

Add ELAP to Your Disaster Recovery Tool Box

The National Aquaculture Association (NAA) has been hearing from, and working with farmers and aquaculture farmer associations, relative to the Emergency Assistance for Livestock, Honey Bees and Farm Raised Fish Program (ELAP). ELAP provides financial assistance to eligible producers of livestock, honeybees and farm-raised fish for losses due to disease, certain adverse weather events or loss conditions, including blizzards and wildfires, as determined by the Secretary. To access ELAP program information, click [here](#).

On June 1, 2021, ELAP was expanded beyond baitfish and gamefish to include all farmed aquatic animals except for alligator and turtle and certain very early life stages. The program expansion provided, for the first time, a truly effective catastrophic disaster assistance program for US aquaculture!

If you are not familiar with ELAP, then you must become familiar now and not wait until a catastrophic event. The Farm Service Agency has posted a 43-minute webinar describing eligibility, annual acreage reporting, general application process and required livestock loss documentation. To access the recording, visit <https://www.youtube.com/watch?v=MSB9OdexVho>. Did you notice the phrase “annual acreage report”? Visit your local FSA county office and report that acreage now!!!! State and county offices can be found [here](#).

Farmers applying for disaster assistance through ELAP, and who have not interacted with the Farm Service Agency through the Non-Insured Crop Disaster Assistance Program (NAP), are reporting certain challenges with agency staff and County Committees. If you or other farms you know have not used NAP, then the following pointers may apply:

- Aquaculture is brand new to the ELAP program from the Washington DC office through State FSA Directors to the County Executive Director and County Committee levels. They may not know aquaculture. Be patient. Provide education. We recommend:
 - ✓ Reach out to your Farm Service Agency County Office introduce yourself and brief the County Executive Director on aquaculture products, production systems and practices. Offer to organize an Aquaculture 101 briefing for office staff and the County Committee to inform them about the what and how aquatic animals are farmed in your county. Invite them to visit your farm.

As mentioned earlier, through NAP experience, state FSA staff may be already up to speed which should help you a lot, but it does not hurt to reach out, make that introduction and offer to be a credible information source when disaster strikes.

- The Farm Service Agency is going to need from you a pre-disaster event crop inventory, post-disaster event crop inventory, normal production cycle mortality over the course of a growing cycle, and market price. We recommend:

- ✓ Engage the County Executive Director in a thoughtful, constructive discussion on the normal production cycle mortality and market price data points. The mortality number will be subtracted from the loss. This is a key data point for which very careful thought must be given.

The second key data point is market price(s). Market price is driven by many forces, much of which is beyond your control. You must inform the agency about volatility in market price (e.g., seasonality, competitive products), different prices for different markets (e.g., live, iced or processed) and different prices for different life stages (e.g., fingerling, stocker or fish sold for human consumption).

- The agency will look to confirm what you tell them through independent, third parties to provide or collaborate on the mortality and price data points. We have noticed the agency may not ask farmers as to who they should talk to and some of the data points provided by third parties have been wrong.
 - ✓ You must get ahead of this potential mistake by the agency. Remember they may know little to nothing about aquaculture. Become the credible source or recommend credible sources that know aquaculture. Suggest people (e.g., knowledgeable aquaculture extension agent) and/or organizations (e.g., national, regional, state or species aquaculture associations) that have earned your trust, whose ethics are above reproach, and who have and will communicate with you.
 - ✓ Be prepared to provide a lot of market price information. If FSA has no prior market price data, they may opt to ask you for prior five-year market price data and then calculate an Olympic average. Meaning the agency will drop the high and low prices and average the rest to set a market price. Be prepared for an agency request for additional market price data.
 - ✓ Consider contracting for a disaster loss, normal production cycle mortality and market price analysis by a knowledgeable third party that can objectively and carefully document data. An effort that may be difficult following a catastrophic loss. Need to find an aquaculture economist in the public or private sector? Contact the NAA Office.

Following a disaster and filed ELAP claims, the agency will reach out to anyone they assume is knowledgeable, or accept comments from farmers not involved in aquaculture, to inform their decision making. To anticipate false information, we suggest:

- Talking to the knowledgeable aquaculture extension representatives that you work with now about this program. Alert them that the agency may contact them for production, normal mortality and market price information after a disaster and strongly suggest they should exercise caution in responding to agency inquiry. Anything they may say, even off-the-cuff comments, may be accepted by the agency as fact. It is very difficult to persuade the agency that information from sources they contact, other than the impacted farmers or truly knowledgeable individuals, is outdated or uninformed.

If the wheels come off the wagon and the agency makes a decision based upon inaccurate or uninformed information, then you can challenge a claim denial or inadequately paid claim within 30-days by filing an appeal. This process has no fee and an attorney does not have to be involved, but you have to be organized and clearly and thoroughly present normal mortality and price documentation. Preparing a timeline of events and retaining copies of communication will be very valuable during an appeal. Visit and become familiar with the USDA National Appeal Division by clicking [here](#).

If you have questions, please do not hesitate to contact the National Aquaculture Association Office at naa@thenaa.net or 850-216-2400.