New Hampshire
Department of Agriculture, Markets & Food

Shawn N. Jasper, Commissioner

38B

April 4, 2024

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

1. Authorize the Department of Agriculture, Markets, and Food (DAMF), Division of Agricultural Development to provide awards as indicated in the attached table, not to exceed a total of $701,540.00 from the DAMF Crop Loss Program to ten (10) recipients effective upon Governor and Council approval through September 30, 2024. This is an allowable use of ARPA SFRF funds under Section 602 (c)(l)(C) for provision of government services to the extent of the reduction in revenue. **100% Federal Funds.**

2. Contingent upon the approval of Requested Action #1, authorize DAMF to disburse advance payments to the ten (10) recipients as detailed on the attached list in the amounts shown, effective upon Governor and Council approval. **100% Federal Funds.**

The individual awards for which we are requesting Governor and Executive Council approval are as follows (individual grant agreements and award notices attached):

Item #	Vendor #	Name of Agricultural Operation	Award Amount Not to Exceed to be Approved	Advance Payment Amount
1	TBD	Morrill Farm Dairy LLC	$63,341.00	$31,670.50
2	156055	Windyhurst Farm Partnership	$47,774.00	$23,887.00
3	TBD	Lorraine T. Rodier	$16,328.00	$8,164.00
4	155162	Pine Lane Farm LLC	$55,713.00	$27,856.50
5	319673	LeClair Acres Farm LLC	$149,115.00	$74,557.50
6	157643	Apple Hill Farm	$124,649.00	$62,324.50
7	264588	Mckenzie Farm	$97,588.00	$48,794.00
8	TBD	Kathryn C. Kardinal	$26,908.00	$13,454.00
9	297802	Ridgeland Farm	$10,247.00	$5,123.50
10	TBD	Alyson's Orchard	$109,877.00	$54,938.50
		Total	$701,540.00	$350,770.00

Funding is available in account ARPA Emergency Crop Relief as follows:

	FY 2024
02-18-18-180010-28140000-072-502627 – Grant – Federal – Discretionary	$701,540.00

EXPLANATION

On February 21, 2024, Governor and Executive Council approved the funding for the New Hampshire Department of Agriculture, Markets, and Food Crop Loss Program (Item #59) for the purpose of providing one-time emergency assistance to agricultural operations that experienced significant crop loss due to frosts, freezes, or significant weather-related events between January 1 and November 1 of 2023.

DAMF is accepting applications from eligible farms on a rolling basis through May 15, 2024. Requests for award authorizations for those over $10,000 will be submitted to the Governor and Executive Council in "batch" approval requests.

The Award shall be administered through advance payments of 50 percent of eligible award amount upon Governor and Executive Council approval. At the conclusion of the program (May 15, 2024) total approved awards will be calculated. If the total of all eligible awards exceeds funding, remaining disbursements will be prorated for all awardees.

Within the total awards issued by DAMF in this batch, awards not to exceed $701,540.00 are being submitted for approval by Governor and Executive Council as part of this request because they exceed the $10,000 per entity threshold. Attached you will find a cumulative list of awards issued.

To avoid delay in payments to these agricultural operations, you will notice on the table that some do not have vendor codes at the time of request. DAMF is working with Department of Administrative Services to verify existing vendor codes or create new ones for these districts.

The Attorney General's Office has reviewed and approved the agreement as to form, substance, and execution.

Respectfully submitted,

Shawn N. Jasper
Commissioner

Cumulative Tables:

Approved by G & C Date	Vendor #	Name of Agricultural Operation	Award Amount Not to Exceed to be Approved	Advance Payment Amount
Pending 4/10/24	TBD	Morrill Farm Dairy LLC	$63,341.00	$31,670.50
Pending 4/10/24	156055	Windyhurst Farm Partnership	$47,774.00	$23,887.00
Pending 4/10/24	TBD	Lorraine T. Rodier	$16,328.00	$8,164.00
Pending 4/10/24	155162	Pine Lane Farm LLC	$55,713.00	$27,856.50
Pending 4/10/24	319673	LeClair Acres LLC	$149,115.00	$74,557.50
Pending 4/10/24	157643	Apple Hill Farm	$124,649.00	$62,324.50
Pending 4/10/24	264588	Mckenzie Farm	$97,588.00	$48,794.00
Pending 4/10/24	TBD	Kathryn C. Kardinal	$26,908.00	$13,454.00
Pending 4/10/24	297802	Ridgeland Farm	$10,247.00	$5,123.50
Pending 4/10/24	TBD	Alyson's Orchard	$109,877.00	$54,938.50
3/27/24	159527	Marston Farm, LLC	$27,964.00	$13,982.00
3/27/24	489433	Oliver Merrill & Sons, LLC	$15,631.00	$7,815.50
3/27/24	280897	Gould Hill Farm, LLC	$53, 088.00	$26,544.00
3/27/24	329821	Kimball Fruit Farm LLC	$17,244.00	$8,622.00
3/27/24	TBD	Wende Richter	$11,096.00	$5,548.00
3/27/24	489702	Stone Mountain Farm, LLC	$23,048.00	$11,524.00
		Total	$849,611.00	$424,805.50

Marshall, Joshua

From: Marshall, Joshua
Sent: Friday, April 5, 2024 8:44 AM
To: morrillfarmdairyllc@gmail.com
Subject: NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: Morrill Farm Dairy LLC

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1013

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $63,341.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

How to Receive Payment:

Payment for 50 percent of the award in the above amount will be sent to you once we receive Governor and Executive Council approval. As funding allows, the remainder of your award, or prorated portion thereof, will be sent to you after the close of the program.

In order to receive payment, you must first be registered with the New Hampshire Department of Administrative Services (DAS) for a State of New Hampshire vendor ID. If you already have a vender ID and supplied it with your application, payment will be made once we receive Governor and Council approval. If you do not already have a vendor ID, please follow the steps below and after you receive your vendor ID from DAS send it via email to NHDAMF at croprelief@agr.nh.gov.

Recoupment:

As represented in the application, Applicant certifies that all information provided in the application is true, complete, accurate, and up-to-date as of the date of this award. Should a misrepresentation or inaccuracy be uncovered, Applicant is subject to recoupment and liable for repayment for the entirety of the award at the discretion of the state.

Sovereign Immunity Preserved:

Notwithstanding any terms and conditions to the contrary, this Award shall not be construed as a waiver of the State's sovereign immunity, which is hereby reserved.

Conditional Nature of Agreement:

Notwithstanding anything in this Award to the contrary, all obligations of the Department of Agriculture, Markets, and Food, including, without limitation, the continuance of payments, are contingent upon the availability or continued appropriation of funds, and in no event shall the Department of Agriculture, Markets, and Food be liable for any payments in excess of such available funds. In the event of a reduction or termination of those funds, the Department of Agriculture, Markets, and Food has the right to withhold payment until such funds become available, if ever, and shall have the right to terminate this Agreement immediately upon giving the Applicant notice of such termination.

Best,
New Hampshire Department of Agriculture, Markets, and Food

Marshall, Joshua

From: Marshall, Joshua
Sent: Friday, April 5, 2024 8:46 AM
To: Alisha Adams
Subject: NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: Windyhurst Farm Partnership

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1014

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $47,774.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

How to Receive Payment:

Payment for 50 percent of the award in the above amount will be sent to you once we receive Governor and Executive Council approval. As funding allows, the remainder of your award, or prorated portion thereof, will be sent to you after the close of the program.

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Best,
New Hampshire Department of Agriculture, Markets, and Food

Marshall, Joshua

From:	Marshall, Joshua
Sent:	Friday, April 5, 2024 8:48 AM
To:	lorrainerodier@yahoo.com
Subject:	NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: Lorraine T. Rodier

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1015

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $16,328.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

How to Receive Payment:

Payment for 50 percent of the award in the above amount will be sent to you once we receive Governor and Executive Council approval. As funding allows, the remainder of your award, or prorated portion thereof, will be sent to you after the close of the program.

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Best,
New Hampshire Department of Agriculture, Markets, and Food

Marshall, Joshua

From: Marshall, Joshua
Sent: Friday, April 5, 2024 8:51 AM
To: Kelly Holden
Subject: NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: Pine Lane Farm LLC

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1016

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $55,713.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

How to Receive Payment:

Payment for 50 percent of the award in the above amount will be sent to you once we receive Governor and Executive Council approval. As funding allows, the remainder of your award, or prorated portion thereof, will be sent to you after the close of the program.

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Recoupment:

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Best,
New Hampshire Department of Agriculture, Markets, and Food

Marshall, Joshua

From: Marshall, Joshua
Sent: Friday, April 5, 2024 8:54 AM
To: garyglcl@aol.com
Subject: NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: LeClair Acres Farm LLC

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1017

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $149,115.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

How to Receive Payment:

Payment for 50 percent of the award in the above amount will be sent to you once we receive Governor and Executive Council approval. As funding allows, the remainder of your award, or prorated portion thereof, will be sent to you after the close of the program.

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Best,
New Hampshire Department of Agriculture, Markets, and Food

Marshall, Joshua

From: Marshall, Joshua
Sent: Friday, April 5, 2024 8:55 AM
To: CHARLES SOUTHER Apple Hill Farm
Subject: NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: Apple Hill Farm

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1018

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $124,649.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

How to Receive Payment:

Payment for 50 percent of the award in the above amount will be sent to you once we receive Governor and Executive Council approval. As funding allows, the remainder of your award, or prorated portion thereof, will be sent to you after the close of the program.

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Best,
New Hampshire Department of Agriculture, Markets, and Food

Marshall, Joshua

From: Marshall, Joshua
Sent: Friday, April 5, 2024 9:15 AM
To: McKenzies Farm
Subject: NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: Mckenzie Farm

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1019

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $97,588.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

How to Receive Payment:

Payment for 50 percent of the award in the above amount will be sent to you once we receive Governor and Executive Council approval. As funding allows, the remainder of your award, or prorated portion thereof, will be sent to you after the close of the program.

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Best,
New Hampshire Department of Agriculture, Markets, and Food

Marshall, Joshua

From: Marshall, Joshua
Sent: Friday, April 5, 2024 9:01 AM
To: Katie Kardinal
Subject: NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: Kathryn C. Kardinal

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1020

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $26,908.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

How to Receive Payment:

Payment for 50 percent of the award in the above amount will be sent to you once we receive Governor and Executive Council approval. As funding allows, the remainder of your award, or prorated portion thereof, will be sent to you after the close of the program.

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Best,
New Hampshire Department of Agriculture, Markets, and Food

Marshall, Joshua

From: Marshall, Joshua
Sent: Friday, April 5, 2024 9:04 AM
To: ridgelandfarmnh@yahoo.com
Subject: NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: Ridgeland Farm

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1022

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $10,247.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

How to Receive Payment:

Payment for 50 percent of the award in the above amount will be sent to you once we receive Governor and Executive Council approval. As funding allows, the remainder of your award, or prorated portion thereof, will be sent to you after the close of the program.

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Best,
New Hampshire Department of Agriculture, Markets, and Food

Marshall, Joshua

From: Marshall, Joshua
Sent: Friday, April 5, 2024 9:06 AM
To: Information Alysons
Subject: NHDAMF - ARPA SFRF Crop Loss Program Award Notice

New Hampshire
Department of Agriculture, Markets, and Food

Date: 4/5/2024

Applicant: Alyson's Orchard

Grant Program: NHDAMF Crop Loss Program

Farm ID: 1008

We have reviewed your Crop Loss Program application and determined that based on the information and supporting documentation you provided in your application regarding 2023 weather-related crop loss, you are eligible for an award not to exceed $109,877.00

Please note that this award notice is still subject to final approval by the Governor and Executive Council.

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Best,
New Hampshire Department of Agriculture, Markets, and Food

New Hampshire
Department of Agriculture, Markets, and Food

Shawn N. Jasper
Commissioner

Crop Loss Program
Eligibility and Program Instructions

The New Hampshire Department of Agriculture, Markets, and Food (DAMF) Crop Loss Program will provide up to $8 Million in relief in response to weather-related damages of 2023. The program, developed in collaboration with staff from UNH Cooperative Extension, is designed to help New Hampshire farmers who suffered significant crop losses as a result of extreme weather conditions which negatively impacted farms during 2023.

Starting March 1, 2024, eligible farms can apply for awards intended to account for 50% of net farm loss with a maximum award of $500,000. Approved applications will be awarded 50% of their total award upon approval by Governor and Executive Council and final award amounts will be calculated after ***the program closes on May 15, 2024***.

Example

Eligibility

To be eligible for the DAMF Crop Loss Program your farm must meet the following criteria:

- Shall be principally located in New Hampshire,
- Have been in operation since at least January 1, 2022,
- Have total 2022 gross receipts of at least $30,000,
- Experienced a minimum of 30 percent crop loss from one or more of the 2023 weather events,
- The events for which relief is sought must have occurred within New Hampshire's borders,
- Experienced a net loss in farm income for 2023 (an allowance of 5% of gross revenue up to $60,000 for owner/operator labor will be calculated towards net income), and
- Have not permanently closed or currently in bankruptcy
- Have and submit the following tax forms relevant to your operation:
    - Sole proprietors and partnerships should submit copies of IRS Schedule F (Form 1040) ***Profit or Loss from Farming.***
    - Partnerships should also submit copies of IRS Form 1065, ***U.S. Return of Partnership Income.***
    - Corporations need to submit copies of either Form 1120-S ***U.S. Income Tax Return for an S Corporation*** or Form 1120 U.S. ***Corporation Income Tax Return.***

Program Instructions

All program documents are available on the homepage of www.agriculture.nh.gov. Please complete the following forms and send as attachments, with all other supporting documents, to croprelief@agr.nh.gov.

- Applicant information and certification form
- Farm data form
- State of New Hampshire Vendor ID form (if necessary)
- Relevant tax forms from 2020-2023

For questions or assistance in completing the necessary forms, please contact us at croprelief@agr.nh.gov or 603-271-3551. You may also reach out to your local County Extension Office for assistance.

New Hampshire
Department of Agriculture, Markets, and Food

Shawn N. Jasper
Commissioner

Crop Relief Program
Applicant Information

Example

Applicant name:

Applicant telephone:

Applicant email:

Farm/Business name:

Farm/Business mailing address line 1:

Farm/Business mailing address line 2 (include zip code):

Farm/Business State of New Hampshire Vendor ID:

**If you do not have a State of New Hampshire Vendor ID, please enter "NONE"*
**You will need to acquire a Vendor ID prior to payment of funds, if you receive an award in this program*

Is the applicant farm/business in good standing with the New Hampshire Secretary of State**? ☐ Yes ☐ No ☐ N/A

***Not applicable if applying as a sole proprietor*

Agreement and Certification

Record Retention:

If an award is made as a result of this Application, the Applicant/Awardee is required to retain all records pertaining to matters covered by this Application for 5 years. Any award resulting from this Application may be subject to state and/or federal audit requirements.

Binding Contract:

The Applicant/Awardee understands, agree and accepts that, while there is no legal obligation for the State to make an award to Applicant/Awardee based on this Application, this Application will be used to determine the eligibility of the Applicant/Awardee for an award.

Any Award in this program is funded by the State's allocation of funds from the United States Treasury under the American Rescue Plan Act, SFRF, ALN number 21.027, The Federal Award Identification Number (FAIN) SLFRP0145. The Applicant/Awardee understands, agrees and accepts that this Application, and the terms contained herein, any requirements in the Application, and any additional resources posted on the NH Department of Agriculture, Markets, and Food (DAMF) website, and any requirements in the notice of award, will become a binding contract if the determination is made to provide the Applicant/Awardee with an award in any amount, subject to final approval by the Governor and Executive Council when necessary.

Public Disclosure Notification:

The business names and address of all Applicants, and the amount of every award made to all Applicants/Awardees, will be public information, subject to disclosure, and may be posted on the DAMF website. DAMF will assert that any information obtained through this program, other than business names and addresses, and award amounts, is confidential financial information that is exempt from disclosure under RSA 91-A:5, IV, unless ordered to disclose such information by a court of competent jurisdiction.

Certification:

By signing this application Applicant/Awardee hereby certifies that all information provided in this Application is true, complete, accurate, and up-to-date as of the date specified below. The Applicant/Awardee further certifies that there are no misrepresentations of information provided. The Applicant/Awardee understands that it must immediately notify DAMF in regard to any changes, corrections, or updates to the information provided.

By submitting this Application and checking the box for acceptance, the Applicant/Awardee understands, agrees and accepts use of its electronic signature as binding and final in accordance with all terms of RSA 294-E, the Uniform Electronic Transactions Act.

The Applicant/Awardee understands, agrees and accepts that by submitting this Application, it is certifying that the signor has authority to bind the business entity and that the State is entitled to rely on this certification as actual and apparent evidence of authority to bind the business entity.

☐ Check this box for acceptance

Authorized Signor:

Title:

Date:

Please print a copy of this application for your records

Example