

Disaster Assistance Program FY 2022 Guidelines – Whatcom County

1. Program Background

The Washington State Legislature directed the Conservation Commission (SCC) to establish a short-term disaster recovery financial assistance program (“Program”) for farmers and ranchers sustaining physical damage or financial loss as a result of a natural disaster. Initially the program must provide funding to farmers and ranchers who sustained physical damage or economic loss due to disaster events, prioritizing the major flooding event that occurred in Whatcom County during Nov-Dec 2021. The Legislature additionally required the SCC to coordinate with the Washington State Department of Agriculture (WSDA) and local conservation districts to conduct outreach to farmers and ranchers in order to increase awareness and understanding of the Program, and to ensure that farmers and ranchers are aware of other disaster relief assistance available through the state and federal government.

In order to quickly address the impacts from the major flooding event occurring in Whatcom County during November 2021, these guidelines apply to funding being made available for the period May 1, 2022 through June 30, 2022. It is the intent of the Commission to formally adopt revised guidelines for the Program for other disasters occurring statewide.

The SCC is undertaking the process of establishing programmatic guidelines to provide additional financial assistance, subject to available funding, to farmers and ranchers following natural disasters statewide, and to ensure that farmers and ranchers are made aware of federal disaster assistance programs and how to access them.

Under the terms of the Program, SCC will provide grants to an eligible farmer or rancher for a specific value determined by SCC (maximum assistance will not exceed \$50,000 per farmer or rancher per fiscal year). Funding in excess of \$50,000 may be requested and will be considered for funding on a case-by-case basis.

These initial guidelines for FY22 may be amended pursuant to feedback from interested stakeholders, additional legislative direction or developing circumstances as the Program is implemented.

2. ESSB 5693 Appropriation Language

\$300,000 of the general fund—state appropriation for fiscal year 2022 and \$300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for implementation of Substitute House Bill No. 2051 (agricultural disaster assist). If the bill is not enacted by June 30, 2022, the amounts provided in this subsection shall lapse.

3. Definitions

- "Farmer" means any person, firm, partnership or corporation engaged in farming. If a person, firm, partnership or corporation is engaged in activities in addition to that of farming, the definition shall only apply to that portion of the activity that is defined as farming in RCW 46.04.183.”¹
- "Farming" means the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (except forestry or forestry operations), the raising of livestock, bees, fur-bearing animals, or poultry, and any

¹ RCW 46.04.182.

practices performed on a farm as an incident to or in conjunction with such farming operations.²

- “Rancher” means a person who owns a ranch and who raises livestock as an occupation.
- “Livestock” includes, but is not limited to, horses, mules, cattle, sheep, swine, and goats.³
- “Major flooding event that occurred in Whatcom County during November 2021” means the events and locations related to the January 5, 2022 presidentially declared disaster [“Washington Flooding and Mudslides, DR-4635-WA](#) (and all its amendments),” in Washington state, for the incident period of November 5, 2021 – December 2, 2021., as amended by [DR-4635-WA Amendment #2](#).

4. Eligible Grant Recipients

Farmers and ranchers are eligible to receive grants.

To be eligible, a farmer or rancher must

1. Have sustained physical damage or economic loss due to the major flooding event that occurred in Whatcom County during November 2021, and
2. Provide documentation of a reduction in agricultural income or activity as a result of a natural disaster such as a flood, earthquake, or wildfire.

Additional requirements:

- A. Complete applications must be submitted no later than 4:00 pm on June 24, 2022. Incomplete applications will be rejected.
- B. For the first phase of funding (through June 30, 2022), an eligible farmer or rancher must demonstrate sustained damage or loss in Whatcom County. For subsequent phases of funding, damages resulting loss in Whatcom County or due to the major flooding event that occurred in Whatcom County will be prioritized, with potential availability for losses or expenses related to other disaster events.
- C. A farmer or rancher may only submit documentation for physical damage or economic loss expenses not paid for, in whole or in part, by insurance or other governmental sources.
- D. Farmers or ranchers must provide documentation that demonstrates the physical damage or economic loss to their farm or ranching operation.
- E. Grants can only be used to reimburse expenses incurred in whole or in part due to the major flooding event that occurred in Whatcom County.
- F. If an entity/business/operation/ranch/farm is owned by more than one person, only one application may be submitted.
- G. An entity/business/operation/ranch/farm is eligible for only one single award every 24 months, regardless of the number of owners.
- H. If an entity/business/operation/ranch/farm which suffered damage or loss is leased, the owner must provide a letter giving permission for expenses to be reimbursed and a statement that the owner will not be claiming for same expenses.
- I. Grants are available to reimburse up to 75% of actual damage or loss incurred.
- J. A farmer or rancher will be required to show all documentation of the entirety of the expenses paid to determine the SCC grant amount (Example: A farmer would need to submit documentation for \$2,000 of eligible expenses to receive \$1,500 in reimbursement).
- K. All expenses must be paid by the farmer or rancher before a reimbursement will be provided.
- L. Verification of the damage caused by the disaster is required prior to SCC disbursing funds. Please include any pictures, certifications, or other documentation of the damage or loss.
- M. Applications must be complete and have all required documentation to be considered. The SCC reserves the right to request additional information or documentation to determine eligibility. Applications missing documentation or otherwise deemed incomplete will not be considered for

² RCW 46.04.183.

³ RCW 16.57.010(9).

funding until sufficient information has been received.

- N. The SCC reserves the right to deny applications if the farmer or rancher is unable to provide required documentation within the deadline provided by the SCC when requesting the information. All determinations regarding eligibility of expenses and funding amounts are final.

5. Use of Grant Funds

Grant funds may be used for farm or ranch

- Payroll,
- Utilities and rent,
- Marketing and advertising,
- Building improvements or repairs,
- Replacing damaged or lost crops, livestock, and equipment, and
- Other operations and business expenses.

SCC grant funds shall be administered according to SCC grants policies and procedures.

6. Program Rules

- Payment can only be made on a reimbursement basis.
- Maximum grant reimbursement per farmer or rancher per fiscal year is \$50,000 per 13-25 Category 3 Policy, May 16, 2013. Funding in excess of \$50,000 may be requested and will be considered for funding on a case-by-case basis.
- The maximum grant reimbursement is 75% of total expenses incurred.
- Funds may be awarded either for reimbursement of expenses previously incurred related to the Whatcom flood event or for new projects addressing impacts documented to be caused by the flooding event.

7. Timeline and Applications for Consideration

Applications shall be submitted in a form and manner prescribed by the SCC. The SCC may contract with a conservation district to assist in the collection of applications.

For the period May 1, 2022 until June 24, 2022, all applications will be considered and awarded on a rolling basis until funding is exhausted. Once received, applications will be reviewed by an advisory committee made up of one member each from the Washington State Department of Agriculture, a CD Board member or designee, the SCC, and an Agricultural industry representative. The review committee exists:

- To provide technical insight and awareness of local conditions
- To ensure consistency with funding procedures and funding intent
- To provide for case by case consideration of projects that are unique cases
- To make funding recommendations to Commission Director or their designee

The review committee will meet as often as needed to review applications. Farmers and ranchers should submit applications by 4:00 pm on June 24, 2022. **LATE APPLICATIONS WILL NOT BE ACCEPTED.**

The advisory committee will measure the gravity of the applications to ensure the most equitable distribution of grants to small, medium and large applications.

The Whatcom Conservation District will retain all applications, documents, receipts and other materials related to the farmer or rancher's submittal to show proof of damage, loss, or expense incurred, subject to review by the review committee members and the SCC (on request). It is recognized that from time

to time, applications may need further review by the review committee or SCC leadership.

Upon approval of the application by the Commission, the farmer or rancher will be formally notified of the award.