

# FIONA AGRICULTURE SUPPORT PROGRAM

Program Guidelines: September 17, 2022 to March 31, 2025

**Program Policy:** Supporting the agriculture industry who have incurred extraordinary costs associated with agricultural infrastructure, crops, and livestock due to Fiona.

## 1. PROGRAM DESCRIPTION

The Prince Edward Island Department of Agriculture and Land (PEI DAL) has established the Fiona Agriculture Support Program to provide financial support to the agriculture industry where extraordinary costs have been incurred associated with agricultural infrastructure, crops, and livestock due to Fiona that are not covered by existing Business Risk Management (BRM) programs and other federal or provincial programs.

This program is composed of four streams:

- I. **Stream 1 Agricultural Infrastructure** – will provide financial assistance for rebuilding/repairing damaged and/or destroyed agricultural infrastructure as a result of Fiona. To be eligible, the buildings must be currently insured.
- II. **Stream 2 Crops** – will provide financial assistance to the agriculture industry for the extraordinary costs related to harvest and crops as a result of Fiona.
- III. **Stream 3 Livestock** – will provide financial assistance to the agriculture industry for the extraordinary costs associated with livestock as a result of Fiona.
- IV. **Stream 4 Agricultural Land Clean-Up** – will provide financial assistance to the agriculture industry for the extraordinary costs of cleaning up after Fiona; particularly for clearing downed trees from farm field access roads, tree lines, and hedgerows that are interfering with normal farming activities and to repair damaged fence lines. Other extraordinary costs will be considered on a case by case basis as determined by program administrators.

**All applicants must submit an initial application to declare damage as a result of Fiona no later than December 15, 2022.** Funding will not be made available without an initial application submitted on or before December 15, 2022.

## 2. ELIGIBLE APPLICANTS

To be eligible, an applicant must

- be a taxable entity (e.g. individual, corporation or trust), limited partnership, cooperative, or First Nation Band;
- have carried on a business of farming in PEI and reported farming income (or loss) within at least one of the last two years (2021, 2022) to the Canada Revenue Agency for income tax purposes,
  - For applicants who are not required to file farm income tax, acceptable documentation that demonstrates the production and sale of agricultural commodities or services must be provided;
- not be a government funded research station, agency or institution; and
- have incurred extraordinary costs associated with agricultural infrastructure, crops, livestock, or extraordinary costs on farms and agricultural land as a directly result of Fiona.

For Stream 4 only, eligible applicants will also include:

- Non-farming owners of agricultural land (leasing a minimum of 20 acres of land for active agricultural production to an agricultural producer).

**Note:** An Eligible Applicant may not apply to this program if that person or another person is making (or has made) an application to any other program for compensation in respect of the same extraordinary costs (e.g., the

Disaster Financial Assistance Arrangements (DFAA) / Government of PEI's Provincial Disaster Financial Assistance Program (PDFAP), AgriStability, AgriInsurance, etc.).

## Stream 1 — Agricultural Infrastructure

Eligible Expenses	<p>Eligible agricultural infrastructure<sup>1</sup> includes:</p> <ul style="list-style-type: none"> <li>• agricultural buildings (i.e., barns, sheds, etc.);</li> <li>• silos;</li> <li>• grain tanks;</li> <li>• insurable greenhouses;</li> <li>• fuel tanks/storage;</li> <li>• fixed in place feeding systems (i.e. auger systems, feed hoppers);</li> <li>• cold storage/refrigeration buildings; and</li> <li>• other insurable expenses associated with extraordinary costs of infrastructure, which may be considered on a case by case basis as determined by program administrators.</li> </ul> <p>Eligible expenses include extraordinary costs associated with:</p> <ul style="list-style-type: none"> <li>• dis-assembly, removal, and disposal of damaged infrastructure;<sup>2</sup></li> <li>• engineering/architectural costs associated with replacement infrastructure;<sup>3</sup></li> <li>• provincial building permits;</li> <li>• building materials;</li> <li>• labour;</li> <li>• in-kind labour;</li> <li>• insurable fixed in place equipment in the damaged building/structure; and</li> <li>• other insurable expenses, which may be considered on a case by case basis as determined by program administrators.</li> </ul> <p><sup>1</sup>Note: To be eligible, buildings must be currently insured.  <sup>2</sup>Note: Dis-assembly, removal, and disposal of damaged infrastructure must comply with municipal and provincial waste management/environmental guidelines.  <sup>3</sup>Note: All construction must comply with municipal/provincial building codes, where applicable.</p>
Ineligible Expenses	<ul style="list-style-type: none"> <li>• Expenses covered by existing Business Risk Management (BRM) programs, regardless of whether the applicant is enrolled in BRM programs (i.e., AgriInsurance, AgriStability, and AgriInvest);</li> <li>• any expenses that are not directly related to Fiona;</li> <li>• costs associated with non-agricultural buildings;</li> <li>• costs associated with loss of stored feed and crops, agricultural inputs, maintenance supplies, tools, or livestock in the building; and</li> <li>• costs associated with mobile machinery and equipment.</li> </ul>
Level of Assistance	<p>10% of the insured value up to 80% of the eligible rebuild costs that were not paid by the insurance policy, to a maximum of \$100,000 per farm unit.</p>

## Stream 2 — Extraordinary Costs Associated with Crops

Eligible Expenses	<p><b>Corn (including grain corn, corn silage, and snaplage/cobmeal)</b></p> <p><b>Extraordinary costs associated with:</b></p> <ul style="list-style-type: none"> <li>• harvest due to Fiona<sup>1</sup> (e.g., increased labour, increased fuel, repairs and maintenance);</li> <li>• crop destruction;</li> <li>• specialty corn production operations (i.e., unharvested sweet corn, corn mazes);</li> <li>• specialized equipment to assist with the difficult 2022 harvest conditions created by Fiona<sup>2</sup>, including but not limited to:             <ul style="list-style-type: none"> <li>• downed corn headers,</li> <li>• downed corn augers,</li> <li>• header modifications and attachments,</li> <li>• other specialized equipment;</li> </ul> </li> <li>• custom harvester operation; and</li> <li>• other expenses associated with extraordinary costs of corn, which may be considered on a case by case basis as determined by program administrators.</li> </ul> <p><sup>1</sup>Note: Crops harvested prior to September 24, 2022, will not be eligible for extraordinary harvest costs.</p> <p><sup>2</sup>Note: Specialized equipment must be purchased after September 24, 2022, and before June 1, 2023.</p> <p><b>Tree Fruit:</b></p> <p><b>Extraordinary costs associated with:</b></p> <ul style="list-style-type: none"> <li>• specialized equipment required for damaged crop harvest;</li> <li>• trellis and other perennial crop infrastructure repairs or replacement;</li> <li>• transportation of crops to emergency markets;</li> <li>• labour for trellis repair, wind resilient trellis replacement, tree straightening/repair, tree replanting, orchard cleanup, clean-up of unmarketable crop;</li> <li>• land preparation for replanting perennial crops;</li> <li>• additional crop protectants for perennial crops required as a result Fiona damages; and</li> <li>• other expenses associated with extraordinary costs of tree fruit, which may be considered on a case by case basis as determined by program administrators.</li> </ul> <p><b>Other crops that incurred extraordinary costs due to Fiona will also be considered</b> (e.g. Horticultural Crops, maple syrup operations, Christmas tree operations).</p> <p><b>All crop producers may be eligible for the following items:</b></p> <ul style="list-style-type: none"> <li>• costs related to generator usages incurred as a result of Fiona, level of assistance will be based on intensiveness of use, (i.e. Large warehouse/cooler vs small freezer); and</li> <li>• other specialized equipment; such as grapple buckets.</li> </ul>
Ineligible Expenses	<ul style="list-style-type: none"> <li>• Replacement perennial plants; and</li> <li>• any expenses not directly related to Fiona.</li> </ul>
Level of Assistance	<p>Corn (including grain corn, corn silage, and snaplage/cobmeal):</p> <ul style="list-style-type: none"> <li>• A payment of up to \$150 per harvested acre of corn for eligible extraordinary harvest costs due to Fiona. Only harvested acres are eligible for this payment.</li> </ul>

- A payment of up to \$50 per unharvested acre of corn for extraordinary costs related to crop destruction.
- Assistance for specialty corn production operations (i.e. unharvested sweet corn, corn mazes) will be considered on a case by case basis, to a maximum \$5,000.
- Assistance for specialized equipment to assist with the difficult 2022 harvest conditions created by Fiona will be available at a rate of 35% of extraordinary eligible costs, to a maximum of \$ 20,000 per farm unit.
- Custom harvesters are eligible for a one-time payment of 50% of extraordinary eligible costs to offset extraordinary costs related to repairs and maintenance (based on invoices), to a maximum of \$10,000 per operation.

Tree Fruit and other Perennial Crop are eligible for 90% of incurred extraordinary costs up to a maximum of<sup>1</sup>:

- \$7,500/acre for destroyed trellised tree fruit.
- \$3,000/acre for damaged trellised tree fruit.
- \$2,500/acre for destroyed free-standing tree fruit, vineyard/grape, bush & cane fruit (highbush blueberry, haskap, raspberry).
- \$1,500/acre for damaged free-standing tree fruit, vineyard/grape, bush & cane fruit (highbush blueberry, haskap, raspberry).

#### All Crop Producers

- Generator costs to operate a crop production or crop storage facility at a rate of \$50/day for the days that power was out to that facility. This includes cooled storage, large ventilated storages or production facilities with a significant power requirement.
- Generator costs to operate a crop facility at a rate of \$10/day for the days that power was out to that facility. This includes crop production facilities that required minimal electricity to operate
- Assistance for specialized equipment to assist with the difficult 2022 harvest conditions created by Fiona will be available at a rate of 35% of eligible costs to a maximum of \$ 20,000 per farm unit.

Maximum payment amounts for all extraordinary costs may be restricted to match Disaster Financial Assistance Arrangements payment caps.

<sup>1</sup>Note: to be eligible for tree fruit or other perennial crop compensation, receipts and records of the extraordinary costs must be provided at the time of initial application, including proof of in-kind.

### Stream 3 — Extraordinary Costs Associated with Livestock

#### Eligible Expenses

#### Extraordinary costs associated with:

- rental of alternative facility or pasture due to damage to an owned or leased eligible farm structure (i.e., milking facility; poultry, hog or sheep facility) or pasture as a result of Fiona;
- animals custom raised due to the loss of a facility (lactating dairy cattle are not eligible for this assistance);
- relocation of animals, including labour, handling, and transportation, which was incurred after Fiona and prior to October 15, 2022;
- a licensed veterinarian to treat eligible livestock immediately following Fiona;

	<ul style="list-style-type: none"> <li>• purchasing additional feed for livestock to replace stored feed lost/damaged during Fiona, does not include feed purchased to replace unharvested crops including corn;</li> <li>• generator costs to operate a livestock facility, including dairy milking barns, poultry, and hog barns;</li> <li>• generator costs to operate a livestock facility, including dairy nonproduction facilities, beef, sheep, horse barns, and pastures with electric fencing;</li> <li>• providing water during power outages;</li> <li>• deadstock removal for all species except cattle incurred up to 10 weeks after Fiona; and</li> <li>• other expenses associated with extraordinary costs of livestock, which may be considered on a case by case basis as determined by program administrators</li> </ul>
<p>Ineligible Expenses</p>	<ul style="list-style-type: none"> <li>• Feed purchased to offset crops not harvested due to Fiona;</li> <li>• generator costs for items other than supporting livestock maintenance and production after Fiona; and</li> <li>• any expenses not directly related to Fiona.</li> </ul>
<p>Level of Assistance</p>	<ul style="list-style-type: none"> <li>• Costs for rental of alternative facility or pasture: where damage has destroyed or made inoperable an owned or leased eligible farm structure (milking facility; poultry, hog, or sheep facility) or pasture, and an eligible applicant incurs extraordinary costs to rent an alternate so production can be continued, an assistance payment equal to 50% of the receipted costs for an alternate facility rental for up to 6 months.</li> <li>• Animals custom raised due to the loss of a facility: \$1.25 per day per animal. Lactating dairy cattle are not eligible for this assistance. Applicants will be eligible for funding from September 24, 2022 to June 1, 2023.</li> <li>• Costs for relocation of animals: 90% of the receipted costs or in-kind for the initial relocation expenses following Fiona.</li> <li>• Veterinary costs: Where an eligible applicant has incurred extraordinary costs for a licensed veterinarian to treat eligible livestock immediately following Fiona, 90% of the receipted costs will be eligible.</li> <li>• Purchasing of additional feed for livestock to replace stored feed lost/damaged in post tropical storm Fiona. Compensation will be at 50% of purchased feed expenses. This can include feed purchased for cattle removed from pasture early due to fence damage. This does not include feed purchased to replace unharvested crops including corn. Applicants must show proof of lost feed.</li> <li>• Generator costs to operate a livestock production facility: \$50/day for the days that power was out to that facility. This includes dairy milking barns, poultry, and hog barns.</li> <li>• Generator costs to operate a livestock facility at a rate of \$10/day for the days that power was out to that facility. This includes livestock facilities that required minimal electricity to operate.</li> <li>• Costs for providing water during power outages. Labour and transportation will be covered at program rates.</li> <li>• Costs for deadstock removal for all species except cattle: 70% of receipted costs.</li> </ul> <p>Maximum payment amounts may be restricted to match Disaster Financial Assistance Arrangements payment caps.</p>

## Stream 4 — Agricultural Land Clean-Up

### Eligible Expenses

#### Extraordinary costs associated with:

- in-kind, on farm or casual labour, associated with clearing of downed trees on tree lines and fence repair, calculated at the allowable hourly rate<sup>1</sup>;
- in-kind chainsaw operation, associated with clearing of downed trees on tree lines and fence repair, calculated at the allowable hourly rate (rate includes operator time and fuel);
- in-kind equipment operation, associated with clearing of downed trees on tree lines and fence repair, calculated at the allowable hourly rate (rate includes operator time and fuel),
  - examples: tractor, dump truck, bulldozer, excavator, loader, backhoe, skid steer;
- receipted uninsurable costs associated with clearing of fallen trees on tree lines and fence repair, that are supported by detailed invoices and proof of payment for each invoice<sup>2</sup>;
- receipted uninsurable costs of fencing supplies, associated with fence repair from damage caused by falling trees, debris or structures; and
- other expenses associated with extraordinary costs of clean-up, which may be considered on a case by case basis as determined by program administrators.

<sup>1</sup>Note: Labourer and number of hours must be identified and on farm or casual employee documentation must accompany claim submission. An “allowable hourly rate” will be determined by program administrators.

<sup>2</sup>Note: Requires Property Identification (PIDs) numbers in which each expense was incurred.

### Ineligible Expenses

- Below ground biomass clean up and removal (i.e. removing underground stumps/roots);
- fencing repair for poorly maintained or abandoned fence lines, on non-active pastureland, or for applicants without livestock;
- tree clearing for abandoned farmland, land not actively in agricultural production or for access lanes not leading to fields in active agricultural production;
- tree clearing around farm residences;
- repair of fencing that is not used to contain livestock (i.e., wooden fences, backyard fences);
- repair of fencing and fencing supplies for portions of fencing not impacted by Fiona;
- complete removal of hedgerows (preexisting hedgerows must remain in place); and
- any expenses not directly related to Fiona.

### Level of Assistance

Payments at a rate of 90%. Maximum per farm payment amounts may be restricted to match Disaster Financial Assistance Arrangements payment caps.

Expenses claimed for payment will be evaluated for reasonableness and adjusted by the program administrators based on averages, supporting documentation, site visits, tree clearing, and fence repair required. A maximum allowable payment amount per meter of hedgerow, tree line, or fence may be applied to claims under the program.

### 3. INELIGIBLE EXPENSES FOR ALL STREAMS

- expenses covered by existing Business Risk Management (BRM) programs, regardless of whether the applicant is enrolled in BRM programs (i.e. AgriInsurance, AgriStability, and AgriInvest), which may include crop loss, future crop loss, etc.;
- expenses covered by other insurance, regardless of whether the applicant has enrolled in insurance programs;
- expenses covered by other federal and/or provincial disaster relief programs; and
- any expenses not directly related to Fiona.

### 4. PAYMENTS (ALL STREAMS)

- The Department of Agriculture and Land and/or Project Review Committee has the sole discretion to determine eligibility of applications, validity of information declared on the application, and to approve or limit payments.
- Expenses claimed for payment will be evaluated for reasonableness and adjusted by the program administrators based on averages, supporting documentation, site visits, and invoices provided.
- The Department of Agriculture and Land may pro-rate payments or impose limits on amounts otherwise payable under this program, where all applications made under this program exceed the amount of funds available.
- Payments cannot be assigned or deferred to a subsequent tax year.
- Tax information slips required under the *Income Tax Act* (Canada) will be issued in the name of the eligible applicant.
- Program payments will be considered allowable income, for the purposes of the AgriStability program in the program year only.
- Program payments will not be considered allowable income for the calculation of reference margins under the AgriStability program.
- Program payments will not be considered allowable income for the purposes of the AgriInvest program.

### 5. APPLICATION DEADLINE

Initial applications to declare damage as a result of Fiona are due no later than December 15, 2022.

### 6. APPLICATION PROCESS

- Applicants are required to sign and submit a completed Application Form, and any supplementary Forms for each Stream being claimed, as well as the required supporting information to the Department of Agriculture and Land, including the following:
  - Signed Declaration and Consent to Use Personal Information (Application Form).
  - Applicant Reporting Form (Application Form).
  - A copy of the most current Statement of Farming Activities (T2042, T1273 or Schedule 125 – Farm Revenue: detailing sales by commodity revenue code).
  - Documentation supporting the reported extraordinary costs associated with infrastructure, crops, and/or livestock, including but not limited to:
    - invoices,
    - receipts,
    - in-kind claim declaration forms detailing type of expense, labourer and hours, equipment type and hours including operator, and/or
    - photo evidence of damage.
  - For applicants applying for Stream 1, a copy of the insurance policy for the claimed damaged/destroyed agricultural infrastructure is required.
  - For applicants applying for Stream 2, a crop insurance statement or a copy of corn seed invoices for the 2022 crops is required.

- For applicants applying with Tree Fruit under Stream 2, a copy of the PEI Tree Fruit Growers Association Orchard Damage Assessment or equivalent is required.
- Other supporting information as required by program administrators.
- A completed Initial Application must be received by the Department of Agriculture and Land no later than December 15, 2022.
- Applicants may not finalize claims after March 31, 2025.
- The Department of Agriculture and Land may reject any application that is inaccurate or incomplete.
- Designates are not permitted to sign the program application or other program documentation on behalf of an individual, unless they are an attorney under a duly authorized power of attorney or an executor/executrix for that individual, proof of which is to be provided with the signed applications.

## 7. EVALUATION AND PERFORMANCE MONITORING

A complete evaluation of this program is planned to ensure the performance, relevance, and impact of the program is understood. Program metrics are collected and reported on an on-going basis. Applicants in receipt of funding will be required to provide information for performance monitoring purposes.

## 8. PROGRAM TERMINATION

This program is effective September 17, 2022 and will terminate on March 31, 2025. This program may be altered or discontinued without notice by the Department of Agriculture and Land.

## 9. HOW TO APPLY

Completed applications may be submitted to the attention of the program administrators via regular mail or email.

### Email Applications

Applications may be submitted via email at [Agr-FionaResponse@gov.pe.ca](mailto:Agr-FionaResponse@gov.pe.ca)

Please include the program name "Fiona Agriculture Support Program" and the Stream under which you are applying in the subject line.

### Regular Mail Applications

Fiona Agriculture Support Program  
PEI Department of Agriculture and Land  
11 Kent Street PO Box 2000  
Charlottetown, PE C1A 7N8  
Phone: 902-368-4145

## 10. DEFINITIONS

### Agricultural Buildings

Any free-standing structure that is not a habitable dwelling whose primary use is to house farm equipment, livestock, or agricultural products and/ or where operations connected to agricultural production take place.

### Agricultural Equipment/ Machinery

Any non-fixed mechanical equipment principally used for agricultural purposes.

### Custom Harvester

A custom harvester is an operation in the business of harvesting crops for others. If the custom harvester also produces corn, they must harvest at minimum the equivalent number of acres they produce themselves for other farmers to be considered a custom harvester.

### Damaged (Perennial Crop)

Perennial crops that are leaning, need straightening but are not dead, and will not need to be pulled and replaced. Damaged trellis needs repair, but not replacing.



**Destroyed (Perennial Crop)**

Perennial crops (and trellis) that are broken, bent beyond 30 degrees, without potential to yield into the future, and the grower has decided to remove.

**Department of Agriculture and Land (PEI DAL)**

The Prince Edward Island Department of Agriculture and Land, which includes the program administrators and/or Project Review Committee.

**Eligible Applicant**

A person or entity that has applied under this program and meets the conditions set out in Section 2 of these Guidelines.

**Eligible Crop**

Means corn (grain or silage), tree fruit/fruit tree, vineyard/grapes, highbush blueberry, haskap, cane fruit (raspberry, blackberry), and other eligible crops as determined on a case by case basis by the program administrators.

**Eligible Expenses**

Includes any of the expenses outlined in these Guidelines, or as determined on a case by case basis by program administrators.

**Extraordinary Costs**

Costs that, in the sole discretion of the Department of Agriculture and Land, are directly related to the impacts of Fiona and its high winds and wet weather conditions, are beyond normal operational costs incurred by the eligible applicant. Specific costs are defined under eligible expenses.

**Free Standing Tree Fruit**

Lower density tree fruit (semi-standard) that are unsupported (untrellised).

**Harvested Acres**

Means the acres planted of an eligible crop and successfully harvested in 2022 on Prince Edward Island.

**Project Review Committee**

A committee appointment by PEI DAL to review applications and project proposals.

**Trellised Tree Fruit**

Higher density, dwarfing tree fruit that are supported with trellis or stakes.

**Wind Resilient Trellis**

Trellis that is designed incorporating best practices for wind resilience, as designed in collaboration between PEI's tree fruit industry and PEI DAL