

FSA-521
(04-28-23)

U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

**EMERGENCY RELIEF PROGRAM (ERP)
PHASE 2 APPLICATION**

1. Application Number

2. Recording State Name/Code

3. Recording County Name/Code

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Extending Government Funding and Delivering Emergency Assistance Act (Pub. L. 117-43). The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, and Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary; however, failure to furnish the requested information will result in a determination of ineligibility for program benefits. Payments may be made under the program to which the form applies only to the extent permitted by applicable authorities.

Public Burden Statement (Paperwork Reduction Act): Public reporting burden for this collection is estimated to average 60 minutes per response, including reviewing instructions, gathering, and maintaining the data needed, completing (providing the information), and reviewing the collection of information. You are not required to respond to the collection of information, unless it displays a valid OMB control number. **RETURN THIS COMPLETED FORM TO YOUR RECORDING COUNTY FSA OFFICE.**

PART A - PRODUCER AGREEMENT

The Farm Service Agency (FSA) will make payments under ERP Phase 2 to eligible producers who meet the requirements of the program, subject to the availability of funds. The following information is needed for FSA to determine whether the applicant is eligible to receive ERP Phase 2 assistance. By submitting this application, the applicant agrees:

1. To comply with the regulatory requirements in 7 CFR part 760, Subpart S. A copy of these regulations may be found at: <https://www.fsa.usda.gov/programs-and-services/emergency-relief/index>
2. That the applicant experienced a decrease in allowable gross revenue due to necessary expenses related to losses of eligible crops due in whole or in part to a qualifying disaster event that occurred in the 2020 or 2021 calendar year. For ERP, qualifying disaster event means: wildfires, hurricanes (including excessive wind, storm surges, tornadoes, tropical storms, and tropical depressions that occurred as a direct result of a hurricane), floods (including silt and debris that occurred as a direct and proximate result of flooding), derechos (including excessive wind that occurred as a direct result of a derecho), excessive heat, winter storms (including excessive wind and blizzards that occurred as a direct result of a winter storm), freeze (including a polar vortex), smoke exposure, excessive moisture, and qualifying drought, and related conditions, occurring in calendar years 2020 and 2021. Related conditions mean damaging weather and adverse natural occurrences that occurred concurrently with and as a direct result of a specified qualifying disaster event. "Qualifying drought" means an 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 for any period of time during the applicable calendar years. A list of counties that experienced a qualifying drought in calendar years 2020 and 2021 is available through local FSA service centers and at <https://www.fsa.usda.gov/programs-and-services/emergency-relief/index>.
3. To provide FSA all information that is necessary to verify the information provided on this form is accurate. Producer is required to retain documentation in support of their application for 3 years after the date of approval. All information provided to FSA for program eligibility and payment calculation purposes, including certification that a producer suffered an eligible loss due to a qualifying disaster event, is subject to spot check.
4. To comply with payment attribution and payment eligibility provisions by submitting the following forms within 60 days from the date of the ERP Phase 2 application deadline, as applicable, if not already on file with FSA for the applicable disaster year:
 - CCC-902, Farm Operating Plan for Payment Eligibility
 - CCC-901, Member Information for Legal Entities, if applicable
 - FSA-510, Request for an Exception to the \$125,000 Payment Limitation for Certain Programs (optional)
 - CCC-860, Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification (optional)
 - AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification
 - AD-2047, Customer Data WorksheetFailure of an individual, entity, or member of an entity to timely submit all required eligibility documents may result in no payment or a reduced payment.
5. The application will not be considered complete until the applicant has signed Item 27 and completed the FSA-522, Crop Insurance and/or NAP Coverage Agreement.

PART B - PRODUCER INFORMATION

4. Producer Name, Address (City, State, and Zip Code), and Phone Number (include Area Code):

PART C - 2020 DISASTER YEAR REVENUE CERTIFICATION						COC USE ONLY				
5. % of Expected Revenue from Specialty & High Value Crops	6. % of Expected Revenue from Other Crops	7. Benchmark Year	8. Benchmark Revenue	9. Representative Revenue Year	10. Disaster Year Revenue	11. COC Adjusted % of Expected Revenue from Specialty & High Value Crops	12. COC Adjusted % of Expected Revenue from Other Crops	13. COC Adjusted Benchmark Revenue	14. COC Adjusted Disaster Year Revenue	15. COC Approved or Disapproved
		<input type="checkbox"/> 2018 <input type="checkbox"/> 2019 <input type="checkbox"/> Adjusted		<input type="checkbox"/> 2020 <input type="checkbox"/> 2021						<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

PART D - 2021 DISASTER YEAR REVENUE CERTIFICATION						COC USE ONLY				
16. % of Expected Revenue from Specialty & High Value Crops	17. % of Expected Revenue from Other Crops	18. Benchmark Year	19. Benchmark Revenue	20. Representative Revenue Year	21. Disaster Year Revenue	22. COC Adjusted % of Expected Revenue from Specialty & High Value Crops	23. COC Adjusted % of Expected Revenue from Other Crops	24. COC Adjusted Benchmark Revenue	25. COC Adjusted Disaster Year Revenue	26. COC Approved or Disapproved
		<input type="checkbox"/> 2018 <input type="checkbox"/> 2019 <input type="checkbox"/> Adjusted		<input type="checkbox"/> 2021 <input type="checkbox"/> 2022						<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

PART E - PRODUCER CERTIFICATION

I hereby sign and acknowledge under penalty of perjury in accordance with 28 U.S.C. § 1746 and 18 U.S.C. § 1621 that all information on this application, whether entered by me or by someone else on my behalf, is true and correct. I understand that if any information is determined to be in error, the application may be denied, and such errors may result in a determination of ineligibility in whole or in part.

27A. Signature (By)	27B. Title/Relationship of the Individual Signing in the Representative Capacity	27C. Date (MM/DD/YYYY)
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PART F - COUNTY COMMITTEE (COC) DETERMINATION

28A. COC or Designee Signature	28B. Date (MM/DD/YYYY)
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In accordance with Federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, and employees participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

Date Stamp

HOW TO DETERMINE ALLOWABLE GROSS REVENUE

Table 1 provides guidance for:

- Determining allowable gross revenue source
- What to include/exclude when determining allowable gross revenue

Table 1.

Allowable Revenue Source:	Include Gross Revenue from the Following Sources:	Exclude Gross Revenue from the Following Sources:
<p>Schedule F Line 1c <i>“Sales of purchased livestock and other resale items,”</i> or information that could be reported on a Schedule F</p>	<p>Sales of eligible crops purchased for resale that had a change in characteristic due to the time held, such as:</p> <ul style="list-style-type: none"> • A plant purchased at a size of 2 inches and sold as an 18-inch plant after 4 months <p>CCC loan proceeds for eligible crops if elected to be treated as income in a prior year less the tax basis in year of repayment</p>	<p>Sales of livestock</p>
<p>Schedule F Line 2 <i>“Sales of livestock, produce, grains, and other products you raised,”</i> or information that could be reported on a Schedule F</p>	<p>Sales of eligible crops grown in the United States and its Territories by the applicant</p> <p>Sales of eligible crops grown by the applicant resulting from value added through post-production activities that could have been reported on IRS Schedule F</p> <p>For example:</p> <ul style="list-style-type: none"> • Strawberries into jam <p>Sales of aquatic species that are grown:</p> <ul style="list-style-type: none"> • As food for human or livestock consumption • For industrial or biomass uses • As fish raised as feed for fish that are consumed by humans • As ornamental fish propagated and reared in an aquatic medium 	<p>Sales of animals and their by-products:</p> <ul style="list-style-type: none"> • Animals for consumption by the owner, lessee, or contract grower • Eggs • Milk • Mink including pelts • Revenue from animals for show, sport, or recreational purposes • Wild free-roaming animals • Revenue from raised breeding livestock (Schedule 4797 Part 1, Column (d) or (g) or other information that could be reported on a Schedule F) <p>Sales of agricultural commodities resulting from value added through post-production activities if reported on Schedule C</p> <p>Commodities not grown in the United States and its Territories</p>
<p>Schedule F Line 3a <i>“Cooperative distributions,”</i> Form 1099-PATR, or information that could be reported on a Schedule F</p>	<p>The amount of cooperative distributions directly related to the sale of eligible crops produced by the applicant such as:</p> <ul style="list-style-type: none"> • Per-unit allocations paid to patrons for gross grain sales 	<p>Distributions that are not directly related to the sale of eligible crops that are not produced by the applicant</p>
<p>Schedule F Line 4a <i>“Agricultural program payments,”</i> Form 1099-G, or information that could be reported on a Schedule F</p>	<p>Benefits for eligible crops under the following agricultural programs:</p> <ul style="list-style-type: none"> • Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) Program • Biomass Crop Assistance Program (BCAP) • Loan Deficiency Payment (LDP) Program • Market Loan Gains (MLG) - repayment of Commodity Credit Corporation (CCC) loan less than the original amount • Market Facilitation Program (MFP) • Seafood Trade Relief Program (STRP) • For the applicable disaster year only- Emergency Relief Program (ERP) Phase 1 payments issued to another person or entity for the applicant's share of an eligible crop, regardless of the tax year in which the payment would be reported to the IRS 	<ul style="list-style-type: none"> • Conservation Program Payments • Dairy Margin Coverage (DMC) Program • Marketing Assistance Loan (MAL) <p>Pandemic Assistance payments including, but not limited to:</p> <ul style="list-style-type: none"> • cost-share assistance • loss of buildings • livestock portion • Coronavirus Food Assistance Program (CFAP) - CFAP 1 and CFAP 2 • Pandemic Livestock Indemnity Program (PLIP) • Spot Market Hog Pandemic Program (SMHPP)

Allowable Revenue Source:	Include Gross Revenue from the Following Sources:	Exclude Gross Revenue from the Following Sources:
<p>Schedule F Line 5a - 5c "Commodity Credit Corporation (CCC) loans reported under election," Form 1099-A, or information that could be reported on a Schedule F</p>	<ul style="list-style-type: none"> • CCC loans for eligible crops reported under election if elected to be treated as income and reported to IRS when all or part of the production is used as collateral to secure the loan • Forfeited CCC loans for eligible crops 	
<p>Schedule F Line 6 "Crop insurance proceeds and federal crop disaster payments" or information that could be reported on a Schedule F</p>	<p>Crop insurance proceeds for eligible crops, less administrative fees and premiums</p> <p>Benefits for eligible crops under the following federal crop disaster payments:</p> <ul style="list-style-type: none"> • Noninsured Crop Disaster Assistance Program (NAP) payments less administrative fees and premiums • Benchmark Year Only - 2017 Wildfire and Hurricanes Indemnity Program (WHIP), 2018 & 2019 Wildfire and Hurricanes Indemnity Program (WHIP+), and Quality Loss Adjustment Program (QLA) • On-Farm Storage Loss Program (OFSLP) • Emergency Assistance for Livestock, Honeybees, and Farm Raised Fish Program (ELAP) - payments specific to aquaculture • Payments through grant agreements with FSA for losses of eligible crops • Grants from the Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), and State program funds for the direct loss of eligible crops or the loss of revenue for eligible crops 	<ul style="list-style-type: none"> • Emergency Assistance for Livestock, Honeybees, and Farm Raised Fish Program (ELAP)- payments specific to livestock and honeybees • Emergency Livestock Relief Program (ELRP) • Emergency Relief Program (ERP) Phase 1 Payments • Livestock Forage Disaster Program (LFP) • Livestock Indemnity Program (LIP) • Milk Loss Program • Disaster Year Only - Quality Loss Adjustment (QLA) Program • Tree Assistance Program (TAP) • Disaster Year Only - Wildfire and Hurricane Indemnity Program (WHIP/WHIP+)
<p>Schedule F Line 7 "Custom hire (machine work) income," or information that could be reported on a Schedule F</p>		<p>Custom hire income</p>
<p>Schedule F Line 8 "Other income, including federal and state gasoline or fuel tax credit or refund," or information that could be reported on a Schedule F</p>	<p>Other revenue directly related to the production of eligible crops that the IRS requires the applicant to report such as but not limited to:</p> <ul style="list-style-type: none"> • Commodity specific income received from state or local governments 	<ul style="list-style-type: none"> • Federal and State gas/fuel tax credits • Income from by-passed (unharvested) acres • Income from a pass-through entity such as an S Corporation or Limited Liability Company (LLC) • Certificate Exchanges • Net gain from hedging or speculation • Wages, salaries, and tips • Cash rent • Rental of equipment or supplies • Revenue earned as a contract producer

Note: An applicant is not required to have filed a Schedule F to determine allowable gross revenue. If an applicant did not file a Schedule F, the applicant will use the applicable federal tax form filed to determine allowable gross revenue in the same manner as if a Schedule F was filed.