

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

Notice LDAP-64

For: State and County Offices

Hail Considered an Eligible Adverse Weather Event for Livestock Grazing Losses Under ELAP

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

According to 7 CFR 1416.103(e) for a grazing loss to be considered eligible, the grazing loss must have been incurred because of an eligible adverse weather or eligible loss condition, as determined by the Deputy Administrator, including, but not limited to, blizzard, eligible winter storm, flood, **hail**, hurricane, lightning, tidal surge, volcanic eruption, and wildfire on non-Federal land.

Note: Currently, 1-LDAP (Rev. 1) does **not** list hail as an eligible adverse weather event for livestock grazing losses under ELAP.

B Purpose

This notice informs State and County Offices that hail is considered an eligible adverse weather event for livestock grazing losses under ELAP according to the provisions outlined in this notice.

2 Hail Eligibility Criteria

A Eligible Producer

To be considered an eligible producer for livestock grazing losses because of hail under ELAP, the producer must have done either of the following:

- removed eligible livestock from the hail-affected pasture
- fed additional livestock feed above normal quantities, required to maintain the livestock until additional feed becomes available.

Note: See subparagraph B for acceptable documentation of removing eligible livestock from pasture and feeding additional livestock feed above normal quantities.

Disposal Date	Distribution
January 1, 2015 8-11-14	State Offices; State Offices relay to County Offices

2 Hail Eligibility Criteria (Continued)

B Acceptable Documentation

To be eligible for livestock grazing losses because of hail under ELAP, the producer must provide verifiable or reliable documentation that the eligible livestock were removed from the hail-affected pasture or that eligible livestock were fed additional feed above normal quantities.

Note: See 1-LDAP (Rev. 1), subparagraph 830 J for acceptable verifiable and reliable records.

C Eligible Grazing Land

Grazing losses because of hail shall be claimed on a field-by-field basis. Therefore, only the pasture type and acres affected by hail shall be claimed and entered on CCC-851.

Note: See subparagraph 3 B for COC action in determining the producer's normal grazing practices on the acres affected by hail and adjusting the carrying capacity, if applicable.

D Eligible Lost Grazing Days

Eligible lost grazing days because of hail shall **not** exceed the number of days the producer intended to graze the pasture affected by hail.

Example: Producer A has 100 acres of native pasture in field B that is damaged by a hail storm on July 15, 2013. Producer A moves his livestock from field B on July 15, 2013. The normal grazing period for the county is from May 1 through October 31, 2013. Producer A has a grazing plan to graze 100 acres of native pasture from June 1 through July 30, 2013. **The maximum number of lost grazing days that Producer A can claim were lost because of hail cannot exceed 15 calendar days (July 15 through July 30).**

E Adjusting Normal Carrying Capacity

Since grazing losses because of hail shall be claimed on a field-by-field basis, there may be situations where the normal carrying capacity established for a county needs to be adjusted to reflect the producer's normal grazing practices on the field affected by hail.

Example: Producer A has 100 acres of native pasture in field B that is damaged by a hail storm on July 15, 2013. The normal grazing period for the county is 6 months (May 1 through October 31, 2013). COC established a normal carrying capacity of 12 acres/AU for 6 months. However, Producer A has a grazing plan to graze field B for 60 calendar days, from June 1 through July 30, 2013. Therefore, COC may adjust the carrying capacity for field B to reflect only 60 calendar days of normal grazing.

2 Hail Eligibility Criteria (Continued)

E Adjusting Normal Carrying Capacity (Continued)

Accordingly, COC adjusts the normal carrying capacity of 12 acres/AU for 6 months to 4 acres/AU for 2 months. A carrying capacity of 4 acres is to be entered on Producer A's CCC-851, item 22.

3 COC Action

A Acceptable Documentation

COC shall review documentation submitted by producers that prove livestock were removed from the pasture or were fed additional livestock feed above normal quantities because of hail and make a determination whether or not the documentation is considered an acceptable verifiable or reliable record according to 1-LDAP (Rev. 1), subparagraph 888 A.

B Normal Grazing Practice

COC shall document the timeframe the producer normally grazes the hail-affected field. If livestock do not normally graze the hail-affected field for the entire grazing period, COC may need to adjust:

- eligible lost grazing days, as provided in subparagraph 2 D
- normal carrying capacity, as provided in subparagraph 2 E.

C Eligible Lost Grazing Days

When determining eligible lost grazing days, COC shall:

- ensure that the number of lost grazing days because of hail does **not** exceed the number of days the producer intended to graze the pasture affected by hail
- use the following when determining whether the lost grazing days claimed because of hail are reasonable:
 - intensity of the hail storm
 - hailstone size
 - growing conditions in the days after the hail storm.