

For: State and County Offices

**Documenting Losses Under the Emergency Assistance for
Livestock, Honey Bees, and Farm-Raised Fish Program (ELAP)**

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

The 2008 Farm Bill created 5 new disaster programs, one of which is the Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish Program (ELAP).

ELAP provides emergency relief to producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses because of disease, adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, during the calendar year, that are not covered by the Supplemental Revenue Assistance Payments Program (SURE), Livestock Indemnity Program (LIP), and Livestock Forage Disaster Program (LFP).

Livestock, honey bee, and farm-raised fish producers who have incurred losses are making inquiries about acceptable types of documentation to document proof of losses.

B Purpose

This notice provides State and County Offices with guidance on acceptable types of documentation for livestock, honey bee, and farm-raised fish producers to prove losses for ELAP purposes.

Disposal Date September 1, 2009 4-23-09	Distribution State Offices; State Offices relay to County Offices
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2 Documenting ELAP Losses

A Compiling ELAP Loss Documentation

Livestock, honey bee, and farm-raised fish producers who have incurred 2008 and/or 2009 calendar year losses because of disease, adverse weather, or other conditions, such as blizzards and wildfires that are not covered by SURE, LIP, and LFP should be advised to begin compiling their loss documentation according to this notice.

Note: Producers shall be advised that loss documentation will **not** be accepted by County Offices until their ELAP applications are filed.

B Types of Losses That May Be Eligible Under ELAP

All types of losses for which livestock, honey bee, and farm-raised fish producers may be compensated for under ELAP will not be known until the regulations for ELAP are published in the Federal Register. However, following are possible losses that may be compensated under ELAP:

- grazing losses because of eligible adverse weather events other than drought and wildfire on non-federally managed lands
- purchased or harvested feed that was intended as feed for eligible livestock, honey bees, or farm-raised fish that was destroyed or lost because of an eligible adverse weather event
- feed purchased to sustain livestock, honey bees, or farm-raised fish because of blizzards, floods, and hurricanes, etc. for a short period of time until additional feed becomes available
- physical losses of honey bees because of colony collapse disorder or eligible adverse weather events
- physical losses of honey bee hives because of eligible adverse weather events
- physical loss of farm-raised fish because of eligible adverse weather events
- reimbursement of costs incurred by an eligible producer associated with providing feed to livestock during a blizzard or flood such as hay lifts
- reimbursement of costs incurred by an eligible producer associated with providing feed to livestock during a blizzard such as the cost of snow removal equipment to clear a trail to transport feed to the eligible livestock
- transportation costs to move livestock from flooded areas during a flood to higher ground.

Note: These losses are examples of losses that may or may not be compensated under ELAP. A forthcoming regulation in the Federal Register will provide final determinations.

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2 Documenting ELAP Losses (Continued)

C Purchased Feed Documentation

Livestock, honey bee, or farm-raised fish producers must provide verifiable documentation of purchased feed intended as feed for livestock, honey bees, or farm-raised fish that was lost, or additional feed purchased above normal to sustain livestock, honey bees, and farm-raised fish for a short period of time until additional feed becomes available because of adverse weather, including blizzards, floods, hurricanes, etc.

To be considered acceptable documentation, the producer must provide **original** feed receipts and each feed receipt must include all of the following:

- date of feed purchase
- name, address, and telephone number of feed vendor
- type and quantity of feed purchased
- cost of feed purchased
- signature of feed vendor if the vendor does not have a license to conduct this type of transaction.

Example: The producer purchased baled hay from their neighbor. The neighbor is not a licensed vendor; therefore, the neighbor's signature is required to be on the purchase receipt.

Note: Original feed receipts submitted for ELAP purposes, will be returned to the producer after being date stamped and photo copied for application purposes.

D Harvested Feed Documentation

Livestock, honey bee, or farm-raised fish producers must provide documentation of harvested feed intended as feed for livestock, honey bees, or farm-raised fish that were lost because of adverse weather, including blizzards, floods, hurricanes, etc.

Documentation may include, but is not limited to:

- weight tickets
- truck scale tickets
- contemporaneous diaries, used to verify information provided if the crop was stored with the intent to feed the crop to livestock, honey bees, or farm-raised fish
- custom harvest documents that clearly identify the amount of feed produced from the applicable acreage.

Documentation provided must also clearly identify the acreage from which the production was obtained.

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2 Documenting ELAP Losses (Continued)

E Honey Bee Documentation

Honey bee producers who incur physical losses of honey bees and honey bee hives because of colony collapse disorder must provide documentation and/or a certification that the loss of honey bees was because of colony collapse disorder from one or more of the following:

- registered entomologist
- Cooperative Extension specialist
- Land Grant University.

Honey bee producers who incur physical losses of honey bees and honey bee hives because of colony collapse disorder and other adverse weather events must also provide documentation of inventory on the beginning date of the colony collapse or adverse weather event and the ending inventory. Documentation may include, but is not limited to, any combination of the following:

- acreage reports for NAP (colonies reported)
- loan records
- private insurance documents
- property tax records
- sales and purchase receipts
- State colony registration documentation
- chattel inspections.

F Farm-Raised Fish Documentation

Farm-raised fish producers who incur physical losses of farm-raised fish because of adverse weather or other conditions must provide documentation of beginning inventory on the beginning date of the adverse weather event and the ending inventory. Documentation may include, but is not limited to, any combination of the following:

- acreage reports for NAP (surface acres of water)
- loan records
- private insurance documents
- property tax records
- sales and purchase receipts
- chattel inspections.
- sales receipts.

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3 Action

A County Office Action

All County Offices shall ensure that producers are notified by all available means about the types of documentation that may be acceptable for documenting proof of losses for ELAP.

B State Office Action

State Offices shall ensure that County Offices:

- are immediately informed of the contents of this notice
- immediately publicize the contents of this notice by all available means.