

For: State and County Offices

**Completing 2008 and 2009 Emergency Assistance for Livestock, Honeybees,
and Farm-Raised Fish Program (ELAP) Applications**

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

The National Office is preparing to issue 2008 and 2009 ELAP workbooks to State Offices so that 2008 and 2009 ELAP payment data can be uploaded to the National Office to determine a National payment factor, if applicable. County Offices must take the necessary action outlined in this notice to prepare for providing required ELAP documentation to State Offices.

Note: A forthcoming LDAP notice will outline the ELAP documentation that State Offices must collect from County Offices for completing 2008 and 2009 ELAP workbooks.

B Purpose

This notice provides County Offices with instructions:

- for completing FSA-918's for livestock feed losses and livestock death losses because of wolf depredation
- for completing FSA-930's for honeybee colony losses
- to complete CCC-770 ELIG's for all 2008 and 2009 ELAP applications.

Disposal Date	Distribution
January 1, 2011	State Offices; State Offices relay to County Offices

2 Completing FSA-918 for Livestock Feed Losses

A Limitation on Feed Loss Payments

7 CFR 760.209(a) provides that payments for eligible livestock producers will be calculated based on losses for no more than 90 calendar days during the calendar year. Therefore, ELAP payments to eligible livestock producers for the following livestock feed losses shall **not** exceed 90 calendar days of feed costs for the eligible livestock for which feed losses were incurred:

- purchased and harvested feed or feed stuffs that was lost or destroyed because of an eligible adverse weather or loss condition
- additional feed purchased above normal quantities required to maintain eligible livestock during an eligible adverse weather or loss condition
- additional feed expenses incurred because of an eligible adverse weather or loss condition.

B FSA-918, Part D

FSA-918 does **not** capture the livestock inventory for which feed losses were incurred, which is needed to calculate the 90-calendar-day feed loss limitation described in subparagraph A. Therefore, FSA-918, Part D must be completed for **all** livestock grazing and feed losses incurred because of an eligible adverse weather or loss condition, including wildfire.

Important: FSA-918, Part D shall be completed even if a producer did **not** suffer a grazing loss, but suffered feed losses for livestock that were or would have been grazing eligible grazing or pastureland if an eligible adverse weather or loss condition, including wildfire, had **not** occurred.

C Completing FSA-918 for Fire-Affected Grazing or Pastureland

For feed losses incurred for livestock inventory that was or would have been grazing eligible fire-affected grazing or pastureland, FSA-918, items 32 through 37 shall be completed, in addition to Part D, as required in subparagraph B.

Important: FSA-918, items 32 through 37 shall be completed even if a producer did **not** suffer a grazing loss because of wildfire, but suffered a feed loss for livestock that was or would have been grazing eligible fire-affected grazing or pastureland.

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2 Completing FSA-918 for Livestock Feed Losses (Continued)

D FSA-918, Parts F and G

FSA-918, Parts F and G do **not** capture the applicable livestock numbers for which feed losses were incurred. On FSA-918, Parts F and G, County Offices must notate to the left of the following items the corresponding livestock number listed in FSA-918, Part D, item 14 for which feed losses were incurred:

- Part F, item 38 for produced feed losses
- Part G, item 43 for purchased feed losses, additional feed purchased above normal quantities to maintain eligible livestock during an adverse weather or loss condition, and additional feed expenses.

The livestock numbers will be used to identify the applicable livestock for which feed losses were incurred, which is needed to determine the 90-calendar-day feed loss payment calculation.

3 Completing FSA-918 for Wolf Depredation

A Confirmed Wolf Kills

ELAP compensates eligible livestock producers for livestock death losses because of wolf depredation for confirmed wolf kills **only**. ELAP does **not** compensate livestock producers for probable wolf kills. Livestock producers must provide the County Office documentation showing confirmation of the wolf kill from a reliable source, such as, but not limited to, the following:

- Animal and Plant Health Inspection Service
- Department of Natural Resources.

B Compensation From Other Programs

To be eligible to receive ELAP benefits for livestock losses because of wolf depredation, the livestock producer must certify to the producer statement, provided in subparagraph C, that he or she has **not** and will **not** receive benefits for more than 95 percent of the value of livestock lost because of wolf depredation in a calendar year from all Federal, State, and privately established programs combined that compensate livestock producers for wolf depredation.

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3 Completing FSA-918 for Wolf Depredation (Continued)

C Required Producer Certification

County Offices shall:

- add the following certification statement to all FSA-918's filed for livestock death losses because of wolf depredation:

“I certify that I have not and will not receive combined program benefits totaling more than 95 percent of the value of the eligible livestock that I lost due to wolf depredation in a calendar year, from all sources providing compensation for livestock death losses due to wolf depredation, including benefits from any Federal, State, and/or privately established program.”

- staple the certification statement to all FSA-918's filed for livestock death losses because of wolf depredation
- ensure that all livestock producers that file FSA-918's for livestock death losses because of wolf depredation initial and date the certification statement stapled to FSA-918.

4 Completing FSA-930, Part F

A FSA-930, Items 13A Through 13H

If an eligible honeybee producer suffers honeybee colony losses because of multiple eligible adverse weather or loss conditions in the same calendar year, the producer shall complete FSA-930, items 13A through 13H for each eligible adverse weather event or loss condition that occurred.

Example: In April 2009, Producer A lost 245 honeybee colonies because of excessive rain. Producer A's beginning inventory before the excessive rain in April was 450 colonies. Also, Producer A lost 50 honeybee colonies in November 2009 because of colony collapse disorder (CCD).

Producer A would complete FSA-930, items 13A through 13H twice, once based on the beginning inventory before the excessive rain in April 2009, and once based on beginning inventory before CCD in November 2009, according to subparagraph B.

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4 Completing FSA-930, Part F (Continued)

B Beginning Inventory

1-LDAP, subparagraph 299 A provides that the beginning inventory of honeybee colonies immediately before the beginning date of the applicable adverse weather or loss condition shall be entered in FSA-930, item 13B. However, subparagraph 299 A does **not** provide instructions for determining beginning inventory that shall be entered in FSA-930, item 13B if a producer suffers honeybee losses from multiple eligible adverse weather events or loss conditions in the same calendar year.

To ensure that a honeybee producer's normal mortality is accurately calculated, FSA-930, item 13B shall be completed as follows:

- for the first adverse weather event or loss condition for which honeybee losses were incurred in a calendar year, enter the beginning inventory of honeybee colonies immediately before the beginning date of the adverse weather event or loss condition as provided in 1-LDAP, subparagraph 299 A
- for subsequent adverse weather events or loss conditions for which honeybee losses were incurred in a calendar year, enter the result of subtracting:
 - beginning inventory immediately before the beginning date of the **subsequent** adverse weather event or loss condition, minus
 - ending inventory immediately after the **previous** adverse weather event or loss condition (beginning inventory minus honeybee colonies lost).

Example: Based on the example in subparagraph A, Producer A would enter the following for beginning inventory in FSA-930, item 13B:

- if Producer A did **not** gain any additional honeybee colonies in 2009, then:
 - 450 colonies for the April excessive rain
 - 0 colonies for November CCD – 205 colonies (beginning inventory before November CCD) minus 205 colonies (ending inventory after April excessive rain)
- if Producer A gained 100 additional honeybee colonies in June 2009, then:
 - 450 colonies for the April excessive rain
 - 100 colonies for November CCD – 305 colonies (beginning inventory before November CCD) minus 205 colonies (ending inventory after April excessive rain).

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5 CCC-770 ELIG

A 2008 ELAP Applications

CCC-770 ELIG 2002 shall be completed according to 3-PL for each producer before a producer's 2008 ELAP application is loaded into the 2008 ELAP workbook and payment is issued to the producer using the manual payment process.

B 2009 ELAP Applications

CCC-770 ELIG 2008 shall be completed according to 3-PL (Rev. 1) for each producer before a producer's 2009 ELAP application is loaded into the 2009 ELAP workbook and payment is issued to the producer using the manual payment process.

6 Action

A State Office Action

State Offices shall ensure that County Offices:

- are immediately informed of the contents of this notice
- immediately take the required action outlined in this notice.

B County Office Action

County Offices shall immediately take the action outlined in this notice to ensure 2008 and 2009 ELAP applications are completed according to this notice.