



## DISASTER ASSISTANCE

### ELAP - HONEYBEE ASSISTANCE / Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program

#### Overview

The Agriculture Improvement Act of 2018 (the 2018 Farm Bill) authorized the use of Commodity Credit Corporation funds for the Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP). ELAP provides emergency assistance to eligible producers of livestock, honeybees and farm-raised fish. It covers losses due to an eligible adverse weather or loss condition, including blizzards and wildfires, as determined by the Secretary. ELAP covers losses that are not covered under other disaster assistance programs authorized by the 2014 Farm Bill, such as the Livestock Forage Disaster Program (LFP) and the Livestock Indemnity Program (LIP).

The 2018 Farm Bill amended certain provisions related to ELAP effective with the 2019 program year. Those amendments included:

- providing reimbursement of 90 percent of the cost of losses for socially disadvantaged, limited resource, beginning, or a veteran farmer or rancher;
- removing ELAP from the combined ELAP and LFP maximum per person and legal entity payment limitation for the 2019 and subsequent program years (as discussed in this fact sheet).

ELAP is administered by the Farm Service Agency (FSA) of the U.S. Department of Agriculture (USDA).

#### What Is Eligible?

##### Eligible Honeybees

Eligible honeybees include bees housed in a managed hive and used for honey production, pollination or honeybee breeding. Eligible honeybees do not include wild, feral honeybees, leaf cutter bees or other bee species that are not used for producing honey, pollinating or breeding honeybees.

##### Eligible Losses

Losses of colonies must be in excess of normal mortality. ELAP covers damage to hives and feed that was purchased or produced, including additional feed purchased above normal quantities to sustain honeybees until such time that additional feed becomes available.

The colony, hive and feed losses must be:

- Due to an eligible adverse weather or loss condition; and
- Incurred by an eligible honeybee producer in the county where the eligible adverse weather or loss condition occurred.



#### Eligible Conditions

The losses must be the direct result of an eligible adverse weather or loss condition, including but not limited to: Colony Collapse Disorder (CCD) (colony loss only);

- Earthquake;
- Eligible winter storm (colony loss only);
- Excessive wind;
- Flood;
- Hurricane;
- Lightning;
- Tornado;
- Volcanic eruption; and
- Wildfire.

#### Eligible Producer

To be eligible for losses, the producer must have:

- An interest and risk in an eligible colony for the purposes of producing honey, pollinating or breeding for commercial use as part of a farming operation on the beginning date of the eligible adverse weather or loss condition; and
- Suffered an eligible honeybee loss in a county where the eligible adverse weather or loss condition occurred on the beginning date of the eligible adverse weather or loss condition.

## How it Works

### Colony Loss Payments

FSA has established a normal mortality rate for colony losses of 22 percent for the 2021 program year. Payments for colony losses are based on the average fair market value of colonies in the program year in which the loss occurs, as established by FSA. FSA has established the average fair market value at \$100 per colony for the 2021 program year.

ELAP payments for honeybee colony losses will be based on a minimum of 75 percent of the result of multiplying:

- The number of colonies lost in excess of normal mortality (22 percent) due to an eligible adverse weather or loss condition, times;
- The average fair market value per colony for the applicable program year.

### Hive Loss Payments

Payments for hive losses are based on the average fair market value of hives in the program year in which the loss occurs, as established by FSA. FSA has established average fair market value at \$200 per hive for the 2021 program year

ELAP payments for hive losses will be based on a minimum of 75 percent of the result of multiplying:

- The number of hives lost due to an eligible adverse weather or loss condition, times;
- The average fair market value per hive for the applicable program year.

### Feed Loss Payments

Payments are based on a minimum of 60 percent of the actual cost of purchased or harvested feed that was intended for honeybees and was damaged because of an eligible adverse weather or loss condition. This includes additional feed purchased above normal quantities to sustain the honeybees for a short time period until additional natural feedstock becomes available.

### Socially Disadvantaged, Limited Resource or Beginning or Veteran Farmers and Ranchers

With respect to the national payment rates referenced above, an eligible honeybee producer who certifies they are socially disadvantaged, limited resource, beginning, or a veteran farmer or rancher will receive 90 percent of the payment rate for honeybee losses under ELAP.

## Payment Limitations

The 2018 Farm Bill removed ELAP from the combined \$125,000 payment limitation under ELAP and LFP. Therefore, for 2019 and subsequent program years, payment limitation does not apply to ELAP benefits. The average adjusted gross income (AGI) limitation relating to limits on payments for persons or legal entities, excluding joint ventures and general partnerships, with certain levels of AGI will apply.

Specifically, a person or legal entity with an AGI (as defined in 7 CFR Part 1400) that exceeds \$900,000 will not be eligible to receive ELAP payments.

Direct attribution provisions also apply to ELAP. Under direct attribution, any payment to a legal entity will also be considered for payment limitation purposes to be a payment to persons or legal entities with an interest in the legal entity or in a sub-entity. To learn more, visit the Payment Eligibility and Payment Limitations fact sheet at [fsa.usda.gov/payment-limitations](https://fsa.usda.gov/payment-limitations).

## Applying for Assistance

Producers can apply to receive ELAP assistance at local FSA service centers. For 2021 program year losses, the application period will end Jan. 31, 2022.

In addition to submitting an application for payment, producers who suffered honeybee losses must submit a notice of loss to the local FSA service center that maintains the farm records for their business. However, if the local FSA service center that maintains the farm records for the honeybee producer is not in close proximity to the physical location county where the honeybee loss occurs, the honeybee producer may submit a notice of loss to the local FSA service center in the county where the loss occurred.

The following table provides the final dates to file a notice of loss and application for payment for eligible losses.

Honeybee Loss	Final Date to File Notice of Loss	Final Date for Payment
Within the program year Jan. 1 – Dec. 31	15 days after loss is apparent	Jan 30, after the program year in which the loss occurred.

For honeybee colony and hive losses, the participant must include proof of inventory at the beginning of the program year and inventory immediately before and after the eligible adverse weather event or loss condition. In addition, if the participant was paid for a loss of honeybee colony or hive in either or both of the previous 2 years, the participant must provide documentation to substantiate beginning inventory for the current year for which the loss occurred.

For honeybee colony losses due to CCD, the participant must provide a producer certification that the loss was a direct result of at least 3 of the 5 symptoms of CCD and proof that best management practices are being followed, such as honeybee colonies are provided proper nutrition, preventative treatment for varroa mites and disease, proper maintenance of hive equipment, proper colony management and any other supporting documents required for determining eligibility.

Payments may be made for eligible losses suffered by an eligible participant who is now deceased or is a member of a dissolved entity, if a representative, who currently has authority to act on behalf of the estate of the deceased participant, signs the application for payment. Proof of authority to sign for a deceased individual or dissolved entity must be provided. If a participant is now a dissolved general partnership or joint venture, all members of the general partnership or joint venture at the time of dissolution or their duly authorized representative(s) must sign the application for payment.



FSA will use data furnished by the applicant to determine eligibility for program benefits. Furnishing the data is voluntary; however, without all required data, program benefits will not be approved or provided.

#### More Information

This fact sheet is for informational purposes only; other restrictions may apply. For more information about ELAP, visit [fsa.usda.gov/ELAP](https://fsa.usda.gov/ELAP) or contact your local FSA office. To find your local FSA office, visit [farmers.gov](https://farmers.gov).

## ELAP Program for Beekeepers

### FAQ:

1. The beekeeper does not need to have an established business. They can apply as an individual, but if they have a business related to the beekeeping, we recommend that they apply under the business for tax purposes.
2. Anyone that owns colonies that are used for honey production can participate, they do not have to commercially market the honey, however the bees need to be used for honey production in order to qualify for the program.
3. There is no minimum business/income requirement. We do have USDA eligibility requirements which include a few pieces of paperwork that they need to sign. The one main thing is that they cannot have an average adjusted gross income over \$900,000.
4. Other requirements include:
  - a. filing an acreage report with the RI County FSA Office (The 2022 deadline has already passed, but the producer can late file)
  - b. Registering their hives with RI DEM
  - c. The producer MUST treat for Varroa mites and provide proof that they treat.
  - d. Provide the County Office with supporting documentation of good hive maintenance. This can be in many forms and we are flexible the type of documentation that the producer can provide.
  - e. Have suffered the honeybee loss because of an eligible weather event of CCD.

### Contact information

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