

Respectfully,

Almond Alliance

American Pistachio Growers

California Agricultural Commissioners and Sealers Association

California Apple Commission

California Alfalfa and Forage Association

California Association of Wheat Growers

California Association of Winegrape Growers

California Avocado Commission

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