

With all of the approaching deadlines, it is imperative that you try to keep your appointments and be sure to check your phone message machines. Return all signatures in a timely manner. Thank you.

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

### **Overview**

The “Food, Conservation, and Energy Act of 2008” authorized up to \$50 million in a calendar year for the Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP) to provide emergency assistance to eligible producers of livestock, honeybees and farm-raised fish that have losses due to disease, adverse weather or other conditions, including losses due to blizzards and wildfires, as determined by the Secretary.

ELAP covers losses occurring on or after Jan. 1, 2008 and before Oct. 1, 2011 that are not covered under other Supplemental Agricultural Disaster Assistance Payment programs established by the 2008 Farm Bill, specifically Livestock Forage Disaster Program (LFP), Livestock Indemnity Program (LIP) and Supplemental Revenue Assistance Payments Program (SURE).

There are two categories of livestock losses covered by ELAP: livestock death losses caused by an eligible adverse weather or loss condition; and

livestock feed and grazing losses, that are not due to drought or wildfires on federally managed lands.

A national payment factor may be applied to ELAP payments if the funding availability of \$50 million is exceeded in a calendar year.

## ELAP Frequently Asked Questions

*Q: How should I apply for ELAP assistance?*

To apply for ELAP assistance, producers must submit an application for payment and a notice of loss in the FSA administrative county office that maintains the farm records for their business.

*Q: When should I apply for ELAP assistance?*

The ELAP signup deadline ended Dec. 10, 2009, for 2008 losses and Feb. 1, 2010 for 2009 losses. However, FSA is accepting late-filed applications for 2008 or 2009 calendar year losses through May 5, 2010.

For 2010 and subsequent year losses, sign-up will end no later than 30 calendar days after the end of the calendar year in which the loss occurred.

In addition to the application for payment, producers must file a notice of loss. To be eligible for 2008 and 2009 calendar year losses, the notice of loss must be provided to FSA by no later than May 5, 2010.

To be eligible for losses that occurred in 2010 and subsequent calendar year losses, the producer must provide a notice of loss to FSA the earlier of:

- 30 calendar days of when the loss is apparent to the producer or

- 30 calendar days after the end of the calendar year in which the loss occurred.

*Q: Do I have to meet the Risk Management Purchase Requirement (RMPR) on my farm to be eligible for ELAP?*

Yes, producers are required to meet RMPR on all RMA crop insurable or Noninsured Crop Disaster Assistance Program (NAP) eligible crops on the farm, excluding forage crops intended for grazing. Eligible farmers and ranchers who meet the definition of “socially disadvantaged farmers and ranchers,” “limited resource farmers and ranchers,” and “beginning farmers or ranchers” do not have to meet this requirement.

*Q: What documentation do I need to provide FSA when I file my application?*

Producers must submit an acreage report for the operation; proof of death documentation, copies of cash or share lease agreements to show risk in grazing lands and a copy of contract growers contracts, if applicable; copy of insurance documents to show that RMPR has been met; and any other required documents, applicable to your farming operation; such as an AD-1026 for HEL/WC.

*Q: What is the payment limitation for ELAP?*

The maximum combined payment a person may receive under ELAP, Livestock Forage Disaster Program (LFP), Livestock Indemnity Program (LIP) and the Supplemental Revenue Assistance Payments Program (SURE), is \$100,000.

*Q: Can I receive ELAP assistance for the same loss as I received SURE assistance?*

No. ELAP assistance is for losses not covered under other Supplemental Agricultural Disaster Assistance programs established by the 2008 Farm Bill, specifically the LFP, LIP and SURE. ELAP is being implemented to fill in the gap and provide assistance under other conditions

determined to be appropriate.

*Q: What types of losses are covered under ELAP?*

ELAP provides emergency assistance to eligible producers of livestock, honeybees and farm-raised fish that have losses due to disease, adverse weather or other conditions, including losses due to blizzards and wildfires.

*Q: What types of livestock losses are covered under ELAP?*

ELAP compensates eligible livestock producers for 2 types of livestock losses, (1) livestock death losses caused by an eligible loss condition not covered under LFP and (2) livestock feed and grazing losses that are not due to drought or wildfires on Federally managed lands.

*Q: What types of livestock are eligible for death losses under ELAP?*

To be eligible for livestock death losses, livestock must be alpacas, adult or non-adult dairy cattle, beef cattle, beefalo, buffalo, deer, elk, emus, equine, goats, llamas, poultry, reindeer, sheep, or swine.

*Q: Does ELAP compensate contract growers for livestock death losses?*

Yes. A contract grower may be considered eligible for death losses of poultry or swine if the contract grower meets the Risk Management Purchase Requirement, has a written agreement with the owner of the eligible livestock, control of the eligible livestock on the day the livestock died and had a risk of loss in the animal.

*Q: What are the eligible loss conditions for livestock death losses?*

FSA determines the eligible loss conditions for livestock death losses. To be an eligible loss condition under ELAP, the loss condition cannot be covered under LIP. To date, wolf depredation is the only loss condition approved nationally for livestock death losses under ELAP.

*Q: Do I have to suffer losses in excess of normal mortality to be eligible for livestock death losses under ELAP?*

Yes. ELAP compensates eligible livestock producers for livestock death losses in excess of normal mortality.

*Q: Can I receive ELAP assistance for both livestock grazing and feed losses occurring in the same calendar year?*

Yes. Eligible livestock producers may receive compensation under ELAP for both grazing and feed losses that occur in the same calendar year.

*Q: For livestock grazing and feed losses, what is considered an eligible adverse weather or loss condition?*

Eligible adverse weather or loss conditions for livestock feed and grazing losses include, but are not limited to, blizzards, winter storms, flooding, freeze damage, grasshopper