



# DISASTER ASSISTANCE

## Livestock Indemnity Program

### Overview

The Agriculture Improvement Act of 2018 (the 2018 Farm Bill) authorized the Livestock Indemnity Program (LIP) to provide benefits to eligible livestock owners or contract growers for livestock deaths in excess of normal mortality caused by eligible loss conditions, including eligible adverse weather, eligible disease and attacks by animals reintroduced into the wild by the federal government or protected by federal law, including wolves and avian predators. In addition, LIP provides assistance to eligible livestock owners that must sell livestock at a reduced price because of an injury from an eligible loss condition.

LIP is administered by the U.S. Department of Agriculture (USDA) Farm Service Agency (FSA). The occurrence of an eligible loss condition in and by itself - does not determine eligibility for eligible livestock losses. The livestock owner or contract grower must provide evidence acceptable to FSA that the eligible cause of loss not only occurred but directly caused loss or death.

LIP payments for owners are based on national payment rates that are 75 percent of the market value of the applicable livestock as determined by the USDA's Secretary of Agriculture. Rates for contract growers of poultry or swine will not exceed the rates for owners but are based on 75 percent of national average input costs for the applicable livestock.

The 2018 Farm Bill amended certain provisions related to LIP effective in 2019. Those amendments included:

- livestock death losses due to extreme cold are considered eligible losses without regard to vaccination protocol, or lack of vaccination; and
- providing for compensation for livestock death losses due to diseases that are caused or transmitted by a vector and are not controlled by vaccination or an acceptable management practice. These diseases were previously covered under ELAP.

### Eligible Livestock Owners

#### To be eligible for LIP:

- A livestock owner must have legally owned the livestock on the day the livestock died and/or were injured by an eligible loss condition



- An owner's livestock must have either:
  - died in excess of normal mortality as a direct result of an eligible loss condition,
  - or been injured as a direct result of an eligible loss condition and were sold at a reduced price.

#### Eligible livestock must:

- Have been maintained for commercial use as part of a farming operation on the day they died; and
- Not have been produced or maintained for reasons other than commercial use as part of a farming operation. Excluded livestock includes wild free-roaming animals, pets or animals used for recreational purposes, such as hunting, roping or for show.

The following types of livestock may be eligible for LIP:

CATTLE	POULTRY	SWINE	OTHER
Adult Beef Bulls	Chickens, Broilers, Pullets (regular size) (4.26 to 6.25 pounds)	Suckling/Nursery Pigs (less than 50 pounds)	Alpacas
Adult Beef Cows	Chickens, Chicks Chickens, Layers	Swine, Lightweight Barrows, Gilts (50 to 150 pounds)	Deer
Adult Buffalo/Bison Bulls	Chickens, Pullets/Cornish Hens (small size) (Less than 4.26 pounds)	Swine, Sows, Boars, Barrows, Gilts (151 to 450 pounds)	Elk
Adult Beefalo Bulls	Roasters (6.26 to 7.75 pounds)	Swine, Sows, Boars (over 450 pounds)	Emus
Adult Beefalo Cows	Super Roasters/Parts (7.76 pounds or more)		Equine
Adult Buffalo/Bison Cows	Ducks, Ducklings		Goats, Bucks Goats, Nannies
Adult Dairy Bulls	Ducks, Ducks		Goats, Slaughter Goats/Kids
Adult Dairy Cows Non-Adult Beef Cattle	Geese, Goslings		Llamas
Non-Adult Buffalo/Bison	Geese, Goose		Reindeer
Non-Adult Beefalo	Turkeys, Poults		Caribou
Non-Adult Dairy Cattle	Turkeys, Toms, Fryers, Roasters		Sheep, Rams
			Sheep, Ewes
			Sheep, Lambs

### Eligible Livestock Contract Growers (Poultry and Swine)

Poultry and swine are the only kinds of livestock for which contract growers can be eligible under LIP.

To be eligible for LIP, in addition to meeting all other eligibility requirements for loss, a poultry or swine contract grower must have had the following:

- Possession and control of the eligible livestock; and
- A written agreement with the eligible livestock owner setting the specific terms, conditions and obligations of the parties involved regarding the production of livestock.

Contract growers are not eligible for losses under LIP for injured livestock that were sold at a reduced price due to an eligible loss condition.

### Eligible Loss Conditions

An eligible loss condition includes any of the following that occur in the calendar year for which benefits are requested:

- Eligible adverse weather event;
- Eligible disease; and
- Eligible attack.

Eligible adverse weather event means extreme or abnormal damaging weather that is not expected to occur during the loss period for which it occurred, which directly results in eligible livestock losses. An eligible adverse weather event must occur in the calendar year for which benefits are requested. Eligible adverse weather events include, but are not limited to, as determined by the FSA Deputy Administrator of Farm Programs or designee, earthquake; hail; lightning; tornado; tropical storm; typhoon; vog, if directly related to a volcanic eruption; winter storm, if the winter storm lasts for three consecutive days and is accompanied by high winds, freezing rain or sleet, heavy snowfall and extremely cold temperatures; hurricanes; floods; blizzards; wildfires; extreme heat; extreme cold; and straight-line winds. Drought is not an eligible adverse weather event except when associated with anthrax, a condition that occurs because of drought and results in the death of eligible livestock.

Eligible disease means a disease that is exacerbated by an eligible adverse weather event that directly results in eligible livestock losses, including, but not limited to, anthrax, cyanobacteria, (beginning in 2015 calendar year), larkspur poisoning (beginning in 2015 calendar year) and Mycoplasma Bovis in Bison (beginning in 2021). In addition, eligible disease means a disease that is caused and/or transmitted by vectors and vaccination or acceptable management practices are not available, whether or not they were or were not implemented, that directly result in death of eligible livestock in excess of normal mortality, including but not limited to Blue Tongue, EHD and CVV.

Eligible attack means an attack by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators, that directly results in either injured livestock sold at a reduced price or death of eligible livestock, in excess of normal mortality.

## Payments

### Livestock Death Losses

LIP payments for livestock death losses, adjusted for normal mortality, are calculated by multiplying the national payment rate for the applicable livestock category by the number of eligible livestock in that category times the producer's share. Current year national payment rates are found at the end of this fact sheet.

The LIP national payment rate for eligible livestock owners is based on 75 percent of the average fair market value of the livestock, as provided in Table 1.

The LIP national payment rate for eligible livestock contract growers is based on 75 percent of the average income loss sustained by the contract grower with respect to the dead livestock, as provided in Table 2.

A contract grower's LIP payment will be reduced by the amount of monetary compensation received from the owner for the loss of income suffered from the death of livestock under contract.

### Injured Livestock

For eligible livestock owners, LIP payments for injured livestock that are sold at a reduced price due to an eligible adverse weather event or eligible attack are calculated by multiplying the national payment rate for the applicable livestock category minus the amount that the livestock owner received for the eligible livestock in that category times the livestock owner's share. If injured eligible livestock are sold for more than the national payment rate for the applicable livestock category, there is no payment.

### Payment Limitations and Adjusted Gross Income (AGI)

For the 2017 and subsequent program years, there is no per person or legal entity program year payment limitation.

In evaluating average adjusted gross income, an individual or entity is ineligible for payment under LIP if the average AGI of the individual or entity exceeds \$900,000.

Direct attribution provisions apply to LIP. Under direct attribution, AGI provisions apply to the person or legal entity applying for payment as well as to those persons or legal entities with an interest in the legal entity or in a sub-entity.

For more information on payment limitations, visit [www.fsa.usda.gov/limits](http://www.fsa.usda.gov/limits).

## Applying for LIP

Owners or contract growers may apply to receive LIP benefits at local FSA offices.

Owners or contract growers who suffer livestock losses due to an eligible cause of loss must submit a notice of loss and an application for payment to the local FSA office that serves the physical location county where the livestock losses occurred. All of the owner's or contract grower's interest in inventory of eligible livestock in that county for the calendar year must be accounted for and summarized when determining eligibility.

An owner or contract grower must file a notice of loss within 30 calendar days of when the loss of livestock is first apparent as well as file an application for payment within 60 calendar days after the end of the calendar year in which the eligible loss condition occurred.

For 2022 LIP losses, livestock owners and contract growers may apply for 2022 LIP benefits in the physical location county where the loss occurred.

The following table provides the final dates to file a notice of loss and application for payment:

DATE OF LIVESTOCK DEATH AND/OR INJURY	FINAL DATE TO FILE NOTICE OF LOSS	FINAL DATE TO SUBMIT AN APPLICATION FOR PAYMENT
Calendar year 2019 and all subsequent years	by 30 calendar days of when the loss is first apparent to the participant.	60 days after the calendar year in which the eligible loss condition occurred

Applications from eligible livestock owners for losses due to livestock injured due to an eligible loss condition will be processed and acted on as specified in this fact sheet.

Contract growers of poultry or swine must submit a copy of the grower contract and any other supporting documents required for determining eligibility. Similar to requirements for owners, supporting documents must show evidence of loss, current physical location of livestock in inventory and location of the livestock at the time of death.



### Livestock Loss Documentation

Livestock owners and contract growers must record all pertinent information (including the number and kind) of all livestock and those adversely impacted by an eligible loss condition resulting in either death losses or injury and sales of injured livestock at reduced price.

Owners who sold injured livestock for a reduced price because the livestock were injured due to an eligible adverse weather event or eligible attack, must provide verifiable evidence of the reduced sale of the livestock. The injured livestock must be sold to an independent third party (such as sale barn, slaughter facility, or rendering facility).

Documents that may provide verifiable evidence of livestock sold at a reduced price include but are not limited to:

- sales receipts from a livestock auction, sale barn or
- other similar livestock sale facilities
- rendering facility receipts
- processing plant receipts

The documentation for injured livestock sales must have the price for which the animal was sold as well as information on livestock kind, type, and weight sold.

FSA will use information furnished by the applicant to determine eligibility. Furnishing the required information is voluntary; however, without all required information, program benefits will not be approved or provided.

### For More Information

This fact sheet is for informational purposes only; other eligibility requirements or restrictions may apply. To find more information about FSA disaster assistance programs, visit [farmers.gov](https://www.farmers.gov) or contact your local FSA office. To find your local FSA office, visit [farmers.gov/service-center-locator](https://www.farmers.gov/service-center-locator).

**TABLE 1: LIP PAYMENT RATES FOR ELIGIBLE LIVESTOCK OWNERS  
(rates have been reduced by the required 75%)**

KIND	TYPE	WEIGHT RANGE	2022 PAYMENT RATE PER HEAD
<b>Alpacas</b>			\$303.99
<b>Beef</b>	Adult	Bull	\$1,077.94
		Cow	\$829.18
	Non-Adult	Less than 250 pounds	\$175.27
		250 to 399 pounds	\$474.38
		400 to 799 pounds	\$661.32
800 pounds or more	\$1,102.20		
<b>Beefalo</b>	Adult	Bull	\$1,346.40
		Cow	\$1,075.81
	Non-Adult	Less than 250 pounds	\$235.86
		250 to 399 pounds	\$559.20
		400 to 799 pounds	\$871.54
800 pounds or more	\$1,304.01		
<b>Buffalo/Bison</b>	Adult	Bull	\$1,793.84
		Cow	\$1,486.86
	Non-Adult	Less than 250 pounds	\$336.84
		250 to 399 pounds	\$559.20
		400 to 799 pounds	\$1,221.91
800 pounds or more	\$1,640.35		
<b>Caribou</b>	All		\$410.50
<b>Chickens</b>	Broilers/ Pullets (Regular Size)	4.26 to 6.25 pounds	\$2.93
	Chicks		\$0.27
	Layers		\$4.29
	Pullets/ Cornish Hens (Small size)	Less than 4.26 pounds	\$1.97
	Roasters	6.26 to 7.75 pounds	\$3.73
	Super Roasters/Parts	7.76 pounds or more	\$4.90
<b>Dairy</b>	Adult	Bull	\$1,107.99
		Cow	\$1,021.88
	Non-Adult	Less than 250 pounds	\$45.32
		250 to 399 pounds	\$255.47
		400 to 799 pounds	\$510.94
800 pounds or more	\$834.53		

**TABLE 1: LIP PAYMENT RATES FOR ELIGIBLE LIVESTOCK OWNERS**  
 (rates have been reduced by the required 75%)

KIND	TYPE	WEIGHT RANGE	2022 PAYMENT RATE PER HEAD
<b>Deer</b>	All		\$410.50
<b>Ducks</b>	Ducklings		\$0.67
	Ducks		\$4.20
<b>Elk</b>			\$569.81
<b>Emus</b>			\$163.74
<b>Equine</b>			\$695.91
<b>Geese</b>	Goose		\$31.67
	Gosling		\$6.65
<b>Goats</b>	Bucks		\$214.31
	Nannies		\$198.33
	Slaughter Goats/Kids		\$114.70
<b>Llamas</b>			\$245.72
<b>Reindeer</b>			\$410.50
<b>Sheep</b>	Ewes		\$215.51
	Lambs		\$227.77
	Rams		\$549.01
<b>Swine</b>	Suckling Nursery Pigs	Less than 50 pounds	\$56.42
	Lightweight Barrows, Gilts	50 to 150 pounds	\$96.23
	Sows, Boars, Barrows, Gilts	151 to 450 pounds	\$107.99
	Boars, Sows	450 pounds or more	\$264.08
<b>Turkeys</b>	Poults		\$2.85
	Toms, Fryers, Roasters		\$21.72

**TABLE 2: LIP PAYMENT RATES FOR ELIGIBLE LIVESTOCK CONTRACT GROWERS**  
(rates have been reduced by the required 75%)

KIND	TYPE	WEIGHT RANGE	2022 PAYMENT RATE PER HEAD
<b>Chickens</b>	Broilers, Pullets (regular size)	4.26 to 6.25 pounds	\$0.32
	Chicks		\$0.22
	Layers		\$0.26
	Pullets, Cornish Hens (small size)	Less than 4.26 pounds	\$0.22
	Roasters	6.26 to 7.75 pounds	\$0.41
	Super Roasters/Parts	7.76 pounds or more	\$0.54
<b>Ducks</b>	Ducks		\$0.46
	Ducklings		\$0.46
<b>Geese</b>			\$3.48
<b>Swine</b>	Suckling Nursery Pigs	Less than 50 pounds	\$6.41
	Lightweight Barrows, Gilts	50 to 150 pounds	\$14.45
	Sows, Boars, Barrows, Gilts	151 to 450 pounds	\$16.22
	Boars, Sows	451 pounds or more	\$108.52
<b>Turkeys</b>	Poults		\$0.31
	Toms, Fryers, Roasters		\$2.39



# DISASTER ASSISTANCE

## LFP - Livestock Forage Disaster Program

### Overview

The Livestock Forage Disaster Program (LFP) provides payments to:

- Eligible livestock owners and contract growers who have covered livestock and
- Who are also producers of grazed forage crop acreage (native and improved pasture land with permanent vegetative cover
- Or certain crops planted specifically for grazing) that have suffered a loss of grazed forage due to a qualifying drought during the normal grazing period for the county.

LFP also provides payments to:

- Eligible livestock owners or contract growers that have covered livestock and
- Who are also producers of grazed forage crop acreage on rangeland managed by a federal agency if, the eligible livestock producer is prohibited by the federal agency from grazing the normal permitted livestock on the managed rangeland due to a qualifying fire.

The qualifying drought and qualifying grazing losses, and/or notification of prohibition to graze Federal land due to fire, must have occurred in the grazing period and crop year.

LFP is administered by the Farm Service Agency (FSA) of the U.S. Department of Agriculture (USDA).

### Eligible Counties for Drought

An eligible livestock owner or contract grower who, as a grazed forage crop producer, owns or leases grazing land or pastureland physically located in a county rated by the U.S. Drought Monitor as having a:

- D2 (severe drought) intensity in any area of the county for at least eight consecutive weeks during the normal grazing period is eligible to receive assistance in an amount equal to one monthly payment;
- D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period is eligible to receive assistance in an amount equal to three monthly payments;
- D3 (extreme drought) intensity in any area of the county for at least four weeks during the normal grazing period or is rated a D4 (exceptional drought) intensity at any time during the normal grazing period is eligible to receive assistance in an amount equal to four monthly payments; or
- D4 (exceptional drought) in a county for four weeks (not necessarily four consecutive weeks) during the normal grazing period is eligible to receive assistance in an amount equal to five monthly payments.



A map of eligible counties for LFP drought can be found at [fsa.usda.gov/programs-and-services/disaster-assistance-program/livestock-forage/index](https://fsa.usda.gov/programs-and-services/disaster-assistance-program/livestock-forage/index).

### Eligible Livestock

Eligible livestock are grazing animals that satisfy the majority of net energy requirement of nutrition via grazing of forage grasses or legumes and include such species as alpacas, beef cattle, buffalo/bison, beefalo, dairy cattle, deer, elk, emus, equine, goats, llamas, reindeer or sheep.

Within those species animals that are eligible include those that are or would have been grazing the eligible grazing land or pastureland:

- During the normal grazing period for the specific type of grazing land or pastureland for the county; or
- When the federal agency prohibited the livestock owner or contract grower from having livestock graze the normally permitted livestock on the managed rangeland due to fire.



**Eligible Livestock must:**

- Have been owned, leased, purchased, entered into a contract to purchase, or held by a contract grower during the 60 days prior to the beginning date of a qualifying drought or fire condition;
- Have been sold or otherwise disposed of due to a qualifying drought condition during the current production year or one or both of the two production years immediately preceding the current production year;
- Have been maintained for commercial use as part of a farming operation on the beginning date of the eligible drought or fire condition;
- Not have been produced and maintained for reasons other than commercial use as part of a farming operation (such excluded uses include, but are not limited to, wild free-roaming animals or animals used for recreational purposes such as pleasure, hunting, pets, roping or for show); and
- Not have been livestock that were or would have been in a feedlot on the beginning date of the qualifying drought or fire as part of the normal business operation of the livestock owner or contract grower.

**Eligible Producers**

To be eligible for LFP, persons or legal entities must be a U.S. citizen, resident alien, partnership of U.S. citizens, a legal entity organized under State law, or an Indian tribe or tribal organization defined in the Indian Self-Determination and Education Assistance Act that:

- Own, cash or share lease, or be a contract grower of covered livestock during the 60 calendar days before the beginning date of a qualifying drought or fire;
- Provide pastureland or grazing land for covered livestock, including cash-rented pastureland or grazing land as of the date of the qualifying drought or fire that is either:
  - Physically located in a county affected by a qualifying drought during the normal grazing period for the county; or
  - Rangeland managed by a federal agency for which the otherwise eligible livestock producer is prohibited by the federal agency from grazing the normally permitted livestock because of a qualifying fire.
- Certify that they have suffered a grazing loss because of a qualifying drought or fire; and
- Timely file an acreage report for all grazing land for which a grazing loss is being claimed.

**Payments**

FSA will calculate LFP payments for an eligible livestock producer for grazing losses because of a qualifying drought equal to payment factors of one, three, four or five times the LFP monthly payment rate. The LFP monthly payment rate for drought is equal to 60 percent of the lesser of either the monthly feed cost:

- For all covered livestock owned or leased by the eligible livestock producer; or
- Calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

Total LFP payments to an eligible livestock owner or contract grower in a calendar year for grazing losses will not exceed five monthly payments for the same kind, type, and weight range of livestock.

In the case of an eligible livestock owner or contract grower who sold or otherwise disposed of livestock because of drought conditions in one or both of the two previous production years immediately preceding the current production year, the payment rate will equal 80 percent of the monthly payment rate.

FSA will calculate LFP payments for eligible livestock owners or contract growers for losses suffered because of a qualifying fire on federally managed rangeland for which the producer is prohibited from grazing the normally permitted livestock. The payment begins on the first day the permitted livestock are prohibited from grazing the eligible rangeland and ending on the earlier of the last day of the federal lease of the eligible livestock producer or the day that would make the period a 180 calendar-day period. The payment rate is 50 percent of the monthly feed cost for the number of days the owner or contract grower is prohibited from having livestock graze the managed rangeland because of a qualifying fire, not to exceed 180 calendar days.



### Payments Limitation

The Agriculture Improvement Act (2018 Farm Bill) established a maximum annual per person and legal entity payment limitation for LFP (without regard to any other program) of \$125,000.

Therefore, for 2019 and subsequent program years, no person or legal entity, excluding a joint venture or general partnership, may receive, directly or indirectly, more than \$125,000 total in payments under LFP. The average adjusted gross income (AGI) limitation relating to limits on payments for persons or legal entities, excluding joint ventures and general partnerships, with certain levels of AGI will apply. Specifically, a person or legal entity with an AGI (as defined in 7 CFR Part 1400) that exceeds \$900,000 will not be eligible to receive LFP payments.

Direct attribution provisions apply to LFP. Under direct attribution, any payment to a legal entity will also be considered for payment limitation purposes to be a payment to persons or legal entities with an interest in the legal entity or in a sub-entity. To learn more, visit the Payment Eligibility and Payment Limitations fact sheet at [fsa.usda.gov/payment-limitations](https://fsa.usda.gov/payment-limitations).

### Enrollment

Eligible livestock producers who are also producers of grazed forage crop acreage must provide a completed application for payment and required supporting documentation to their FSA office within 30 calendar days after the end of the calendar year in which the grazing loss occurred.

Contract growers must include a copy of the grower contract and any other supporting documents required for determining contract grower eligibility.

Supporting documents must show evidence of loss and that grazing land or pastureland is owned or leased. If a loss of grazing was due to a fire that the eligible livestock producer was prohibited by the federal agency from having livestock graze the normal permitted livestock on the managed rangeland due to a fire.

FSA will use data provided by the applicant to determine eligibility for program benefits. Providing the data is voluntary; however, without all required data, program benefits will not be approved or provided.

### For More Information

This fact sheet is for informational purposes only; other eligibility requirements or restrictions may apply. To find more information about FSA disaster assistance programs, visit [farmers.gov](https://farmers.gov) or contact your local FSA office. To find your local FSA office, visit [farmers.gov/service-center-locator](https://farmers.gov/service-center-locator).

LIVESTOCK PAYMENT RATES							
KIND	TYPE	WEIGHT RANGE	PAYMENT RATE PER HEAD				
			2018	2019	2020	2021	2022
Beef	Adult	Bulls, Cows	\$28.07	\$29.34	\$31.89	\$31.18	\$47.29
	Non-Adult	500 pounds or more	\$21.05	\$22.01	\$23.92	\$23.38	\$35.47
		Less than 500 pounds		\$14.67	\$15.94	\$15.59	\$23.64
Dairy	Adult	Bulls, Cows	\$72.98	\$76.29	\$82.91	\$81.07	\$122.95
	Non-Adult	500 pounds or more	\$21.05	\$22.01	\$23.92	\$23.38	\$35.47
		Less than 500 pounds		\$14.67	\$15.94	\$15.59	\$23.64
Beefalo	Adult	Bulls, Cows	\$28.07	\$29.34	\$31.89	\$31.18	\$47.29
	Non-Adult	500 pounds or more	\$21.05	\$22.01	\$23.92	\$23.38	\$35.47
		Less than 500 pounds		\$14.67	\$15.94	\$15.59	\$23.64
Buffalo/ Bison	Adult	Bulls, Cows	\$28.07	\$29.34	\$31.89	\$31.18	\$47.29
	Non-Adult	500 pounds or more	\$21.05	\$22.01	\$23.92	\$23.38	\$35.47
		Less than 500 pounds		\$14.67	\$15.94	\$15.59	\$23.64
Sheep	All		\$7.02	\$7.34	\$7.97	\$7.79	\$11.82
Goats	All		\$7.02	\$7.34	\$7.97	\$7.79	\$11.82
Deer	All		\$7.02	\$7.34	\$7.97	\$7.79	\$11.82
Equine	All		\$20.77	\$21.71	\$23.60	\$23.07	\$34.99
Elk	All			\$15.85	\$17.22	\$16.84	\$25.54
		Less than 400 pounds	\$6.18				
		400 to 799 pounds	\$11.51				
		800 pounds or more	\$15.16				
Reindeer	All		\$6.18	\$6.46	\$7.02	\$6.87	\$10.42
Alpacas	All		\$23.12	\$24.17	\$26.27	\$25.68	\$38.95
Emus	All		\$14.37	\$15.02	\$16.32	\$15.96	\$24.20
Llamas	All		\$10.25	\$10.71	\$11.64	\$11.38	\$17.26

*NOTE: A grazing animal is defined as those species of livestock that, from a nutritional and physiological perspective, satisfy more than 50 percent of their net energy requirement through the consumption of growing forage grasses and legumes, regardless whether or not they are grazing or are present on grazing land or pastureland. Unweaned livestock are not considered a grazing animal and are ineligible for LFP.*

*The LFP monthly payment rate for losses because of a qualifying drought is calculated at 60 percent of the smaller of the monthly feed cost payment rate per head in the table above or the monthly feed cost based on the normal carrying capacity of the eligible grazing or pastureland acres.*

# CRP Haying and Grazing Emergency and Non-Emergency Use

## Overview

The **U.S. Department of Agriculture** (USDA) Farm Service Agency (FSA) administers the **Conservation Reserve Program** (CRP), a federally funded voluntary program that contracts with agricultural producers so that environmentally sensitive agricultural land is not farmed or ranched, but instead used for conservation benefits. Participants establish long-term, resource-conserving plant species, such as approved grasses or trees (known as “covers”), to control soil erosion, improve water quality and develop wildlife habitat. In return, FSA provides participants with rental payments and cost-share assistance. Contract duration is between 10 and 15 years. The Food Security Act of 1985, as amended, authorized CRP. The program is also governed by regulations published in 7 CFR Part 1410. The program is implemented by FSA on behalf of USDA’s Commodity Credit Corporation.

Haying and grazing of CRP acres is authorized under certain conditions to improve the quality and performance of the CRP cover or to provide emergency relief to livestock producers due to certain natural disasters. There are two types of haying and grazing authorization: non-emergency and emergency.

## Emergency Haying and Grazing

Emergency haying and grazing of CRP acres may be authorized to provide relief to livestock producers in areas affected by a severe drought or similar natural disaster. Emergency haying and grazing status is reviewed and authorized each Thursday using the U.S. Drought monitor. Counties are approved for emergency haying and grazing due to drought conditions on a county by county basis, when a county is designated as level “D2 Drought - Severe” according to the U.S. Drought Monitor. The U.S. Drought Monitor is available online at [droughtmonitor.unl.edu](http://droughtmonitor.unl.edu).

Requests for emergency haying and grazing for a county may also be initiated by the FSA County Committee due to a livestock emergency. The request must document a 40 percent or greater loss of forage production due to the disaster event.



## Primary Nesting Season

Producers located in a county that is designated as severe drought (D2) or greater before or after the last day of the primary nesting season qualify for emergency haying and grazing on all eligible acres. Additionally, producers located in counties that are eligible for a Livestock Forage Program Payment during the primary nesting season may also be eligible for emergency grazing at one half the normal carrying capacity, unless the FSA County Committee determines that forage conditions no longer warrant emergency grazing.

EMERGENCY HAYING AND GRAZING		
PERMITTED ACTIVITY	FREQUENCY	PAYMENT REDUCTION PERCENTAGE
Emergency haying outside primary nesting season	Producers have up to 60 days to complete one cutting of hay	NONE
Emergency haying during primary nesting season	NOT ALLOWED	
Emergency grazing outside primary nesting season	Up to 90 days of grazing is allowed	NONE
Emergency grazing during primary nesting season	50 percent reduction of normal carrying capacity, only if the county is eligible for LFP payments	



**Eligible Acres**

Emergency haying or grazing is limited to the acres physically located within the boundary of the eligible county or portion of a county. Under this authority, acres will only be authorized for a specified time and may end earlier than announced if conditions improve.

Producers can use the CRP acreage for their own livestock or may grant another livestock producer use of their CRP acreage. For emergency haying, producers are limited to one cutting and are permitted to sell the hay. Participants must remove all hay from CRP acreage within 15 days after baling and remove all livestock from CRP acreage no later than 1 day after the end of the emergency grazing period.

**Eligible Practices**

Emergency haying and grazing is authorized on all practices outside the primary nesting season including practices implemented under State Acres For Wildlife Enhancement (SAFE) such as CP38E SAFE-Grass when such activity is specifically authorized in the SAFE agreement.

If the county is approved for Livestock Forage Program (LFP) payments, only certain practices can be hayed on 50 percent of the eligible acres.

**Non-Emergency Haying and Grazing**

In general, non-emergency haying may be utilized every three years and non-emergency grazing may be utilized every two years. Additional grazing may be available to new and beginning farmers.

NON-EMERGENCY HAYING AND GRAZING*		
PERMITTED ACTIVITY	FREQUENCY	PAYMENT REDUCTION PERCENTAGE
Non-emergency grazing outside primary nesting season	Not more than every other year	25 percent
Non-emergency grazing during primary nesting season	Not more than every other year with a 50 percent reduction in the stocking rate	
Non-emergency grazing to control invasive species outside primary nesting season	Outside the Primary Nesting Season, as determined by conservation plan to control Kudzu and other invasive species	
Non-emergency haying or harvesting for biomass outside primary nesting season	Not more than once every 3 years with 25 percent of the acreage unharvested. No later than Aug. 31	
Non-emergency beginning farmer grazing outside primary nesting season	May be conducted annually by a beginning farmer or rancher with a contract share greater than zero	NONE
Non-emergency incidental grazing outside primary nesting season	Intermittent and seasonal grazing of buffers surrounded by fields used for agricultural production may be conducted annually for up to 60 days following crop harvest or during small grain dormancy prior to harvest.	
Non-emergency gleaning grazing	May be conducted once in the fall of the first year of CRP-1 before the cover is established for up to 60 days	

*\*Subject to a conservation plan modification for the conservation cover to ensure no long-term damage is caused.*

### Eligible Practices

All practices are eligible for non-emergency haying and grazing except for CP12 Wildlife Food Plot and several tree practices. Contact your FSA office for a full list of ineligible practices.

### Ineligible Acres

Acres ineligible for both non-emergency and emergency haying and grazing include acres devoted to:

- Useful life easements;
- Land within 20 feet of a stream or other permanent water body; and
- Any acres where haying and or grazing would cause long-term damage to the CRP cover.

### Modified Conservation Plan

Before CRP acres are declared eligible for haying or grazing, a modified conservation plan developed by NRCS or a technical service provider must be obtained. The modified conservation plan must be site specific, include the authorized duration and reflect local wildlife needs and concerns. The primary purpose must be to maintain vegetative cover, minimize soil erosion and protect water quality and wildlife habitat quality. These plans must prevent long-term damage to the conservation cover.

### File Request Before Starting

CRP participants requesting emergency or non-emergency haying and grazing **must file a request** with their county FSA office indicating the acres to be hayed or grazed **before the activity begins**.



### For More Information

This fact sheet is for informational purposes only; other eligibility requirements or restrictions may apply. To find more information about FSA programs, visit [farmers.gov](https://www.farmers.gov) or contact your local FSA office. To find your local FSA office, visit [farmers.gov/service-center-locator](https://www.farmers.gov/service-center-locator).

# Emergency Livestock Relief Program

(ELRP)



## Background

ELRP is part of FSA's implementation of the Extending Government Funding and Delivering Emergency Assistance Act (P.L. 117-43), which provides \$10 billion in much needed emergency assistance for agricultural producers, including \$750 million specifically targeted for livestock producers impacted by the severe drought or eligible wildfire.

## Overview

To help agricultural producers offset the impacts of natural disasters, ranchers who faced increased supplemental feed costs resulting from forage losses due to severe drought or wildfire in 2021 can receive emergency assistance payments through the Farm Service Agency's (FSA) **Emergency Livestock Relief Program (ELRP)**.

## Eligibility

USDA will follow a two-phased process to administer relief through ELRP to eligible livestock producers:

- Phase 1 will leverage data from the 2021 **Livestock Forage Disaster Program (LFP)** year to determine payments to assist with increased supplemental feed costs;
- Phase 2 will be focused on identifying and providing emergency assistance to producers impacted by drought and wildfire in calendar year 2021 who did not otherwise receive assistance under Phase 1 or other programs.

For impacted producers, USDA will leverage 2021 LFP data to deliver immediate relief.

LFP is an important tool that provides up to 60% of the estimated replacement feed cost when an eligible drought adversely impacts grazing lands or 50% of the monthly feed cost for the number of days the producer is prohibited from grazing the managed rangeland because of a qualifying wildfire. LFP provides additional assistance to producers for eligible livestock that were sold due to a qualifying drought.

## Phase 1 Eligibility

ELRP Phase 1 only includes 2021 LFP participants. To be eligible for an ELRP payment under Phase 1, livestock producers must have suffered grazing losses in a county rated by the **U.S. Drought Monitor** as having a D2 (severe drought) for eight consecutive weeks or a D3 (extreme drought) or higher level of drought intensity during the 2021 calendar year normal grazing season; or whose permitted grazing on federally managed lands was disallowed due to wildfire are also eligible for ELRP payments.

## How to Apply

As part of FSA's efforts to streamline and simplify the delivery of ELRP Phase 1 benefits, eligible livestock producers are not required to submit an application for ELRP Phase 1; however, they must have the following forms on file as determined by FSA's Deputy Administrator for Farm Programs:

- CCC-853, Livestock Forage Disaster Program Application
- Form AD-2047, Customer Data Worksheet.
- Form CCC-902, Farm Operating Plan for an individual or legal entity.

## For More Info

Additional USDA disaster assistance information can be found on [farmers.gov](https://farmers.gov), including USDA resources specifically for producers impacted by **drought** and **wildfire** and the **Disaster Assistance Discovery Tool**, **Disaster-at-a-Glance fact sheet**, and **Farm Loan Discovery Tool**.

For FSA and Natural Resources Conservation Service programs, producers should contact their local **USDA Service Center**. For assistance with a crop insurance claim, producers and landowners should contact their **crop insurance agent**.



- Form CCC-901, Member Information for Legal Entities (if applicable).
- Form FSA-510, Request for an Exception to the \$125,000 Payment Limitation for Certain Programs (if applicable).
- Form CCC-860, Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification, if applicable for the 2021 program year.
- A highly erodible land conservation (sometimes referred to as HELC) and wetland conservation certification (Form AD-1026 Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification) for the ELRP producer and applicable affiliates.



## Eligible Livestock

Eligible livestock are the same as those that are eligible for LFP: grazing animals that satisfy the majority of net energy requirement of nutrition via grazing of eligible forage grasses or legumes and include such species as alpacas, beef cattle, buffalo/bison, beefalo, dairy cattle, deer, elk, emus, equine, goats, llamas, reindeer or sheep.

As with LFP, livestock eligible for ELRP must:

- Have been owned, leased, purchased, entered into a contract to purchase, or held by a contract grower during the 60 days prior to the beginning date of a qualifying drought or fire condition;
- Have been sold or otherwise disposed of due to a qualifying drought condition during the current production year or one or both of the two production years immediately preceding the current production year;
- Have been maintained for commercial use as part of a farming operation on the beginning date of the eligible drought or fire condition;
- Not have been produced and maintained for reasons other than commercial use as part of a farming operation (such excluded uses include, but are not limited to, wild free-roaming animals or animals used for recreational purposes such as pleasure, hunting, pets, roping or for show); and
- Not have been livestock that were or would have been in a feedlot on the beginning date of the qualifying drought or fire as part of the normal business operation of the livestock owner or contract grower.

## Eligible Producers

Producer eligibility for ELRP aligns with LFP policies.

To be eligible for ELRP, persons or legal entities must be a U.S. citizen, resident alien, partnership of U.S. citizens, a legal entity organized under State law, or an Indian tribe or tribal organization defined in the Indian Self-determination and Education Assistance Act that:

- Own, cash or share lease, or be a contract grower of covered livestock during the 60 calendar days before the beginning date of a qualifying drought or fire;
- Provide pastureland or grazing land for covered livestock, including cash-rented pastureland or grazing land as of the date of the qualifying drought or fire that is either:
- Physically located in a county affected by a qualifying drought during the normal grazing period for the county; or
- Rangeland managed by a federal agency for which the otherwise eligible livestock producer is prohibited by the federal agency from grazing the normally permitted livestock because of a qualifying fire.
- Certify that they have suffered a grazing loss because of a qualifying drought or fire; and
- Timely file an acreage report for all grazing land for which a grazing loss is being claimed.





## ELRP Phase 1 Payment Calculation

To further expedite payments to eligible livestock producers, determine eligibility, and calculate an ELRP Phase 1 payment, FSA will utilize livestock inventories and drought-affected forage acreage or restricted animal units and grazing days due to wildfire already reported by the producer when they submitted a 2021 CCC-853, Livestock Forage Disaster Program Application form.

Phase 1 ELRP payments will be equal to the eligible livestock producer's gross 2021 LFP calculated payment multiplied by an ELRP payment percentage.

The ELRP payment percentage will be 90% for historically underserved producers, and 75% for all other producers.

To qualify for the higher payment percentage, eligible producers must have a CCC-860, Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification, form on file with FSA for the 2021 program year.

## ELRP - Phase 2

FSA continues to evaluate and identify impacts of 2021 drought and wildfire on livestock producers to ensure equitable and inclusive distribution of much-needed emergency relief program benefits.

All ELRP information and resources will be updated as Phase 2 policies and provisions are available.

## Payment Limitation and Adjusted Gross Income

Adjusted Gross Income (AGI) limitations do not apply to ELRP; however, the payment limitation for ELRP is determined by the person's or legal entity's average adjusted gross farm income (income derived from farming, ranching, and forestry operations). Specifically, a person or legal entity, other than a joint venture or general partnership, cannot receive, directly or indirectly, more than \$125,000 in payments under ELRP if their average adjusted gross farm income is less than 75 percent of their average AGI for tax years 2017, 2018, and 2019.

If at least 75 percent of the person or legal entity's average AGI is derived from farming, ranching, or forestry related activities and the participant provides the required certification and documentation, as discussed below, the person or legal entity, other than a joint venture or general partnership, is eligible to receive, directly or indirectly, up to \$250,000 in ELRP payments. To request the increased payment limitation, participants must file form FSA-510 complete with participant's certification their average adjusted gross farm income is at least 75 percent of their average AGI and a certification from a Licensed Certified Public Accountant (CPA) or Attorney that the participant meets the requirements.

Attribution of payments apply to ELRP and payments to a legal entity are tracked through four levels of ownership, attributed, and limited to persons or legal entities that hold an ownership interest in the legal entity. For more information, see the Direct Attribution information on the [Payment Limitations](#) web page.

# Emergency Relief Program (ERP)

## Disaster Recovery Assistance for Commodity and Specialty Crop Producers



### Background

On September 30, 2021, President Biden signed into law the Extending Government Funding and Delivering Emergency Assistance Act (P.L. 117-43), which includes \$10 billion in assistance to agricultural producers impacted by wildfires, droughts, hurricanes, winter storms, and other eligible disasters experienced during calendar years 2020 and 2021. The Farm Service Agency (FSA) has also made payments to ranchers impacted by drought and wildfire through the first phase of the **Emergency Livestock Relief Program (ELRP)**. ERP is another relief component of the Act.

### Overview

ERP covers losses to crops, trees, bushes and vines due to a qualifying natural disaster event in calendar years 2020 and 2021.

For impacted producers, FSA will be administering emergency relief to row crop and specialty crop producers through the following two-phased process:

- Phase 1 will leverage existing **Federal Crop Insurance or Noninsured Crop Disaster Assistance Program (NAP)** data as the basis for calculating initial payments.
- Phase 2 will be intended to fill additional assistance gaps and cover eligible producers who did not participate in existing risk management programs.

This two-phased approach enables USDA to streamline the application process to reduce the burden on producers, proactively include underserved producers who have been left out of past relief efforts and encourage participation in existing risk management tools that can help producers handle future extreme weather events.

### Eligibility – Phase 1

Eligible crops include all crops for which federal crop insurance or NAP coverage was available and a crop insurance indemnity or NAP payment was received, except for crops intended for grazing. Qualifying natural disaster events include wildfires, hurricanes, floods, derechos, excessive heat, winter storms, freeze (including apolar vortex), smoke exposure, excessive moisture, qualifying drought, and related conditions.

For ERP eligibility, “related conditions” are damaging weather and adverse natural occurrences that occurred concurrently with and as a direct result of a specified qualifying disaster event. They include:

- Excessive wind that occurred as a direct result of a derecho;
- Silt and debris that occurred as a direct result of flooding;
- Excessive wind, storm surges, tornados, tropical storms, and tropical depressions that occurred as a direct result of a hurricane; and
- Excessive wind and blizzards that occurred as a direct result of a winter storm.

For drought, ERP assistance is available if any area within the county in which the loss occurred was rated by the U.S. Drought Monitor as having a drought intensity of:

- D2 (severe drought) for eight consecutive weeks; or
- D3 (extreme drought) or higher level of drought intensity.

Lists of 2020 and 2021 drought counties eligible for ERP are available on the **emergency relief website**.

### For More Info

Additional USDA disaster assistance information can be found on [farmers.gov](https://farmers.gov), the **Disaster Assistance Discovery Tool**, **Disaster-at-a-Glance fact sheet**, and **Farm Loan Discovery Tool**.

For FSA and Natural Resources Conservation Service programs, producers should contact their local **USDA Service Center**. For assistance with a crop insurance claim, producers and landowners should contact their **crop insurance agent**.



## How to Apply – Phase 1

To simplify the delivery of ERP Phase 1 benefits; FSA will send pre-filled application forms to producers whose crop insurance and NAP data is already on file because they received a crop insurance indemnity or NAP payment. This form includes eligibility requirements, outlines the application process, and provides ERP payment information. Producers will receive a separate application form for each program year. Receipt of a pre-filled application is not confirmation that a producer is eligible to receive an ERP Phase 1 payment. Producers will need to return completed and signed ERP Phase 1 applications to their local FSA county office.

Producers must also have the following forms on file with FSA within a subsequently announced deadline as determined by the Deputy Administrator for Farm Programs:

- Form AD-2047, Customer Data Worksheet
- Form CCC-902, Farm Operating Plan for an individual or legal entity
- Form CCC-901, Member Information for Legal Entities (if applicable)
- A highly erodible land conservation (sometimes referred to as HELC) and wetland conservation certification (Form AD-1026 Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification) for the ERP producer and applicable affiliates.

Most producers, especially those who have previously participated in FSA programs will likely have these required forms on file. However, those who are uncertain or want to confirm should contact their **local FSA county office**.

In addition to the forms listed above, certain producers will also need to submit the following forms to qualify for an increased payment limitation or payment rate.

- Form FSA-510, Request for an Exception to the \$125,000 Payment Limitation for Certain Programs.
- Form CCC-860, Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification, for the applicable program year.

## How Payments are Calculated – Phase 1

ERP Phase 1 payments for crops covered by crop insurance will be prorated by 75 percent to ensure that total ERP payments, including payments under ERP Phase 2, do not exceed the available funding. ERP Phase 1 payments for NAP-covered crops will not be prorated due to the significantly smaller NAP portfolio that by its nature only covers smaller acreages and specialty crops that are not covered by crop insurance.

RMA and FSA will calculate ERP Phase 1 payments based on the data on file with the agencies at the time of calculation.



The ERP Phase 1 payment calculation for a crop and unit will depend on the type and level of coverage obtained by the producer. RMA and FSA will calculate each producer's loss consistent with the loss procedures for the type of coverage purchased but using the ERP factor in place of the coverage level. This calculated amount would then be adjusted by subtracting out the net crop insurance indemnity or NAP payment, which is equal to the producer's gross crop insurance indemnity or NAP payment already received for those losses minus service fees and premiums.

## ERP Factor Tables

ERP factor tables can be found below and on the [emergency relief website](#):

Crop Insurance Level	ERP Factor (Percent)
Catastrophic coverage	75
More than catastrophic coverage but less than 55 percent	80
At least 55 percent but less than 60 percent	82.5
At least 60 percent but less than 65 percent	85
At least 65 percent but less than 70 percent	87.5
At least 70 percent but less than 75 percent	90
At least 75 percent but less than 80 percent	92.5
At least 80 percent	95

NAP Coverage Level	ERP Factor (Percent)
Catastrophic coverage	75
50 percent	80
55 percent	85
60 percent	90
65 percent	95

Because the amount of loss due to a qualifying disaster event in calendar years 2020 and 2021 cannot be separated from the amount of loss caused by other eligible causes of loss as defined by the applicable crop insurance or NAP policy, the ERP Phase 1 payment will be calculated based on the producer's loss due to all eligible causes of loss.

## Historically Underserved Producers

The ERP payment percentage for historically underserved producers, including beginning, limited resource, socially disadvantaged and veteran farmers and ranchers will be increased by 15% of the calculated payment.

To qualify for the higher payment percentage, eligible producers must have a **CCC-860, Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification**, form on file with FSA for the applicable program year.

## Payment Limitation and Adjusted Gross Income

The payment limitation for ERP Phase 1 is determined by the person's or legal entity's average adjusted gross farm income (income from activities related to farming, ranching, or forestry). A person or legal entity, other than a joint venture or general partnership, cannot receive, directly or indirectly, more than \$125,000 in payments for specialty crops and \$125,000 in payment for all other crops under ERP (for Phase 1 and Phase 2 combined) for a program year if their average adjusted gross (AGI) farm income is less than 75 percent of their average AGI the three taxable years preceding the most immediately preceding complete tax year.



If at least 75% of the person or legal entity's average AGI is derived from farming, ranching, or forestry related activities and the participant provides the required certification and documentation, as discussed below, the person or legal entity, other than a joint venture or general partnership, is eligible to receive, directly or indirectly, up to:

- \$900,000 for each program year for specialty crops; and
- \$250,000 for each program year for all other crops

The relevant tax years for establishing a producer's AGI and percentage derived from farming, ranching, or forestry related activities are:

- 2016, 2017, and 2018 for program year 2020;
- 2017, 2018, and 2019 for program year 2021; and
- 2018, 2019, and 2020 for program year 2022

To request the increased payment limitation, participants must file form FSA-510 complete with participant's certification their average adjusted gross farm income is at least 75% of their average AGI and a certification from a Licensed Certified Public Accountant (CPA) or Attorney that the participant meets the requirements. To learn more, visit the [Payment Eligibility and Payment Limitations](#) website.

## Future Insurance Coverage Requirements

All producers who receive ERP Phase 1 payments, including those receiving a payment based on tree, bush, or vine crop insurance policies, are statutorily required to purchase crop insurance, or NAP coverage where crop insurance is not available, for the next two available crop years, as determined by the Secretary. Participants must obtain crop insurance or NAP, as may be applicable:

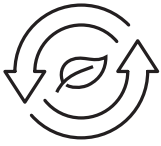
- At a coverage level equal to or greater than 60% for insurable crops; or
- At the catastrophic level or higher for NAP crops

Coverage requirements will be determined from the date a producer receives an ERP payment and may vary depending on the timing and availability of crop insurance or NAP for a producer's particular crops. The final crop year to purchase crop insurance or NAP coverage to meet the second year of coverage for this requirement is the 2026 crop year.

## Emergency Relief – Phase 2 (Crop and Livestock Producers)

The second phase of both crop (ERP) and livestock (ELRP) programs will fill gaps and cover producers who did not participate in or receive payments through the existing programs that are being leveraged for Phase 1 implementation.

All ERP information and resources will be updated on the emergency relief website as Phase 2 policies and provisions are available.



# DISASTER ASSISTANCE

## Emergency Conservation Program (ECP)

### Overview

The Emergency Conservation Program (ECP), administered by the U.S. Department of Agriculture (USDA) Farm Service Agency (FSA), provides emergency funding and technical assistance to farmers and ranchers to rehabilitate farmland and conservation structures damaged by natural disasters and implement emergency water conservation measures in periods of severe drought.

### Program Administration

ECP is administered by FSA state and county committees and county offices. Producers should contact their local FSA county office regarding ECP enrollment periods and eligibility.

### Land Eligibility

FSA county committees determine land eligibility based on on-site inspections of damaged land and the type and extent of damage. Eligible land includes land used for:

- Commercial farming, ranching and orchard operations;
- Growing nursery stock and Christmas tree plantations;
- Grazing for commercial livestock production; and
- Conservation structures such as, waterways, terraces, diversions and windbreaks.
- Conservation problems existing before the applicable disaster event are ineligible for ECP assistance.

### Cost-Share Payments

Cost-share payments are:

- Up to 75 percent of the cost to implement approved restoration practices;
- Up to 90 percent of the cost to implement approved restoration practices for producers who certify as limited resource, socially-disadvantaged or beginning farmers/ranchers;
- Limited to \$500,000 per person or legal entity per disaster; and
- Available as an advance payment of up to 25 percent of expected cost-share, for only the replacement or restoration of fencing.

### Eligible Farmland Restoration Practices

To rehabilitate farmland, ECP participants may implement emergency conservation practices, such as:

- Removing debris from farmland (cleanup of wind- or water-deposited debris, such as woody material, sand, rock and trash on cropland or pastureland);



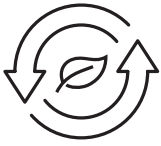
- Grading, shaping or leveling land (filling gullies, releveling irrigated farmland and incorporating sand and silt);
- Restoring fences (livestock cross fences, boundary fences, cattle gates, or wildlife exclusion fence on agricultural land);
- Restoring conservation structures (waterways, terraces, diversion ditches and permanently installed ditching system); and
- Providing emergency water during periods of severe drought (grazing and confined livestock and existing irrigation systems for orchards and vineyards).

### What to do if a Disaster Occurs

- Producer or USDA Documents damage with dated photographs, videos and third-party verification.
- Producer reports to a local Service Center as soon as possible to request assistance (immediate restoration applies only to emergency situations such as putting up fencing to confine livestock).
- The county FSA office will provide guidance on the approval process and next steps.

### For More Information

This fact sheet is for informational purposes only; other restrictions may apply. For more information about FSA disaster programs, visit <http://disaster.fsa.usda.gov> or contact your local FSA office. To find your local FSA office, visit <http://offices.usda.gov>.



# DISASTER ASSISTANCE

## Emergency Forest Restoration Program (EFRP)

### Overview

The Emergency Forest Restoration Program (EFRP), administered by the U.S. Department of Agriculture (USDA) Farm Service Agency (FSA), provides payments to eligible owners of nonindustrial private forest (NIPF) land in order to carry out emergency measures to restore land damaged by a natural disaster.

### How to Apply

EFRP enrollment is administered by FSA state and county committees and county offices. Producers should inquire with their local FSA county office regarding EFRP enrollment periods and eligibility.

### How it Works

FSA county committees determine land eligibility using on-site damage inspections that assess the type and extent of damage. To be eligible for EFRP, NIPF land must:

- Have existing tree cover (or had tree cover immediately before the natural disaster occurred and is suitable for growing trees); and
- Be owned by any nonindustrial private individual, group, association, corporation, or other private legal entity.

### Cost-Share Payments

Cost-share payments are:

- Up to 75 percent of the cost to implement approved restoration practices; and
- Limited to \$500,000 per person or legal entity per disaster.

### Eligible Forest Restoration Practices

To restore NIPF, EFRP participants may implement emergency forest restoration practices, such as:

- Debris removal, such as down or damaged trees, in order to establish a new stand or provide for natural regeneration;
- Site preparation, planting materials, and labor to replant forest stand;
- Restoration of forestland roads, fire lanes, fuel breaks, or erosion control structures;
- Fencing, tree shelters, and tree tubes to protect trees from wildlife damage; and
- Wildlife enhancement to provide cover openings and wildlife habitat.



### For More Information

This fact sheet is for informational purposes only; other restrictions may apply. For more information about FSA disaster programs, visit <http://disaster.fsa.usda.gov> or contact your local FSA office. To find your local FSA office, visit <http://offices.usda.gov>.



## DISASTER ASSISTANCE

### ELAP - Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program

#### Overview

The Agriculture Improvement Act of 2018 (the 2018 Farm Bill) authorized the use of Commodity Credit Corporation (CCC) funds for the Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP). ELAP provides financial assistance to eligible producers of livestock, honeybees and farm-raised fish for losses due to disease, certain adverse weather events or loss conditions, including blizzards and wildfires, as determined by the Secretary. ELAP assistance is provided for losses not covered by other disaster assistance programs authorized by the 2014 Farm Bill, such as losses not covered by the Livestock Forage Disaster Program (LFP) and the Livestock Indemnity Program (LIP).

The 2018 Farm Bill amended certain provisions related to ELAP effective with the 2019 program year. Those amendments included:

- removing ELAP from the combined ELAP and LFP maximum per person and legal entity payment limitation for the 2019 and subsequent program years;
- providing reimbursement of 90 percent of the cost of losses for socially disadvantaged, limited resource, beginning, or veteran farmer or rancher;
- in addition to covering the cost related to gathering livestock to treat for cattle tick fever, ELAP will now cover the cost related to gathering livestock to inspect for cattle tick fever;
- no longer covering livestock death losses due to diseases that are caused or transmitted by a vector and are not controlled by vaccination or an acceptable management practice. The 2018 Farm Bill authorizes these diseases under LIP.

ELAP is administered by the Farm Service Agency (FSA) of the U.S. Department of Agriculture (USDA).

#### What Is Eligible?

##### Eligible Losses

ELAP provides assistance for livestock feed and grazing losses that are not due to drought or wildfires on federally managed lands; losses resulting from the cost of transporting water to livestock due to an eligible drought; losses resulting from the additional cost associated with gathering livestock for treatment and/or inspection related to cattle tick fever, honeybee feed, colony and hive losses; and farm-raised fish feed and death losses.



#### Eligibility Requirements and Payment Calculations

For additional information regarding eligibility requirements and payment calculations for a specific type of livestock, honeybee and/or farm-raised fish loss, see the ELAP - Farm-Raised Fish Assistance, ELAP - Honeybee Assistance or ELAP - Livestock Assistance fact sheet at [fsa.usda.gov/ELAP](https://fsa.usda.gov/ELAP).

#### Socially Disadvantaged, Limited Resource, Beginning, or Veteran Farmers or Ranchers

An eligible livestock, honeybee or farm-raised fish producer who certifies they are socially disadvantaged, limited resource, beginning, or a veteran farmer or rancher will receive 90 percent of the payment rate for the losses under ELAP.

## Payment Limitations

The 2018 Farm Bill removed ELAP from a combined \$125,000 payment limitation under ELAP and LFP. Therefore, effective for 2019 and subsequent program years, payment limitation does not apply to ELAP benefits. The average adjusted gross income (AGI) limitation relating to limits on payments for persons or legal entities, excluding joint ventures and general partnerships, with certain levels of AGI apply. Specifically, a person or legal entity with an AGI (as defined in 7 CFR Part 1400) that exceeds \$900,000 is not eligible to receive ELAP payments.

Direct attribution provisions also apply to ELAP. Under direct attribution, any payment to a legal entity will also be considered for payment limitation purposes to be a payment to persons or legal entities with an interest in the legal entity or in a sub-entity. To learn more, visit the Payment Eligibility and Payment Limitations fact sheet at [fsa.usda.gov/payment-limitations](https://fsa.usda.gov/payment-limitations).

## How it Works

### Applying for Assistance

Producers can apply to receive ELAP assistance at local FSA service centers. The ELAP application period ends Dec. 31 of each calendar year.

In addition to submitting an application for payment, producers who suffered losses must submit a notice of loss to the local FSA service center that maintains the farm records for their business.

The following table provides the final dates to file a notice of loss and application for payment for losses.

Date of Loss	Final Date to File Notice of Loss	Final Date to Submit an Application for Payment
Within the program year Jan. 1 – Dec. 31	For honeybee losses, 15 days after loss is apparent.  For Livestock and farm-raised fish losses, 30 days after loss is apparent	Jan 30 after the program year in which the loss occurred.



## More Information

This fact sheet is for informational purposes only; other restrictions may apply. For more information about ELAP, visit [fsa.usda.gov/ELAP](https://fsa.usda.gov/ELAP) or contact your local FSA office. To find your local FSA office, visit [farmers.gov](https://farmers.gov).