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## **Disaster Assistance Programs & State Regulations to Consider During Emergencies**

**Livestock Indemnity Program (LIP):** LIP is a USDA-FSA disaster assistance program that is available to help producers recoup losses experienced by adverse weather events. As producers assess their individual situations, whether it be the blizzard in the West or the flooding in the East, here are a couple of key things to reminder:

1. Producers must notify their local FSA office of livestock losses within 30 days of when those losses become apparent. This 30-day notification window is critical. A phone call to the county FSA office works for this notification. To find your local FSA office, please visit <https://offices.sc.egov.usda.gov/locator/app?state=ne&agency=fsa> **This is the first and most important step.**
2. Documentation of losses is also critical. FSA will need some sort of supporting evidence of your losses, and this can include things such as: veterinarian certification, other independent third-party certification, rendering receipts, dated photos or video. Those things are an important part of the application process.
3. FSA will also need to know the type or weight of the animals lost. Adult animals, so bulls and cows, vs. calves or yearlings, are broken out differently in the LIP program, so that part of the record is important.
4. Documentation of weather conditions that contributed to the losses is needed. Include temperature, wind speed and precipitation conditions.

For the most recent Fact Sheet about LIP, please visit [https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdafiles/FactSheets/2018/livestock\\_indemnity\\_program\\_fact\\_sheet\\_dec\\_2018.pdf](https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdafiles/FactSheets/2018/livestock_indemnity_program_fact_sheet_dec_2018.pdf)

**Emergency Livestock Assistance Program (ELAP):** ELAP, another USDA-FSA disaster assistance program, covers some livestock losses that do not fall under LIP. Specific to the current adverse weather situations in Nebraska, ELAP may be applicable as it can, in certain situations, financially assist with livestock feed losses, such as bales that may have been destroyed in the flood.

For the most recent Fact Sheet about ELAP, please visit

[https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdafiles/FactSheets/2018/elap\\_livestock\\_assistance\\_fact\\_sheet-may\\_2018.pdf](https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdafiles/FactSheets/2018/elap_livestock_assistance_fact_sheet-may_2018.pdf)

**Emergency Conservation Program (ECP):** ECP can provide some cost-share assistance to rehabilitate farmland and pasture damaged by natural disasters. The approved ECP practices under this authorization include debris removal; fencing replacement and repair; grading, shaping and leveling of impacted fields; conservation structure rehabilitation; and shelterbelt rehabilitation. To date, 45 Nebraska counties have been approved to begin accepting applications for ECP funds. It is critical that producers contact their local FSA county office about this



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program before taking any action to repair damages. <https://www.thefencepost.com/news/usda-announces-availability-of-additional-emergency-programs-in-nebraska/>

For the most recent Fact Sheet about ECP, please visit [https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/FactSheets/2017/emergency\\_conservation\\_program\\_oct2017.pdf](https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/FactSheets/2017/emergency_conservation_program_oct2017.pdf)

**Environmental Quality Incentives Program (EQIP):** EQIP is a USDA-NRCS program that may provide cost assistance to properly dispose of dead livestock. Producers who have not already disposed of livestock can apply for EQIP now, receive a waiver, and begin immediate disposal before receiving an approved EQIP contract. NRCS is taking applications through April 5, 2019. The second cut-off date is May 1, 2019. Additional application cutoff dates may be announced if there is demand and available funding.

Producers who have suffered other damages due to the blizzard and flooding – such as damaged fencing, water sources, or windbreaks – may also seek assistance from NRCS through general EQIP funding. The sign-up period for general EQIP is continuous and has no cut off application date. For more information about the programs and assistance available from NRCS, contact your local USDA Service Center or visit [www.ne.nrcs.usda.gov](http://www.ne.nrcs.usda.gov).

**Emergency Grazing of Conservation Reserve Program (CRP acres):** USDA has authorized emergency grazing of CRP acres for all Nebraska counties due to the impacts of recent adverse weather. The emergency grazing authorization is effective immediately and ends April 30, 2019. CRP participants who use this option will need to obtain a modified conservation plan, which includes emergency grazing provisions, from NRCS. CRP participants can allow others to use their CRP acres under this emergency grazing authorization; however, the livestock owners also will need to complete FSA paperwork indicating their grazing land was adversely impacted by severe weather. There will be no reduction in CRP rental payments to CRP contract holders who use the emergency grazing authorization. CRP contract holders are not permitted to charge livestock producers for the emergency grazing option.

**Disaster Unemployment Assistance Program (DUA):** People who live in or worked in the Nebraska counties of Butler, Cass, Colfax, Dodge, Douglas, Nemaha, Sarpy, Saunders, or Washington, and whose employment or self-employment was lost or interrupted due to the flooding, may be eligible for assistance through DUA. Individuals can generally receive up to 26 weeks of DUA benefits as long as unemployment continues to be a result of the disaster. Eligibility for DUA benefits will be determined on a week-to-week basis. The filing deadline is April 26, 2019. General information about DUA can be found at <https://dol.nebraska.gov/UIBenefits/Programs/DUA>. Claims should be filed online at [NEworks.nebraska.gov](http://NEworks.nebraska.gov). All DUA applicants will be required to provide documents to verify wages.

**Specific Tax Relief for Adversely Impacted Nebraskans:** As a result of the recent severe winter storm, straight-line winds, and flooding in Nebraska, the IRS and Nebraska Tax Commissioner recently granted individual and corporate income tax relief to certain taxpayers



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impacted by the disaster. Individuals who reside or have a business in Butler, Cass, Colfax, Dodge, Douglas, Nemaha, Sarpy, Saunders, and Washington counties may qualify for tax relief. Eligible taxpayers must be subject to mandatory or optional evacuation due to the natural disaster. For taxpayers affected by the natural disaster whose business or primary residential location is outside the nine counties or was not subject to mandatory or voluntary evacuation, the Nebraska Tax Commissioner may grant penalty or interest relief depending on your individual circumstances. Please contact the Nebraska Department of Revenue for more information **(800) 742-7474 or (402) 471-5729**.

**Disaster SNAP Funds:** The Disaster Declaration issued by President Trump last week included provisions that allow for individual assistance for some impacted by high water and power outages due to the recent floods in eastern Nebraska. The United States Department of Agriculture and the Nebraska Department of Health and Human Services' Division of Children and Family Services have approved the Disaster Supplemental Nutrition Assistance Program (D-SNAP) for affected, qualified individuals in the following counties and areas: Butler, Cass, Colfax, Dodge, Nemaha, Sarpy, Saunders, Washington, Douglas (Zip Codes: 68007, 68022, 68064, 68069, 68112, 68122, 68142, 68152). D-SNAP uses different qualifying rules than regular SNAP. For more information visit <http://dhhs.ne.gov/Pages/newsroom-2019-March-DSNAP.aspx>.

**Ensuring Safe Well Water After a Flood:** Recent flood conditions can pose threats to the quality of private water supplies. Flooded private water wells or wells suspected of being impacted by flooding should be tested to ensure that they are safe. Cloudiness or a change in taste or smell are signs of possible contamination. However, if there is any indication that the water supply has been breached by flood waters, even without noticeable changes in taste or smell, residents are encouraged to test their well water. Residents with wells inundated in flood water are also advised to contact their local water well professional to shock treat their well or follow well treatment guidance from the University of Nebraska-Lincoln at <https://flood.unl.edu/> followed up by testing.

The Nebraska Department of Health and Human Services (DHHS) and the Nebraska Department of Environmental Quality (DEQ) are also offering free testing for total coliform and E. coli for samples submitted by private well owners during the collection events listed below. To request a water sample test kit, visit <http://www.nebraska.gov/dhhs/water-test-kits/private.html>

**Columbus** – Thursday, March 28  
Time: 8:00 AM - 5:00 PM  
Location: Nebraska Extension Platte County  
2715 13th Street

**West Point** – Friday, March 29  
Time: 8:00 AM - 5:00 PM  
Location: West Point City Municipal Bldg  
444 S Main Street

**Fremont** – Monday, April 1  
Time: 8:00 AM - 5:00 PM  
Location: Three Rivers Public Health Dept  
2400 N. Lincoln Avenue

**Ashland** – Tuesday, April 2  
Time: 8:00 AM - 5:00 PM  
Location: Ashland City Library  
1324 Silver Street



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### Hay Drop Off Points

**Norfolk Airport ~ They do not have equipment to unload large round bales**

4100 S 13th St,  
Norfolk, NE 68701  
POC: Teri Wachter  
Phone: 402-841-5130

**Lancaster Event Center**

4100 N 84th St, Lincoln,  
NE 68507  
POC: Amy Dickerson  
Phone: 402-441-6545

**Ag Park**

822 15th St,  
Columbus, NE 68601  
POC: Ryan Palmer  
Phone: 402-270-4455

**UNL Research Center ~ no small square bales don't have manpower to unload**

1071 Rd G,  
Ithaca, NE 68033, NE  
POC: Doug Zalesky  
Call (970)759-8626 or (402) 624-8000  
Let us know the day and approximate time that you plan to drop hay or supplies off.  
Hay donations will be collected approximately ½ mi. west of the intersection of County Road 10 (blacktop road that goes south out of Mead, NE) and County Road H.  
Coordinates are: 41.161543 -96.482925.

**UNL Haskell Lab ~ no small square bales don't have manpower to unload**

57905 866 Road  
Concord, NE  
POC: Doug Zalesky  
Phone: 970-759-8626

**Nebraska College of Technical Agriculture (NCTA)**

404 E. 7th St,  
Curtis, NE, 69025  
\* Accepting large round bales and fencing materials starting Saturday, March 23.  
Accepting small square bales starting Monday, March 25.  
Contact: Meredith Cable  
Phone: 402-741-0833  
Drop-off and pickup should be between 7 a.m. and 7 p.m. Call ahead so we can have equipment and labor ready upon arrival.

**Albion Livestock Market**

2518 Sale Barn Road  
Albion NE  
POC: Ty Austin (402)-841-1057

**Verdigre Livestock Market**

88176 Highway 14  
Verdigre, NE 68783  
POC: Curt Zimmer  
(402)-841-2835

**Dawes County Fairgrounds**

2009 E Gordon Ave  
Chadron, NE 69337  
Contact: Jack Arterburn  
Cell: 308-249-3717  
Office: 308-432-3373

**Nance County**

Due to local access issues, there are multiple collection sites in Nance County on both sides of the Loup River. Please contact us first before delivery.  
Call 308-536-2691 or 402-741-0384

## **Recent Gubernatorial Executive Orders Waiving Certain Regulatory Requirements:**

1. Executive Order 19-02 provides for several transportation waivers for all commercial motor vehicles and motor carriers engaged in the business of transporting equipment, materials, and storm debris in conjunction with response and recovery events. The following are waived through April 15, 2019:
  - a. Federal hours-of-service regulations are waived through April 15, 2019. However, no motor carrier operating under this waiver shall require or allow an ill or fatigued driver to operate a motor vehicle. Please keep a copy of this EO in your vehicle as evidence of your direct support to the State of Nebraska during this emergency period. To view this EO visit <https://bit.ly/2HGETBf>
  - b. Length and weight hauling requirements of federal and state law are also suspended through the duration of the motor carrier's assistance in the disaster relief effort.
2. Executive Order 19-03 is related specifically to livestock operations. The following are waived through April 15, 2019:
  - a. State law requiring owners and/or custodians of dead livestock to bury or compost within 36 hours of learning of the death, provided such death was a result of recent extreme weather events. Owners and/or custodians of dead livestock must bury or compost *within a reasonable amount of time*.
  - b. State law requiring an owner and/or operator of an animal feeding operation to notify DEQ within 24 hours after a discharge of livestock waste or potential discharge to waters of the state. This notification requirement is amended to within 24 hours *after learning* of the potential or actual discharge. The owner/operator must provide a written report to DEQ within two weeks after this initial notification. To view this EO please visit <https://bit.ly/2UTmK5X>
3. Executive Order 19-04 suspends requirements for trip permits pertaining to vehicle registrations, and for fuel tax permit requirements, to all commercial motor vehicles and motor carriers engaged in the business of transporting equipment, materials, and storm debris in conjunction with response and recovery events. To view this EO, visit <https://bit.ly/2HGBFxo>

## **Emergency holding pond management recommendations during wet weather events from Nebraska Extension and DEQ:**

1. Be vigilant in monitoring lagoon and runoff holding pond levels. Application to saturated soils is preferable to allowing a storage basin to overflow.
2. Pumping operations should be monitored continuously to minimize potential for runoff or equipment malfunction.
3. If you do experience an overflow, you are required by law to notify NDEQ of any discharge within 24 hours *after learning of the event*, per Executive Order 19-04, by telephone and within five working days. The emergency response number to call is **(877) 253-2603**.

4. To be considered a legal discharge, you must have records that indicate the holding pond was below the start-pump level prior to the onset of the rain event causing the discharge.
5. Please visit <https://bit.ly/2TttqGF> for more information.

## Disposal of Animal Carcasses

1. If carcasses are managed as the result of an emergency with the potential to impact immediate or long-term animal or public health and safety, both NDA and NDEQ should be contacted, in addition to local emergency management authorities.



<https://nema.nebraska.gov/overview/county-emergency-management-directorscoordinators>

2. On-site burial within 36 hours after knowledge of death and at least four feet below the surface of the ground dramatically lowers the possibility of spreading a disease. (*Per Executive Order 19-04, owners and/or custodians of dead livestock must bury or compost within a reasonable amount of time.*)
  - a. A state permit to bury on-site or on an adjacent property is NOT required; nevertheless, there are obligations under state law to protect groundwater resources – namely recommended separation distances for burial sites
3. Disposal by burning requires the use of an incinerator permitted by NDEQ. During an emergency, use of an incinerator and open burning may be approved by NDEQ on a case-by-case basis. The NDEQ Air Quality Division must be contacted if any incineration or burning is under consideration. Air Quality Permit Hotline: (877) 834-0474
4. Composting of livestock mortalities is an approved method of disposal. However, proper equipment, material and management are required. Please contact NDA if this method of carcass disposal is to be used.
5. Contact a licensed rendering service for the proper transportation and disposal of dead animals.
6. For more information, contact the NDEQ Waste Management Section: (402) 471-4210 or visit <https://becomeafan.org/wp-content/uploads/2017/12/Disposal-of-Dead-Livestock-in-Nebraska.pdf>

## Other Resources:

1. Nebraska Emergency Management Agency, <https://nema.nebraska.gov/>
2. The Disaster Assistance Improvement Program, <https://www.disasterassistance.gov/>
3. The Disaster Distress Helpline, 1-800-985-5990
4. USDA Disaster Resources Website, <https://www.usda.gov/topics/disaster/storms>
5. For up-to-date information on road/bridge closures, visit [511.nebraska.gov](http://511.nebraska.gov). Nebraska's 511 traveler information is also available on your Android or iOS device by downloading the NE 511 app.
6. Federal Motor Carrier Safety Administration, Regional Emergency Declaration, <https://www.fmcsa.dot.gov/emergency/regional-emergency-declaration-2019-002-flooding-03-19-2019>
7. NDA's Hay and Forage Hotline connects buyers with sellers of hay, pasture and other types of forage. This hotline service is available at no cost to buyers and sellers. (402) 471-4876
8. Nebraska Farm Bureau Information Exchange Portal, <https://www.nefb.org/ag-disaster-exchange>
9. Nebraska Department of Insurance, Resources for Nebraska Flood Victims, <https://doi.nebraska.gov/sites/doi.nebraska.gov/files/doc/ConsumerAlertResourcesforFloodVictims.pdf>
10. NDEQ Natural Disaster Debris Management, [https://ltap.unl.edu/NE\\_Natural%20Disaster%20Debris%20Management%202016.pdf](https://ltap.unl.edu/NE_Natural%20Disaster%20Debris%20Management%202016.pdf)
11. NDEQ Flood Damaged Grain & Hay Disposal, <http://www.nda.nebraska.gov/resources/FloodDamagedGrainHayDisposal.pdf>
12. Nebraska Grain & Feed Association, Flooded Grain Best Practices, <https://www.negfa.org/flooded-grain>
13. NDEQ Storm Recovery and Flooding in Nebraska: Environmental Guidance, <http://deq.ne.gov/NDEQProg.nsf/OnWeb/Disaster>
14. NDA Safety of Food and Water Affected by Flooding, <http://www.nda.nebraska.gov/fscp/foods/safety-foodwater.pdf>

