

USDA Expands Eligibility, Enhances Benefits for Key Disaster Programs?

News Release | Connecticut | January 10, 2023

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Policy changes will help more producers recover from natural disasters

WASHINGTON, Jan. 10, 2023 – The U.S. Department of Agriculture (USDA) made updates to several conservation, livestock and crop disaster assistance programs to give more farmers, ranchers, and tribes the opportunity to apply for and access programs that support recovery following natural disasters. Specifically, USDA’s Farm Service Agency (FSA) expanded eligibility and enhanced available benefits for a suite of its programs. These updates will provide critical assistance to producers who need to rebuild and recover after suffering catastrophic losses of production and infrastructure due to natural disasters.

FSA has updated the following programs: The Emergency Conservation Program (ECP), the Emergency Forest Restoration Program (EFRP), the Emergency Assistance for Livestock, Honeybees, and Farm-raised Fish (ELAP), the Livestock Forage Disaster Program (LFP), the Livestock Indemnity Program (LIP) and the Noninsured Crop Disaster Assistance Program (NAP).

“As I meet with producers across the country, I have gained a better understanding of the ways in which our programs work—and the ways in which they can be improved to better support all producers, especially those who are working to rebuild their operations after a disaster,” said FSA Administrator Zach Ducheneaux. “This set of updates to our disaster assistance programs reflects FSA’s commitment to listening to producers and responding to their needs wherever we have the authorities to do so. We are confident that these changes will increase the both the accessibility and efficacy of our disaster assistance programs, consistent with our goal to build equity into the fabric of our work at the FSA.”

Conservation Disaster Assistance Updates

FSA updated ECP to:

- Allow producers who lease Federally owned or managed lands, including tribal trust land, as well as State land the opportunity to participate.
- Provide advance payments, up to 25% of the cost, for all ECP practices before the restoration is carried out, an option that was previously only available for fence repair or replacement. The cost-share payment must be spent within 60 days.

Additionally, Congress also authorized the Federal government to pay 100% of the ECP and EFRP cost for damage associated with the Hermit's Peak/Calf Canyon Fire in New Mexico. This fire burned over 340,000 acres from April 2022 to June 2022 and was the largest wildfire in recorded history in New Mexico. ECP and EFRP cost-share assistance is typically capped at 75%. This policy change for 100% cost-share applies only to those locations impacted by the Hermit's Peak/Calf Canyon Fire.

ECP and EFRP provide financial and technical assistance to restore conservation practices like fencing, damaged farmland or forests.

Livestock Disaster Assistance Updates

FSA also expanded eligible livestock under ELAP, LFP and LIP. Specifically, horses maintained on eligible grazing land are eligible for ELAP, LFP and LIP. Many family farms and ranches use their forage to raise horses to augment their other agriculture endeavors. FSA recognizes that animals maintained in a commercial agriculture operation, add value to the operation and could be available for marketing from the farm. FSA regulations have been updated to include these animals as eligible livestock.

Horses and other animals that are used or intended to be used for racing and wagering remain ineligible.

Ostriches are also now eligible for LFP and ELAP. FSA is making this change because ostriches satisfy more than 50% of their net energy requirement through the consumption of growing forage grasses and legumes and are therefore considered "grazing animals".

This change for ostriches is effective for the 2022 program year for both LFP and ELAP. ELAP requires a notice of loss to be filed with FSA within 30 days of when the loss is first apparent. Because this deadline may have passed for 2022, FSA is extending the deadline for filing notices of loss through March 31, 2023.

LIP and ELAP reimburses producers for a portion of the value of livestock, poultry and other animals that died as a result of a qualifying natural disaster event or for loss of grazing acres, feed and forage. LFP provides benefits for grazing losses due to drought and eligible wildfires on federally managed lands.

Noninsured Crop Disaster Assistance

NAP provides financial assistance to producers of non-insurable crops when low yields, loss of inventory or prevented planting occur due to natural disasters. Basic NAP coverage is equivalent to the catastrophic level risk protection plan of insurance coverage, which is based on the amount of loss that exceeds 50% of expected production at 55% of the average market price for the crop.

Previously, to be eligible for NAP coverage, a producer had to submit an application (Form CCC-471) for NAP coverage on or before the application closing date. For 2022, if a producer has a Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification (Form CCC-860) on file with FSA, it will serve as an application for basic coverage for all eligible crops having a 2022 application closing date and all NAP-related service fees for basic coverage will be waived for these producers.

FSA will notify all eligible producers who already have the CCC-860 certification form on file of their eligibility for NAP basic coverage for 2022. To potentially receive NAP assistance, producers who suffered losses due to natural disasters in 2022 should file an acreage report as well as a notice of loss with the FSA at their local Service Center.

Producers who are interested in obtaining NAP coverage for 2023 and subsequent years should also contact their local FSA county office for information on eligibility, coverage options and applying for coverage.

Reporting Losses

Producers impacted by a natural disaster should report losses and damages and file an application with their [FSA county office](#). Timelines for reporting losses and applying for payments differ by program.

For LIP and ELAP, producers will need to file a Notice of Loss for livestock and grazing or feed losses within 30 days and honeybee losses within 15 days. For LFP, producers must provide a completed application for payment and required supporting documentation to their FSA office within 30 calendar days after the end of the calendar year in which the grazing loss occurred.

For NAP, producers should contact their local FSA office for guidelines on submitting a notice of loss and filing an acreage certification.

More Information

The updates to these programs build on other Biden-Harris administration efforts to improve disaster assistance programs, including additional flexibility in obtaining Noninsured Crop Disaster Assistance

Program (NAP) basic coverage for socially disadvantaged, beginning, limited resource and veteran farmers and ranchers.

Previous enhancement to the ELAP provide program benefits to producers of fish raised for food and other aquaculture species as well as cover above normal expenses for transporting livestock to forage and grazing acres and transport feed to livestock impacted by qualifying drought. And earlier updates to the LIP payment rates better reflect the true market value of non-adult beef, beefalo, bison and dairy animals.

Yesterday, FSA announced it would begin accepting applications for the Emergency Relief Program (ERP) Phase Two and the new Pandemic Assistance Revenue Program (PARP) on Jan. 23, 2023, through June 2, 2023. ERP Phase Two is designed to fill gaps in the delivery of program benefits not covered in ERP Phase One and improves equity in program delivery to underserved producers.? PARP will help address gaps in previous pandemic assistance, which was targeted at price loss or lack of market access, rather than overall revenue losses. Learn more in the [Jan. 9, 2023 news release](#).

Additional Resources

On [farmers.gov](#), the [Disaster Assistance Discovery Tool](#), [Disaster Assistance-at-a-Glance fact sheet](#), and [Farm Loan Discovery Tool](#) can help producers and landowners determine program or loan options. For assistance with a crop insurance claim, producers and landowners should contact their [crop insurance agent](#). For FSA and Natural Resources Conservation Service programs, contact the local [USDA Service Center](#).

USDA touches the lives of all Americans each day in so many positive ways. In the Biden-Harris administration, USDA is transforming America's food system with a greater focus on more resilient local and regional food production, fairer markets for all producers, ensuring access to safe, healthy and nutritious food in all communities, building new markets and streams of income for farmers and producers using climate smart food and forestry practices, making historic investments in infrastructure and clean energy capabilities in rural America, and committing to equity across the Department by removing systemic barriers and building a workforce more representative of America. To learn more, visit [usda.gov](#).

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