

Supporting Statement
2017 Wildfires and Hurricanes Indemnity Program (2017 WHIP) (Florida Citrus
Block Grant) and Quality Loss Adjustment (QLA) Program
OMB control number-0560-0291

1. Circumstances that make the collection of information necessary.

Identify any legal or administrative requirements that necessitate the collection.

Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Farm Service Agency (FSA) is requesting a revision of a currently approved collection. In this revision, FSA will discontinue this information collection request with respect to forms no longer being collected and zero out the burden estimates for those forms. Three years from this approval, the agency will delete all unnecessary forms from the OMB control number burden inventory.

FSA closed the application period and no longer accepted the following forms and plans to discontinue these forms in this request. The producers also signed all forms at the time of application, and no additional signatures are required. FSA is verifying compliance with eligibility requirement crop insurance or Nonsinured Crop Disaster Assistance Program (NAP) coverage for the next 2 available crops years which the producers agreed to at that time of application by submitting FSA-891 (2017 WHIP) or FSA-895 (for QLA). The FSA-891 WHIP and FSA-895 QLA crop insurance and NAP coverage agreements, that have the crop insurance or NAP and the documentation (planting history) requirements, are already approved by OMB, and they are a part of normal recordkeeping practice.

The Recordkeeping and Reporting Requirements are showing the forms that are no longer applicable in this collection. However, only 2 forms FSA-891 (2017 WHIP) or FSA-895 (for QLA) are still included in this request for the compliance requirement.

2017 WHIP: The Bipartisan Budget Act of 2018 (BBA, Pub. L 115-123) authorized \$2.36 billion in assistance for losses to crops, trees, bushes, and vine losses due to 2017 wildfires and hurricanes. FSA implemented the provisions of the BBA by providing up to \$2 billion in assistance to eligible producers through the 2017 WHIP, and approximately \$340 million through a block grant with the State of Florida to address losses to citrus trees and production. The BBA requires all participants who receive 2017 WHIP payments to purchase crop insurance or NAP coverage for the next 2 available years, regardless of whether they had crop insurance or NAP coverage for 2017.

FSA is making an initial payment of up to 50 percent of the participant's calculated 2017 WHIP payment. By issuing initial payments, FSA can quickly provide disaster assistance to those who suffered losses while ensuring that 2017 WHIP payments do not exceed the available funding and those funds are distributed equitably amount the eligible producers. If funds remain available after the initial payment, FSA will disburse the remainder of the calculated payment amount.

In order to determine whether a producer is eligible for 2017 WHIP and to calculate a payment, a producer is required to submit form FSA-890-2017, WHIP application; form FSA-891, Crop Insurance and/or NAP Coverage Agreement; form FSA-892, Request for an Exception to the WHIP Payment Limitation (if applicable); form FSA-893, 2018 Citrus Actual Production History and Approved Yield Record (Florida Only); form CCC-902, Farm Operating Plan for Payment Eligibility; form FSA-578, Report of Acreage; and form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification.

QLA: The Additional Supplemental Appropriations for Disaster Relief Act, 2019 (Disaster Relief Act; Pub. L. 116-20) provided disaster assistance for necessary expenses related to losses of crops (including milk, on-farm stored commodities, crops prevented from planting in 2019, and harvested adulterated wine grapes), trees, bushes, and vines, as a consequence of hurricanes, floods, tornadoes, typhoons, volcanic activity, snowstorms, and wildfires occurring in calendar years 2018 and 2019. The Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94), makes several changes to the provisions of the Disaster Relief Act, including specifying that assistance will be provided for crop quality losses. FSA is providing the assistance for those quality losses under the QLA Program.

In order to determine whether a producer is eligible for the QLA Program and to calculate a payment, a producer is required to submit form FSA-898, QLA Program application; form FSA-899, Historical Nutritional Value Weighted Average Worksheet (Continuation); form FSA-895, Crop Insurance and/or NAP Coverage Agreement; form FSA-578, Report of Acreage; required documentation of the producer's loss (but this form is exempted from PRA and reported in the spreadsheet for references.) form CCC-902I, Farm Operating Plan for Individuals; form CCC-901, Member's Information; form CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure Tax Information; form CCC-942, Certification of Income from Farming, Ranching and Forestry Operations, if applicable, and form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification.

2. Purpose and Use of the Information. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate how the agency has actually used the information received from the current collection.

The Farm Service Agency (FSA) is requesting a revision of a currently approved collection.

The 2017 WHIP Application: The information submitted by respondents was used by FSA and the State of Florida to determine eligibility and distribute payments to eligible producers under WHIP. The application included the following forms to be completed by the applicant:

- **This form is now obsolete and will be deleted during the next renewal in three years:** :FSA-890 and a continuation form of FSA-890, if necessary, in the administrative county office for all eligible crops affected by hurricanes and wildfires.
- FSA-891, Crop Insurance and/or NAP Coverage Agreement when applying for WHIP benefits.
- **This form is now obsolete and will be deleted during the next renewal in three years:** FSA-892 to request an exception to the \$125,000 payment limitation. 2017 WHIP payments are subject to \$900,000 payment limitation if the applicant can prove 75% of their adjusted gross income (AGI) is derived from farming, ranching, and forestry and a CPA or attorney provides certification of compliance.
- **This form is now obsolete and will be deleted during the next renewal in three years:** A manual form FSA-893 is required to be completed by the Florida citrus producers to calculate an approved yield for the 2018 crop year.

QLA: The information submitted by respondents was used to determine eligibility and distribute payments to eligible producers under the QLA Program.

This form is now obsolete and will be deleted during the next renewal in three years:

The QLA Application (FSA-898) form was used for applicants to apply for QLA Program Benefits.

This FSA-895 Crop Insurance and/or NAP Coverage Agreement was used to determine eligibility for WHIP+ and/or QLA Program benefits on an insurable crop and/or on a noninsurable crop. Producers are required to purchase insurance, or NAP Coverage, as applicable, on that crop(s), trees, bushes, or vines for the next two consecutive crop years following the crop year for which the benefits are requested, according to the producer's certification on this form.

This form is now obsolete and will be deleted during the next renewal in three years:

The FSA-899 Historical Nutritional Value Weighted Average Worksheet (Continuation) was used for applicants applying for QLA Program Benefits who suffered an eligible forage crop quality losses who need additional space for their FSA-899 Application.

This form is now obsolete and will be deleted during the next renewal in three years:

FSA-578- Report of Acreage was used for the producers to provide FSA the acreage data to determine program eligibility. This form is exempted from PRA and reported in the spreadsheet for references.

This form is now obsolete and will be deleted during the next renewal in three years:

CCC-901, Member's Information was used for producers to report information about their farming operation. This information is used by FSA to determine the ownership interest of entities for payment limitation purposes.

This form is now obsolete and will be deleted during the next renewal in three years:

CCC-902I, Farm Operating Plan for Individuals was used to collect information about individuals that is used by FSA to determine eligibility for payments.

This form is now obsolete and will be deleted during the next renewal in three years:

CCC-902E- Farm Operating Plans for an Entity (Part A and B) was used to collect information about entities to report their farm operations to determine eligibility for payments. Also, this form is designed for general partnerships, joint ventures, Indian Tribes, corporations, limited partnerships, limited liability companies, trusts, estates, charitable/tax-exempt organizations, public schools, city/county/state-owned entities, or other similar entities that is used by FSA to determine eligibility for payments using an employer identification number and requesting program payments as an entity.

This form is now obsolete and will be deleted during the next renewal in three years:

CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure Tax Information was the certification and consent to disclosure statement is to be used for the certification of compliance with the \$900,000 AGI limitation applicable to 2011 through 2023 crop, program, and fiscal year benefits.

This form is now obsolete and will be deleted during the next renewal in three years:

CCC-942, Certification of Income from Farming, Ranching and Forestry Operations, if applicable was used to determine if individuals or legal entities whom exceed the \$900,000 AGI Limitation are eligible for program benefits. When the program authorizes that the individuals and legal entities qualify based on if at least 75 percent of the AGI for the taxable years preceding the most immediately complete taxable year was derived from farming, ranching or forestry operations.

This form is now obsolete and will be deleted during the next renewal in three years:

AD-1026- Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification was used to certify compliance with the highly erodible land and wetland conservation provisions as a condition of eligibility for certain USDA programs. It was not necessary to complete this form if a previously filed AD-1026 is on file in the FSA serving office and there have not been any changes in your farming operation or changes to the previously listed affiliates. This form exempted from PRA for any FSA programs but included the burden hours for information.

3. Use of information technology and burden reduction. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

FSA makes every effort to comply with the E-Government Act, 2002 (E-Gov) and to provide for alternative submission of information collections.

WHIP: Applications for 2017 WHIP must be taken through the FSA county office and entered in an automated system. The system will allow all data fields to be manually

entered or will pull data from other systems to automatically populate. The system prints out the completed 2017 WHIP application that the applicant will sign. The applications are form FSA-890 2017, WHIP application; form FSA-891, Crop Insurance and/or NAP Coverage Agreement; form FSA-892, Request for an Exception to the WHIP Payment Limitation (if applicable); form FSA-893, 2018 Citrus Actual Production History and Approved Yield Record (Florida Only).

Also, 2017 WHIP applicants must have submitted the following forms to FSA to be eligible for payment: form CCC-902, Farm Operating Plan for Individual or Legal Entity; form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification; and form FSA-578, Report of Acreage. Most applicants will already have form FSA-578, form CCC-902, and form AD-1026 on file at the time of application; however, a percentage of applicants who have not previously participated in FSA programs may need to file these forms to become eligible.

QLA: Applications for the QLA Program must be taken through the FSA county office and entered in an automated system. The system will allow all data fields to be manually entered or will pull data from other systems to automatically populate. The system will print out the completed QLA Program application that the applicant will sign.

Also, QLA Program applicants must have submitted the following forms to FSA to be eligible for payment: form CCC-902, Farm Operating Plan for Individual or Legal Entity; form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification; and form FSA-578, Report of Acreage. Most applicants will already have form FSA-578, form CCC-902 (I or E), and form AD-1026 on file at the time of application; however, a percentage of applicants who have not previously participated in FSA programs may need to file these forms to become eligible.

WHIP and QLA program participants may submit documentation to verify compliance with the 2-year insurance requirement electronically.

4. Efforts to identify duplication. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2.

There are no duplication or no similar forms exists. For many participants, the information needed to calculate a payment is already on file with FSA. FSA uses pre-fill applications with that data to avoid duplication in data submission by applicants. FSA has also used federal crop insurance and NAP records already on file with USDA to confirm compliance with the 2-year insurance requirement when possible.

FSA solely manages Wildfires and Hurricanes Indemnity Program (2017 WHIP), Florida Citrus Block Grant, and Quality Loss Adjustment (QLA) Program for USDA to ensure integrity. The information required for data collection is not currently reported to any other agency on a regular basis in a standardized form. Every effort has been made to avoid duplication.

5. Impacts on small businesses or other small entities. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The information collected does not adversely impact small businesses or other small entities. There are about 503 small businesses and entities in this request. FSA has taken steps to minimize burden by pre-filling the application with data already on file with FSA.

6. Consequences of collecting the information less frequently. Describe the consequence to Federal program or policy activities if the collection is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

This revision is related to on-going compliance activities and is mandatory to retain eligibility for payments previously received under WHIP and QLA. It is a one-time data collection. Failure to solicit applications will result in failure to provide payments to eligible producers to ensure program integrity.

7. Special circumstances relating to the Guidelines of 5 CFR 1320.5. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- a. Requiring respondents to report information more than quarterly. There are no information collection requirements that require reporting on more than a quarterly basis.
- b. Requiring written responses in less than 30 days. There are no information collection requirements that require written responses in less than 30 days.
- c. Requiring more than an original and two copies. There are no information collection requirements that require more than an original document or a single copy of a document.
- d. Requiring respondents to retain records for more than 3 years. There are no such requirements.
- e. Not utilizing statistical sampling. There are no such requirements.
- f. Requiring use of statistical sampling which has not been reviewed and approved by OMB. There are no such requirements.
- g. Requiring a pledge of confidentiality. There are no such requirements.
- h. Requiring submission of proprietary trade secrets. There are no such requirements.

The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.5.

8. Comments to the Federal Register Notice and efforts for consultation. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

On November 19, 2024 (89 FR 91313), FSA published the 60-day information collection request notice to renew the WHIP and QLA collections and inviting comments. FSA received 1 comment, but it was not related to the collection.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The following individual was consulted regarding this information collection and have no suggestions to modify the forms or information required.

Paul G. - 301-405-3541; Richard F. - 816-926-7394; and Chris A.- 816-823-4378.

9. Explain any decisions to provide any payment or gift to respondents. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There are no payment or gift given to respondents.

10. Assurances of confidentiality provided to respondents. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The Wildfire and Hurricane Indemnity Program (WHIP) is governed by regulation outlined in 7 CFR Part 760, Section O. Information collected under the WHIP is subject to provisions outlined in Section 1619 of the Agricultural Improvement Act of 2018. This information is handled according to the Privacy Act of 1974 (5 USC 552a, as amended) and the Freedom of Information Act. The information collected may be disclosed to other Federal, State, and Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated).

This request was reviewed and approved by FPAC Assistant Privacy Act Officer (APO) for Privacy Act compliance, Samantha Jones, on April 8, 2025. The updated forms FSA-891, FSA-894 and FSA-895 were reviewed and approved by FPAC Assistant Privacy Act Officer (APO) for Privacy Act compliance, Samantha Jones, on May 16, 2025.

11. Justification for any questions of a sensitive nature. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No questions of a sensitive or personal nature are included in the application.

12. Estimates of the hour burden of the collection of information. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

A. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

FSA estimates that up to 7,248 participants may be required to verify compliance with their certification on FSA-891 or FSA-895. See the Reporting and Recordkeeping Requirements spreadsheet that contains the numbers for each form.

The annual burden for this information collection request is 604 hours.

B. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

The total employee compensation (average wages with benefit costs) for private industry workers (agricultural industry) is \$44.67 per hour for the respondent average. The estimated cost is \$26,981 (\$44.67 x 604 8 hours).

13. Estimates of other total annual cost burden. Provide estimates of the total annual cost burden to respondents or recordkeepers resulting from the collection of information, (do not include the cost of any hour burden shown in questions 12 and 14). The cost estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.

There are no capital, startup, or ongoing operation or maintenance costs associated with this information collection to respondents or record-keepers.

14. Provide estimates of annualized cost to the Federal government. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

The cost of form development, printing and distribution is minimal because the form is computer generated. The estimated FSA county employee cost per response is equal to 1 hour for completion of the application form multiplied by \$33.78 (estimated county employee average hourly wage; based on 2025 General Schedule, Grade 7, Step 8). Fringe benefits for all government workers are an additional 31 percent, or \$14.59, resulting in a total of \$48.37 per hour. The total annualized cost to the Federal Government is \$350,586 (7,248 responses x 1 hour x \$48.37).

15. Explanation of program changes or adjustments. Explain the reasons for any program changes or adjustments reported.

FSA is requesting a revision of a currently approved collection.

FSA is requesting 7,248 total annual respondents and responses, and 604 annual burden hours in this collection. The number of respondents and responses is reduced by 232,145 from the previously approved 239,393 respondents, and the annual burden hours is reduced by 185,044 from the previously approved 185,648. The revisions removed the respondents and hours for obsolete forms no longer needed or no longer being collected. The remaining approved respondents and burden hours reflect the estimate of producers and hours related to compliance activities with participants' certifications on FSA-891 and FSA-895.

16. Plans for tabulation, and publication and project time schedule. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

There are no plans to publish the results of 2017 WHIP or the Application Grant for Florida or QLA Program.

17. Displaying the OMB Approval Expiration Date. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

FSA displayed the current OMB expiration date in all the program's forms except for FL grant block.

18. Exceptions to the certification statement identified. Explain each exception to the certification statement identified under Certification for Paperwork Reduction Act."

FSA is able to certify compliance with all provisions under the certification statement.