



2019 Flood Information Meeting

- Bryan Ralston-CED, FSA
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- NRCS Representative
- Nathan Mueller-PHD, CCA, UNL EXT



DODGE-SARPY/DOUGLAS USDA SERVICE CENTER

2450 BUSINESS PARK DRIVE

FREMONT, NE

402-721-8455

Agenda

- Emergency Conservation Program
- Livestock Incentive Program
- Emergency Loans/Facility Loans
- NRCS Information
- Extension Update on Flood Assistance

Emergency Conservation Program ECP



What is ECP

- Provides cost-share to producers who have severe damage to farmland and pastures due to a natural disaster. Practices available to producers to address the damage include:
 - Debris removal from farm and pasture land
 - Fence restoration
 - Grading, shaping, leveling land
 - Conservation structure restoration
 - Shelterbelt restoration

Requirements of ECP

- Damage must be of such magnitude that it would be too costly for producer to rehabilitate without Federal assistance
- Minimum qualifying cost of restoration is \$1,000 per participant
 - \$250 for limited resource producers

Payment Limitation

- \$200,000 – maximum payment per person or legal entity per disaster
- Direct attribution applies
- Producers not eligible to receive payments under ECP and WRP or CRP acres

Cost-Share Limitation

- Pays up to 75% of actual cost
 - 90% for limited resource producers
 - Cost-share cannot exceed 50% of the agricultural market value of the affected land



Producer Eligibility Requirements

- ECP limited to agricultural producers
- Must have an interest in the farm and contribute part of the practice cost to be eligible

Eligible Land

- Physically located in county approved for ECP and:
 - Normally used for farming or ranching
 - Must use land to commercially produce agricultural commodities
 - Grains, hay, pasture, etc.
 - Land must continue to be used for agricultural production

Ineligible Land

- Not considered to be in agricultural production (stream banks, channels, levees, dikes, native woodland areas, roads & recreational uses)
- Land protected by a levee or dike not built to Army Corps of Engineers, NRCS, or similar standards
- Land between any levee and stream

Land Eligibility Examples

Damaged Area or Structure	Eligibility	Reason
Center pivot irrigation system	No	Because of portable nature
Woodland	No	Nonagricultural land
Debris on field road or farm lane	Yes, if interferes with normal farming operations	
Damaged waterway or terrace	Yes	
Damaged levee	No	Nonagricultural land
Damaged land between levee and stream	No	Land subject to frequent damage

Eligible Cost-Share Items

- Items eligible for cost-share
 - New or used materials
 - Services
 - Labor
 - Equipment
 - Sales tax
- Cost-share limited to restoring farmland, fences, or conservation structures to immediate pre-disaster condition

Ineligible Cost-Share Items

- ECP cost-share not authorized for
 - Rehabilitating stream banks, channels, levees, dikes, roads, or recreational uses
 - Removing debris that does not interfere with normal farming operations or that may be removed with producer's labor and equipment without seriously disrupting seasonal operations on farm
 - Restoring minor damage that applicant can correct without Federal assistance

Practice Eligibility

- Practice is ineligible if
 - Practice started before request filed in county office
 - Practice was started before Environmental and Cultural Resource Evaluation Completed
 - Practice was started before it was approved by County FSA Committee
 - A waiver of this requirement may be requested

EC1 – Removing Debris

- Removes debris from farmsteads and access roadways on farms
- Debris includes woody material, sand, rock, trash and personal property
 - Must materially affect productive capacity or normal farming operations
 - Prevents carrying out effective conservation measures
 - Prevents returning land to productive use
 - Is of a magnitude that requires labor or equipment beyond normal operations

EC2 – Grading, Shaping, Releveling

- Grade, shape, or fill gullies created by disaster
- Relevel previously leveled irrigated farmland
- Remove humps, ridges, or depressions if they cause water to pond
- Incorporate sand or silt deposits into soil
- Cost-share not authorized for repair or restoration of roadways, including field roads
- Practice lifespan is 10 years

EC3 – Restoring Permanent Fences

- Restore the fence function to a condition and function similar to what existed before the disaster
- Must conform to current NRCS standards and specifications
- Must be used for agricultural purposes
- Temporary fences are not eligible

EC4 – Restoring Conservation Structures and Other Installations

- Dams
- Grass waterways
- Installed open or closed drainage systems
- Diversions or spreader ditches
- Terrace systems
- Structures for protection of outlets or water channels
- Wells, springs, pipelines, buried mainlines
- Ditches or other permanently installed systems
- Practice lifespan is 10 years

Application Process

- Producer Submits Application on FSA-848
- Technical agency will report if practice is needed and feasible
- Environmental & Cultural Resource Evaluation Completed (required of all ECP practices)

Application Process continued

- When approved, the FSA-848A and approval letter is sent
- FSA-848A must be signed and returned to county office within 15 calendar days
- Remember to keep track of your bills and receipts
 - Separate out bills for work done on ineligible land and/or practices

Application Process continued

- When the Work is Done:
 - Complete FSA-848B before practice expiration date (Certification and Request for Payment)
 - Must submit documentation for payment
 - Invoices, canceled checks, paid receipts, etc.
 - Proof of payment

Using Own Labor, etc.

- Need to submit itemized statement if complete practice with own labor, equipment, or materials
 - 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



SIGNUP DATES

MARCH 25, 2019 THROUGH MAY 25,
2019

IF YOU HAVE CALLED OUR OFFICE, YOU
ARE ON THE LIST TO BE CALLED FOR
AN APPOINTMENT



Questions?

Livestock Indemnity Program LIP



April 2-3, 2019

What is LIP?

- Livestock Indemnity Program (LIP) compensates eligible livestock owners for eligible livestock death losses that occur in excess of normal mortality as a result of an eligible adverse weather event during the calendar year.

Normal Mortality

- The numerical amount, computed by a percentage of expected livestock deaths by category that normally occurs during a calendar year for a producer.
- Established by STC
- Determined by multiplying the applicable normal mortality percentage by the # of livestock of that specific kind/type and weight range in inventory at the time of the eligible adverse weather event and death loss of animal
- Subtracted from the number of eligible livestock in inventory at the time of the eligible adverse weather event and death

Normal Mortality Example

Example: Producer A owned 200 head of adult beef cattle on the beginning date of an eligible adverse weather event.

- normal mortality is 1.5 percent
- 5 head were lost
- $200 \text{ head} \times 1.5 \text{ percent} = 3$ (loss threshold)
- $5 \text{ head lost} - 3 \text{ (loss threshold)} = 2 \text{ head}$ adult beef cattle eligible for payment.

Eligible Loss Conditions

- Eligible Adverse Weather Event
- Eligible Disease:
 - Anthrax, Cyanobacteria, Larkspur Poisoning
 - In general, if you can vaccinate to prevent the disease, it's probably not eligible
 - Does not apply to animals sold at a reduced price
- Eligible Attack:
 - Animals reintroduced into the wild by Federal Govt. or protected by Federal law

Eligible Adverse Weather Conditions

- **Blizzard:**
 - A Storm, as defined by the National Weather Service, which contains large amounts of snow or blowing snow with winds in excess of 35 mph and visibility of less than $\frac{1}{4}$ mile for an extended period of time.
- **Extreme Cold:**
 - For calves under 400#, lambs, and kids - Minimum of 2 consecutive days of at least negative 10 degrees windchill for at least 1 hour each day.
 - For all other livestock – at least a negative 30 degrees windchill for at least 1 hour each day.
- **Winter Storm:**
 - Lasts 3 consecutive days and includes a combination of high winds, freezing rain or sleet, heavy snowfall, and extremely cold temperatures. The wind, precipitation, and extremely cold temps must occur within the 3 days, with wind and temps occurring in each of the 3 days.
- **Flooding**
- **Combinations of weather conditions maybe approved**

Eligible Adverse Weather Conditions

- Extreme Heat:
 - For all weights and kinds of livestock - A minimum of 2 consecutive days where the temperature heat index (THI) is a minimum of 79 for at least 1 hour each day
- Lightning
- Hail
- Straight Line Winds
- Tornado
- Wildfire

Ineligible Livestock Loss Conditions

- Losses that are not the direct result of an eligible loss condition
- Losses that are the result of a management decision
- Losses due to insufficient or contaminated water or feed
- Malfunction on a confinement's equipment (swine & poultry)
- Disease you can vaccinate for; Pneumonia, parainfluenza, anaplasmosis, etc.
- Losses due to drought – with the exception of anthrax

Eligible Livestock Owner

- Individual who, as of the day of the eligible adverse weather and day the eligible livestock died or were injured as a result of that eligible adverse weather, had the production and market risks associated with the agricultural production of livestock
- Had legal ownership of the eligible livestock for which benefits are requested and under conditions in which no contract grower could have been eligible for benefits with respect to the livestock
- Producing livestock for commercial use as part of a farming operation
- Meets program eligibility requirements including:
 - US Citizen or legal resident alien
 - AGI, AD-1026, CCC-902/CCC-901

Eligible Livestock Contract Grower

- Meets all the terms and conditions of eligible livestock owner but whose interest in the livestock is not as owner, but as a person or entity whose interest is in poultry or swine
- As of the day of the eligible loss condition and day the poultry or swine died, had
 - control of the eligible livestock
 - risk of loss in the animal
 - written agreement with the owner of eligible livestock, setting the specific terms, conditions, and obligations of the parties involved regarding the production of livestock

** Must provide a copy of their growers contract*

Eligible Livestock

- Owned by an eligible livestock owner or be in the possession of an eligible contract grower on the day of the eligible adverse weather condition and when the livestock died
- Maintained for commercial use as part of a farming operation on the day the livestock died
- Die in excess of normal mortality as a direct result of an eligible adverse weather condition to be eligible for payment
- Die no later than 30 calendar days after the ending date of the applicable eligible adverse weather condition

*Note: If an animal was pregnant at the time of death, only the pregnant animal that died is eligible for payment under LIP. The unborn animal is **not** considered eligible livestock under LIP.

Eligible Livestock

- Adult or nonadult beef cattle
- Adult or nonadult beefalo/bison
- Adult or nonadult buffalo
- Adult or nonadult dairy cattle
- Elk
- Alpacas
- Caribou
- Deer
- Emus
- Equine Animals
- Goats
- Llamas
- Poultry, including egg-producing poultry
- Reindeer
- Sheep
- Swine

Ineligible Livestock

- Any animal produced or maintained for reasons other than commercial use as part of a farming operation.
- Including, but not limited to, recreational purposes, such as :
 - consumption by owner
 - hunting
 - pets
 - pleasure
 - roping
 - show

Death Documentation

- **Verifiable Evidence**

- rendering truck receipts or certificates (#, Kind & lbs.)
- FEMA records
- National Guard records
- veterinary records
- records assembled for tax purposes
- private insurance documents
- bank or other loan documents
- other verifiable evidence
- contract growers must provide copy of contract

- **Reliable Evidence**

- contemporaneous producer records existing at the time of the event
- pictures with a date
- brand inspection records
- dairy herd improvement records
- other similar reliable documents

CCC-854 Third Party Certification

- Participant must use a Third Party Certification as proof of death or injury in conjunction with verifiable beginning inventory when the participant is unable to provide verifiable or reliable records as proof of death or injury
- The Third Party Certifies:
 - Specific details about how the third party has knowledge of the animal deaths or injury
 - Relationship or affiliation (if any) to the livestock owner
 - Must be independent source
 - Cannot be hired hand
 - Cannot be family member
 - # and kind/type and weight range of participant's livestock that died or were injured
 - Must be factually true based on their own observation
 - Any other details necessary for COC and DD determination

Beginning Inventory Records

VERIFIABLE

- ❖ veterinary records
- ❖ canceled check documentation
- ❖ balance sheets
- ❖ inventory records used for tax purposes
- ❖ loan records
- ❖ bank statements
- ❖ farm credit balance sheets
- ❖ property tax records
- ❖ brand inspection records
- ❖ sales and purchase receipts
- ❖ private insurance documents
- ❖ chattel inspections
- ❖ other verifiable records

RELIABLE

- ❖ contemporaneous producer records existing at the time of the event
- ❖ brand inspection records
- ❖ docking records
- ❖ shearing records
- ❖ ear tag records
- ❖ trucking and/or livestock hauling records
- ❖ other similar reliable documents

Sale of Injured Livestock

- Verifiable evidence of amount received for sale of injured livestock:
 - Sales receipt from a livestock auction, sale barn or other similar livestock sales facility
 - Private insurance documents
 - Processing plant receipt

- At a minimum, must include:
 - Livestock kind, type, and weight
 - The price for which the animal was sold

- Must be sold within 30 days of the eligible adverse weather condition

Important Dates & Deadlines

- Livestock death within 30 days from the weather event
- File Notice of Loss with FSA within 30 days of death
- File Application for Payment (& all supporting documentation) within 60 days of the end of the calendar year

Notice Of Loss

Part 1 of Application Process

- Producers must contact their local Farm Service Agency to file a Notice of Loss within 30 days of when a livestock loss is apparent.
 - Via Phone
 - Email
 - Fax
 - In-Person
- Must be filed in every county you have a loss
- Provide:
 - 1) Cause of the livestock death (adverse weather event)
 - 2) Date the livestock death was apparent
 - 3) Date of adverse weather condition(s)

Application for Payment

Part 2 of Application Process

- Provide:
 - 1) Number of livestock deaths (total for year)
 - Eligible Weather-related, Disease, Animal Attack losses
 - Normal mortality losses
 - 2) Beginning Inventory on the 1st day of the eligible event
 - 3) Animal classification and weight range



QUESTIONS