

# 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 utilize livestock producer's gross 2021 ELRP Phase 1 payment to compensate for the loss of winter grazing directly affected by the drought and wildfire conditions.

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.

ELRP only includes 2021 LFP participants. To be eligible for an ELRP payment, 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

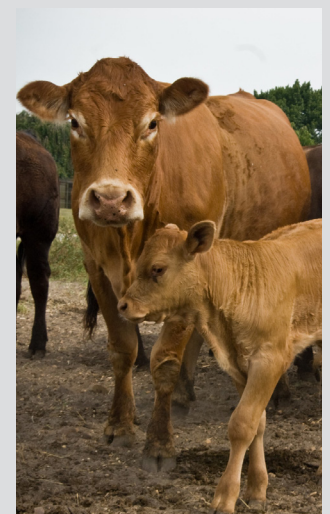
As part of FSA's efforts to streamline and simplify the delivery of ELRP benefits, eligible livestock producers are not required to submit an application for ELRP Phase 1 or 2; however, they must have the following forms on file as determined by FSA's Deputy Administrator for Farm Programs:

- 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.
- 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).

## 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-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 Payment Calculation

Due to the excessive and expansive drought and wildfires in 2021, livestock producers suffered extreme grazing losses that not only impacted the normal grazing periods, but also directly impacted accessibility to winter grazing.

The additional Phase 2 payment will compensate eligible livestock producers for the loss of winter grazing directly affected by the drought and wildfire conditions.

Eligible livestock producers for ELRP Phase 2 are producers with an approved 2021 LFP application who received an ELRP Phase 1 payment.

The ELRP Phase 2 payment will be equal to 20% percent of the 2021 gross ELRP Phase 1 payment to compensate for the loss of winter grazing directly affected by the drought and wildfire conditions.

## 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.