

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

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**Emergency Relief Program  
Phase 2  
3-ERP**

**Amendment 3**

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**Approved by:** Acting Deputy Administrator, Farm Programs



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**Amendment Transmittal**

**A Reasons for Amendment**

Subparagraph 4 C has been amended to clarify that applications with payments that calculate to zero dollars are included as part of the first five FSA-521's reviewed by DD.

Subparagraph 4 E has been amended to clarify that applications with payments that calculate to zero dollars are included as part of the first five FSA-521's reviewed by CED.

Subparagraph 5 A has been amended to clarify that:

- applications with payments that calculate to zero dollars are included as part of the first five FSA-521's reviewed by CED
- if an application is approved through delegation of authority, all items through CCC-770 ERP, item 17 must be completed before CED or designee signs CCC-770 ERP. CCC-770 ERP, item 18 must be completed once a COC meeting is held and COC minutes are completed; however, item 18 may be completed after CED or designee signs CCC-770 ERP to avoid delay in issuing an ERP payment.

Subparagraph 5 B has been amended to clarify that:

- applications with payments that calculate to zero dollars are included as part of the first five FSA-521's reviewed by DD
- if an application is approved through delegation of authority, all items through CCC-770 ERP, item 17 must be completed before DD signs CCC-770 ERP. CCC-770 ERP, item 18 must be completed once a COC meeting is held and COC minutes are completed; however, item 18 may be completed after DD signs CCC-770 ERP to avoid delay in issuing an ERP payment.

## Amendment Transmittal (Continued)

### A Reasons for Amendment (Continued)

Subparagraph 47 B has been amended to:

- clarify that allowable gross revenue includes 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
- update the information about cooperative distributions by removing the word “taxable”
- clarify that allowable gross revenue includes benefits from agricultural programs for eligible crops
- clarify that, for the benchmark year only, allowable gross revenue includes benefits from 2017 WHIP, 2018 and 2019 WHIP+, and QLA, for eligible crops.

Subparagraph 47 C has been amended to clarify that sales of agricultural commodities resulting from value added through post-production activities are excluded from allowable gross revenue if reported on IRS Schedule C.

Subparagraph 51 B has been amended to update the instructions for completing FSA-521-A.

Subparagraph 51 C has been amended to update the example of FSA-521-A.

Subparagraph 65 A has been amended to remove the online application option that requires Level 2 eAuthentication account, as this service was not created for ERP.

Subparagraph 68 B has been amended to include the revised FSA-521 because of updates to Table 1.

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## 4 Responsibilities (Continued)

### C DD Responsibilities

Within the authorities and limitations in this handbook, DD's will:

- fully comply with all program provisions
- ensure that COC's and County Offices follow program provisions
- ensure that CED directs the County Office to follow all program provisions
- conduct reviews according to paragraph 5
- review the first five FSA-521's filed in a Service Center to verify that:
  - they are complete according to policy
  - they were signed by the person or authorized representative before payment
  - the Service Center has taken appropriate measures to ensure that they have been properly completed
  - the reviews are completed on FSA-770 ERP according to subparagraph 5 B

**\*--Note:** Applications with payments that calculate to zero dollars are included in the first five FSA-521's reviewed.--\*

- enter results of first 5 reviews in the ERP Internal Control SharePoint site
- handle appeals according to 1-APP
- immediately notify SED or designated State Office employee of software problems, incomplete or incorrect procedures, specific problems, or findings
- ensure all County Offices publicize ERP provisions
- take any oversight actions necessary to ensure that PIIA provisions are met to prevent improper payments.

## 4 Responsibilities (Continued)

### D COC Responsibilities

Within the authority and limitations in this handbook, COC's will:

- fully comply with all program provisions
- ensure that CED's fully comply with all program provisions
- adjust FSA-521 as applicable in accordance with subparagraph 66 E
- review, approve, and disapprove applications, and document in the COC minutes

**Note:** COC may redelegate authority to CED to review and approve routine applications. Redlegation of authority must be documented in the COC minutes. All adverse actions must go to COC for review.

- thoroughly document all actions taken in the COC minutes
- handle suspected fraud cases according to applicable procedure
- handle appeals according to 1-APP
- safeguard confidentiality of records according to 3-INFO
- ensure that producers receive complete and accurate program information
- ensure that program provisions and other important items are publicized as soon as possible after information is received from the National Office, including but not limited to the following:
  - application period
  - payment limitation
  - basic participant eligibility criteria.

## 4 Responsibilities (Continued)

### E CED Responsibilities

Within the authorities and limitations in this handbook, CED's will:

- fully comply with all program provisions
- ensure that all County Office employees fully comply with all program provisions
- if delegated, promptly review, approve routine FSA-521's, and document in COC minutes

**Note:** COC may redelegate authority to CED to review and approve routine applications. Redlegation of authority must be documented in the COC minutes. All adverse actions must go to COC for review. CED **may not** redelegate authority to review or approve routine applications to any other County Office employees.

- ensure FSA-770 ERP is completed for **all** applications receiving a payment before authorizing payment
- review the first five FSA-521's filed in a Service Center to verify that:
  - they are complete according to policy
  - they were signed by the person or authorized representative before payment
  - the Service Center has taken appropriate measures to ensure that they have been properly completed
  - they are completed on FSA-770 ERP according to subparagraph 5 A

**Notes:** All applications received from SED, State Office employees, STC members, DD's, COC members, CED's, County Office employees, and their spouses must be sent to STC or designee for action.

\*--Applications with payments that calculate to zero dollars are included in the first five FSA-521's reviewed.--\*

- handle appeals according to 1-APP
- immediately notify SED or designated State Office employee, through DD, of software problems, incomplete or incorrect procedures, specific problems, or findings
- take any oversight actions necessary to ensure that PIIA provisions are met to prevent County Offices from issuing improper payments, including ensuring FSA-770 ERP is completed for each application receiving a payment

## 4 Responsibilities (Continued)

### E CED Responsibilities (Continued)

- safeguard confidentiality of records according to 3-INFO
- ensure that producers receive complete and accurate program information.

**Notes:** Because of limited resources, publication may or may not be by direct mail or on an individual basis. FSA meets its publication responsibilities by making broad program announcements in the press, print and electronic media, Federal Register documents, radio and television announcements, and through posting program information in USDA Service Centers.

COC will ensure that program provisions are publicized and maintain a record of all publicity efforts.

### F PT Responsibilities

Within the authorities and limitations in this handbook, PT's will:

- fully comply with all program provisions
- immediately notify CED of software problems, incomplete or incorrect procedures, or specific problems
- ensure that all program eligibility requirements have been met by producers before issuing any payment to ensure that PIIA provisions are satisfied
- safeguard confidentiality of records according to 3-INFO.



## **4 Responsibilities (Continued)**

### **G Producer Responsibilities**

The producer is responsible for being aware of program provisions and accurately certifying to all required information as applicable on FSA-521.

Producers receiving a payment are required to retain documentation in support of their application for 3 years after the date of approval.

Programs administered by DAFP require accurate information from producers. Producers must understand that failure to provide complete and accurate information may result in any or all of the following:

- adjustments to the allowable gross revenue
- disapproval of the application
- the producer(s) being determined ineligible for FSA programs for the year or multiple years
- the producer(s) being liable under any civil or criminal fraud statute or any statute or provision of law.

Producers may elect to participate by returning a completed FSA-521 to their recording County Office. Producers must complete all the following:

- submit or have on file required forms listed in FSA-521, Part A
- certify that they had a loss of allowable gross revenue because of expenses associated with losses of eligible crops because of, in whole or in part, a qualifying disaster event that occurred in the 2020 or 2021 calendar year
- agree to linkage requirements by signing FSA-522
- if applicable, complete and submit FSA-510 certifying that at least 75 percent of the person or legal entity's average AGI is derived from farming, ranching, or forestry related activities if the increased payment limitation is requested
- if applicable, complete and submit CCC-860 to certify their status as a socially disadvantaged, limited resource, beginning or veteran farmer or rancher.

## **5 Internal Controls**

### **A CED Reviews**

Procedure for conducting reviews has been established to ensure that FSA-521 and eligibility forms are completed correctly and demonstrate that the County Office understands program policy and is following the policy correctly.

## 5 Internal Controls (Continued)

### A CED Reviews (Continued)

CED is required to review the **first 5 completed FSA-521's receiving a payment per Service Center** as part of their supervisory responsibility to ensure program integrity and accountability requirements are met. CED review will be completed using CCC-770 ERP.

Upon completion, CED will certify to DD or State Office designee the review of the first 5 completed FSA-521's and provide the application package, including a signed CCC-770 ERP for DD or State Office designee to review. The County Office may **not** issue payments until written approval is received from DD or State Office designee.

**Notes:** CED does not have to wait until all five FSA-521's have been reviewed to submit to DD. For the first five FSA-521's, payment can be issued upon DD's review and approval of each. Once the first five FSA-521's have been reviewed and payment has been authorized by DD, all additional FSA-521's may be processed by the County Office unless otherwise directed by DD.

\*--Applications with payments that calculate to zero dollars are included in the first five FSA-521's reviewed.

If an application is approved through delegation of authority, all items through CCC-770 ERP, item 17 must be completed before CED or designee signs CCC-770 ERP. CCC-770 ERP, item 18 must be completed once a COC meeting is held and COC minutes are completed; however, item 18 may be completed after CED or designee signs CCC-770 ERP to avoid delay in issuing an ERP payment.--\*

### B DD Reviews

DD or State Office designee will review the first five FSA-521's receiving a payment filed in a Service Center. DD or State Office designee will review the application package and the responses provided by CED or designee on CCC-770 ERP and will complete their review on CCC-770 ERP.

Upon completion of the reviews, DD or designee will sign CCC-770 ERP and provide written approval to the County Office for payments to be issued.

**Notes:** Review may be completed and authority to process FSA-521 provided to CED, 1 application at a time, until at least 5 have been reviewed.

\*--Applications with payments that calculate to zero dollars are included in the first five FSA-521's reviewed.

If an application is approved through delegation of authority, all items through CCC-770 ERP, item 17 must be completed before DD signs CCC-770 ERP. CCC-770 ERP, item 18 must be completed once a COC meeting is held and COC minutes are completed; however, item 18 may be completed after DD signs CCC-770 ERP to avoid delay in issuing an ERP payment.--\*

## 5 Internal Controls (Continued)

### B DD Reviews (Continued)

Upon completion of the reviews, DD will enter results on the ERP Internal Control SharePoint site for each of the first 5 reviews completed. DD will enter results for at least 5 reviews per Service Center but can load more than 5 if determined necessary. Instructions for entering the results of the first 5 reviews in the ERP Internal Control SharePoint site can be found in subparagraph F.

### C CCC-770 ERP, Emergency Relief Program (ERP) Phase 2 Checklist

PIIA requires federal agencies to evaluate programs to determine whether internal controls are sufficient to prevent improper payments. CCC-770 ERP was developed to address areas of concern to ensure that payments are issued properly.

CCC-770 ERP Program Checklist is required to be completed for all FSA-521's that will receive a payment and must be:

- second party reviewed by CED or designee
- reviewed by CED and DD for the first five FSA-521's filed in each Service Center.

**Note:** FSA-521 review and authority to process may be provided to CED 1 at a time, until at least 5 have been reviewed.

CCC-770 ERP Program Checklist does **not** negate STC, SED, State Office, DD, COC, CED, and County Office responsibility for administering all provisions applicable to ERP Phase 2.

**Note:** CCC-770 ERP was developed by the National Office and is the **only** authorized checklist. County Offices must **not** use State or locally generated checklists.

### D Retention Period

CCC-770 ERP **must** be retained in the producer's ERP Phase 2 folder with their FSA-521. Folder content requirements for ERP are listed in subparagraph 65 E and will be maintained according to 32-AS. If a new CCC-770 ERP is initiated because of an update to FSA-521, then the original CCC-770 ERP **must** be retained, along with the additional CCC-770 ERP.

**Note:** In cases involving multiple preparers, the preparer can the "Remarks" section in item 33 to indicate which items they verified.

**Reminder:** County Offices **cannot** rely solely on CCC-770 ERP for administering ERP Phase 2. All program provisions **must** be met, **not** just items on CCC-770 ERP. CCC-770 ERP is a tool to assist with ERP Phase 2 administration and includes the major areas where deficiencies have been identified, but it is **not**, nor is it intended to be, inclusive of all ERP Phase 2 provisions.

## 5 Internal Controls (Continued)

## E Example of CCC-770 ERP

The following is an example of CCC-770 ERP.

<b>CCC-770ERP</b> (01-23-23)		<b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation		1. Recording State Name Code		2. Recording County Name Code	
<b>EMERGENCY RELIEF PROGRAM (ERP)</b> <b>PHASE 2 CHECKLIST</b>				3. Applicant Name		4. Application Number	
<b>COUNTY OFFICE ACTION</b>				<b>HANDBOOK OR OTHER REFERENCE</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>PART A - GENERAL ELIGIBILITY</b>							
1	Has FSA-521 been completed, signed by the applicant, and submitted by the application deadline?	3-ERP, Paragraphs 65 & 66		<input type="checkbox"/>	<input type="checkbox"/>		
2	Does the applicant meet the definition of an eligible producer?	3-ERP, Paragraph 45		<input type="checkbox"/>	<input type="checkbox"/>		
3	Have foreign person determinations been updated in Business Partner and Subsidiary?	3-ERP, Paragraph 65, 6-PL		<input type="checkbox"/>	<input type="checkbox"/>		
4	Is the CCC-902 on file and signed by the person or an authorized representative(s) of the legal entity?	3-ERP, Paragraph 65, 6-PL		<input type="checkbox"/>	<input type="checkbox"/>		
5	Is the CCC-903 on file with a determination made by the COC, CED, or authorized representative, including review for substantive change?	3-ERP, Paragraph 65, 6-PL		<input type="checkbox"/>	<input type="checkbox"/>		
6	Was CCC-901 completed to identify any embedded entity member information?	3-ERP, Paragraph 65, 6-PL		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7	Has a CCC-860 been completed according to policy by an underserved farmer or rancher certifying as a Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher?	3-ERP, Paragraph 65, 3-PL		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8	Is valid signature authority on file for the applicant who signed FSA-521?	3-ERP, Paragraph 65, 11-CM		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>PART B - CONSERVATION</b>							
9	Did the applicant and all affiliated persons certify compliance with HELC/WC provision on an AD-1026?	3-ERP, Paragraph 65, 6-CP		<input type="checkbox"/>	<input type="checkbox"/>		
<b>PART C - PAYMENT LIMITATION</b>							
10	Did the applicant file an FSA-510 to request a higher payment limitation?	3-ERP, Paragraph 25		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11	Has FSA-510 been completed according to policy and properly loaded in Subsidiary?	3-ERP, Paragraph 25		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>PART D - FSA-522 CROP INSURANCE AND/OR NAP COVERAGE AGREEMENT - LINKAGE AGREEMENT</b>							
12	Has FSA-522 been completed according to policy with all crops/commodities listed that suffered a revenue loss due to a qualifying disaster event?	3-ERP, Paragraph 46		<input type="checkbox"/>	<input type="checkbox"/>		
<b>PART E - COC ADJUSTMENTS AND APPROVAL/DISAPPROVAL</b>							
13	Has the COC or designee verified that all applicable items on FSA-521 have been completed according to policy and the certification has been completed by the producer or a legal representative in Item 27?	3-ERP, Paragraphs 65 & 66		<input type="checkbox"/>	<input type="checkbox"/>		
14	If the COC made adjustment(s) on the FSA-521 in Items 11-14 for the 2020 Disaster Year, did the COC request documentation from the producer to support their adjustment and is the COC's decision for the adjustment(s) thoroughly recorded in the COC minutes?	3-ERP, Paragraph 66		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15	If the COC made adjustment(s) on the FSA-521 in Items 22-25 for the 2021 Disaster Year, did the COC request documentation from the producer to support their adjustment and is the COC's decision for the adjustment(s) thoroughly recorded in the COC minutes?	3-ERP, Paragraph 66		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

## Part 2 Payment Limitation and Payment Eligibility

### 25 Overview

#### A Applicability

This part outlines general payment eligibility requirements applicable to ERP (Phase 1 and Phase 2).

#### B Payment Limit Authority

The Extending Government Funding and Delivering Emergency Assistance Act (Pub. L. 117-43) provides that payment limitations for ERP will be consistent with the regulations at 7 CFR Part 760.1507. In the case of specialty crops or high value crops, as determined by the Secretary, it provides that payment limitations will be consistent with the regulations at 7 CFR Part 760.1507(a)(2).

ERP has its own per person or legal entity payment limitation, separate from other programs authorized by the Extending Government Funding and Delivering Emergency Assistance Act (Pub. L. 117-43). The per person or legal entity payment limitation will be recorded through direct attribution according to 6-PL.

The rules for applying payment limitation and attribution apply to program payments according to 6-PL and 7 CFR Part 1400. Accordingly, the rules for notification of interest, substantive change, and direct attribution apply.

### 26 Payment Limitation

#### A Overview

The payment limitation is \$125,000 per person or legal entity and is applied collectively for specialty and high value crops with a separate payment limitation of \$125,000 per person or legal entity for all other crops combined. This limitation will apply independently for program years 2020 and 2021.

ERP Phase 1 and Phase 2 have combined payment limitation by program year as follows:

- \*--program year 2020 = 2020 ERP Phase 1 and 2020 ERP Phase 2, combined
- program year 2021 = 2021 ERP Phase 1, 2021 ERP Phase 2, combined.--\*

**Note:** See Exhibit 2 for definitions of high value, specialty, and other crops, and Exhibit 8 for a list of specialty crops.

**26 Payment Limitation (Continued)****B Optional Payment Limitation**

An optional increase in payment limitation may apply if at least 75 percent of a person's or legal entity's average AGI is derived from farming, ranching, or forestry operations. The optional payment limitation is applied collectively for specialty and high value crops, with a separate payment limitation for other crops. See Exhibit 2 for the definitions of specialty, high value, and other crops. For specialty and high value crops, the optional payment limitation is \$900,000 per program year. For other crops, the optional payment limitation is \$250,000 per program year.

Payments to a program applicant that is a joint operation, including a general partnership or joint venture, cannot exceed \$125,000, \$250,000, or \$900,000, as applicable, per person or legal entity that comprise first level ownership of the general partnership or joint venture, unless the first level member is another joint operation.

**C Requesting Optional Payment Limitation**

Applicants requesting an optional payment limitation for a crop year, as provided in subparagraph B, must complete FSA-510 and provide a certification from a licensed CPA or attorney certifying at least 75 percent of the person's or legal entity's average AGI is derived from farming, ranching, or forestry operations. Persons or legal entities who fail to provide FSA-510 and the required certification may not receive an ERP payment, directly or indirectly, of more than \$125,000. The payment limitation exception form is optional. It is the producer's responsibility to complete and return FSA-510, with CPA or attorney certification included, to the recording County Office. FSA will continue to accept FSA-510's from producers until the deadline announced at a later time.

**Note:** If the applicant is a legal entity, each member requesting an optional payment limitation is responsible for providing the certification or that member's, stockholder's, or partner's share will be adjusted accordingly.

## Section 2 Revenue

### 47 Allowable Gross Revenue

#### A Overview

In general, ERP Phase 2 payments are based on the difference in allowable gross revenue between a benchmark year, intended to represent a typical year of revenue for the producer's operation, and the applicable disaster year. The allowable gross revenue information required from producers to apply for ERP Phase 2 will be a self-certification by the producer or authorized representative.

For ERP Phase 2, "allowable gross revenue" refers to annual gross farm income before expenses and includes sales of eligible crops and certain government farm program payments directly related to eligible crops.

**Notes:** IRS Schedule F (Form 1040) is a document that most individuals and entities that cultivate, operate, or manage farms for gain or profit use to report farm income and expenses and may be a useful resource to assist producers in identifying allowable gross revenue.

For a person filing a joint federal income tax return, the certification of allowable gross revenue will be reported as if the person had filed a separate federal tax return and the calculation is consistent with the information supporting the filed joint return.

#### B Definition of Allowable Gross Revenue

Allowable gross revenue includes income a producer received during the applicable tax year from:

- sales of eligible crops grown in the United States and its territories by the producer, which includes the portion of sales resulting from value added through post-production activities that were reportable on IRS Schedule F
- sales of eligible crops a producer purchased for resale that had a change in characteristic because of the time held (for example, a plant purchased at 2 inches and sold at 18 inches after 4 months), less the cost or other basis of such eligible crops
- --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--\*
- the \* \* \* amount of cooperative distributions directly related to the sale of the eligible crops produced by the producer

## 47 Allowable Gross Revenue (Continued)

**B Definition of Allowable Gross Revenue (Continued)**

•\*--benefits paid under the following agricultural programs for eligible crops:--\*

- 2017 WHIP
- ARC/PLC
- BCAP
- LDP
- MLG
- CCC loans, if treated as income and reported to IRS
- MFP
- STRP
- OFSLP
- NAP payments for eligible crops, minus the amount of service fees and premiums

**Note:** If premiums and administrative fees are greater than the NAP payment, they are subtracted from the payment. Applicants will consider the negative number when calculating allowable gross revenue.

**Example:** NAP payment received \$1,000 – total premium and fees paid \$2,000 (-\$1,000).

- ELAP payments for an aquaculture crop
- for the disaster year only, ERP Phase 1 payments issued to another person or entity for the producer's share of an eligible crop, regardless of the tax year in which the payment would be reported to IRS
- crop insurance proceeds for eligible crops, minus the amount of administrative fees and premiums

**Note:** If premiums and fees are greater than the indemnity, they are subtracted from the indemnity. Applicants will consider the negative number when calculating allowable gross revenue.

**Example:** Crop insurance indemnity received \$1,000 – total premium and fees paid \$2,000 (-\$1,000).

- payments issued through grant agreements with FSA for losses of eligible crops



## 47 Allowable Gross Revenue (Continued)

**B Definition of Allowable Gross Revenue (Continued)**

- grant proceeds from the Department of Commerce, National Oceanic and Atmospheric Administration, and State program funds providing direct payments for the loss of eligible crops or the loss of revenue from eligible crops
- other revenue directly related to the production of eligible crops that IRS requires the producer to report as income
- \*--benchmark year only; allowable gross revenue includes benefits for eligible crops from 2017 WHIP, 2018 and 2019 WHIP+, and QLA.--\*

**Note:** Benchmark revenue is tied to the tax year.

**C Income Excluded from Allowable Gross Revenue**

Allowable gross revenue does not include income from sources other than those listed in 7 CFR 760.1903(a), including but not limited to revenue from:

- resale items not held for characteristic change
- sales of livestock, animal by-products, and any commodities that are excluded from “eligible crops”
- \*--sales of agricultural commodities resulting from value added through post-production activities if reported on IRS Schedule C--\*
- federal assistance programs not previously listed
- conservation program payments
- any pandemic assistance payments that were not for the loss of eligible crops or the loss of revenue from eligible crops
- income from a pass-through entity such as an S Corp or LLC
- custom hire income
- net gain from hedging or speculation
- wages, salaries, tips, and cash rent
- rental of equipment or supplies
- acting as a contract producer of an agricultural commodity

## 47 Allowable Gross Revenue (Continued)

## C Income Excluded from Allowable Gross Revenue (Continued)

- \*--disaster year only, WHIP/WHIP+ program payments.--\*

**Note:** Payments from the following programs for the loss of eligible crops or the loss of revenue from eligible crops are automatically accounted for and must be excluded from allowable gross revenue:

- ERP Phase 1
- WHIP+
- QLA
- CFAP 1 and CFAP 2 (contract producer payments are not included).

## D Determining Allowable Gross Revenue

Producers must certify their allowable gross revenue for both the benchmark year and the disaster year using farm income associated with eligible crops. A table has been included on the ERP Phase 2 application that provides guidance to producers for determining allowable gross revenue.

Casual advice **must not** be given to producers requesting information about how the income could be reported for various purposes. If additional information is needed, producers may contact a tax preparer.

**Note:** An applicant is not required to have filed a federal tax return to determine allowable gross revenue. If an applicant did not file IRS Schedule F, the applicant could use a similar federal tax form or supporting financial documentation to determine allowable gross revenue in the same manner as if IRS Schedule F was filed.

## 48 Disaster Year Revenue

## A Overview

Disaster year revenue is the allowable gross revenue for the disaster year based on the year for which the revenue would be reported for the purpose of filing a tax return.

Producers will select the year that best represents their disaster year revenue according to this table.

For disaster year...	Producers can elect tax years...
2020	2020 or 2021 as the representative tax year.
2021	2021 or 2022 as the representative tax year.

**For applications containing multiple disaster years, producers will ensure that the selected tax year(s) are:**

- associated with only 1 disaster year
- consecutive.

**Note:** See examples in subparagraph B for multiple and single disaster years.

## 51 Determining Adjusted Benchmark Year Revenue Using FSA-521-A (Continued)

## B Completing FSA-521-A (Continued)

Item	Instructions
<b>Section C – Actual Allowable Benchmark Year Revenue</b>	
In this Section enter allowable revenue items based only on the selected benchmark year (refer to How to Determine Allowable Gross Revenue Table on FSA-521).	
9	Enter amount of allowable gross revenue from sales of eligible crops purchased for resale that had a change in characteristic because of the time held, such as a plant purchased at a *--size of 2 inches and sold as an 18-inch plant after 4 months; and 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 (IRS Schedule F Line 1c).
10	Enter amount of allowable gross revenue from sales of eligible crops grown in the United States and its Territories by the applicant (example: corn sold as grain); also include--* 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 (example: strawberries into jam); and also include sales of aquatic species that are grown 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 (IRS Schedule F Line 2).
11	Enter amount of allowable gross revenue from * * * cooperative distributions directly related to the sale of eligible crops produced by the applicant such as: per-unit allocations paid to patrons for gross grain sales (IRS Schedule F Line 3a; 1099-PATR).
12	*--Enter amount of allowable gross revenue from benefits for eligible crops for the following agricultural programs:--* <ul style="list-style-type: none"> <li>• ARC/PLC</li> <li>• BCAP</li> <li>• LDP</li> <li>• MLG – repayment of CCC loans less than the original amount</li> <li>• MFP</li> <li>• STRP (IRS Schedule F Line 4a, or 1099-G).</li> </ul>
13	*--Enter amount of allowable gross revenue from 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; and forfeited CCC loans for eligible crops (IRS Schedule F Line 5a - 5c, 1099-A).
14	Enter amount of allowable gross revenue from crop insurance proceeds for eligible crops less administrative fees and premiums; benefits for eligible crops under the following federal crop disaster payments:--* <ul style="list-style-type: none"> <li>• NAP payments less administrative fees and premiums</li> <li>• 2017 WHIP payments</li> <li>• 2018/2019 WHIP+ payments</li> <li>• OFSLP payments</li> <li>• ELAP payments specific to aquaculture</li> <li>• payments received through grant agreements with FSA for losses of eligible crops</li> </ul>

## 51 Determining Adjusted Benchmark Year Revenue Using FSA-521-A (Continued)

## B Completing FSA-521-A (Continued)

Item	Instructions
<b>Section C – Actual Allowable Benchmark Year Revenue (Continued)</b>	
14 (Cntd)	<ul style="list-style-type: none"> <li>grants from the Department of Commerce, NOAA, and State program funds for the direct loss of eligible crops</li> <li>loss of revenue for eligible crops (IRS Schedule F Line 6).</li> </ul>
15	Enter amount of other allowable gross revenue directly related to the production of eligible crops that the IRS requires the applicant to report, including but not limited to, commodity specific income received from State or local governments (IRS Schedule F Line 8).
16	In the block provided, sum amounts entered in <b>items 9</b> through <b>15</b> .
<b>Section D – Actual Allowable Disaster Year Revenue</b>	
In this Section enter allowable revenue items based only on the selected disaster year from <b>item 5</b> (refer to How to Determine Allowable Gross Revenue Table on FSA-521).	
17	Enter amount of allowable gross revenue from sales of eligible crops purchased for resale that had a change in characteristic because of the time held, such as a plant purchased at a *--size of 2 inches and sold as an 18-inch plant after 4 months; and 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 (IRS Schedule F Line 1c).
18	Enter amount of allowable gross revenue from sales of eligible crops grown in the United States and its Territories by the applicant (example: corn sold as grain); also include--* sales of eligible crops grown by the applicant resulting from value-added through post-production activities that would have been reported on IRS Schedule F (example: strawberries into jam); and also include sales of aquatic species that are grown 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 (IRS Schedule F Line 2).
19	Enter amount of allowable gross revenue from * * * cooperative distributions directly related to the sale of eligible crops produced by the applicant such as: per-unit allocations paid to patrons for gross grain sales (IRS Schedule F Line 3a or 1099-PATR).
20	<p>*--Enter amount of allowable gross revenue from benefits for eligible crops for the following agricultural programs:--*</p> <ul style="list-style-type: none"> <li>ARC/PLC</li> <li>BCAP</li> <li>LDP</li> <li>MLG – repayment of CCC loans less than the original amount</li> <li>MFP</li> <li>STRP</li> <li>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 (IRS Schedule F Line 4a, or 1099-G).</li> </ul>

## 51 Determining Adjusted Benchmark Year Revenue Using FSA-521-A (Continued)

## B Completing FSA-521-A (Continued)

Item	Instructions
<b>Section D – Actual Allowable Disaster Year Revenue (Continued)</b>	
21	*--Enter amount of allowable gross revenue from 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; and forfeited CCC loans for eligible crops (IRS Schedule F Line 5a - 5c, 1099-A).
22	Enter amount of allowable gross revenue from crop insurance proceeds for eligible crops less administrative fees and premiums; benefits for eligible crops under the following federal crop disaster payments:--* <ul style="list-style-type: none"> <li>• NAP payments less administrative fees and premiums</li> <li>• OFSLP payments</li> <li>• ELAP payments specific to aquaculture</li> <li>• payments received through grant agreements with FSA for losses of eligible crops</li> <li>• grants from the Department of Commerce, NOAA, and State program funds for the direct loss of eligible crops</li> <li>• loss of revenue for eligible crops (IRS Schedule F Line 6).</li> </ul>
23	Enter amount of other allowable gross revenue directly related to the production of eligible crops that the IRS requires the applicant to report, including but not limited to, commodity specific income received from State or local governments (IRS Schedule F Line 8).
24	In the block provided, sum amounts entered in <b>items 17 through 23</b> .
<b>Section E – Eligible Value-Added Commodities</b>	
<p><b>Section E</b> will be completed according to the answers provided in <b>Section B</b>. If not applicable, do not complete <b>Section E</b> and proceed to <b>Section F</b>. Do not include revenues that would otherwise be included in <b>Section F</b> and <b>Section G</b>.</p> <p><b>Note:</b> Expected revenue from blueberries intended to be processed and sold by a producer as blueberry jam is entered in <b>Section E</b> as a Value-Added Commodity (blueberry jam). Expected revenue from blueberries intended to be marketed by a producer without further processing is entered in <b>Section F</b> as a Yield-Based Crop/Commodity.</p> <p>If answer in <b>item 6</b> is “<b>YES</b>”, list all Eligible Value-Added Commodities and the amount of Total Expected Revenue associated with the selected disaster year. Expected Revenue for new producers is the revenue the producer had reason to believe they would have received in the disaster year before the impact of the qualifying disaster event, which can be supported by documentation generated in the ordinary course of business and dated before the impact of the disaster event.</p>	

## 51 Determining Adjusted Benchmark Year Revenue Using FSA-521-A (Continued)

## B Completing FSA-521-A (Continued)

Item	Instructions
<b>Section E – Eligible Value-Added Commodities (Continued)</b>	
	<p>If answer in <b>item 7</b> is “YES”, list Eligible Value-Added Commodities and the amount of Total Expected Revenue that is associated with a decrease in operation capacity between the selected benchmark year to the selected disaster year. Only account for the portion of revenue that was expected to decrease as a result of the decrease in operation capacity regardless of the disaster.</p> <p><b>Example:</b> Jane uses Section C to determine that her allowable gross revenue for 2019 (benchmark year) is \$1,000,000. In 2020 (disaster year), Jane’s operation capacity decreased by 1,000 acres. Jane will complete Section E to calculate the expected decrease in revenue that was directly related to value-added commodities for the 1,000 acres she lost. Jane uses Section E to determine that the decrease in revenue from value-added commodities that, before the impact of the disaster event, was expected to have occurred between 2019 and 2020 as a result of the loss of 1,000 acres is \$150,000. The \$150,000 will be subtracted from her 2019 allowable benchmark year revenue in Section I to establish a total adjusted benchmark year revenue from decreased operating capacity.</p> <p>If answer in <b>item 8</b> is “YES”, list Eligible Value-Added Commodities and the amount of Total Expected Revenue that is associated with an increase in operation capacity between the selected benchmark year to the selected disaster year. Only account for the portion of revenue that was expected to increase as a result of the increase in operation capacity regardless of the disaster.</p> <p><b>Example:</b> John uses Section C to determine that his allowable gross revenue for 2018 (benchmark year) is \$500,000. In 2021 (disaster year), John’s operation capacity increased by 1,000 acres. John will complete Section E to calculate the expected increase in revenue that was directly related to value-added commodities for the 1,000 acres he gained. John uses Section E to determine that the increase in revenue from value-added commodities that, before the impact of the disaster event, was expected to have occurred between 2018 and 2021 as a result of the gain of 1,000 acres is \$250,000. The \$250,000 will be added to his 2018 allowable benchmark year revenue in Section J to establish a total adjusted benchmark year revenue from increased operating capacity.</p>
25	<p>Enter commodity. Enter 1 commodity per row.</p> <p><b>Example:</b> Blueberry Jam.</p>
26	Enter expected revenue for the commodity entered in <b>item 25</b> .
27	Sum the total expected revenue from eligible value-added commodities from all rows in <b>item 26</b> . Round the result to the nearest hundredth.

## 51 Determining Adjusted Benchmark Year Revenue Using FSA-521-A (Continued)

## C Example of FSA-521-A

\*--The following is an example of FSA-521-A.

OMB Control Number: 0560-0309 Expiration Date: 12/31/2025	
<b>FSA-521-A</b> (04-28-23)  <b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency  <b>EMERGENCY RELIEF PROGRAM</b> <b>(ERP) PHASE 2 ALLOWABLE</b> <b>GROSS REVENUE WORKSHEET</b>	1. Applicant Name:  2. Application Number:  3. Recording State:  4. Recording County:  
<b>SECTION A - DISASTER YEAR</b>	
5. Select Disaster Year: <span style="float: right;"><input type="checkbox"/> 2020    <input type="checkbox"/> 2021</span>	
<b>SECTION B - IDENTIFY SPECIAL REVENUE CONDITIONS</b>	
6. Are you a new producer in 2020 OR 2021 that did not have any allowable gross revenue in 2018 or 2019?	
<input type="checkbox"/> YES	If "YES", complete Section D, complete Sections E through G to calculate <b>Expected Allowable Disaster Year Revenue</b> , and then complete Sections H and K.
<input type="checkbox"/> NO	If "NO", continue to Item 7.
7. Do you have allowable gross revenue in 2018 or 2019, but your operation had undergone a decrease in operating capacity from the Benchmark Year to Disaster Year?	
<input type="checkbox"/> YES	If "YES", complete Sections C and D, complete Sections E through G to calculate <b>Expected Decrease in Revenue</b> , and then complete Sections I and K.
<input type="checkbox"/> NO	If "NO", continue to Item 8.
8. Do you have allowable gross revenue in 2018 or 2019, but your operation has undergone an increase in operating capacity from Benchmark Year to Disaster Year?	
<input type="checkbox"/> YES	If "YES", complete Sections C and D, complete Sections E through G to calculate <b>Expected Increase in Revenue</b> , and then complete Sections J and K.
<input type="checkbox"/> NO	If "NO", complete Section C and D, and then complete Section K.
<b>SECTION C - ACTUAL ALLOWABLE BENCHMARK YEAR REVENUE</b>	
Enter allowable gross revenue items based on the selected Benchmark Year (refer to <i>How to Determine Allowable Gross Revenue Table on FSA-521</i> ).	
9. Enter amount of allowable gross revenue from sales of eligible crops purchased for resale that had a change in characteristic due to the time held, such as a plant purchased at a size of 2 inches and sold as an 18-inch plant after 4 months; and 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 ( <i>Schedule F Line 1c</i> ):	
10. Enter amount of allowable gross revenue from sales of eligible crops grown in the United States and its Territories by the applicant (example: corn sold as grain); also include sales of eligible crops grown by the applicant resulting from value added through post production activities that could have been reported on Schedule F (example: strawberries into jam); and also include sales of aquatic species that are grown 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 ( <i>Schedule F Line 2</i> ):	
11. Enter amount of allowable gross revenue from cooperative distributions directly related to the sale of eligible crops produced by the applicant such as: per-unit allocations paid to patrons for gross grain sales ( <i>Schedule F Line 3a; Form 1099-PATR</i> ):	
12. Enter amount of allowable gross revenue from benefits for eligible crops for the following agricultural programs: ARC/PLC, BCAP, LDP, MLG repayment of CCC loans less than the original amount, MFP, and STRP ( <i>Schedule F Line 4a, or Form 1099-G</i> ):	
13. Enter amount of allowable gross revenue from 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; and forfeited CCC loans for eligible crops ( <i>Schedule F Line 5a - 5c; Form 1099-A</i> ):	
14. Enter amount of allowable gross revenue from crop insurance proceeds for eligible crops less administrative fees and premiums; benefits for eligible crops under the following federal crop disaster payments: NAP payments less administrative fees and premiums, 2017 WHIP payments, 2018/2019 WHIP+ payments, QLA payments, OFSLP payments, ELAP payments specific to aquaculture, payments received through grant agreements with FSA for losses of eligible crops, grants from the Department of Commerce, NOAA, and State program funds for the direct loss of eligible crops or the loss of revenue for eligible crops ( <i>Schedule F Line 6</i> ):	
15. Enter amount of other allowable gross revenue directly related to the production of eligible crops that the IRS requires the applicant to report, such as but not limited to: commodity specific income received from state or local governments ( <i>Schedule F Line 8</i> ):	
16. Total Actual Allowable Benchmark Year Revenue (sum Items 9 through 15):	

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## 51 Determining Adjusted Benchmark Year Revenue Using FSA-521-A (Continued)

## C Example of FSA-521-A (Continued)

\*--

1. Applicant Name	2. Application Number
<b>SECTION D - ACTUAL ALLOWABLE DISASTER YEAR REVENUE</b>	
Enter allowable gross revenue items based on the selected Disaster Year (refer to <i>How to Determine Allowable Gross Revenue Table on FSA-521</i> ).	
17. Enter amount of allowable gross revenue from sales of eligible crops purchased for resale that had a change in characteristic due to the time held, such as a plant purchased at a size of 2 inches and sold as an 18-inch plant after 4 months; and 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 ( <i>Schedule F Line 1c</i> ):	
18. Enter amount of allowable gross revenue from sales of eligible crops grown in the United States and its Territories by the applicant (example: corn sold as grain); also include sales of eligible crops grown by the applicant resulting from value-added through post-production activities that would have been reported on Schedule F (example: strawberries into jam); and also include sales of aquatic species that are grown 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 ( <i>Schedule F Line 2</i> ):	
19. Enter amount of allowable gross revenue from cooperative distributions directly related to the sale of eligible crops produced by the applicant such as: per-unit allocations paid to patrons for gross grain sales ( <i>Schedule F Line 3a; Form 1099-PATR</i> ):	
20. Enter amount of allowable gross revenue from benefits for eligible crops for the following agricultural programs: ARC/PLC, BCAP, LDP, MLG - repayment of CCC loans less than the original amount, MFP, STRP, and ERP Phase 1 payments issued to another person or entity for the applicant's share of an eligible crop regardless of the year it would be reported to the IRS ( <i>Schedule F Line 4a, or Form 1099-G</i> ):	
21. Enter amount of allowable gross revenue from 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; and forfeited CCC loans for eligible crops ( <i>Schedule F Line 5a - 5c, Form 1099-A</i> ):	
22. Enter amount of allowable gross revenue from crop insurance proceeds for eligible crops less administrative fees and premiums; benefits for eligible crops under the following federal crop disaster payments: NAP payments less administrative fees and premiums, OFSLP payments, ELAP payments specific to aquaculture, payments received through grant agreements with FSA for losses of eligible crops, grants from the Department of Commerce, NOAA, and State program funds for the direct loss of eligible crops or the loss of revenue for eligible crops ( <i>Schedule F Line 6</i> ):	
23. Enter amount of other allowable gross revenue directly related to the production of eligible crops that the IRS requires the applicant to report, such as but not limited to: commodity specific income received from state or local governments ( <i>Schedule F Line 8</i> ):	
24. Total Actual Allowable Disaster Year Revenue (sum items 17 through 23):	

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# 51 Determining Adjusted Benchmark Year Revenue Using FSA-521-A (Continued)

## C Example of FSA-521-A (Continued)

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1. Applicant Name		2. Application Number			
<b>SECTION E - ELIGIBLE VALUE-ADDED COMMODITIES</b>					
25. Commodity:					26. Expected Revenue:
27. Total Expected Revenue from Eligible Value-Added Commodities (sum amounts in column for Item 26):					
<b>SECTION F - ELIGIBLE YIELD-BASED CROPS/COMMODITIES</b>					
28. Crop/Commodity	29. Expected Acres:	30. Expected Yield per Acre:	31. Unit of Measure:	32. Expected Price per Unit:	33. Expected Revenue:
34. Total Expected Revenue from Eligible Yield-Based Crops/Commodities (sum amounts in column for Item 33):					
<b>SECTION G - ELIGIBLE INVENTORY-BASED CROPS/COMMODITIES</b>					
35. Crop/Commodity:					36. Expected Revenue:
37. Total Expected Revenue from Eligible Inventory-Based Crops/Commodities (sum amounts in column for Item 36):					

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## 51 Determining Adjusted Benchmark Year Revenue Using FSA-521-A (Continued)

## C Example of FSA-521-A (Continued)

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1. Applicant Name		2. Application Number	
<b>SECTION H - TOTAL EXPECTED ALLOWABLE DISASTER YEAR REVENUE</b>			
38. Total Expected Allowable Disaster Year Revenue from Eligible Value-Added Based Commodities (total from Item 27):			
39. Total Expected Allowable Disaster Year Revenue from Eligible Yield-Based Crops/Commodities (total from Item 34):			
40. Total Expected Allowable Disaster Year Revenue from Eligible Inventory-Based Crops/Commodities (total from Item 37):			
41. Total Expected Allowable Disaster Year Revenue (sum Items 38 through 40):			
<b>SECTION I - TOTAL ADJUSTED BENCHMARK YEAR REVENUE FROM DECREASED OPERATING CAPACITY</b>			
42. Total Actual Allowable Benchmark Year Revenue (total from Item 16):			
43. Total Expected Decreased Revenue from Eligible Value-Added Based Commodities (total from Item 27):			
44. Total Expected Decreased Revenue from Eligible Yield-Based Crops/Commodities (total from Item 34):			
45. Total Expected Decreased Revenue from Eligible Inventory-Based Crops/Commodities (total from Item 37):			
46. Total Adjusted Benchmark Year Revenue from Decreased Operating Capacity (subtract Items 43 through 45 from Item 42):			
<b>SECTION J - TOTAL ADJUSTED BENCHMARK YEAR REVENUE FROM INCREASED OPERATING CAPACITY</b>			
47. Total Actual Allowable Benchmark Year Revenue (total from Item 16):			
48. Total Expected Increased Revenue from Eligible Value-Added Based Commodities (total from Item 27):			
49. Total Expected Increased Revenue from Eligible Yield-Based Crops/Commodities (total from Item 34):			
50. Total Expected Increased Revenue from Eligible Inventory-Based Crops/Commodities (total from Item 37):			
51. Total Adjusted Benchmark Year Revenue from Increased Operating Capacity (sum Items 47 through Item 50):			
<b>SECTION K - TOTAL ALLOWABLE BENCHMARK YEAR AND ALLOWABLE DISASTER YEAR REVENUE</b>			
52. Total Allowable Benchmark Year Revenue (total from Item 41, Item 46, or Item 51; if no total occurs in these, use total from Item 16):			
53. Total Allowable Disaster Year Revenue (total from Item 24):			

**FSA-521-A** (04-28-23) Page 4 of 4

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**Section 3 ERP Phase 2 Application****65 Applying for ERP Phase 2****A Application Submission**

Producers will submit 1 application for their entire operation nationwide. FSA-521 may be used to apply for eligible crop revenue losses sustained in 1 or both the 2020 and 2021 calendar years.

A producer may submit an application using any of the following methods:

- in-person, when available
  - by mail
  - electronically by:
    - FAX
    - e-mail with a scanned photocopy of FSA-521 attached
    - other authorized method (provided by supplemental notice or other guidance).
- \* \* \*

Although applications may be submitted to any FSA County Office nationwide, if the receiving County Office is not the recording County, the receiving office must date stamp the application and send it by e-mail or FAX to the recording County Office listed on the producer's FSA-521. A copy of the application will be maintained in the receiving County Office.

**B Complete Application**

An application is considered complete once the producer or authorized representative requesting a payment completes all required entries, signs, and submits both FSA-521 and FSA-522.

See 1-CM for signature requirements.

**C Signing and Certifying FSA-521**

By signing FSA-521, the producer is:

- applying for an ERP Phase 2 payment

## 65 Applying for ERP Phase 2 (Continued)

## C Signing and Certifying FSA-521 (Continued)

- certifying that:
  - all information provided on FSA-521 is true and correct
  - decreases of allowable gross revenue were from necessary expenses related to losses of eligible crops because of, in whole or in part, a qualifying disaster event or related condition that occurred in the 2020 or 2021 calendar year
- agreeing to:
  - comply with ERP Phase 2 regulations in 7 CFR part 760, Subpart S
  - provide FSA all information necessary to verify the information provided on FSA-521 is accurate and allow FSA access to all documents and records of the producer
  - retain documentation in support of their application for 3 years after the date of approval
  - comply with maximum payment limitation and adjusted gross income provisions applicable to ERP
  - comply with the provisions of the Food Safety Act of 1985 that protect highly erodible land and wetlands
  - purchase crop insurance or NAP as applicable for the crop, at the 60/100 level of coverage or higher for insured crops or at the basic 50/55 (catastrophic) level or higher for NAP crops for the next 2 available crop years for all crops listed on FSA-522 in every county the crop is planted

**Note:** If the crop is not eligible for NAP or RMA, then the producer must purchase a WFRP policy at a coverage level of at least 60/100 for the next 2 available crop years.

- return any excess payment with interest from the date of disbursement in the event any payment resulted from erroneous information reported by the producer or if the producer's data is updated after FSA calculates the producer's payment

## 66 County Office Committee Review and Actions (Continued)

### A COC Review of FSA-521's for Reasonableness (Continued)

The following are a few examples of documents generated during the ordinary course of business that could be used to support producer certifications:

- financial documents such as a business plan or cash flow statement that demonstrate an expected level of revenue
- sales contracts or purchase agreements
- documentation supporting production capacity, use of existing production capacity, or physical alterations that demonstrate production capacity
- assembly sheets
- settlement sheets
- sales receipts or other sales documents indicating when a commodity was sold
- ledgers of income
- income statements of deposit slips
- crop insurance, NAP, and WHIP+ records
- \*--IRS Schedule F.

**Note:** IRS Schedule F will be accompanied by documentation, when applicable, that supports the producer certifications on FSA-521 to COC's satisfaction for reasonableness. No CPA, attorney, or other similar statements will be accepted as supportive documentation for the COC reasonableness review.--\*

### B Acting on FSA-521's

The recording county's COC, or CED if delegated, will act on all completed and signed FSA-521's submitted.

**Important:** Payments cannot be authorized until the DD, or other employee designated by SED, has approved the CED's review of the first five FSA-521's according to subparagraph 5 A. For the first five FSA-521's, payment can be issued upon DD review and approval of each.

## 66 County Office Committee Review and Actions (Continued)

**C Approving FSA-521's**

Before approving FSA-521's, COC, or CED if delegated, must ensure that:

- all program eligibility requirements are met
- the person or legal entity applying for ERP is determined to be eligible according to subparagraph 45 F
- signature requirements on both FSA-521 Part E and FSA-522 Part B are met according to 1-CM
- allowable gross revenue as certified is reasonable
- FSA-521 was received or postmarked **by** the end of the signup period.

If all program eligibility requirements are met and COC or delegate has determined that the information on FSA-521 is reasonable and accurate, COC or delegate will approve FSA-521 and thoroughly document approval in the COC minutes.

**Notes:** Situations may occur when application approval is not available in the software.

Application approval is not allowed "on paper" during these times. COC's must act on system generated FSA-521 to ensure the obligation process is triggered timely.

Completing eligibility forms (such as AD-1026, CCC-901, and CCC-902) is not a condition of COC or CED approving FSA-521. However, these forms must be filed

\*--within 60 calendar days from the date of the application deadline. Failure to timely--\* provide all eligibility forms may result in no payment or a reduced payment.

**D Adjusting or Disapproving FSA-521's**

COC's are authorized to adjust producer certifications before approval or disapproval for the applicable disaster year if supporting evidence provided by the producer according to subparagraph 66 B differs from the information reported on FSA-521. See subparagraph 4 G for producer responsibilities.

COC may adjust the following based on its findings:

- percentage of expected revenue from specialty and high value crops
- percentage of expected revenue from other crops
- benchmark revenue
- disaster year revenue.

## 68 FSA-521, Emergency Relief Program (ERP) Phase 2 Application (Continued)

## A Completing FSA-521 (Continued)

Item	Instructions
18	Producers will check (✓) either 2018, 2019, or adjusted for the benchmark year intended to represent a typical year of revenue for the operation.  <b>Notes:</b> Producers <b>must</b> check (✓) “adjusted” and certify to an adjusted benchmark revenue if the producer decreased their operation capacity in a disaster year, as compared to the benchmark year.  Producers may check (✓) “adjusted” and certify to an adjusted benchmark revenue if they began farming in 2020 or 2021, did not have a full year of benchmark allowable gross revenue, or expanded their operation in a disaster year, compared to their benchmark year.
19	Enter the <b>allowable gross revenue</b> for the benchmark year selected in item 18.  <b>Note:</b> Producers may use optional FSA-521-A, Emergency Relief Program (ERP) Phase 2 Adjusted Benchmark Revenue Worksheet, to help calculate the adjusted Benchmark Revenue.
20	Select the tax year from which the revenue best represents the disaster effects of the 2021 calendar year.  <b>Note:</b> Must be consecutive if applying in Part C and Part D.
21	Enter the Disaster Year Revenue, which is the allowable gross revenue for the representative revenue year selected in item 20.
22	COC may enter the adjusted percentage of allowable gross revenue for the 2021 disaster year that was derived from specialty and high value crops, if applicable.
23	COC may enter the adjusted percentage of allowable gross revenue for the 2021 disaster year that was derived from crops that were not specialty or high value crops, if applicable.
24	COC may enter an adjusted Benchmark Revenue.
25	COC may enter adjusted Disaster Year Revenue.
26	COC will check (✓) either “Approved” or “Disapproved”.  <b>Important:</b> FSA-521 will be approved or disapproved as certified by the producer after applicable COC adjustment fields are completed.
<b>Part E - Producer Certification</b>	
27 A	Producer or their representative will sign.
27 B	Enter title and/or relationship to the individual signing in a representative capacity.  <b>Note:</b> If the producer signing is not signing in a representative capacity, this field should be left blank.
27 C	Enter the date the producer or their representative in 27 A signed FSA-521.
<b>Part F - County Committee (COC) Determination</b>	
28 A	COC or their representative will sign.
28 B	Enter the date COC or their representative in 28 A signed FSA-521.

## 68 FSA-521, Emergency Relief Program (ERP) Phase 2 Application (Continued)

## B Example of FSA-521

The following is an example of FSA-521.

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<b>FSA-521</b> (04-25-23)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		OMB Control Number: 0560-0309 Expiration Date: 12/31/2025	
<b>EMERGENCY RELIEF PROGRAM (ERP) PHASE 2 APPLICATION</b>				1. Application Number	
				2. Recording State Name/Code	
				3. Recording County Name/Code	
<small>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) as amended. The authority for requesting the information identified on this form is the Continuing Government Funding and Delivering Emergency Assistance Act (P.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, other agencies, and congressional entities that have been authorized access to the information for statute or regulation author or described in applicable Privacy ( laws identified in the System of Records Notice for USDS/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 this form applies only to the extent permitted by applicable authorities.</small>					
<small>Public Burden Statement (Paperwork Reduction Act): Public reporting burden for this collection of information is estimated to average 60 minutes per response, including reviewing instructions, gathering existing data needed, reviewing the data received, completing/ reviewing 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.</small>					
<b>PART A - PRODUCER AGREEMENT</b>					
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: <a href="https://www.fsa.usda.gov/programs-and-services/emergency-relief/index">https://www.fsa.usda.gov/programs-and-services/emergency-relief/index</a>					
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 <a href="https://www.fsa.usda.gov/programs-and-services/emergency-relief/index">https://www.fsa.usda.gov/programs-and-services/emergency-relief/index</a> .					
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: <ul style="list-style-type: none"> <li>• CCC-902, Farm Operating Plan for Payment Eligibility</li> <li>• CCC-901, Member Information for Legal Entities, if applicable</li> <li>• FSA-510, Request for an Exception to the \$125,000 Payment Limitation for Certain Programs (optional)</li> <li>• CCC-860, Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification (optional)</li> <li>• AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification</li> <li>• AD-2047, Customer Data Worksheet</li> </ul>					
Failure 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					
<b>PART B - PRODUCER INFORMATION</b>					
4. Producer Name, Address (City, State, and Zip Code), and Phone Number (include Area Code)					

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## 68 FSA-521, Emergency Relief Program (ERP) Phase 2 Application (Continued)

## B Example of FSA-521 (Continued)

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**FSA-521** (04-26-23) Page 2 of 4

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 receipt or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all laws 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, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-3600 (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.nais.usda.gov/complaint\\_filing\\_civil.html](http://www.nais.usda.gov/complaint_filing_civil.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) 632-6962. Submit your completed form or letter to USDA by: (i) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights (1400 Independence Avenue, SW Washington, D.C. 20250-6410); (ii) fax: (202) 690-7442; or (iii) email: [program.state@usda.gov](mailto:program.state@usda.gov). USDA is an equal opportunity provider, employer, and lender.

Date Stamp

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## 68 FSA-521, Emergency Relief Program (ERP) Phase 2 Application (Continued)

## B Example of FSA-521 (Continued)

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<b>FSA-521</b> (04-28-23) <b>HOW TO DETERMINE ALLOWABLE GROSS REVENUE</b>		Page 3 of 4
<b>Table 1</b> provides guidance for: <ul style="list-style-type: none"> <li>Determining allowable gross revenue source</li> <li>What to include/exclude when determining allowable gross revenue</li> </ul>		
Allowable Revenue Source:	Include Gross Revenue from the Following Sources:	Exclude Gross Revenue from the Following Sources:
Schedule F Line 1c "Sales of purchased livestock and other resale items," or information that could be reported on a Schedule F	<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"> <li>A plant purchased at a size of 2 inches and sold as an 18-inch plant after 4 months</li> </ul> <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>	Sales of livestock
Schedule F Line 2 "Sales of livestock, produce, grains, and other products you raised," or information that could be reported on a Schedule F	<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"> <li>Strawberries into jam</li> </ul> <p>Sales of aquatic species that are grown:</p> <ul style="list-style-type: none"> <li>As food for human or livestock consumption</li> <li>For industrial or biomass uses</li> <li>As fish raised as feed for fish that are consumed by humans</li> <li>As ornamental fish propagated and reared in an aquatic medium</li> </ul>	<p>Sales of animals and their by-products:</p> <ul style="list-style-type: none"> <li>Animals for consumption by the owner, lessee, or contract grower</li> <li>Eggs</li> <li>Milk</li> <li>Mink including pelts</li> <li>Revenue from animals for show, sport, or recreational purposes</li> <li>Wild free-roaming animals</li> <li>Revenue from raised breeding livestock (Schedule 4797 Part 1, Column (d) or (g) or other information that could be reported on a Schedule F)</li> </ul> <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>
Schedule F Line 3a "Cooperative distributions," Form 1099-PATR, or information that could be reported on a Schedule F	<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"> <li>Per-unit allocations paid to patrons for gross grain sales</li> </ul>	Distributions that are not directly related to the sale of eligible crops that are not produced by the applicant
Schedule F Line 4a "Agricultural program payments", Form 1099-G, or information that could be reported on a Schedule F	<p>Benefits for eligible crops under the following agricultural programs:</p> <ul style="list-style-type: none"> <li>Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) Program</li> <li>Biomass Crop Assistance Program (BCAP)</li> <li>Loan Deficiency Payment (LDP) Program</li> <li>Market Loan Gains (MLG) - repayment of Commodity Credit Corporation (CCC) loan less than the original amount</li> <li>Market Facilitation Program (MFP)</li> <li>Seafood Trade Relief Program (STRP)</li> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>Conservation Program Payments</li> <li>Dairy Margin Coverage (DMC) Program</li> <li>Marketing Assistance Loan (MAL)</li> </ul> <p>Pandemic Assistance payments including, but not limited to:</p> <ul style="list-style-type: none"> <li>cost-share assistance</li> <li>loss of buildings</li> <li>livestock portion</li> <li>Coronavirus Food Assistance Program (CFAP) - CFAP 1 and CFAP 2</li> <li>Pandemic Livestock Indemnity Program (PLIP)</li> <li>Spot Market Hog Pandemic Program (SMHPP)</li> </ul>

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## 68 FSA-521, Emergency Relief Program (ERP) Phase 2 Application (Continued)

## B Example of FSA-521 (Continued)

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FSA-521 (04-28-23)		Page 4 of 4
Allowable Revenue Source:	Include Gross Revenue from the Following Sources:	Exclude Gross Revenue from the Following Sources:
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	<ul style="list-style-type: none"> <li>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</li> <li>Forfeited CCC loans for eligible crops</li> </ul>	
Schedule F Line 6 "Crop insurance proceeds and federal crop disaster payments" or information that could be reported on a Schedule F	<p>Crop insurance proceeds for eligible crops, <b>less administrative fees and premiums</b></p> <p>Benefits for eligible crops under the following federal crop disaster payments:</p> <ul style="list-style-type: none"> <li>Noninsured Crop Disaster Assistance Program (NAP) payments <b>less administrative fees and premiums</b></li> <li>Benchmark Year Only - 2017 Wildfire and Hurricanes Indemnity Program (WHIP), 2018 &amp; 2019 Wildfire and Hurricanes Indemnity Program (WHIP+), and Quality Loss Adjustment Program (QLA)</li> <li>On-Farm Storage Loss Program (OFSLP)</li> <li>Emergency Assistance for Livestock, Honeybees, and Farm Raised Fish Program (ELAP) - payments specific to aquaculture</li> <li>Payments through grant agreements with FSA for losses of eligible crops</li> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>Emergency Assistance for Livestock, Honeybees, and Farm Raised Fish Program (ELAP)- payments specific to livestock and honeybees</li> <li>Emergency Livestock Relief Program (ELRP)</li> <li>Emergency Relief Program (ERP) Phase 1 Payments</li> <li>Livestock Forage Disaster Program (LFP)</li> <li>Livestock Indemnity Program (LIP)</li> <li>Milk Loss Program</li> <li>Disaster Year Only - Quality Loss Adjustment (QLA) Program</li> <li>Tree Assistance Program (TAP)</li> <li>Disaster Year Only - Wildfire and Hurricane Indemnity Program (WHIP/WHIP+)</li> </ul>
Schedule F Line 7 "Custom hire (machine work) income," or information that could be reported on a Schedule F		Custom hire income
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>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"> <li>Commodity specific income received from state or local governments</li> </ul>	<ul style="list-style-type: none"> <li>Federal and State gas/fuel tax credits</li> <li>Income from by-passed (unharvested) acres</li> <li>Income from a pass-through entity such as an S Corporation or Limited Liability Company (LLC)</li> <li>Certificate Exchanges</li> <li>Net gain from hedging or speculation</li> <li>Wages, salaries, and tips</li> <li>Cash rent</li> <li>Rental of equipment or supplies</li> <li>Revenue earned as a contract producer</li> </ul>

**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.

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**69 Emergency Relief Program Application Tool****A Purpose**

The Emergency Relief Program Application Tool was developed to help producers determine allowable gross revenue for benchmark and disaster years and, when applicable, adjusted benchmark year revenue.

**B Using the Emergency Relief Program Application Tool**

The Emergency Relief Program Application Tool will be completed by the producer, who will fill in items that apply to their operation for their selected benchmark and disaster years.

The tool provides an automated worksheet for applicants to determine actual allowable gross revenue for benchmark and disaster years, and for determining adjusted benchmark year revenue.

Once all items are complete, the applicant will have the ability to print FSA-521-A and FSA-521 from the tool.

The tool is available on FSA's ERP website at:

**<https://www.fsa.usda.gov/programs-and-services/emergency-relief/index>**

**Note:** Emergency Relief Program Application Tool instructions are provided in Exhibit 9.

**70-84 (Reserved)**

**Section 4 Payments****85 Payment Calculations****A Overview**

Payments will be calculated on a revenue basis for 2020 and 2021 disaster years for specialty and high value crops and other crops.

The payment will be:

- Benchmark Year Revenue (2018, 2019, or adjusted), multiplied by
- ERP Factor TBD, minus
- Disaster Year Revenue (2020, 2021, or 2022), minus
- Gross ERP Phase 1 Payments, minus
- Net Disaster Payments for similar losses, multiplied by Percent of Expected Revenue from Specialty and High Value or from Other Crops, as applicable.

**B ERP Factor**

The ERP factor will not exceed 70 percent for 2020 and 2021 program years. If total calculated payments exceed the total funding available for ERP Phase 2, the ERP factor may be adjusted, and a differential of 15 percent will be used for underserved producers with a cap at the statutory maximum of 70 percent. For example, if the ERP Factor is set at 50 percent, the factor used for underserved producers will be 65 percent, but if the factor is set at 55 percent or higher, the factor for underserved producers will be capped at 70 percent.

**C Payment Factor**

If total calculated payments exceed the total funding available for ERP Phase 2, the ERP factor will be adjusted to stay within the amount of available funding.

**85 Payment Calculations (Continued)****D Initial Payment**

Producers will receive an initial payment equal to the lesser of the:

- calculated payment according to subparagraphs E and F
- maximum initial payment of \$2,000 minus gross ERP Phase 1 payments.

If a producer received an ERP Phase 1 payment, the gross payment amount will be deducted from the initial payment.

**Note:** If a producer received an ERP Phase 1 payment of \$2,000 or more, the producer will not receive an initial \* \* \* Phase 2 payment.

**E 2020 Program Year Payments**

Payments for program year 2020 are issued using the data found in Part C, 2020 Disaster Year Revenue Payments, of FSA-521. The gross payment calculation for specialty and high value crops is determined by the following:

- Benchmark Revenue (2018, 2019, or adjusted), multiplied by
- ERP Factor TBD, minus
- Disaster Year Revenue (2020 or 2021), minus
- 2020 ERP Phase 1 Gross Payment (Specialty and Non-Specialty), minus
- CFAP 1 Net Payment, minus
- CFAP 2 Net Payment (excluding contract producers), minus
- 2020 WHIP+ Net Payments, minus
- 2020 QLA Net Payments, multiplied by
- % of Expected Revenue Specialty/High Value, \* \* \* equals
- Gross Calculated Payment.

The gross payment calculation for other crops is determined by the following:

- Benchmark Revenue (2018, 2019, or adjusted), multiplied by
- ERP Factor TBD, minus
- Disaster Year Revenue (2020 or 2021), minus
- 2020 ERP Phase 1 Gross Payment (Specialty and Non-Specialty), minus
- CFAP 1 Net Payment, minus
- CFAP 2 Net Payment (excluding contract producers), minus
- 2020 WHIP+ Net Payments, minus
- 2020 QLA Net Payments, multiplied by
- % of Expected Revenue Other Crops, equals
- Gross Calculated Payment.

## Reports, Forms, Abbreviations, and Delegations of Authority

### Reports

None

### Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification (Includes AD-1026 Appendix)		11, 5, 66, 86
AD-2047	Customer Data Worksheet		65
CCC-521	Data Entry		Ex. 9
CCC-770 ERP	Emergency Relief Program (ERP) Phase 2 Checklist	5	4, 5, 65
CCC-860	Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification		4, 13, 65, 85
CCC-901	Member Information for Legal Entities		65, 66, 86
CCC-902	Farm Operating Plan for Payment Eligibility 2009 and Subsequent Programs Years		65, 66, 86
CCC-942	Certification of Income from Farming, Ranching and Forestry Operations		26
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		86
FSA-510	Request for an Exception to the \$125,000 Payment Limitation for Certain Programs	Ex. 7	5, 25, 26, 65, 85
FSA-521	Emergency Relief Program (ERP) Phase 2 Application	68	Text
FSA-521-A	Emergency Relief Program (ERP) Phase 2 Allowable Gross Revenue Worksheet	51	Text
FSA-522	Crop Insurance and/or NAP Coverage Agreement	46	4, 5, 45, 46, 65, 66
FSA-578	Report of Acreage		50, 46
FSA-850	Environmental Screening Worksheet		9
IRS Schedule C (Form 1040)	Profit or Loss From Business (Sole Proprietorship)		47
IRS Schedule F (Form 1040)	Profit or Loss From Farming		47, 51, 66

## Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

### Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviation	Term	Reference
CFAP	Coronavirus Food Assistance Program	85
CPA	Certified Public Accountant	25, 26, Ex. 7
ECPR	Estimated Calculated Payment Report	46, 54, 66
ERP	Emergency Relief Program	Text and Exhibits
LLP	Limited Liability Partnership	26
MFP	Market Facilitation Program	47, 51, Ex. 9
MLG	Market Loan Gain	51, Ex. 9
OFSLP	On Farm Storage Loan Program	51
OTIS	Outreach Tracking Information System	6
PIIA	Payment Integrity Information Act	4, 5
QLA	Quality Loss Adjustment Program	85
STRP	Seafood Trade Relief Program	51
WHIP	2017 Wildfire and Hurricane Indemnity Program	47, 51, Ex. 9
WHIP+	Wildfire and Hurricane Indemnity Program+	47, 51, 66, 85

### Delegations of Authority

COC can redelegate authority to CED to approve routine applications.