



Farm Service Agency
ELAP - HONEYBEE ASSISTANCE

**Emergency Assistance for Livestock,
Honeybees and Farm-Raised Fish Program**

FACT SHEET
June 2018

Overview

The 2014 Farm Bill authorized up to \$20 million in a fiscal year 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 Bipartisan Budget Act of 2018, enacted Feb. 9, 2018, amended certain provisions related to ELAP effective with the 2017 program year. Those amendments included:

- removing the \$20 million funding cap for the 2017 and subsequent program years;
- removing LIP from the combined ELAP, LFP and LIP maximum per person and legal entity payment limitation for the 2017 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).

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.





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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 operation 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.

Colony Loss Payments

FSA has established a normal mortality rate for colony losses of 15 percent for 2017 program year and 22 percent for the 2018 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 \$140 per colony for the 2017 and 2018 program years.

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 (15 percent for 2017 and 22 percent for 2018) 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 \$258 per hive for the 2017 and 2018 program years.

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.



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Socially Disadvantaged, Limited Resource and Beginning Farmers and Ranchers

With respect to the national payment rates referenced above, an eligible honeybee producer who certifies they are socially disadvantaged, limited resource or a beginning farmer or rancher will not have their payment rate for honeybee losses under ELAP reduced by more than 10 percent.

Payment Limitations

The Bipartisan Budget Act removed LIP from the combined \$125,000 payment limitation under ELAP, LFP and LIP. Therefore, for 2017 and subsequent program years, no person or legal entity, excluding a joint venture or general partnership, may receive, directly or indirectly, more than \$125,000 total in payments under ELAP and LFP. 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 average AGI will apply. Specifically, a person or legal entity with an average 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 www.fsa.usda.gov/payment-limitations.

Applying for Assistance

Producers can apply to receive ELAP assistance at local FSA service centers. For 2017 and subsequent program year losses, the application period will end no later than Nov. 1 after the end of the program year in which the honeybee loss occurred or 60 calendar days after publication of the 2014 Farm Bill regulations, as amended, in the Federal Register.

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 honeybee losses.

Date of Honeybee Loss	Final Date to File Notice of Loss	Final Date to Submit an Application for Payment
Program year 2017 and subsequent program years	By the later of 30 calendar days of when the loss is first apparent or 60 calendar days after publication of the 2014 Farm Bill regulations, as amended, in the Federal Register.	By the later of Nov. 1 after the program year in which the loss occurred or 60 calendar days after publication of the 2014 Farm Bill regulations, as amended, in the Federal Register.

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2017 and 2018 ELAP applications that were processed and acted on by FSA under Federal regulations that were effective prior to the Bipartisan Budget Act of 2018 will not be re-processed or acted on by FSA unless FSA's decision was based on the notice of loss or application not being filed timely.

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. For honeybee colony losses due to CCD, the participant must provide 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.

For More Information

This fact sheet is for informational purposes only; other restrictions may apply. For more information about ELAP, visit www.fsa.usda.gov/ELAP or contact your local FSA office. To find your local FSA office, visit <http://offices.usda.gov>.

