UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
Washington, DC 20250

Notice ELAP-21

For: State and County Offices

ELAP Policy Clarifications for Feed Hauling

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

On September 8, 2021, the Secretary announced USDA was updating ELAP to immediately cover feed transportation costs for drought impacted ranchers. Feed transportation, due to drought losses and any other losses considered acceptable by the DAFP allowed producers to transport feed, predominantly hay, up to a distance of 1,000 miles, and receive compensation based on a per mile amount for each truckload each qualifying year.

ELAP forage and livestock transportation provisions have two criteria; the mileage must be over 25 miles but is limited to no more than 1,000 miles, on each truckload hauled from another location to their farm or ranch, when feed or hay was limited and not available, or not available for a reasonable price in their area due to drought loss.

B Purpose

This notice provides the following for State and County Offices:

- clarification on the provisions of feed hauling
- 2024 COC guidelines on parameters for feed hauling to only include feed needed to supplement the livestock owned by the producer on grazing acres available
- COC authority to determine if feed hauled is commensurate with the needs of the producer, based on the number of grazing livestock at the time of the eligible drought, per 1-ELAP, subparagraph 24 A, for the program year in which benefits are being requested.

Disposal Date	Distribution
May 1, 2025	State Offices; State Offices relay to County Offices

2 ELAP Policy Clarifications for Feed Hauling

A ELAP Total Values of Feed Hauling

The intent of ELAP feed transportation is to provide reimbursement for mileage when a producer must haul feed purchased above their normal hauling, due to a qualifying drought. Producers using ELAP, are compensated for feed hauling, within 1,000 miles, over any miles above 25 miles that are considered local miles, to obtain feed for their livestock during the calendar year in which the qualifying drought occurred.

7 CFR 1416.106 Notice of loss and application process, includes authority for COC to limit the amount of feed hauled to justify the needs of a producer due to the eligible cause of loss or drought. If the COC determination is to limit the truckloads, based on the number of livestock and the days in the program year for which a producer is eligible, any appeal letter should contain the following reference from the regulation as to why the loads are reduced:

> 7 CFR 1416.106 (b) and (b)(1)
>
> (b) (1) For livestock grazing losses, participant must provide acceptable, verifiable, or reliable records that: Additional livestock feed was fed to sustain eligible livestock during an eligible adverse weather or loss condition.

ELAP feed transportation is not intended to assist with expenses to stockpile feed beyond the year in which the qualifying drought occurs. The program is not intended to assist producers who sell hay to another producer, or purchase hay for another producer's livestock during a qualifying drought. Feed transportation is not intended for producers who are feeding livestock that are not eligible grazing animals. COC's will review and limit feed transportation eligibility to only truckloads being hauled in alignment with the intent of ELAP stated in the federal regulations and policy, which is clarified through this notice.

The total value of feed hauling should be limited to the amount of feed needs for the program year in which the drought is being claimed, within reason, for the grazing livestock that are supplemented by the feed that is transported.

2 ELAP Policy Clarifications for Feed Hauling (Continued)

B Required Documentation

The information required from a participant to apply for additional cost resulting from transporting livestock feed additional mileage above normal to eligible livestock, will be a self-certification by the participant or authorized representative. Participants must self--certify to all the following for current year in which the loss occurred and normal year:

- number of truckloads of livestock feed hauled
- mileage per truckload hauled
- tons or pounds of feed hauled per truckload.

If supporting documentation is requested by COC to verify the information specified on the application, the producer must provide records that substantiate the reported information.

Note: Producer spot checks will be completed, and producers will be required to provide documentation which can be verified through third parties, originating sellers and trucking logs, where applicable. Ensure this is communicated to producers at enrollment. As provided in current policy, records must be kept for up to three years after the end of the program year.

Examples of supporting documentation the producer could provide as evidence for verification purposes of number of truckloads of livestock feed hauled, mileage per truckload and tons or pounds of each truckload, includes, but not limited to, original livestock feed receipts or summary purchase feed receipts from the vendor. Self-written receipts and cash transactions must be accompanied by truck logs or some other form of verification, like a bank transaction or receipt for payment that is verifiable.

Any evidence should be date stamped. Producers must identify the amount of feed/forage hauled by weight on each document or provide a summary with a date and signature of the total amount of weight hauled of feed or forage. Producers signing the CCC-939L, part M, item e, states that all information provided on the application and supporting documentation is true and correct.

Producers are subject to the policy for eligible grazing livestock, according to 1--ELAP, subparagraph 24 A, on the date the loss first became apparent. Any increase in livestock inventory after a CCC-939 has been filed for a drought loss or any other approved loss for feed/forage hauling, must be purchased for at least 60 calendar days before the beginning date of an eligible loss condition in accordance with 1-ELAP policy.

2 ELAP Policy Clarifications for Feed Hauling (Continued)

B Required Documentation (Continued)

If new livestock inventory is added after an eligible loss condition occurs for feed/forage transportation, producers should provide an explanation for the reason for purchase when no grazing acres are available. Under the provisions of 1-ELAP, subparagraph 24 A, the COC may deny new truckloads of feed or forage submitted under ELAP, if the feed is for more than the qualified livestock units, prior to the beginning date of an eligible loss condition.

Producers cannot use the same livestock inventory in one county to apply for the same ELAP transportation benefits in another county, if inventory cannot be verified as separate livestock certified by the producer and cannot be verified by COC in both counties.

C COC Authority for Limiting Feed Loads for Transportation

A producer must certify the number of grazing animals when they complete a CCC-939L, Part C, items 3 and 4, according to Notice ELAP-17, Exhibit 4, subparagraph B. If a producer continues to CCC-939L, Part L and certifies the number of current year truckloads, COC in the recording county may ask for the acceptable documentation that supports the number of truckloads a producer claims.

COC may use the total tonnage of hay or feed to determine if a producer has hauled enough for the total number of livestock, within reason, for the length of the approved drought qualification.

FSA uses the comparison of the number of pounds of corn equivalent per head to determine payment rate for animal units under ELAP in other areas of the program. An adult beef cow has been determined under 7 CFR 1416.110 to use a corn need of 15.7 pounds per day, for an adult cow.

Forage or hay requirements are approximately 24 pounds of dry hay matter, or approximately 26 pounds of hay with 8 percent moisture for an adult cow based on research from Oklahoma State University.

COC will use the corn equivalent for hay requirement to calculate the amount of feed per animal per day and multiply the result by 1.5 to set a standard of how much feed may be needed per animal for the entirety of the drought for the program year.

For different sizes of livestock, the feed equivalent for something other than adult beef cow or bull is in 1-ELAP, Exhibit 16. Adult beef cow or bull is 1.00 animal unit when it comes to calculating total amount of feed needs.

2 ELAP Policy Clarifications for Feed Hauling (Continued)

C COC Authority for Limiting Feed Loads for Transportation (Continued)

A chart is included for COC to use for guidance to determine how much a standard large round bale might weigh based on size.

Table 1. Estimated dry weight or dry matter (DM) of bales of the most common bale dimensions at different bale densities.*

Bale Size		Bale Weight ---- Density, (*lbs per ft³*) ----			
Width	**Height**	**9**	**10**	**11**	**12**
(ft)		*(lbs of DM/bale)*			
4.0	**4.0**	450	500	550	600
4.0	**4.5**	570	640	700	760
4.0	**5.0**	710	790	860	940
5.0	**4.0**	570	630	690	750
5.0	**4.5**	720	800	870	950
5.0	**5.0**	880	980	1080	1180
5.0	**5.5**	1070	1190	1310	1430
5.0	**6.0**	1270	1410	1560	1700

* Overestimating bale density is a common mistake. So, one should assume the bale's weight is ~10% less than indicated in the table.

2 ELAP Policy Clarifications for Feed Hauling (Continued)

D Examples for Limitation for Feed Transportation Under ELAP

Example 1:

A producer files a CCC-939 for qualifying drought on April 1, 2024, on native grass, for 100 head of adult cows, 3 bulls and 100 non-adult beef less than 500 pounds, all with 100% share.

April 1, 2024, through December 31, 2024, is 274 days. Under the assumption that those less than 500-pound beef calves will be grazing at some point during the summer, those animals will be counted as half of an adult need for feed, according to 1-ELAP, Exhibit 16.

One hundred head of adult cows, plus 3 bulls, plus approximately 50 (.5 of 100) non adult beef cattle would be the number of AU's for COC to make an estimate for total feed needs for the 274 days. The total used would be 153 AU's multiplied by 24 pounds of corn equivalent per day for 274 days (1.0 million pounds of corn or corn equivalent).

For hay purposes, 153 AU's multiplied by 39 pounds of hay or forage for 274 days (1.6 million pounds of hay, or 818 tons) of hay could be needed. At 16-ton loads (a common amount for semi-truck hauled big round bales), that would limit the number of loads of hay to 52 loads of hay.

If a producer had 80 truckloads of hay hauled, COC would reduce the amount of approved current year truckloads to 52 in the CCC-939L, Part K, item 6 (Shown in Part E).

Summary

6. Maximum Pounds of Feed	7. Average Tons per Truckload	8. Maximum Truckloads	9. Actual Calculated Truckloads Hauled	10. Actual Truckloads Hauled	11. Program Year	12. Comments
1,640,925.00	16	52	80		2024	28 Load(s) of Feed Exceeded

Livestock Data Entry

13. Livestock Kind/Type/Weight Range	*14. Number of Livestock*	*15. Share*	*16. Grain or Forage*	*17. Beginning Date of Drought*
Beef, Adult	103	100.00%	Forage	4/1/2024
Beef, Nonadult less than 500	100	100.00%	Forage	4/1/2024

Average Tons per Truckload Calculator

Average Tons per Truckload 16

18. Number of Truckloads	*19. Share*	*20. Unit of Measure*	*21. Amount per Truckload*
80	100.00%	Tons	16.00

2 ELAP Policy Clarifications for Feed Hauling (Continued)

D Examples for Limitation for Feed Transportation Under ELAP (Continued)

Example 2:

A producer files a CCC-939 for qualifying drought on July 1, 2024, on native grass, for 500 head of adult cows, 15 bulls and 450 non-adult beef more than 500 pounds, all with 100% share.

July 1, 2024, through December 31, 2024, is 183 days. Under the assumption that those more than 500-pound beef calves will be grazing at some point during the summer, those animals will be counted as half of an adult need for feed, according to 1-ELAP, Exhibit 16.

Five hundred head of adult cows, plus 15 bulls, plus approximately 338 (.75 of 450) non adult beef cattle would be the number of AU's for COC to make an estimate for total feed needs for the 183 days. The total used would be 853 multiplied by 24 pounds of corn equivalent per day for 183 days (3.75 million pounds of corn or corn equivalent).

For hay purposes, 853 AU's multiplied by 39 pounds of hay or forage for 183 days (6.1 million pounds of hay, or approximately 3,043 tons) of hay could be needed. At 16-ton loads, that would limit the number of loads of hay to 192 loads of hay.

If a producer had 150 truckloads of hay hauled, COC would not need to reduce the amount of approved current year truckloads in the CCC-939L, Part K, item 6 (Shown in Part E).

Summary

6. Maximum Pounds of Feed	7. Average Tons per Truckload	8. Maximum Truckloads	9. Actual Calculated Truckloads Hauled	10. Actual Truckloads Hauled	11. Program Year	12. Comments
6,117,540.00	16	192	150		2024	Adequate Livestock to Cover Feed

Livestock Data Entry

13. Livestock Kind/Type/Weight Range	*14. Number of Livestock*	*15. Share*	*16. Grain or Forage*	*17. Beginning Date of Drought*
Beef, Nonadult greater than 500	450	100.00%	Forage	7/1/2024
Beef, Adult	515	100.00%	Forage	7/1/2024

Average Tons per Truckload Calculator

Average Tons per Truckload 16

18. Number of Truckloads	*19. Share*	*20. Unit of Measure*	*21. Amount per Truckload*
150	100.00%	Tons	16.00

2 ELAP Policy Clarifications for Feed Hauling (Continued)

D Examples for Limitation for Feed Transportation Under ELAP (Continued)

Example 3:

A producer files a CCC-939 for qualifying drought on May 31, 2023, on native grass, for 667 head of adult cows and 177 non-adult beef more than 500 pounds, all with 100% share.

May 31, 2024, through December 31, 2024, is 214 days. Under the assumption that those more than 500-pound beef calves will be grazing at some point during the summer, those animals will be counted as half of an adult need for feed, according to 1-ELAP, Exhibit 16.

Six hundred sixty-seven head of adult cows, plus approximately 133 (.75 of 177, rounded up) non adult beef cattle would be the number of AU's for COC to make an estimate for total feed needs for the 214 days. The total used would be 800 multiplied by 24 pounds of corn equivalent per day for 214 days (4.1 million pounds of corn or corn equivalent).

For hay purposes, 800 AU's multiplied by 39 pounds of hay or forage for 214 days (6.7 million pounds of hay, or a little over 3,338 tons) of hay could be needed. At 16-ton loads, that would limit the number of loads of hay to 210 loads of hay.

If a producer had 641 truckloads of hay hauled, the COC would reduce the amount of approved current year truckloads to 210 in the CCC-939L, Part K, item 6 (Shown below).

Summary

6. Maximum Pounds of Feed	7. Average Tons per Truckload	8. Maximum Truckloads	9. Actual Calculated Truckloads Hauled	10. Actual Truckloads Hauled	11. Program Year	12. Comments
6,705,903.75	16	210	641		2024	431 Load(s) of Feed Exceeded

Livestock Data Entry

13. Livestock Kind/Type/Weight Range	14. Number of Livestock	15. Share	16. Grain or Forage	17. Beginning Date of Drought
Beef, Nonadult greater than 500	177	100.00%	Forage	5/31/2024
Beef, Adult	667	100.00%	Forage	5/31/2024

Average Tons per Truckload Calculator

Average Tons per Truckload 16

18. Number of Truckloads	19. Share	20. Unit of Measure	21. Amount per Truckload
641	100.00%	Tons	16.00

Example 3, CCC-939L, Part L

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PART L – LIVESTOCK TRANSPORTATION

CURRENT YEAR					COC USE ONLY	
1. Livestock Group *(Part C, Item 2)*	2. Loss Year	3. Number of Truckloads	4. Mileage Per Truckload	5. Producer Share	6. COC Adjusted Number of Truckloads	7. COC Adjusted Mileage Per Truckload
A	2024	641	800	100	210	

2 ELAP Policy Clarifications for Feed Hauling (Continued)

E Calculating Eligible Feed or Forage Needs

County offices will use the Excel feed/forage transportation calculator to determine if the amount of feed exceeds the needs of an AU for the length of the disaster event inside of the program year.

County offices are required to use the calculator for each producer. The review of the total amount of feed needs for a producer will only be needed in cases when COC determines a review is needed in cases of increased trucking loads above normal for the county. Any review of this calculation by COC should be documented in the COC minutes.

The calculator is not required to be retroactively used for all completed 2023 and prior applications. However, if producers are pulled for a national spot check for a year prior to 2024, the calculator can be used to determine if the claimed assistance is beyond the scope of the intent of the regulation.

The transportation calculator spreadsheet is shown in subparagraph F. A link to the calculator is provided under the ELAP SharePoint at 2024 Feed Transportation Eligibility Template.

The tool must be downloaded to use it and to export and save it once it is completed. It will be read only until it is exported, so it must be completed to have the proper naming convention for the export.

F Livestock Feed Transportation Eligibility Tool

The following are instructions for data entry on the Livestock Feed Transportation Eligibility Tool.

Item	Instructions
	Producer Information
1	Enter the State for the administrative county of the producer.
2	Enter the county for the administrative State of the producer.
3	Enter the physical State where the qualifying drought occurred.
4	Enter the physical county where the qualifying drought occurred.
5	Enter the producer's name.

2 ELAP Policy Clarifications for Feed Hauling (Continued)

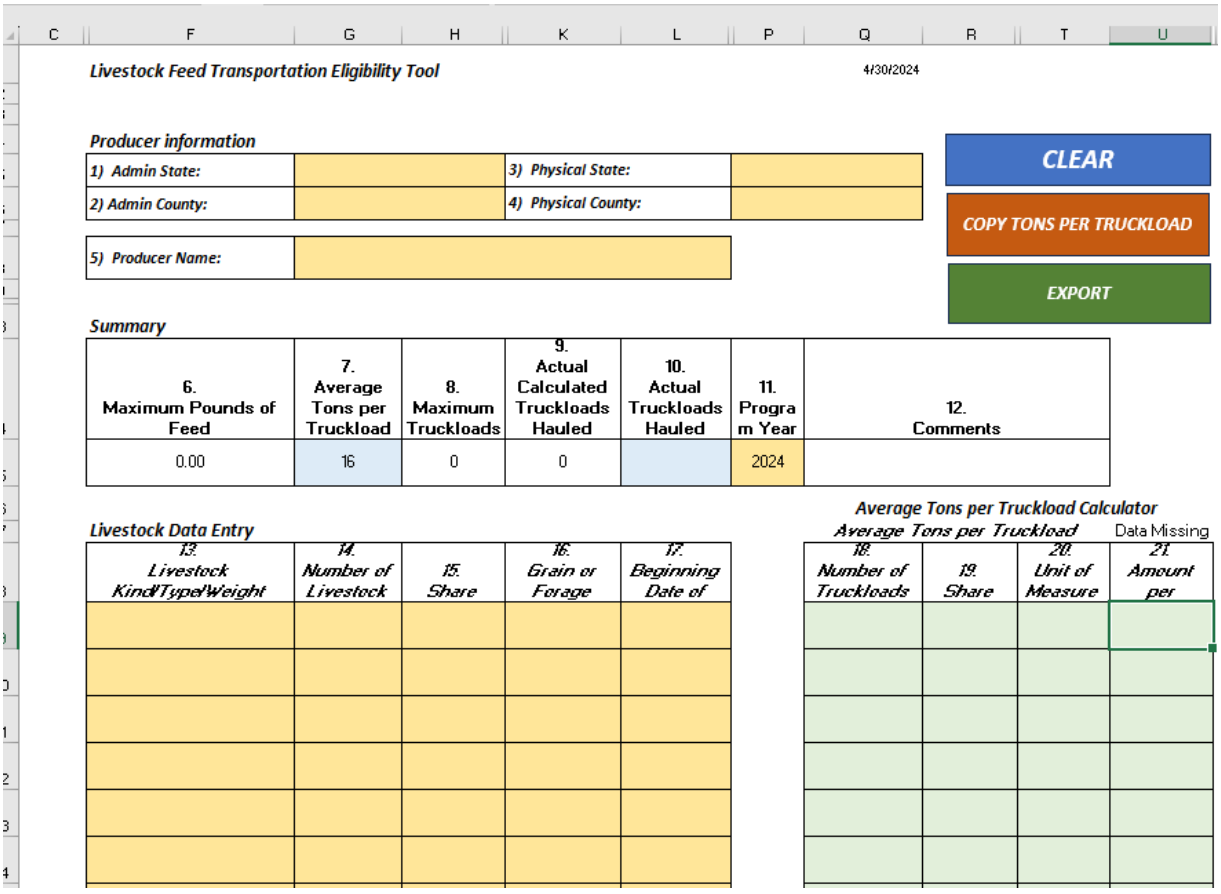
F Livestock Feed Transportation Eligibility Tool (Continued)

Item	Instruction
	Summary
6	Maximum pounds of feed that are eligible (No Entry)
7	Average Tons per Truckload (Average of Item 21) – This will default to 16-ton Truckloads if no entry is made. Any changes may require the "Copy Tons Per Truckload" tab to be used, if the average tons in item 14 is different than 16 tons
8	Maximum Truckloads Allowed (Defaults to 16-ton Truckloads. Can be overridden by the average amount per truckload in Item 21)
9	Actual Calculated Truckloads Hauled (Sum of Item 18)
10	Actual Truckloads Hauled (Override of Item 9, if needed, no entry necessary)
11	Program Year (No Entry)
12	Comments can be entered by county office staff if needed
	Livestock Data Entry
13	Livestock/Kind/Type/Weight Range – Select the category for the livestock selected on CCC-939L, Part C, Item 3.
14	Number of Livestock – Enter the number of livestock listed on CCC-939L, Part C, Item 4.
15	Share – Enter the share listed on CCC-939L, Part C, Item 5.
16	Grain or Forage – Select the type of feed hauled. Grain for any feedstuffs that is grain or grain mixture; Forage for any type of hay, haylage or silage
17	Beginning Date of Drought – Enter the first date listed on the CCC-939, Part C, Item 5 "Date When Loss was Apparent".
	Average Tons Per Truckload Calculator
18	Number of Truckloads - Enter the number of truckloads listed on CCC-939L, Part L, Item 3. Each truckload that has the same number of pounds or tons hauled can be summarized into one line. Any different listings of the number of pounds or tons hauled should be in a separate line.
19	Share – Enter the share listed on CCC-939L, Part L, Item 5.
20	Unit of Measure – Select Tons or Pounds
21	Amount Per Truckload – Enter the number of pounds or tons of one truckload, representing all loads entered in item 18, following the unit of measure in item 20.
	CLEAR – Clears all entries in the tool
	COPY TONS PER TRUCKLOAD – Pulls an average from item 21 based on all entries in the Average Tons per Truckload Calculator
	EXPORT – Exports a copy of the Livestock Feed Transportation Eligibility Tool to a SharePoint location for future reference or updates.

2 ELAP Policy Clarifications for Feed Hauling (Continued)

F Livestock Feed Transportation Eligibility Tool (Continued)

This is an example of the Livestock Feed Transportation Eligibility Tool.



Livestock Feed Transportation Eligibility Tool 4/30/2024

Producer information

1) Admin State:		*3) Physical State:*	
2) Admin County:		*4) Physical County:*	
5) Producer Name:			

CLEAR

COPY TONS PER TRUCKLOAD

EXPORT

Summary

6. Maximum Pounds of Feed	7. Average Tons per Truckload	8. Maximum Truckloads	9. Actual Calculated Truckloads Hauled	10. Actual Truckloads Hauled	11. Program Year	12. Comments
0.00	16	0	0		2024	

Livestock Data Entry

13. Livestock Kind/Type/Weight	*14. Number of Livestock*	*15. Share*	*16. Grain or Forage*	*17. Beginning Date of*

Average Tons per Truckload Calculator

Average Tons per Truckload Data Missing

18. Number of Truckloads	*19. Share*	*20. Unit of Measure*	*21. Amount per*

G Export Location for Saved Eligibility Tool

Once a tool has been used and is ready to be saved, it should be exported to the following location and saved in the administrative State: https://usdagcc.sharepoint.com/sites/fsa-dafp-disaster/ELAP2/SitePages/ELAP.aspx.

After the tool is saved to the SharePoint location, county offices can adjust the workbook if a producer provides more information to increase the number of truckloads on the CCC-939L.

If a workbook in the same county is for a producer with the same name and a duplicate calculator is already saved, adding the application number in item 5, after the producer's name would allow the calculator to be saved and not override an existing saved calculator.

3 Action

A State Office Action

State Offices must:

- ensure that County Offices are aware of the contents of this notice
- assist County Offices with questions about this notice
- contact Seth Cross with questions on ELAP policy by either of the following:
  - telephone at 402-437-5888
  - email to seth.cross@usda.gov.

B County Office Action

County Offices must:

- review the contents of this notice
- ensure that producers are aware of ELAP availability and application requirements
- contact DD or State Office, as applicable, with questions about this notice.