

Emergency Conservation Program (ECP)

Program Purpose

Provide cost-share assistance to rehabilitate farmlands and conservation structures damaged or destroyed by natural disasters, such as wildfires, and restore the land to a productive capacity.

Cost share is offered to help return farmland to a condition and function similar to pre-disaster condition.

Payments

- Cost-share up to 75 percent of actual cost to perform or restore practice. (90% if limited resource producer)
- Maximum payment per person or entity per disaster is \$200,000
- Payment cannot exceed 50% of value of land
- Subject to eligibility and availability of funds
- Minimum qualifying cost is \$1,000

Land Eligibility

For land to be eligible, the land must be:

- Physically located in county approved for ECP
- Privately owned and normally used for farming or ranching
- **Conservation practice must have existed prior to the disaster**
- Used for grazing commercial livestock
- Used for producing agricultural commodities

Person Eligibility

Eligible person:

- Determined on individual basis considering type/extent of damage
- Must not be able to install or repair damage without assistance, or without causing financial hardship
- Must be an Agricultural producer who contributes to the cost of the practice and have an interest in the farm, this could be an owner, tenant, landlord or sharecropper

Signup Period

- March 28, 2016 – May 26, 2016
- Application should be filed prior to starting practice
- Before application approval funding is not guaranteed
- Environmental and cultural resource compliance evaluations must be completed prior to approval

Approved Practices

- Restoring Permanent Fences
- Restoring Livestock Water Facilities
- Field Windbreaks and Farmstead Shelterbelts

Permanent Fences

Apply on farmland where permanent fence for livestock inclusion:

- destroyed or seriously damaged by fire
- used for agricultural purposes
- Is either barbed wire, high tensile or woven wire
- Is either boundary, cross fences or cattle gates
- Will be maintained for 10 years following year of installation
- Must be rebuilt or restored to NRCS standard

Restoring Livestock Water Facilities

Apply on farmland where permanent livestock water facilities:

- destroyed or seriously damaged by fire
- Used for agricultural purposes
- Pumping units – windmills, solar
- Water Storage or water supply tanks and troughs
- Permanent water lines
- Will be maintained for 10 years following year of installation
- Must be built or restored to NRCS standard and specifications

Field Windbreaks and Farmstead Shelterbelts

Apply practice to restore or replace field windbreaks or farmstead shelterbelts:

- destroyed or seriously damaged by fire
- Includes debris removal, tree purchase, planting, weed control
- Will be maintained for 20 years following year of installation
- Must be built or restored to NRCS standard and specifications

What do I need to make Application?

- Visit County FSA that maintains your farm records
- Complete form FSA-848, Cost Share Request, providing location, practice and extent of needed replacement
(Application will need to include all producers sharing in the cost of the practice)
- Photo or record of damage, if available

What do I need, Continued

- Complete AD-1026, Highly Erodible Land Conservation and Wetland Conservation Certification
- Complete CCC-902, Farm Operating Plan for Payment Eligibility, if applicable

When Practice is Complete - Documentation

- Report performance of the practice by completing form FSA-848B, before the practice expiration date
- Provide evidence that might include: invoices, cancelled checks, paid receipts

NOTE: It is important that all participants that shared in the cost of the practice are included on all invoices. This is important to calculating cost share and payment limitation (\$200,000)

When Practice is Complete - Documentation, Continued

If producer performed practice with own labor and equipment provide a signed, itemized statement which includes the following:

- Dates of work performed
- Cost per hour charged for labor
- Type of equipment used
- Charge for equipment
- Type and cost of materials used
- Other applicable information

Example 1

- Ranch A : Husband and Wife Joint Venture
- Own and operate 500 acres of grass
- 4 miles of fence destroyed by fire
- 4 miles built @ \$10,000/mile = \$40,000
- Fence Invoice to Husband and Wife
- \$40,000 X 75% = \$30,000 ECP Cost Share Computation
- \$15,000 ECP cost-share issued to Husband
- \$15,000 ECP cost-share issued to Wife

Example 2

Scenario:

Ranch B : Husband and Wife Joint Venture

- Own and operate 6000 acres of grass
- 60 miles fence destroyed

Lease from Landlord A

- 600 acres of grass
- 5 miles fence destroyed

Lease from Landlord B

- 900 acres of grass
- 8 mile fence destroyed

Example 2 (continued)

Ranch B: Husband & Wife – 6,000 acres grass

- 60 miles built @ \$10,000/mile = \$600,000
- Fence Invoiced to husband & wife
- \$600,000 X 75% = \$450,000 computation
- \$200,000 to Husband, \$200,000 wife, exceed limit per person
- Total Compensation \$400,000, Total Cost \$600,000

Example 2 (continued)

Ranch B: Lease from Landlord A - 600 acres of grass

- Separate application for Landlord A
- 5 miles destroyed & built @ \$10,000/mile = \$50,000
- Fence Invoiced to Landlord A
- \$50,000 X 75% = \$37,500 ECP cost-share
- \$37,500 ECP cost-share payment issued to Landlord A

Example 2 (continued)

Ranch B: Lease from Landlord B - 900 acres of grass

- Separate application for Landlord B
- 8 miles destroyed & built @ \$10,000/mile = \$80,000
- Fence Invoiced to Landlord B
- $\$80,000 \times 75\% = \$60,000$ ECP cost-share
- \$60,000 ECP cost-share payment issued to Landlord B

Questions?

Eligible Livestock For Owners

Eligible livestock for owners under LIP
Includes, but is not limited to:

- Adult/non-adult dairy cattle
- Adult/non-adult beef cattle
- Adult/non-adult buffalo and beefalo
- Equine
- Elk
- Reindeer
- Deer

Ineligible Livestock

Livestock maintained for reasons other than commercial use as part of a farming operation, such as:

- Hunting
- Pleasure
- Pets
- Consumption by owner
- Show animals
- Rodeo Stock
- Roping

Normal Mortality Rate

State Committee Established Normal Mortality Rates:

- Beef—Nonadult—less than 400 pounds—2.7%
- Beef—Nonadult—400-799 pounds—1.9%
- Beef—Nonadult—800 pounds or greater—1.1%
- Beef—Adult—Cow—1.1%
- Beef—Adult—Bull—1.1%
- Rates for additional livestock types are available through your local County Office.

LIP 2016 Beef Payment Rates

- Nonadult—Less than 400 pounds—\$757.59
- Nonadult—400-799 pounds—\$819.65
- Nonadult—800 pounds or greater—\$1,120.38
- Adult—Bull—\$1,987.89
- Adult—Cow—\$1,529.14
- All rates are per head. Additional rates are available at your local County Office for additional livestock types.

Livestock Indemnity Program (LIP)

Purpose

Compensates eligible livestock owners and contract growers for eligible livestock deaths in excess of normal mortality on farms that occurred in the calendar year for which benefits are being requested as a direct result of an eligible adverse weather event or attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators.

Purpose

Eligible livestock must have died:

- No later than 60 calendar days from the ending date of the applicable adverse weather event or attack by eligible animals or avian predators
- In the calendar year for which benefits are being requested.

Eligible Livestock For Owners

Eligible livestock for owners must meet all of the following:

- Be owned by an eligible livestock owner on the day the livestock died
- Been maintained for commercial use as part of a farming operation on the day the livestock died

Applying for LIP

LIP applications consist of notices of loss and applications for payment will be filed and payments made by:

- Producer
- Administrative county.

Notice of Loss

To be eligible for LIP, livestock owners and contract growers who suffered livestock losses in 2016 and subsequent calendar years must file a notice of loss:

- 30 days of when the loss of livestock is apparent to the participant, or

Application for Payment

To apply for LIP benefits, eligible livestock owners or contract growers shall file a CCC-852 in their administrative county office. Applications for payment can be filed at the same time as the notice of loss.

Completed CCC-852 must be signed and dated by the participant before the end of the application period.

Note: There are no late filed provisions.

Proof of Death

When CCC-852 is submitted, participants must provide documentation of livestock deaths by one of these means:

- Verifiable documentation
- Producer reliable records, in conjunction with verifiable beginning and ending inventory records
- Third party certification (CCC-854)

Proof of Death Verifiable Documents

Verifiable documentation for proof of death may include but is not limited to any of the following:

- Rendering truck receipts or certificates
- National Guard records
- Veterinary records
- Records assembled for tax purposes
- Production records
- FEMA records

Proof of Death Verifiable Documents

Verifiable documentation may also include:

- Property Tax records
- Private insurance documents
- Written contracts
- Purchase records
- Bank or other loan documents

Proof of Death

Documentation must provide sufficient data that identifies:

- Kind/type/weight range of livestock
- Number of livestock
- Verifiable documentation can be validated by an independent source.

Reliable Proof of Death Producer Records

If adequate verifiable proof of death records documentation is not available, participant may provide reliable records, in conjunction with verifiable beginning and ending inventory records as proof of death such as, but not limited to:

- Contemporaneous producer records existing at time of event
- Dairy Herd Improvement (DHI) records
- Vaccination/branding records
- Dated pictures
- Other similar reliable documents

Proof of Death – Third Party

If participant is unable to provide verifiable or reliable records as proof of death, the participant may use a third party certification as proof of death (CCC-854).

Proof of Death – Third Party

Third party certification may be accepted only when livestock owner or contract grower certifies in writing on CCC-854:

- No other form of proof of death is available
- Number of livestock, by category, in inventory when deaths occurred
- Physical location of livestock, by category, in inventory when deaths occurred

Proof of Death – Third Party

Note:

When submitting a Third Party Certification (CCC-854) as proof of death loss, producers must also provide verifiable documentation to support reasonableness of the number of livestock in inventory when the deaths occurred.

Proof of Death – Third Party

The third party shall complete and certify on CCC-854:

- Specific details about how the third party has knowledge of the livestock deaths
- The number, kind/type and weight range of participant's livestock that died because of the eligible adverse weather event.
- Third party must also provide their address and phone number.

Proof of Death – Third Party

The third party shall complete and certify on CCC-854 to how the third party is affiliated with the Operation:

Note: The third party must be an independent source who is not affiliated with the farming operation such as a hired hand and is not a "family member," defined as a person whom a member in the farming operation or their spouse is related as lineal ancestor, lineal descendant, sibling, or spouse.

Proof of Death Using Reliable Records and Third Party

Documents that may provide verifiable evidence of livestock beginning and ending inventory include, but are not limited to:

- Veterinary records
- Canceled check documentation
- Balance sheets
- Inventory records used for tax purposes
- Loan records
- Bank statements
- Farm credit balance sheets

Proof of Death Using Reliable Records and Third Party

Documents that may provide verifiable evidence of livestock inventory include, but are not limited to:

- Property tax records
- Brand inspections
- Sales and purchase receipts
- Private insurance documents
- Chattel inspections.

Questions?

ELAP Livestock Feed Losses

Eligible Livestock Feed Losses

Eligible livestock feed losses include:

- Purchased forage or feed stuffs
- Mechanically harvested forage or feed stuffs
- Cost of purchasing additional livestock feed, above normal quantities

Livestock Feed Losses Eligible Livestock Producer

Producer must have:

- Owned or cash-leased, purchased or entered into contract to purchase or been a Contract grower of eligible livestock during 60 calendar days before beginning date of eligible adverse weather and suffered an eligible loss

Livestock Feed Losses Eligible Purchased Forage

To be considered eligible, purchased forage/ feedstuffs must be:

- Intended as feed for eligible livestock located in eligible county
- Lost during program year benefits requested
- Destroyed as result of eligible adverse weather event

Livestock Feed Losses Eligible Harvested Forage

To be considered eligible, mechanically harvested forage/feedstuffs must be:

- Produced by the participant
- Intended for use as feed for participant's eligible livestock physically located in county where weather event occurred
- Lost during program year benefits requested
- Destroyed after harvest to be considered an eligible loss.

Livestock Feed Losses Eligible Cost of Additional Feed

To be considered eligible, additional feed must be:

- Purchased above normal quantities
- Required to maintain eligible livestock physically located in the county where the adverse weather occurred, until feed becomes available
- Purchased during or after an eligible adverse weather event

Livestock Feed Losses Inside the Grazing Period

An eligible producer may **NOT** receive benefits for both of the following losses that occur inside the normal grazing period due to the same eligible adverse weather or loss condition:

- Grazing loss, and
- Additional feed purchased above normal required to sustain livestock until additional feed becomes available.

Required Documentation Livestock Feed Losses

For ALL livestock feed losses, producers must provide:

- **Verifiable records** - can be verified by an independent source, or
- **Reliable records** - can be considered acceptable by COC, or

Required Documentation Produced Feed Lost

Producer must provide verifiable or reliable documentation of the following:

- Evidence producer had ability to produce kind and amount of forage lost
- Producer paid for production of forage lost
- Any evidence supporting amount of forage produced

Required Documentation Purchased Feed Lost

Producer must provide verifiable or reliable documentation, including but not limited to:

- original feed receipts or summary purchase receipts
- Invoices
- Settlement sheets
- Warehouse ledger sheets
- Load summaries
- Contemporaneous records

Required Documentation for Livestock Feed Losses (cont.)

For feed receipts to be considered acceptable they must include:

- Date of feed purchase
- Name, address, and telephone number of feed vendor
- Type, quantity, and cost of feed purchased
- Signature of vendor if not purchased from a licensed feed vendor

Required Documentation for Additional Feed Purchases

Producer must provide verifiable or reliable documentation, of the amount of feed purchased in:

- Application year
- 1 year prior to application year
- 2 years prior to application year

Questions?

