

FSA
HANDBOOK

Livestock Forage Disaster Program

For State and County Offices

SHORT REFERENCE

1-LFP

UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
Washington, DC 20250

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Washington, DC 20250

Livestock Forage Disaster Program 1-LFP	Amendment 3
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Approved by: Acting Deputy Administrator, Farm Programs

Bradley Karmen

Amendment Transmittal

A Reasons for Amendment

Subparagraphs 26 B and 26 D have been amended to clarify policy on irrigated acreage eligibility for LFP.

Subparagraph 56 C has been amended to update the daily AU feed rate, monthly forage value, and payment rates for 2021.

Subparagraphs 91 E and 91 F have been amended to update CCC-770 LFP and instructions.

Page Control Chart		
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Part 1 Basic Information**1 Overview****A Handbook Purpose**

This handbook has been issued to provide policy and procedure to State and County Offices for administering LFP implemented by DAFP, through SND for 2019 and subsequent crop years.

1-LDAP (Rev. 1) is **not** obsolete. State and County Offices will continue to use 1-LDAP (Rev. 1) to administer LFP for program years 2011 to 2018.

B Related Handbooks

Handbooks related to LFP include the following:

- 22-AO for program outreach guidance
- 1-APP for program appeals
- 32-AS for records management
- 1-CM for signatures, power-of-attorney, and name and address files
- 9-CM for common payment systems
- 10-CM for farm records and reconstitutions
- 2-CP for filing and revising acreage reports
- 6-CP for conservation compliance
- 7-CP for equitable relief and finality rule provisions
- 1-FI for processing payments initiated through NPS
- 58-FI for managing debts, receivables, and claims
- 61-FI for prompt payment information
- 63-FI for assignments and joint payments
- 64-FI for establishing and reporting receivables on NRRS
- 1-INFO for information policy and procedures

1 Overview (Continued)

B Related Handbooks (Continued)

- 2-INFO for providing information to the public
- 1-NAP for grazing periods, planting periods, and acres per animal unit (carrying capacities)
- 3-NAP for NCT on grazing periods, planting periods, and acres per animal unit (carrying capacities)
- 3-PL for updating subsidiary information in the web-based system
- 5-PL for direct attribution, payment eligibility, payment limitation, and average adjusted gross income provisions.

C Source of Authority

LFP will be administered using funds from CCC, established under the 2014 Farm Bill, as amended.

The regulations for LFP are provided in 7 CFR Part 1416, Subparts A and C.

D Public Information

Follow instructions in 2-INFO for information about LFP.

E Modifying Provisions

Provisions in this handbook must **not** be revised without prior approval from the National Office. Any requests for revisions or amendments must be sent to the Livestock Forage Disaster Program Manager, through DAFP.

F Forms

Only forms, worksheets, applications, and other documents issued by the National Office will be used for implementing LFP.

Any document that collects data from a participant, regardless of whether the participant's signature is required:

- is subject to the Privacy Act and information collection procedures
- requires approval or clearance by the following applicable offices:
 - National Office program area
 - Farm Production and Conservation Business Center, MSD.

1 Overview (Continued)**G Administration****[7 CFR 1416.2] Administration of LFP**

- (a) The programs in subparts B through E of this part is administered under the general supervision and direction of the Administrator, Farm Service Agency (FSA) (who also serves as the Executive Vice-President, CCC), and the Deputy Administrator for Farm Programs, FSA (referred to as the “Deputy Administrator” in this part).**
- (b) FSA representatives do not have authority to modify or waive any of the provisions of the regulations of this part as amended or supplemented, except as specified in paragraph (e) of this section.**
- (c) The State FSA committee will take any action required by the regulations of this part that the county FSA committee has not taken. The State FSA committee will also:**
 - (1) Correct, or require a county FSA committee to correct, any action taken by such county FSA committee that is not in accordance with the regulations of this part or**
 - (2) Require a county FSA committee to withhold taking any action that is not in accordance with this part.**
- (d) No provision or delegation to a State or county FSA committee will preclude the FSA Administrator, the Deputy Administrator, or a designee or other such person, from determining any question arising under the programs of this part, or from reversing or modifying any determination made by a State or county FSA committee.**
- (e) The Deputy Administrator may authorize State and county FSA committees to waive or modify non-statutory deadlines, or other program requirements of this part in cases where lateness or failure to meet such requirements does not adversely affect operation of the programs in this part. Participants have no right to an exception under this provision. The Deputy Administrator's refusal to consider cases or circumstances or decision not to exercise this discretionary authority under this provision will not be considered an adverse decision and is not appealable.**

1 Overview (Continued)

G Administration (Continued)

Payments issued under this part are subject to the availability of funds under Federal law. Within whatever funding limitation that may exist under law, the only funds that will be considered available to pay eligible losses will be that amount approved by the Secretary. If funds are limited, for a particular program year, payments may be delayed until the time for applying for the payment for that program year has passed.

2 Responsibilities

A DAFP Responsibilities

DAFP will develop all LFP regulations and policy and ensure that LFP is administered according to LFP regulations.

B STC Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and C, STC's will:

- direct the administration of LFP in the State through SED
- ensure that FSA State and County Offices, and COC's follow LFP provisions
- take any action **required** by either regulation or procedure that COC has **not** taken
- correct, or require COC to correct, any action that is not according to LFP regulations or procedure
- require COC to withhold taking any action that is not according to LFP regulations or procedure
- handle suspected fraud cases according to applicable procedure
- provide COC and DD with a copy of STC or DAFP determination for appeals or relief cases
- require all applications executed by State Office employees, STC, members, COC members, CED's, County Office employees, and their spouses be sent to STC, or designee for approval/disapproval
- handle appeals according to 1-APP
- establish acres per AU (carrying capacities) and normal grazing periods for grazing and forward recommendations to DAFP according to 1-NAP (Rev. 1)
- thoroughly document, in the STC minutes, all program recommendations, such grazing periods, carrying capacities, program and eligibility determinations, appeals, etc.
- require the first 10 applications in the Service Center be reviewed by a State Office representative according to subparagraph 88 D to ensure that the program is being implemented according to LFP provisions

Note: STC's may establish additional reviews to ensure that LFP is administered according to these provisions.

2 Responsibilities (Continued)

B STC Responsibilities (Continued)

- STC will ensure that producers are properly notified of LFP provisions and program availability in the county, including deadlines for submitting the following:
 - CCC-853 Application for benefits
 - FSA-578 Report of acreage
 - required signatures
 - supporting documentation, including but not limited to leases, CCC-855, contract grower agreements, eligibility forms, etc.
- take oversight actions to ensure that IPIA provisions are met to prevent County Offices from issuing improper payments according to subparagraph 58 E.

C SED Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and C, SED's will:

- ensure that FSA State and County Offices administer LFP according to regulations and procedure, are thoroughly trained, understand the intent of LFP, and be alert to improper administration of the LFP program and/or abuse
 - ensure that State Office representatives conduct reviews according to subparagraph 88 D
- Note:** SED's may establish additional reviews to ensure that LFP is administered according to these provisions. SED's may also require that second party reviews be conducted on all LFP applications if County Offices continue to be problematic with IPIA and improper payments.
- immediately notify the National Office Livestock Forage Disaster Program Manager of software problems, incomplete or incorrect procedures, specific problems, or findings
 - take oversight actions to ensure that IPIA provisions are met to prevent County Offices from issuing improper payments according to subparagraph 58 E
 - handle appeals according to 1-APP
 - ensure that **all** County Offices publicize LFP provisions according to paragraph 3.

2 Responsibilities (Continued)

D DD Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and C, DD's will:

- ensure that COC's and CED's follow LFP provisions
- conduct reviews according to subparagraph 88 D, and any additional reviews established by STC's or SED's according to subparagraphs B and C
- provide SED with written report of all reviews according to paragraph 88
- ensure that County Offices publicize LFP provisions according to paragraph 3 and maintain an accurate record of all publicity efforts
- immediately notify SED of LFP software problems, incomplete or incorrect procedures, specific problems, or findings.

E COC Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and C, COC's will:

- ensure that County Offices and CED's fully comply with all LFP provisions
- act on completed CCC-853's according to paragraph 88

Note: COC may delegate approval authority to CED for routine cases. CED's **cannot** be delegated authority to disapprove CCC-853's.

- require all applications executed by State Office employees, STC members, COC members, CEDs, County Office employees, and their spouses be sent to STC, or designee for approval/disapproval
- handle appeals according to 1-APP
- thoroughly document all actions taken in the COC minutes

Important: All the following **must** be thoroughly documented for all LFP program eligibility determinations made by COC or delegate:

- all factors reviewed or considered
- all documentation reviewed
- references to applicable handbooks, notices, and regulations
- all sources of information obtained for review or consideration.

2 Responsibilities (Continued)

E COC Responsibilities (Continued)

- notify participants in writing, if their application is disapproved

Note: Notifications must include the following information:

- why the application was denied
 - factors reviewed or considered in making determination
 - appeal rights according to 1-APP
 - copy of the application
 - CFR and handbook reference(s).
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments according to subparagraph 58 E
 - ensure that FSA assists persons by providing program information as efficiently and effectively as possible utilizing a variety of resources.

Notes: However, because of limits of FSA resources, publication of program information may/or may **not** be by direct mail or on an individual basis. FSA meets its publication responsibilities by making broad program announcements in press releases, print, and electronic media; Federal Register documents; radio and television announcements; and through posting program information in USDA Service Centers. The reality of limited resources has increased the producer's responsibility for being aware of program provisions. FSA **cannot** be responsible for reaching out to every potential program participant with all program information. Producers **must** seek information on program details and **not** wait for FSA to individually contact them about program provisions. As resources permit, the COC will ensure that program provisions are publicized maintain a record of **all** publicity efforts, including postings in Service Centers.

The LFP Fact Sheet:

- may be used to provide general program information
- is available online at <http://disaster.fsa.usda.gov>.

2 Responsibilities (Continued)

F CED Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and C, CED's must ensure that:

- LFP provisions in this handbook are administered uniformly throughout the county
- COC and STC policies are implemented
- County Office employees are adequately trained, and fully comply with all LFP provisions
- appeals are handled according to 1-APP
- County Offices accept CCC-853 from producers according to paragraph 87
- CCC-853 is acted upon according to paragraph 88 and all LFP program and payment eligibility requirements have been met by participants before issuing any payments to ensure that IPIA provisions are met
- if determined necessary, can require second party reviews be completed on all LFP applications before payments are issued if the County Office is not compliant with IPIA provisions and/or problematic with improper payments
- livestock producers receive complete and accurate program information
- SED's are immediately notified, through the DD, of software problems and incomplete or incorrect procedures
- general provisions and other important items are publicized according to paragraph 3 and maintain an accurate record of all publicity efforts in the County Office
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments according to subparagraph 58 E.

2 Responsibilities (Continued)

G PT Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and C, the PT must:

- fully comply with all LFP provisions
- immediately notify CED of software problems and incomplete or incorrect procedures
- ensure that participants receive complete and accurate program information
- ensure that all program and payment eligibility requirements have been met by participants, and CCC-853 's have been approved according to paragraph 88, before issuing any payments to ensure that IPIA provisions are met.

Note: See paragraph 88 for additional information.

3 Outreach

A Background

LFP information including signup and eligibility, will be publicized in a variety of ways, including but not limited to:

- press releases
- print media
- electronic media including GovDelivery newsletters, bulletins and SMS texting
- Federal Register
- direct mailing (may be limited by FSA resource availability)
- radio and television announcements
- posting program information in the USDA Service Center.

B Producer Responsibilities

The participant is responsible for being aware of program provisions. FSA **cannot** be responsible for reaching out to every potential program participant with all program information. Participants **must** seek information on program details and **not** wait for FSA to individually write or communicate with them about program provisions.

Participants who receive assistance must keep records and supporting documentation for 3 years following the end of the year in which CCC-853 for payment was filed.

C Agency Responsibilities

COC will ensure that LFP provisions are publicized and maintain a record of all publicity efforts, including postings in Service Centers. Conduct LFP public relations and outreach efforts according to 1-INFO and 22-AO.

4 Unacceptable, Incorrect, or False Records and/or Certifications

A Reliance on Producer Records and Certifications

Livestock programs administered by DAFP require accurate information from producers. Producers **must** understand that failure to provide complete and accurate information and records could result in any or all of the following.

- An application for LFP assistance being disapproved, COC adjusted, or approved but ineligible for payment.
- The producer or producers being determined ineligible for LFP assistance for the year or multiple years.
- The producer or producers being liable under any civil or criminal fraud statute or any other statute or provision of law.

Note: See paragraph 5 for guidance on misrepresentation.

5 Misrepresentation

A Impact of Misrepresentation

[7 CFR 1416.7.] A person or legal entity who is determined to have misrepresented any fact affecting a program determination made in accordance with this part, or any other part that is applicable to this part, to receive benefits for which that person or legal entity would not otherwise be entitled, is ineligible for program payments under this part and must refund all such payments received, plus interest. The person or legal entity is ineligible and will also be denied program benefits under this part for the immediately subsequent period of at least 2 crop years, and up to 5 crop years. Interest will run from the date of the original disbursement by CCC.

For each year of ineligibility determined, a person or legal entity will refund to CCC all program payments, in accordance with 7 CFR 1416.11, received by such person or legal entity with respect to all applications under this part, as may be applicable, if the person or legal entity is determined to have knowingly misrepresented any fact affecting a program determination.

B Joint and Several Liability

All persons and legal entities with a financial interest in an operation or in an application for payment determined to have been paid incorrectly are jointly and severally liable for any refund, including related charges, that is determined to be due CCC for any reason.

6 Submitting Documents and Requests to the Washington, DC, National Office

A Overview

Where this handbook provides that a request or documentation be sent to DAFP, State Offices will submit the file electronically according to this paragraph.

Note: Requests for equitable relief or application of the finality rule for LFP application(s) for benefits are **not** subject to this paragraph and **must** be submitted according to 7-CP.

Responses to items sent electronically may be made electronically, by hard copy, or both.

B Electronically Submitting Requests

Requests and documents addressed in this handbook **must** be submitted by internal FSA e-mail from State Offices to **RA.FSA.DCWA2.ppb@wdc.usda.gov**, according to the format in subparagraph C.

Requests and documents submitted according to this paragraph **must** be sent by e-mail with a PDF attachment. Include a point-of-contact in the text of the e-mail, but **nothing** else of substance. Follow subparagraph C about the need for encryption. For questions about the password or submitting requests, e-mail **RA.FSA.DCWA2.ppb@wdc.usda.gov**.

C Format for Subject Line of E-Mails and Required Attachments

The e-mail subject line **must** be formatted as follows:

- State abbreviation (i.e. “NE” for Nebraska)
- type of request (i.e. Grazing Period Request”, etc)
- date of request (i.e. “03-15-19” for March 15, 2019).

6 Submitting Documents and Requests to the Washington, DC, National Office (Continued)

C Format for Subject Line of E-Mails and Required Attachments (Continued)

Attachments containing PII **must** be in PDF and encrypted with a password provided to the field under separate cover. The following **must** be included in the attachments:

- written narrative explaining what is at issue and what is being sought
- **all** documents required by this handbook or other FSA directive; for example, CCC-853, CCC-855 and/or leases, FSA-578, FSA-321, and other documents determining eligibility, as applicable
- COC and/or STC minutes documenting recommendation, concurrence, or approval, as applicable
- other information that may help in processing the request
- point-of-contact for questions about the request.

D Addresses and Phone Number

If sending requests or documents electronically according to subparagraph B is **not** feasible, mail documentation to DAFP, c/o SND by either of the following:

- FedEx or overnight mail:
USDA, FSA, DAFP, SND
SOUTH BLDG, ROOM 4768
1400 INDEPENDENCE AVE SW
WASHINGTON DC 20250-0002
Telephone: 202-720-7641
- other mail:
USDA, FSA, DAFP, SND
1400 INDEPENDENCE AVE SW
STOP 0517
WASHINGTON DC 20250-0517.

Note: Do not send FAX messages. They will **not** be acknowledged.

*--7 Tolerance

A Acreage Tolerance

LFP regulations **require** participants to accurately complete an acreage report for the grazing lands incurring losses for which assistance is being requested before completing CCC-853.

The tolerance provisions of 7 CFR Part 718 are **not** applicable to LFP. Under 7 CFR Part 1416.2, DAFP has established the following LFP policy for acreage tolerance.

Acreage tolerance means the number of acres that the reported acreage may differ from the determined acreage for all grazing acres the producer has certified as having a grazing loss because of drought or fire.

Acreage tolerance for LFP purposes is the larger of 1 acre or 5 percent of the total reported acreage, **not** to exceed 50 acres.

Note: Acreage tolerance only applies when determined crop acreage is **less** than reported crop acreage. The tolerance rule does not apply to forage reported in AUMS or livestock inventories reported on CCC-853.

LFP assistance is always provided based on the lesser of reported or determined forage crop acreage and eligibility for benefits is dependent upon the acreage discrepancy (determined acreage less than reported) being within established tolerance. Determined crop acreage may be determined based on measurement service, field visits, spot checks, or County Office reviews.

B Acreage Tolerance Calculation

Acreage tolerance will be calculated using all grazing acres the producer has certified on FSA-578 and then on CCC-853 as having a grazing loss. Use this table to calculate acreage tolerance.

Step	Calculation
1	Add total reported acreage of all grazing acres the producer reported on FSA-578 and also certified as drought or fire affected on CCC-853.
2	Multiply total reported acreage in step 1 by 5 percent. The result of this calculation is 5 percent of reported crop acreage and with a minimum of 1.0 acre not to exceed 50.0 acres.
3	Subtract total determined acreage of grazing acres the producer certified as drought or fire affected as represented on FSA-578 and CCC-853 from the total reported acreage in step 1 to arrive at the difference between reported and determined acreage.
4	If the result of step 3 is greater than step 2, the reported acres exceed the acreage tolerance limitation.

--*

*--7 Tolerance (Continued)

B Acreage Tolerance Calculation (Continued)

Example: Producer A reported total forage crop acreage of 3,500 acres on FSA-578 and applied for LFP on 2,500 acres of native grass and 1,000 improved. The producer is selected for a spot check. Spot check reveals that determined acreage is 3,380 acres.

Step	Calculation	Result
1	Total reported acreage the producer certified as drought or fire affected on FSA-578 and CCC-853 = 3,500 acres.	3500.0 acres
2	3,500 acres x 5 percent = 175 acres. The tolerance calculation is limited to the maximum of 50 acres.	50 acres
3	The total determined acreage the producer certified as drought or fire affected on CCC-853 is 3,380 acres. Subtract 3,380 determined acres from 3,500 reported to determine the difference of 120 acres (step 3).	120 acres
4	Step 3 (120 acres) exceeds step 2 (50 acres), the difference reported and determined between the acres exceed the acreage tolerance limitation	Exceeds acreage tolerance

C Discrepancy in Acreage

Use the instructions in this table if there is a discrepancy between the reported and determined acreage associated with an approved CCC-853.

LFP assistance is always limited to the lesser of reported or determined forage crop acreage, when the difference between reported and determined acreage entered on both FSA-578 and CCC-853...	THEN COC...
is within or exceeds the acreage tolerance but determined forage crop acreage is more than reported crop acreage	will determine the producer's LFP assistance based on reported crop acreage and there is no requirement for a producer explanation regarding the discrepancy.
is within the acreage tolerance and determined forage crop acreage is less than reported forage crop acreage	will recalculate LFP assistance based on the lesser of reported or determined crop acreage and COC may determine eligibility without an explanation from the producer. Note: COC may delegate authority for this determination to CED. This delegation must be recorded in the COC minutes.

--*

*--7 Tolerance (Continued)

C Discrepancy in Acreage (Continued)

<p>LFP assistance is always limited to the lesser of reported or determined forage crop acreage, when the difference between reported and determined acreage entered on both FSA-578 and CCC-853...</p>	<p>THEN COC...</p>
<p>and the determined acreage is less than reported and exceeds the acreage tolerance, but is within 15 percent of the reported forage crop acreage entered on FSA-578 and CCC-853</p>	<p>will determine eligibility or ineligibility after the producer has been notified of the discrepancy and the producer has provided a satisfactory explanation for the inaccuracy or inaccuracies. If satisfactory explanation is not provided, COC will make the determination after considering and documenting all of the following:</p> <ul style="list-style-type: none"> • everyone directly or indirectly involved • the ramification of the discrepancy if the matter had not been detected • the unique circumstances of the case, including, but not limited to, how the matter was discovered • if the matter was or was not the result of or related to a misrepresentation, scheme, or device. <p>Note: See subparagraph D when ineligibility is determined.</p>
<p>and the determined acreage is less than reported and exceeds the tolerance, and is not within 15 percent of the reported forage crop acreage entered on FSA-578 and CCC-853</p>	<p>must determine ineligibility for the producer and forage crop acreage. See subparagraph D.</p>

--*

*--7 Tolerance (Continued)

D Determinations of Ineligibility

Follow paragraphs 4 and 5 if COC determines that an unacceptable, incorrect, or false certification is related to or the result of a misrepresentation for additional action, if applicable.

For all other determinations of ineligibility for noncompliance:

- COC will **not** approve CCC-853 for any forage crop acreage for the producer for the crop year
- if CCC-853 was approved before the determination of noncompliance:
 - but payments have **not** yet been issued, do **not** issue payments
 - and payments have been issued, establish a receivable according to 64-FI.

Note: If the producer immediately refunds the overpayment, process the refund according to 64-FI.

E Documentation

All determinations **must** be documented in the COC minutes.--*

8-20 (Reserved)

Part 2 Policy and Payments

Section 1 Eligibility Provisions

21 General Information

A Purpose

This handbook provides instructions for administering LFP.

LFP pays eligible livestock owners and contract growers who are also producers of eligible grazed forage crop acreage who suffer grazing losses because of qualifying drought or fire. For drought, the loss **must** have occurred because of a qualifying drought during the normal grazing period for the county on land that is native or improved pastureland with permanent vegetative cover or is planted to a crop planted specifically for grazing for covered livestock. For fire, LFP provides payments for owners or contract growers grazing losses on rangeland managed by a Federal Agency if the eligible livestock is prohibited by the Federal Agency from grazing the normal permitted livestock on the managed rangeland because of a qualifying fire. The eligible grazing loss **must** occur within the same calendar year for which benefits are being requested.

B Payment Limitation, Attribution, and Substantive Change

No person, legal entity, or member of a joint venture or general partnership, may receive, directly or indirectly, more than \$125,000 per program year under LFP. Payments are attributed to the 4th level of ownership in a legal entity business structure. Members, stockholders, or partners below the 4th level of ownership are ineligible for payment.

The following rules apply according to 5-PL:

- payment attribution (including common attribution)
- minor child
- substantive change.

For more information, see 5-PL.

C AGI Provisions

The statutory AGI limitation in 7 CFR Part 1400 relating to limits on AGI for persons, or legal entities, **excluding** joint ventures and general partnerships, apply to each applicant for LFP. Specifically, a person or legal entity with an AGI that exceeds \$900,000 will **not** be eligible for benefits under LFP.

21 General Information (Continued)

D Sequestration Reduction

The Balanced Budget and Emergency Deficit Control Act passed by Congress in 2011 requires USDA to implement reductions to LFP. In general, sequestration entails the permanent cancellation of budgetary resources by a uniform percentage. This uniform percentage reduction is applied to all programs, projects, and activities within a budget account.

LFP payments will have a sequestration percentage applied to the payment amount determined after all reductions have been applied. The sequestration percentage:

- amount is applied at the payment entity/producer level
- amount is not attributed to members
- amount is applied to the producer receiving the payment after the payment has been attributed for payment limitation purposes
- amount is reduced from the determined payment amount for the producer as the last step before sending the payment information to NPS
- percentage is determined based on the COC or designee approval date entered according to CCC-853, Part G
- rates for applicable program years can be found in 9-CM.

Note: The sequestration percentages apply to the program year of the application **approval date** regardless of the program year of the application.

21 General Information (Continued)**E Payment Reductions**

Any payment for which an eligible livestock producer may be eligible may be reduced by any amount received for the same or similar loss.

An eligible livestock producer may elect to receive assistance for grazing losses because of drought conditions under subparagraph 23 A or fire conditions under subparagraph 23 C, but **not** both for the same loss on the same grazing land or pastureland acres.

Other restrictions apply, including but **not** limited to, restrictions about:

- HEL and WC provisions
- grazing losses that are **not** related to a qualifying drought or fire condition.

F Multiple Benefits

The limitation on multiple benefits does **not** apply to LFP for losses as specified in 7 CFR Part 1416.

Livestock producers who suffer grazing losses who purchased NAP coverage for grazing and a RI-PRF and/or Annual Forage policy on the same acres for the same intended use of “Grazing (GZ)” still remain eligible to earn a LFP payment, PRF/AF indemnity, and NAP payment on the same acres for the same intended use of “Grazing (GZ)” for the applicable year of loss.

G Deceased Individuals, Dissolved Entities, and Minors

Follow 1-CM for guidance on accepting signatures for deceased individuals, dissolved entities, and minors.

22 LFP Application Period

A Application Period

A general signup period and ending date are **not** applicable for LFP. Producers may make application for LFP benefits in their respective county following the filing of a valid crop acreage report according to 2-CP. Some offices may publicize (or this could be announced in news releases and GovDelivery) that:

- the National Office has announced a county that has a **qualifying drought** based on the U.S. Drought Monitor severity rating
- a Federal Agency of a **qualifying fire** on rangeland managed by the Federal Agency and eligible livestock producers are prohibited from grazing their normal permitted livestock on the rangeland managed by the Federal Agency because of a qualifying fire.

B 2019 and Subsequent Year Application Periods

For 2019 and subsequent year calendar year losses, to apply for payment, eligible livestock owners and contract growers who are forage crop producers **must** submit a completed CCC-853 and required supporting documentation within 30 calendar days after the end of the calendar year in which the grazing loss occurred. Supporting documentation includes, but not limited to:

- accurate FSA-578 filed according to 2-CP on crops LFP benefits are being requested
- ***--Note:** FSA-578 must be filed according to 2-CP before submitting CCC-853. Absent a valid FSA-578, there is no CCC-853.--*
- pastureland/rangeland leases, CCC-855, as applicable
- copy of contract grower agreement
- any additional information as requested by the COC to determine program eligibility.

22 LFP Application Period (Continued)

C Late-Filed Provisions

COC and STC do not have authority to approve programmatic relief for late-filed CCC-853's. A late-filed CCC-853 will be reviewed according to the following table.

Note: Neither COC nor STC are under any obligation to recommend relief. COC is not required to submit cases to STC that COC believes do not warrant relief, nor is STC required to submit cases to DAFP that STC believes do not warrant relief. If relief is not recommended by either COC or STC, the late-file application will be disapproved, and the County Office will notify the participant in writing of the decision on the participant's request for late-filed CCC-853 with appropriate appeal rights according to 1-APP (based on the reviewing authority's decision that CCC-853 was late and that relief was not appropriate). Cases do not have to be submitted to STC or DAFP for disapproval of relief.

If CCC-853 is submitted...	THEN do the following...
after the deadline but it is not accompanied by a written request of the participant for late-filing	County Office will issue a letter to the participant explaining that FSA cannot process CCC-853 because it was filed after the deadline. The letter must advise the participant that the participant may, within 30 days of the receipt of the letter advising that CCC-853 was filed late, file a written appeal with COC of the notification by County Office according to 1-APP.
after the application deadline and is either accompanied by a written request for late filing or the participant has filed a timely appeal of the county FSA office's notification that the application cannot be processed	<p>COC will review and make a determination of whether relief is appropriate and, if so, forward a recommendation to STC for final action. STC will review the participant's request and COC recommendation.</p> <p>Note: If the matter comes to COC by appeal, follow 1-APP for acknowledging and scheduling an appeal. Neither COC nor STC are under any obligation to recommend relief. COC or STC can disapprove CCC-853 and choose not to forward a recommendation for relief of approval of the late-filed CCC-853 to DAFP. STC will forward an appropriate recommendation to DAFP to grant programmatic relief according to paragraph 6.</p> <p>DAFP may:</p> <ul style="list-style-type: none"> • grant relief to approve the late-filed CCC-853 <p>Note: The FSA representative will sign and date CCC-853 with the effective DAFP decision date.</p> <ul style="list-style-type: none"> • deny relief and disapprove CCC-853. <p>Note: State Offices will advise COC to notify the participant in writing that relief has been disapproved by DAFP. The letter must include appropriate appeal rights according to 1-APP.</p>

23 Eligible Grazing Losses

A Eligible Grazing Losses Because of Drought

An eligible livestock producer may receive assistance under LFP for grazing losses a qualifying drought that occurred **during the grazing period in the calendar year for which benefits are being requested**. Grazing losses for the covered livestock **must** occur on land that is:

- native or improved pastureland with permanent vegetative cover
- planted to crops planted specifically for providing grazing for covered livestock such as:
 - small grains
 - forage sorghum
 - annual crabgrass, annual ryegrass, or mixed forage

Note: 7 CFR Part 1416.205(a)(2) specifically provides that corn stalks and grain sorghum stalks are **not** considered crops planted specifically for providing grazing for covered livestock.

- physically located in a county that is, during the normal grazing period for the specific type of grazing land or pastureland for the county, rated by the U.S. Drought Monitor as having any of the following:
 - D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the specific type of grazing land or pastureland for the county
 - D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the specific type of grazing land or pastureland for the county

23 Eligible Grazing Losses (Continued)**A Eligible Grazing Losses Because of Drought (Continued)**

- D3 (extreme drought) intensity in any area of the county for:
 - at least 4 weeks during the normal grazing period (nonconsecutive weeks) for the specific type of grazing land or pastureland for the county
 - or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period for the specific grazing land or pastureland for the county
- D4 (exceptional drought) intensity in any area of the county for at least 4 weeks during the normal grazing period (nonconsecutive weeks) for the specific type of grazing land or pastureland for the county.

Note: The grazing losses that occur because of a qualifying drought **must** occur during the normal grazing period for the specific type of grazing land during the calendar year for which benefits are being requested. Whenever an intensity rating of D2, D3, or D4 occurs in any area of the county, the entire county is eligible under a qualifying drought and eligible livestock producers who certify a grazing loss are eligible for LFP.

23 Eligible Grazing Losses (Continued)

B Determining Beginning Date of Qualifying Drought

National Office personnel * * * monitor the U.S. Drought Monitor on a weekly basis. The National Office will determine the beginning date of a qualifying drought by pasture type and the beginning date of a D2, D3, or D4 drought intensity rating. The National Office will notify State and County Offices of counties eligible for LFP by posting a list of eligible counties, by State, by pasture type, every Thursday at

-- <https://inside.fsa.usda.gov/program-areas/dafp/dap/lfp/index> under “LFP Eligible-- Counties”.

The LFP Eligible Counties Report contains the following columns:

- State
- County
- Program Year
- Pasture Type
- *--D2 Qualifying Drought Start and End Dates
- D3a Qualifying Drought Start and End Dates
- D3b Qualifying Drought Start and End Dates
- D4a Qualifying Drought Start and End Dates
- D4b Qualifying Drought Start and End Dates
- Date of Qualifying Drought
- Drought Factor
- Grazing Period Start and End Dates
- Maximum Eligible Payment Months
- Payment Factor.--*

Note: The report only contains counties that are eligible for 1 or more pasture types. If a county is **not** listed, that county is **not** eligible for any pasture types.

23 Eligible Grazing Losses (Continued)

B Determining Beginning Date of Qualifying Drought (Continued)

COC will use the County Eligibility Report found in the Livestock Forage Program Application software in the “Report” section of the main menu to determine the beginning date of each qualifying drought to determine the eligibility of covered livestock. See *--1-LDAP for instructions on accessing the LFP Reports option.--*

The beginning date of a qualifying drought is used to determine livestock eligibility, according to paragraph 25, and grazing land eligibility according to paragraph 26. The beginning date of a qualifying drought for a specific type of grazing land or pastureland is the earliest date of the following:

- the **last day** of the 8-consecutive-week period during the normal grazing period for the specific type of pasture that the county was rated D2 on the U.S. Drought Monitor

Example: Normal grazing period for native pasture in County A is April 1 through October 31. County A had a D2 drought intensity rating for 8 consecutive weeks for the period April 5 through May 30, 2019. The last day of the 8-week period that the county reached the D2 drought intensity rating was May 30, which is the beginning date of the qualifying drought.

- the **first day** that a county was rated a D3 or D4 on the U.S. Drought Monitor during the normal grazing period for the specific type of grazing land, during the normal grazing period for the specific type of grazing land.

Note: See paragraph 56 A for drought intensity payment factors.

Example 1: Normal grazing period in County B for improved pasture is March 1 through September 1. County B was rated a D2 drought intensity rating on March 7 through May 2, 8 consecutive weeks. May 2 is the beginning date of the qualifying drought.

Example 2: Normal grazing period in County B for improved pasture is January 1 through September 1. County B was rated a D4 on January 1. January 1 is the beginning date of the qualifying drought.

23 Eligible Grazing Losses (Continued)

B Determining Beginning Date of Qualifying Drought (Continued)

Because of the different drought intensity factor criteria, the LFP eligible counties report may list multiple qualifying start dates for a county by pasture type. The beginning date of a qualifying drought is the **earliest** qualifying start date for that specific type of pasture.

*--

PASTURE_TYPE	D2_START	D2_END	D3A_START	D3A_END	D3B_START	D3B_END	D4A_START	D4A_END	D4B_START	D4B_END	DATE OF	FSA_STAT	FSA_COU
LONG SEASON SMALL GRAINS	20191119	20200113	20191105		20191105	20200224	20200317				20191105	48-TX	Jim Hogg
NATIVE PASTURE			20200211		20200211	20200309	20200317				20200211	48-TX	Jim Hogg
FULL SEASON IMPROVED			20200211		20200211	20200309	20200317				20200211	48-TX	Jim Hogg
SHORT SEASON SMALL GRAINS	20191119	20200113	20191105								20191105	48-TX	Jim Hogg
ANNUAL RYEGRASS			20200211		20200211	20200309	20200317				20200211	48-TX	Jim Hogg

Example: Jim Hogg County has a native pasture in D3 with a qualifying start date of February 11, 2020; a D3b qualifying start date of March 9, 2020; and a D4a qualifying start date of March 17, 2020. The earliest qualifying start date for native pasture is the D3a qualifying start date of February 11, 2020, and that is the date the county will use as the “beginning date of the qualifying drought” to determine livestock and grazing land eligibility.

In this example, Jim Hogg County has 5 different pasture types eligible for LFP with 2 different beginning dates of qualifying drought (November 5, 2019, and February 11, 2020). When completing CCC-853, livestock inventories may differ according to pasture types because of those differing dates of qualifying drought and must be reported accordingly on CCC-853 using different livestock number identification in Part C, item 10, according to paragraph 89.--*

23 Eligible Grazing Losses (Continued)

B Determining Beginning Date of Qualifying Drought (Continued)

***--Note:** See the County Eligibility Report found in the Livestock Forage Program Application software in the “Report” section of the Main Menu that identifies pasture type, disaster type, payment factor, and beginning date of drought. See 1-LDAP for instructions on accessing the LFP Reports option.

State: Texas County: Jim Hogg		United States Department of Agriculture Farm Service Agency 2020 Livestock Forage Program County Eligibility Report		Prepared Date:03/15/2020 Page:1 of 1 Records on Report: 5
Pasture Type	Disaster Type	Payment Type	Beginning Date of Drought	
Short Season	Drought	3 Month	11/05/2019	
Annual	Drought	3 Month	02/11/2020	
Long Season	Drought	4 Month	11/05/2019	
Full Season	Drought	4 Month	02/11/2020	
Native Pasture	Drought	4 Month	02/11/2020	

--*

C Eligible Grazing Losses Because of Fire

An eligible livestock producer may receive assistance for grazing losses because of a qualifying fire only if both of the following apply, the:

- grazing losses occurred on rangeland that is managed by a Federal Agency
- eligible livestock producer is prohibited by the Federal Agency from grazing the normal permitted livestock on the managed rangeland because of a fire.

Note: The grazing losses that occur because of a qualifying fire on land managed by a Federal Agency **must** occur during the calendar year that benefits are being requested.

Example 1: A fire occurred on Federally managed rangeland on March 20, 2019, and the producer was prohibited from grazing the permitted number of livestock because of the fire. The grazing loss occurred during the 2019 calendar year. The producer would file a 2019 CCC-853 for grazing losses incurred for 2019.

23 Eligible Grazing Losses (Continued)

C Eligible Grazing Losses Because of Fire (Continued)

Example 2: A fire occurred on Federally managed rangeland on July 24, 2019, and the producer was prohibited from grazing the permitted number of livestock because of the fire. The producer was prohibited from grazing the rangeland beginning July 24, 2019, through December 31, 2019. The grazing loss occurred during the 2019 calendar year. The producer would file a 2019-year CCC-853 for grazing losses incurred for 2019. The producer is also prohibited from grazing the permitted number of livestock during the 2020 calendar year because of the July 24, 2019, fire. The producer would also be eligible to file a 2020-year CCC-853 for grazing losses incurred for 2020.

Note: A separate eligibility determination for all other LFP program requirements will need to be made by COC or delegate on the 2020 LFP application.

D Beginning Date of Qualifying Fire on Federally Managed Land

Although a local County Office and/or COC may have knowledge of a fire occurrence on Federally managed rangeland their respective county, COC's will request documentation from the Federal Agency that manages the rangeland to substantiate that a qualifying fire has occurred. The documentation provided by the Federal Agency, at a minimum, must include the following:

- location of fire
- cause of fire
- date the fire started
- date the livestock producers were prohibited from grazing their normal permitted livestock and/or whether their grazing days reduced because of the fire.

Based on the information provided by the Federal Agency, COC will use the information to determine the beginning date when the Federal Agency excluded the permitted livestock from grazing the rangeland managed by the Federal Agency.

Example: COC became aware of a fire that started on June 15. The Federal Agency notified the livestock producers on July 15 that the fire had burnt the allotment and their permitted livestock would have to be removed from the grazing land effective June 21. COC determined that the beginning date of the qualifying fire was June 21 since that was the day the permitted livestock were excluded from grazing on the Federally managed land.

23 Eligible Grazing Losses (Continued)**D Beginning Date of Qualifying Fire on Federally Managed Land (Continued)**

County Offices must submit a request through their State Office to the National Office Livestock Assistance Program Manager requesting that the software be made available for accepting LFP applications for fire. The request must include the following information:

- name of county
- calendar year or years software needs to be made available for accepting applications
- documentation from the Federal Agency showing that a qualifying fire occurred, including the following:
 - location of fire
 - cause of fire
 - date fire started
 - date the livestock producers were prohibited from grazing their normal permitted livestock and/or whether their grazing days were reduced because of the fire.

24 Eligible Livestock Producers for LFP**A Definition of Eligible Producer**

[7 CFR 1416.3] Eligible producer means, in addition to other requirements as may apply, an individual or legal entity who is an owner, operator, landlord, tenant, or sharecropper, who shares in the risk of producing a crop or livestock and who is entitled to share in the crop or livestock available for marketing from the farm, or would have shared had the crop or livestock been produced, and who also meets the requirements below. The term eligible producer can include a livestock owner or contract grower who satisfies other requirements of this part, that is:

- **an individual or entity seeking to be an eligible producer under this part, must submit a farm operating plan in accordance with part 1400 of this chapter and be a:**
 - **Citizen of the United States;**
 - **Resident alien; for purposes of this part, resident alien means “lawful alien”;**
 - **Partnership of citizens of the United States;**
 - **Corporation, limited liability corporation, or other farm organizational structure organized under State law;**
 - **Indian tribe or tribal organization, as defined in section 4(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).**

Note: For minor children refer to 5-PL and 1-CM.

24 Eligible Livestock Producers for LFP (Continued)**B Eligible Livestock Producers**

To be considered eligible for LFP, the person or legal entity meeting the requirements of subparagraph A **must**:

- during the 60 calendar days before the beginning date of a qualifying drought or fire, own, cash or share lease, or be a contract grower or covered livestock
- as of the date of the qualifying drought or fire, provide grazing land or pastureland for covered livestock, including cash-rented grazing land or pastureland that is either:
 - physically located in a county affected by a qualifying drought during the normal grazing period for the specific forage crop acreage in the county, or
 - rangeland managed by a Federal Agency for which the otherwise eligible livestock producer is prohibited by the Federal Agency from grazing the normal permitted livestock because of a qualifying fire
- certify that the livestock producer has suffered a grazing loss because of a qualifying drought or fire to be eligible for LFP payments
- file FSA-578 either timely filed or meeting all late filed provisions, according to 2-CP, for grazing land for which a loss is being claimed.

24 Eligible Livestock Producers for LFP (Continued)**C Contract Growers**

Contract grower, according to 7 CFR § 1416.202, is a person or legal entity that was engaged in a farming operation not as an owner of the covered livestock but in a business whose income is dependent on the actual weight gain and/or number of offspring of the covered livestock.

Note: The regulations at 7 CFR § 1416.206 (b) provide that contract growers **must** provide copies of grower contracts and other supporting documents to the administrative FSA County Office **not** later than 30 calendar days after the end of the calendar year in which the grazing loss occurred.

24 Eligible Livestock Producers for LFP (Continued)

C Contract Growers (Continued)

The following table provides guidance in determining eligible contract grower.

Determining Contract Grower of Livestock		
Step	Question	Answer
1	Does the contract grower pay or provide for labor or other inputs associated with the care of livestock while they are in possession of the contract grower?	<ul style="list-style-type: none"> • Yes, the contract grower pays or provides for labor to care for the livestock while they are in the possession of the contract grower. Go to question 2. • No, the owner of livestock pays or provides for all inputs associated with the care of livestock while they are in the possession of the contract grower; therefore, the contract grower is not considered at risk and is not considered an eligible livestock producer/contract grower for LFP purposes.
2	Is the agreement between the livestock owner and the contract grower on a rate of gain basis and/or number of offspring produced; that is, is the contract grower's income dependent on the actual weight gain and/or number of offspring produced from the livestock?	<ul style="list-style-type: none"> • Yes, the contract grower is paid on a rate of gain basis and/or number of offspring produced. The contract grower is considered at risk and considered an eligible livestock producer/contract grower for LFP purposes. • No, the contract grower is paid (or reimbursed) based on inputs expended by the contract grower, or other terms not related to actual weight gain of livestock. The contract grower is not considered at risk and not considered an eligible livestock producer/contract grower for LFP purposes.

Notes: The **contract grower** must own and/or **cash** lease the pastureland and/or grazing land that is being provided for the livestock to be considered at risk in the production of grazed forage on the grazing land and would be an eligible livestock producer/contract grower for LFP purposes.

If the contract grower does not own or cash lease the land provided for the livestock and rents or leases land owned by another person on a rate-of-gain basis, or on a per head per day, etc., the contract grower is **not** considered to be at risk in the production of grazed forage on the grazing land and would **not** be eligible for LFP.

24 Eligible Livestock Producers for LFP (Continued)**C Contract Growers (Continued)**

Example: John owns 100 adult beef cows. John enters into a written agreement with Bob, a contract grower. Bob agrees to care for the 100 adult beef cows on a rate-of-gain basis. Bob cash leases 2000.00 acres of native pasture from Jane. Bob is an eligible livestock and forage producer for LFP purposes because he cash-leased pastureland owned by another and uses it to feed livestock for which Bob is a contract grower. John, the livestock owner is not an eligible livestock producer for LFP.

Note: If there are questions about whether an agreement meets eligibility criteria for a contract grower, State Offices can contact the National Office program manager.

25 Eligible Covered Livestock for LFP

A Eligible Covered Livestock

To be considered eligible covered livestock, livestock **must** meet **all** of the following conditions:

- be grazing animals such as adult and nonadult beef cattle, adult and nonadult beefalo, adult and nonadult buffalo/bison, adult and nonadult dairy cattle, alpacas, deer, elk, emus, equine, goats, llamas, reindeer, or sheep
- be livestock that would normally have been grazing the eligible grazing land or pastureland in the eligible county:
 - during the normal grazing period for the specific type of grazing land or pastureland for the eligible county during the qualifying drought

Note: Livestock that would **not** have normally been grazing the land in the eligible county will **not** be eligible to be included in the calculation for determining monthly feed cost. However, if the livestock would normally have been grazing the eligible grazing land but the producer had to move the livestock to another county for grazing, the livestock would be eligible to be included when calculating the monthly feed cost.

- when the Federal agency prohibited the eligible livestock producer from using the managed rangeland for grazing because of a qualifying fire
- be livestock that the eligible livestock producer:
 - during the 60 days before the beginning date of a qualifying drought or fire, owned, leased, purchased, entered into a contract to purchase, or was a contract grower
 - sold or otherwise disposed of because of a qualifying drought during:
 - the current production year
 - 1 or both of the 2 production years immediately preceding the current production year
 - been livestock produced and maintained for commercial use or be livestock that is produced and maintained for producing livestock products for commercial use, such as milk from dairy, as part of the contract grower's or livestock producer's farming operation on the beginning date of the qualifying drought or fire

25 Eligible Covered Livestock for LFP (Continued)

A Eligible Covered Livestock (Continued)

- **not** have been livestock produced or maintained for reasons other than commercial use, including, but not limited to, consumption by the owner, lessee, or contract grower, any uses of wild free roaming animals or use of the animals for recreational purposes such as pleasure, roping, hunting, pets, or for show
- **not** have been produced or maintained for reasons other than commercial use as part of the producer's farming operation
- **not** have been livestock that were or would have been in a feedlot, on the beginning date of the qualifying drought or fire, as part of the normal business operation of the producer.

The eligible covered livestock categories are:

- Adult beef cows or bulls
- Non-adult beef cattle
- Adult beefalo cows or bulls
- Non-adult beefalo
- Adult buffalo or bison cows or bulls
- Non-adult buffalo or bison
- Adult dairy cows or bulls
- Non-adult dairy cattle
- Alpacas
- Deer
- Elk
- Emu
- Equine
- Goats
- Llamas
- Reindeer
- Sheep.

Note: Unweaned non-adult beef cattle, beefalo, buffalo, bison, or dairy cattle are not considered grazing animals as defined and are not eligible for LFP.

25 Eligible Covered Livestock for LFP (Continued)

B Eligible Mitigated Livestock

Eligible mitigated livestock are livestock of an eligible livestock producer that would normally have been grazing the eligible grazing land or pastureland in the qualifying drought county during the normal grazing period, and meets **at least 1** of the following:

- were sold during the 60 calendar days before the beginning date of a qualifying drought because of drought
- were sold **before** the 60 calendar days before the beginning date of the qualify drought and meet **all** the following:
 - the county was suffering a systemic drought from the previous calendar year
 - county was rated as having a qualifying drought according to paragraph 23 in the program year immediately preceding the current program year
 - during the week the livestock were sold during the current program year the county had a U.S. Drought Monitor rating of D2 or greater
 - livestock were sold 1 or both of the 2 program years immediately preceding the current program year.

Systemic drought means the U.S. Drought Monitor indicates drought conditions are continuous from the previous calendar year.

Current year mitigated livestock means livestock that are sold or disposed of during the current program year.

25 Eligible Covered Livestock for LFP (Continued)**B Eligible Mitigated Livestock (Continued)**

Prior year mitigated livestock means livestock that are sold or disposed of during the prior program year or 2 program years immediately preceding the current program year.

Note: Livestock sold because of fire are not considered mitigated livestock.

Example 1: Livestock Sold (Part of Normal Business Operation)

Producer Sam has a cow/calf operation in County A which he derives income from the sale of stockers. The stockers are normally born in February and are weaned when they reach 500 pounds. The stockers are then placed on long season small grain grazing land in County A to graze during the normal grazing period (November 15 to May 15). Producer Sam's normal practice is to sell the stockers to the feedlot on approximately May 15.

County A met the D2 for 8 consecutive weeks on March 29, 2019. Producer Sam sold the stockers on March 15, 2019, 2 months earlier than normal during the current production cycle, because of the severity of drought conditions. The stockers would be considered current year mitigated livestock. However, they will not be considered mitigated livestock in future program years because the stockers would not have been eligible covered livestock that would normally have been grazing eligible grazing land in future product years.

25 Eligible Covered Livestock for LFP (Continued)

B Eligible Mitigated Livestock (Continued)

Example 2: 365 Day Grazing Period 2016 CCC-853:

Bill has 140 adult beef cows on September 9, 2016, that graze native pasture in Baylor County, TX. Bill sold 40 adult beef on September 10, 2016, because of drought condition, but before Baylor County, TX suffering a qualifying drought. The normal grazing period for native grass in Baylor County, TX is January 1 to December 31. On October 1, 2016, Baylor County is rated a qualifying drought of D3. Bill has 100 adult beef cows that graze native pasture in Baylor County, TX, on October 1, 2016. Because of drought, Bill sells 20 adult beef cows that graze the native pasture in Baylor County, TX on December 15, 2016. Bill has not purchased any livestock to replace the adult cows mitigated in 2016. Following the filing of any valid FSA-578's, Bill files his **2016 CCC-853** on December 31, 2016, reporting the following.

13. Livestock Kind/Type and Weight Range	14. Current Year Inventory	15. Current Year Mitigated	16. Prior Years Mitigated
Adult Cows	100	40	0

Note: The 40 adult cows sold on September 10, 2016, because of drought are considered **current year mitigated** livestock because they were sold during the 60 calendar days before the October 1, 2016, qualifying drought. The 20 adult beef cows sold on December 15, 2016, were also mitigated because of drought. However, the 20 adult cows were sold after the qualifying drought date and should not be considered current year mitigated livestock because they are included in the current program year inventory.

25 Eligible Covered Livestock for LFP (Continued)

B Eligible Mitigated Livestock (Continued)

Example 2: 365 Day Grazing Period 2016 CCC-853: (Continued)

2017 CCC-853: The drought conditions continue in Baylor County, TX, and on January 1, 2017, Baylor County, TX has a qualifying drought rating of D3. At this time, Bill has 80 adult beef cows grazing native grass. Producer Bill sold 30 adult beef cows because of the drought conditions on July 20, 2017. Following the filing of any valid FSA-578's, Bill files his **2017 CCC-853** on July 25, 2017, reporting the following.

13. Livestock Kind/Type and Weight Range	14. Current Year Inventory	15. Current Year Mitigated	16. Prior Years Mitigated
Adult Cows	80	0	60

Note: The 30 adult beef cows sold on July 20, 2017, were also mitigated because of drought. However, the 30 adult cows were sold after the qualifying drought date and should not be considered current year mitigated livestock because they are included in the current program years inventory. The 40 adult beef cows sold September 10, 2016, and 20 adult beef cows sold on December 15, 2016, are considered prior year mitigated livestock because they were sold because of drought in the prior program year.

25 Eligible Covered Livestock for LFP (Continued)

B Eligible Mitigated Livestock (Continued)

Example 2: 365 Day Grazing Period 2016 CCC-853: (Continued)

2018 CCC-853: The drought continues into program year 2018 in Baylor County, TX. On January 1, 2018, Bill has 50 adult beef cows grazing native pasture in Baylor County, TX and the County has a D3 qualifying drought rating. Bill maintained his livestock for the remained of 2018. Bill has not purchased any livestock to replace the adult cows mitigated in 2016 and 2017. Following the filing of a valid FSA-578's, following the filing of any valid FSA-578's, Bill files his **2018 CCC-853** on January 4, 2018, reporting the following.

13. Livestock Kind/Type and Weight Range	14. Current Year Inventory	15. Current Year Mitigated	16. Prior Years Mitigated
Adult Cows	50	0	90

Note: The 40 adult beef cows sold September 10, 2016, 20 adult beef cows sold on December 15, 2016, and 30 adult beef sold July 20, 2017, are considered prior years mitigated livestock because they were sold because of drought within the 2 previous program years.

25 Eligible Covered Livestock for LFP (Continued)

B Eligible Mitigated Livestock (Continued)

Example 2: 365 Day Grazing Period 2016 CCC-853: (Continued)

2019 CCC-853: The drought continues in to program year 2019 in Baylor County, TX. On January 1, 2019, Bill has 50 adult beef cows grazing native pasture in Baylor County, TX and the County has a D3 qualifying drought rating. Bill maintained his livestock for the remainder of 2019, and he has not purchased additional adult beef cows to replace previously mitigated livestock. Following the filing of a valid FSA-578's, Bill files his **2019 CCC-853** on January 3, 2019, reporting the following.

13. Livestock Kind/Type and Weight Range	14. Current Year Inventory	15. Current Year Mitigated	16. Prior Years Mitigated
Adult Cows	50	0	30

Note: The 40 adult beef cows sold September 10, 2016, and 20 adult beef cows sold on December 15, 2016, are ineligible mitigated livestock on the 2019 CCC-853 because they were sold 3 program years before the current program year. The 30 adult beef cows sold on July 20, 2017, are considered prior years mitigated livestock because they were sold because of drought within the 2 previous program years.

25 Eligible Covered Livestock for LFP (Continued)

B Eligible Mitigated Livestock (Continued)

Example 2: Less than 365 Day Grazing Period

2016 CCC-853: Producer Jill has 140 adult beef cows on April 9, 2016, that graze native pasture in Lincoln County, SD. Jill sold 40 adult beef on April 10, 2016, because of drought condition, but before Lincoln County, SD suffering a qualifying drought. The normal grazing period for native grass in Lincoln County, SD is May 1 to May 15. On May 1, 2016, Lincoln County is rated a qualifying drought of D3. Jill has 100 adult beef cows that graze native pasture in Lincoln County, SD, on May 1, 2016. Because of drought, Jill sells 20 adult beef cows that graze the native pasture in Lincoln County, SD on December 15, 2016. Jill has not purchased any livestock to replace the adult cows mitigated in 2016. Jill files her **2016 CCC-853** on December 31, 2016, reporting the following.

13. Livestock Kind/Type and Weight Range	14. Current Year Inventory	15. Current Year Mitigated	16. Prior Years Mitigated
Adult Cows	100	40	0

Note: The 40 adult cows sold on April 10, 2016, because of drought are considered current year mitigated livestock because they were sold during the 60 calendar days before the May 1, 2016, qualifying drought. The 20 adult beef cows sold on December 15, 2016, were also mitigated because of drought. However, the 20 adult cows were sold after the qualifying drought date and should not be considered current year mitigated livestock because they are included in the current program year inventory.

2017 CCC-853: On January 28, 2017, Jill sold 10 adult beef cows outside the normal grazing season period on February 1, 2017, because of the systemic drought that continued from the 2016 program year. Lincoln County, SD was rated a D2 or greater by the U.S. Drought Monitor the week the 10 adult beef cows were sold in Lincoln County, SD. On April 10, 2016, Producer Jill sold an additional 15 adult beef cows because of drought. Lincoln County, SD qualified for D3 drought rating on May 1, 2017. On May 1, 2017, Jill has 55 adult beef cows grazing native grass. Jill sold 30 adult beef cows because of the drought conditions on July 20, 2017.

25 Eligible Covered Livestock for LFP (Continued)

B Eligible Mitigated Livestock (Continued)

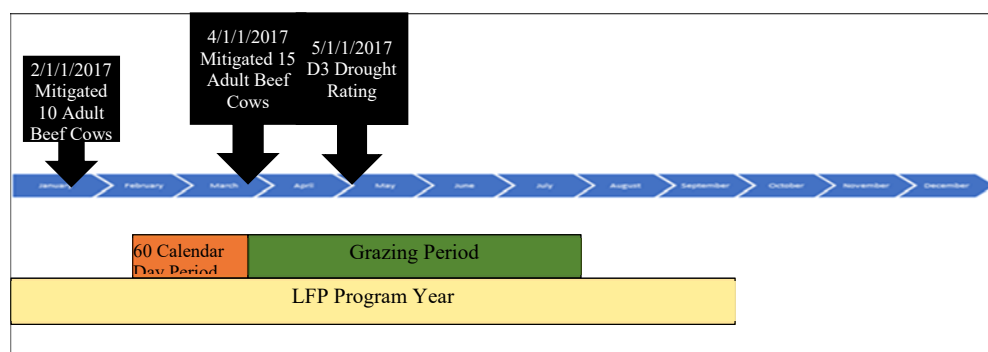
Example 3: Less than 365 Day Grazing Period (Continued)

Following the filing of valid FSA-578's Jill files her **2017 CCC-853** on July 25, 2017, reporting the following.

13. Livestock Kind/Type and Weight Range	14. Current Year Inventory	15. Current Year Mitigated	16. Prior Years Mitigated
Adult Cows	55	25	60

Note: The 40 adult beef cows sold April 10, 2016, are considered prior year mitigated livestock because they were sold because of systemic drought conditions. The 20 adult beef cows sold on December 15, 2016, are considered prior year mitigated livestock even though they are sold outside of the normal grazing period because Lincoln County, SD is suffering a systemic drought. The 10 adult beef cows sold on February 1, 2017, because of drought and can be considered current year mitigated livestock even though they are sold outside of the normal grazing period because Lincoln County, SD is suffering a systemic drought. The 15 adult beef cows, April 10, 2017, were mitigated because of drought within the 60-calendar-day period before the D3 drought rating and are also considered current year mitigate livestock.

The following diagram provides a visual representation of the 2017 program year for Jill. The diagram is an example of livestock sold outside the normal grazing period that were considered current year mitigated livestock because of systemic drought and, also that were sold during the 60-calendar-day period before the beginning date of the qualifying drought.



25 Eligible Covered Livestock for LFP (Continued)

B Eligible Mitigated Livestock (Continued)

Example 2: Less than 365 Day Grazing Period (Continued)

2018 CCC-853: The drought continues into program year 2018 in Lincoln County, SD. On May 1, 2018, Jill has 55 adult beef cows grazing native pasture in Lincoln County, SD and the County has a D3 qualifying drought rating. Producer Jill maintained her livestock for the remainder of 2018. Jill has not purchased any livestock to replace the adult cows mitigated in 2016 and 2017. Following the filing of valid FSA-578's Jill files her **2018 CCC-853** on May 4, 2018, reporting the following.

13. Livestock Kind/Type and Weight Range	14. Current Year Inventory	15. Current Year Mitigated	16. Prior Years Mitigated
Adult Cows	55	0	85

Note: The 40 adult beef cows sold April 10, 2016, 20 adult beef cows sold on December 15, 2016, 10 adult beef sold February 1, 2017, and 15 adult beef sold April 1, 2017, are considered prior years mitigated livestock because they were sold because of drought within the 2 previous program years.

2019 CCC-853: The drought continues in to program year 2019 in Lincoln County, SD. On February 15, 2019, Jill sold 10 adult beef cows because of systemic drought. Lincoln County, SD had a D2 or greater rating the week the 10 adult beef cows were sold. On May 1, 2019, Jill has 45 adult beef cows grazing native pasture in Lincoln County, SD and the County has a D3 qualifying drought rating. Jill maintained her livestock for the remainder of 2019 and she has not purchased an additional adult beef cows to replace previously mitigated livestock. Following the filing of FSA-578, Jill files her **2019 CCC-853** on May 3, 2019, reporting the following.

13. Livestock Kind/Type and Weight Range	14. Current Year Inventory	15. Current Year Mitigated	16. Prior Years Mitigated
Adult Cows	45	10	25

25 Eligible Covered Livestock for LFP (Continued)

B Eligible Mitigated Livestock (Continued)

Example 2: Less than 365 Day Grazing Period (Continued)

Note: The 40 adult beef cows sold April 10, 2016, and 20 adult beef cows sold on December 15, 2016, are ineligible mitigated livestock on the 2019 CCC-853 because they were sold 3 program years before the current program year. The 10 adult beef sold February 1, 2017, and 15 adult beef sold April 1, 2017, are considered prior years mitigated livestock because they were sold because of drought within the 2 previous program years.

The 10 adult beef cows sold February 15, 2019, are considered current year mitigated livestock because they were sold because of systemic drought.

C Ineligible Livestock

Ineligible livestock that cannot receive payments for LFP include, but are **not** limited to the following:

- livestock produced or maintained for reasons other than commercial use including, but **not** limited to, livestock produced or maintained for any of the following or recreational purposes, such as:
 - consumption by the owner
 - hunting
 - used as pets
 - pleasure
 - roping
 - show
- yaks
- ostriches
- unweaned livestock or animals not meeting the definition of a grazing animal
- any wild free roaming livestock, including horses and deer
- any animals **not** included in subparagraph A.

25 Eligible Covered Livestock for LFP (Continued)

C Ineligible Livestock (Continued)

Example 1: Mike Jones owns 5 horses, 2 beef steers, and 3 goats. Jones maintains the horses for pleasure riding and fox hunting and maintains the goats as pets for his children. He maintains the beef steers to be consumed by his family. Accordingly, Mr. Jones does **not** maintain any of the livestock for commercial use.

Because none of Jones' livestock are not maintained for commercial use, the animals are **ineligible** livestock for LFP.

Example 2: Jane Black owns and raises a deer herd. Black sells the does to a local food market to be processed into meat products. She sells the bucks to hunting preserves nationwide.

Black is in the business of selling deer as a means of livelihood for profit; therefore, the deer are maintained for commercial sale and are eligible livestock for LFP.

D Livestock Located in Feed Lots

Livestock that were or would have been physically located in a feedlot on the beginning date of a qualifying drought or fire are **not** eligible for LFP. COC will determine eligibility of livestock placed in a feedlot on a case-by-case basis. Livestock are those physically located in a feedlot:

- on the beginning date of a qualifying drought or fire, or placed in a feedlot after the beginning date of a qualifying drought or fire, for the purpose of fattening for slaughter as part of producer's normal operation
- as part of a livestock producer's normal course of business before the livestock reached their normal selling or fattening weight.

Example 1: John Smith owns 200 head of nonadult beef cattle weighing an average of 750 pounds each. Mr. Smith's eligible grazing land is located in County A. County A was rated as having a D3 drought intensity level on the U.S. Drought Monitor for 1 day on January 1, 2019. Mr. Smith placed the 200 head of nonadult beef cattle in Lucky 7 Feedlot, Inc., located in County A, on January 1, 2019, for the purpose of fattening for slaughter. The 200 head of nonadult beef cattle owned by Mr. Smith are **not** eligible for LFP because the adult beef cattle were placed in the feedlot for the purpose of fattening for slaughter as part of his normal operation.

25 Eligible Covered Livestock for LFP (Continued)

D Livestock Located in Feed Lots (Continued)

Example 2: Judy Jones owns 750 head of nonadult beef cattle weighing an average of 500 pounds each. Ms. Jones' eligible grazing land is located in County A. County A was rated as having a D2 drought intensity level for 8 consecutive weeks on the U.S. Drought Monitor on March 1, 2019. The normal grazing period for native pasture in County A is May 1 through November 15. Ms. Jones, as part of her normal business operation, placed the 750 head of nonadult beef cattle in Rafter 3 Feedlot, located in County A, on March 20, 2019. The 750 head of nonadult beef cattle owned by Ms. Jones are **not** eligible for LFP because nonadult beef cattle were placed in the feedlot as part of Ms. Jones' normal business operation and **not** because of an eligible qualifying drought or fire.

Note: Eligible livestock placed in a feedlot earlier than normal because of a qualifying drought or fire may be eligible for LFP if all other eligibility requirements are met.

Example 3: Jim Black owned 250 head of nonadult beef cattle weighing an average of 500 pounds each on March 1, 2019. Black's eligible grazing land is located in County A. County A is rated as having a D3 intensity level on the U.S. Drought Monitor on March 1, 2019. Black normally removes the 250 head of nonadult beef cattle from the 1,000 acres of native pasture he owns and places them in Lucky 7 Feedlot, Inc., located in County A, when nonadult beef cattle reach 750 pounds for the purpose of fattening for slaughter. Because of a qualifying drought, Black ran out of native pasture and was forced to place the 250 head of nonadult beef cattle in a feedlot on March 1, 2019, before nonadult beef cattle reached the weight of 750 pounds.

The 250 head of nonadult beef cattle placed in the feedlot earlier than normal are eligible for LFP because of the unavailability of native pasture for grazing because of a qualifying drought.

26 Eligible Grazing Land for LFP

A Overview

A grazing loss because of drought is eligible for LFP only if the grazing loss for the covered livestock occurs on land that, as of the date of the qualifying drought, is:

- native or improved pastureland with permanent vegetative cover
- planted to a crop planted specifically for the purpose of providing grazing for covered livestock, as reported on the producer's acreage report, including crops such as forage sorghum, small grains, annual planted ryegrass, or annual planted crabgrass
- grazing land or pastureland that is owned or leased by the eligible livestock producer that is physically located in a county that is affected by a qualifying drought during the normal grazing period for the specific type of grazing land or pastureland for the county.

A grazing loss because of fire qualifies for LFP only if:

- a grazing loss occurs on rangeland that is managed by a Federal agency
- the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the federally managed rangeland because of a qualifying fire.

B Eligible Grazing Pastureland or Grazing Land for Grazing Losses Because of Drought

The eligible livestock producer must, as of the date of the qualifying drought, have risk in the pastureland or grazing land for covered livestock, that is Native and Improved Grasses, Mixed Forage, Small Grains, and Forage Sorghum crops reported with the intended use of grazing.

Note: Small Grain crops include:

- Barley
- Oats
- Rye
- Triticale
- Wheat.

26 Eligible Grazing Land for LFP (Continued)

B Eligible Grazing Pastureland or Grazing Land for Grazing Losses Because of Drought (Continued)

The following are eligible pastureland and grazing land for grazing losses because of drought:

- privately owned, cash or share leased pasture or rangeland that is used to provide grazing for covered livestock
- State and Federal lands, if either of the following apply:
 - the land is leased on a long-term basis that COC determines requires lessee contribution, including but **not** limited to wells, fences, or other maintenance and upkeep inputs
 - pasture or grazing land is leased for cash or fixed amount for an established grazing period
- previously irrigated grazing land that was **not** irrigated during the current production year because of lack of surface water due to a qualifying eligible drought condition

***--Notes:** COC must determine, based on information provided by the producer, if the grazing land certified as irrigated was not irrigated during the current production year because of **lack of surface water resulting from a qualifying drought condition**. If COC determines that the grazing land was not irrigated during the grazing period because of lack of surface water as a result of a qualifying drought condition, then COC is authorized to adjust the producer's eligible acreage on CCC-853 to include the grazing land using the irrigated carrying capacity for LFP purposes. COC's should use the same provisions as used under NAP for covering irrigated grazing losses according to 1-NAP and 2-CP.

The CARS interface in the LFP software will prevent acreage certified as irrigated according to 2-CP imported to the CCC-853 application. Previously irrigated acreage determined eligible by COC will need to be administered according to subparagraph 88 B as a COC adjustment.

- land enrolled in GRP seeded to one of the eligible grazing types listed in subparagraph 27 B

Exception: The producer is not eligible for LFP during the time period the GRP conservation plan prohibits grazing during the normal grazing period.

- land enrolled in EQIP seeded to one of the eligible grazing types listed in subparagraph 27 B.--*

Exception: The producer is not eligible for LFP during the time period the EQIP contract prohibits grazing during the normal grazing period.

26 Eligible Grazing Land for LFP (Continued)

C Eligible Grazing Pastureland or Grazing Land for Grazing Losses Because of Fire

To ensure that eligibility requirements have been met, the livestock producer must provide signed copies of the following, as applicable:

- written acreage lease or rental agreement

Note: If the land is subleased, then the original lease and sublease must be provided.

- BLM grazing permit and/or lease and final bill or invoice

Note: Final bill or invoice is only required if producer cannot meet control or risk from 1 of the risk questions on the following pages.

- FS grazing permit and/or lease and final bill or invoice

Note: Final bill or invoice is only required if producer cannot meet control or risk according to subparagraph E.

- State land lease and/or State land subleases.

The eligible livestock producer must, as of the date of the qualifying fire, have risk in the pastureland or grazing land for covered livestock, that is rangeland, reported with the intended use of grazing, that is managed by a Federal Agency.

The following are eligible pastureland and grazing land for grazing losses because of fire:

- State and Federal lands, if either of the following apply:
 - the land is leased on a long-term basis that COC determines requires lessee contribution, including but **not** limited to wells, fences, or other maintenance and upkeep inputs
 - pasture or grazing land is leased for cash or fixed amount for an established grazing period.

26 Eligible Grazing Land for LFP (Continued)

D Ineligible Grazing Land

The following are ineligible types of grazing:

- acreage enrolled in CRP

Exception: Land enrolled in CRP grasslands will be eligible for LFP if all of the following are met:

- the acreage is native or improved pastureland with permanent vegetative cover
- the acreage is not a first year seeding biennial or perennial forage crop intended for grazing
- the acreage is not devoted to Practice CP42, Pollinator Habitat, which does not allow for grazing
- the acreage under CRP grasslands is not mechanically harvested at any time during the normal grazing period during the calendar year, and only grazed, the acreage may be eligible for LFP, if all other LFP program provisions are met and the CRP grasslands conservation plan does not prohibit grazing during the normal grazing period.

Notes: CRP grasslands acreage **will not** be eligible for LFP if mechanically harvested for seed, hay, etc. during the normal grazing period in the calendar year in which it is mechanically harvested.

The eligible acreage must be reported on FSA-578 as the initial native or improved pastureland and the CRP grassland practice reported as a subsequent crop with the applicable Crop Status code according to 2-CP.

D Ineligible Grazing Land

- acreage enrolled in WRP
- irrigated pastures or crop acreage

* * *

- acreage intended for grain, such as corn and grain sorghum, where the stalks or aftermath is grazed

Note: 7 CFR Part 1416.205(a)(2) specifically provides that corn stalks and grain sorghum stalks are **not** considered crops planted specifically for the purpose of providing grazing for covered livestock.

- seeded small grain crops or sorghum forage crops that are planted after the final planting date for the planting period
- first year seeded biennial or perennial forage crop
- double cropped acreage combinations not approved by STC according to 2-CP
- cover crops
- on an AUM-only basis, when the lessee incurs no additional expense for pasture maintenance, wells, fences, etc.
- grazing land that is leased under any of the following conditions:
 - basis of weight gain
 - cost per head, per day or per month.

Example: Livestock Owner A has an agreement with Producer B under which Livestock Owner A pays \$.30 per day for 100 yearlings grazed on Producer B's pasture. Livestock Owner A pays **only** for the number of days the 100 yearlings graze. Because Livestock Owner A pays only for the actual days grazed, Livestock Owner A is not a forage crop producer and suffers no grazing loss and is **ineligible** for LFP.

26 Eligible Grazing Land for LFP (Continued)

E Lease Agreements

COC or CED, if delegated, will review all acreage leases, including CCC-855's to determine whether:

- the lease conveys control, however limited, to the lessee
- lessee is at risk of a loss of production of forage on the grazing land or pastureland crop acreage for which benefits are being requested for LFP.

Notes: If the lease prohibits the sublease of the land, the sublessee associated to the sublease will be ineligible for LFP benefits on that acreage.

The determination of eligible crop acreage share and risk in the acreage must be the same for all program purposes.

Eligibility determinations must be documented in the COC minutes. These include things such as that cash-leased grazing land or pastureland that meets the eligibility criteria for leased grazing land or pastureland under LFP. In cases where CED, if delegated, makes a determination of crop acreage share and risk in the grazing land and pastureland may result in an adverse determination, CED must obtain concurrence from COC.

The name of the lessee on the lease must reflect the name of the applicant requesting benefits on CCC-853 for the leased land.

Acreage leases and rental agreements for Private, Federal and State-owned land intended for grazing may include many arrangements for compensation and provide varying degrees of control for using the acreage. Many leases, particularly leases with grazing arrangements, are similar to sales agreements. For example, the lessee pays **only** for the days actual grazing occurs or according to the rate of gain of the grazing animals, etc. These leases do **not** convey control of the acreage, nor does the lessee acquire risk in production of the specific crop acreage under these arrangements.

If a lease (considered a combination lease) provides for a guaranteed amount per month and a share of the crop or crop proceeds, the agreement will be considered a cash lease.

Note: Some grazed forage leases on a cost-per-head-per-month basis are combination leases where the tenant is responsible for expenses, such as fence maintenance and repair, maintenance of property and wells, windmills, stock tanks, and materials and labor to rebuild handling facilities, and conducting controlled burns or mechanical control of cedar trees and other shrubs, etc., which is tantamount to a guaranteed amount of lease. The risk of the expenses under leases of this type, whether actually incurred or not, is the same as a guaranteed minimum and the arrangement is viewed as a cash lease, whether or not the lease also provides for a share to the landlord or not.

26 Eligible Grazing Land for LFP (Continued)

E Lease Agreements (Continued)

Example: Livestock Owner Bob has a written agreement with Landlord Andy under which Livestock Owner Bob pays \$10 per month for 100 yearlings to graze on Landlord Andy's pasture. Livestock Owner Bob also is responsible for expenses related to maintenance and repair of the fences, maintenance of water wells, windmills, and materials and labor to rebuild handling facilities. Livestock Owner Bob has had this type of agreement with Landlord Andy for over 10 years. Because this is a cost-per-head-per-month lease that is a combination lease where livestock Owner Bob is responsible for expenses tantamount to a guaranteed amount of lease, then this type of lease is considered a cash lease.

COC or CED, if delegated, will use the following questions and others, to determine if a lessee has an eligible crop acreage share interest and risk in grazing land or pastureland crop acreage or the lease conveys control of the crop acreage to the lessee. Only 1 of the following conditions must be met to find a lessee eligible for a crop acreage share who is at risk in the grazing land or pastureland crop acreage for which benefits are being requested for LFP.

- Does the lessee pay local property or similar taxes on the leased acreage or improvements made to the leased acreage?
 - If yes, the lessee is considered to have control of the crop acreage.
 - If no, see the next question.
- Can the lessee, according to the lease, recoup specific expenses for significant infrastructure or range improvements (that is, fences, water well, seed or fertilizer applications, drainage improvements, or brush and weed control)?
 - If no, the lessee is considered to have control of the crop acreage.
 - If yes, see the next question.

26 Eligible Grazing Land for LFP (Continued)

E Lease Agreements (Continued)

- Does the lessee compensate the lessor for using the crop acreage?
 - If no, the lessee is **not** entitled to a crop share and does **not** have a risk in production of the crop acreage.
 - If yes, is the compensation payment refundable if grazing use of the crop acreage is lost?
 - If yes, the lessee **only** has a risk in the portion of the crop acreage used and paid for, if any.
 - If no, does the compensation payment entitle the lessee to a vested crop share interest in production of the commodity versus purchasing the commodity?
 - If no, the lessee does **not** have a crop share interest and risk in production of the crop acreage.
 - If yes, the lessee is considered to have a crop share interest and risk in production of the crop acreage.

26 Eligible Grazing Land for LFP (Continued)**E Lease Agreements (Continued)**

If written acreage lease or rental agreement was **not** entered into, a copy of CCC-855 **must** be completed and signed by the lessor, according to paragraph 28.

1-CM provide guidance for signature authority for representative signatures.

In the case of undivided ownership interest, if owners having a majority, undivided ownership interest in the farm sign the cash lease or CCC-855, COC may accept the cash lease or CCC-855 as documentation supporting the lease agreement between the parties, if COC determines shares are acceptable.

Note: Majority means 50 percent or more of the collective, undivided interest owner's share.

Example: Husband and wife own native grass, joint tenants in common. They verbally lease the rangeland to Livestock Producer A. Husband and Producer A complete and sign CCC-855 certifying to the lease arrangement. The wife does not sign. Livestock Producer A provides CCC-855 as supporting documentation that he has risk in rangeland documented on CCC-855. COC approves CCC-855 as acceptable documentation for eligible grazing land for Producer A's LFP application since the husband has 50 percent or more interest in said rangeland.

26 Eligible Grazing Land for LFP (Continued)

E Lease Agreements (Continued)

If a written acreage lease or rental agreement was **not** entered into between the original lessee and lessor, and the grazing land or pastureland is **subleased**, for the sublessee associated to the sublease to be considered by COC or CED to have control of the leased acreage or risk in the grazing land and/or pastureland crop acreage for LFP benefits, separate CCC-855's must be completed and signed, according to paragraph 28 by the:

- lessor, acknowledging the lease agreement terms between lessor and the original sublessee and that the original lessee has the authority to sublease the grazing land or pastureland
- original lessee acknowledging lease agreement terms between original lessee and sublessee associated to sublease.

Note: For the sublessee associated to the sublease to be considered in control of the leased acreage or have risk in the grazing land and/or pastureland crop acreage for LFP benefits, the first criteria that must be met is that the original lessee must have been determined to have had control of the acreage and/or been at risk in the grazing land and/or pastureland crop acreage. If the original lessee was not considered to be in control of the acreage or at risk, then the sublessee associated to the sublease cannot obtain control in or risk in the grazing land and/or pastureland from the original lessee that did not have such control or risk.

26 Eligible Grazing Land for LFP (Continued)

E Lease Agreements (Continued)

Example 1: Lessee A and Lessor B entered into a verbal agreement on January 1, 2019, for Lessee A to cash lease from Lessor B, Farm 1 in Knox County consisting of 200 acres of native pasture for \$2,000 per year for 5 years. Sublessee A has also been given the authority to sublease the acreage. The normal grazing period for native grass is January 1 through December 31.

On January 15, 2019, Lessee A subleases Farm 1 to Sublessee C for the 2019 calendar year. Sublessee C's 10 head of adult beef cattle graze on the 200 acres of native pasture in Knox County beginning on January 16, 2019. On April 5, 2019, Knox County becomes eligible for a 5-month payment on native pasture.

Sublessee C provides the Knox County COC CCC-855 completed and signed by Lessor B where Lessor B checked that Farm 1 was cash rented to Lessee A for 5 years beginning January 1, 2019, through December 31, 2021, and the "Other" box on CCC-855 was checked with Lessor B indicating that Lessee A had the authority to sublease Farm 1. Lessee C also provided CCC-855 completed by Lessee A indicating that Lessee A has subleased Farm 1 to Lessee C from January 15, 2019, through December 31, 2019, for cash.

COC reviewed CCC-855's and determined that:

- Lessee A cash leased Farm 1 from Lessor B giving Lessee A control and risk in the 200 acres of native pasture and authority to sublease Farm 1
- Lessee A subleased Farm 1 to Sublessee C for cash transferring control and risk for 2019 to Lessee C; therefore, Sublessee C is in control and at risk in the 200 acres of native pasture on Farm 1 for 2019 because Sublessee C had the farm on the trigger date.

26 Eligible Grazing Land for LFP (Continued)

E Lease Agreements (Continued)

Example 2: Lessee A and Lessor B entered into a verbal agreement on January 1, 2019, for Lessee A to lease from Lessor B, Farm 1 in Knox County consisting of 200 acres of native pasture on a \$0.20 per day basis for the 2019 crop year on 20 adult beef cows. Lessee A has also been given the authority to sublease the acreage. The normal grazing period for native grass is January 1 through December 31.

On January 15, 2019, Lessee A subleases Farm 1 to Sublessee C for \$22 for the 2019 calendar year. Sublessee C's 10 head of adult beef cattle graze on the 200 acres of native pasture in Knox County beginning on January 16, 2019. On April 5, 2019, Knox County becomes eligible for a 5-month payment on native pasture.

Sublessee C provides the Knox County COC CCC-855 completed and signed by Lessor B where Lessor B checked that Farm 1 was rented to Lessee A for the 2019 crop year on a \$0.20 per day basis for 20 adult beef cows with Lessor B indicating that Lessee A had the authority to sublease Farm 1. Sublessee C also provided CCC-855 completed by Lessee A, indicating that Lessee A has subleased Farm 1 to Lessee C from January 15, 2019, through December 31, 2019, for cash.

COC reviewed CCC-855's and determined that:

- Lessee A has an agreement with Lessor B which Lessee A pays \$0.20 per day for 20 adult beef cows on Lessor B's pasture and Lessee A is only paying for the number of days grazed which equates to no grazing loss and Lessee A not being in control or at risk in the 200 acres of native pasture on Farm 1
- Lessee A subleased Farm 1 to Sublessee C for cash, but since Lessee A does not have control or risk in Farm 1, Lessee A did not transfer control or risk in Farm 1 to Lessee C; therefore, Sublessee C is **not** in control and at risk in the 200 acres of native pasture on Farm 1 for 2019.

27 Normal Grazing Periods for LFP

A Establishing Normal Grazing Periods and Carrying Capacities for LFP

LFP provides payments to eligible livestock producers that have suffered livestock grazing losses because of a qualifying drought or fire during the normal grazing period for the county.

For drought, the losses **must** have occurred:

- on land that is native or improved pastureland or rangeland with permanent vegetative cover, or is planted to a crop planted specifically for grazing for covered livestock
- because of a qualifying drought during the normal grazing period for the specific type of grazing land or pastureland in the county during the calendar year.

The grazing periods established for LFP must be the same as the grazing periods that have been established for NAP, and in accordance to the grazing period established in the NCT.

Grazing period for small grains may begin in 1 calendar year and end in the succeeding calendar year.

Note: The LFP program year for small grain grazing is the same as the NAP normal grazing period for small grains, and in accordance to the grazing period established in the NCT.

Example: <u>Pasture Type</u>	<u>Start Date</u>	<u>End Date</u>
Forage Sorghum	June 15	October 31
Improved Pasture	March 1	October 31
Native Pasture	March 1	October 31
Long Season Small Grains	October 15	June 1
Short Season Small Grains	October 15	March 1
Short Season Spring Small Grains	November 15	June 1
Short Season Fall/Winter Small Grains	November 15	March 1

Example 1: In County A, producers plant small grains with the intent to graze the small grains for the full growing season. The normal grazing period for long season small grains grazing in County A is October 15, 2019, through June 1, 2019. The normal grazing period for long season small grains would be established as follows.

	<u>Pasture Type/Start Date</u>	<u>End Date</u>
	Long Season Small Grains	October 15
		June 1

27 Normal Grazing Periods for LFP (Continued)

A Establishing Normal Grazing Periods and Carrying Capacities for LFP (Continued)

STC must review normal grazing periods and acres per AU (carrying capacity) established for NAP and LFP for each crop with an intended use of grazing to ensure that the:

- normal stocking rate and number of grazing days established under NAP acres per AU (carrying capacity) can normally be sustained without detrimental effects on the land resource excluding supplemental feedstuff
- stocking rate under NAP reflects the specific number of acres of forage capable of supporting one AU for the specified grazing days during the grazing period without supplemental feedstuff

Note: If stocking rates/carrying capacities (acres per AU) need to be adjusted, States should work together with neighboring States, in addition to NRCS and/or Extension Service to assist in this process.

- normal grazing periods (beginning and ending grazing period dates) are established correctly taking into consideration factors such as topography, climate, altitude, and land mix, which affects grazing in the same county or area within the county for the same forage type(s), such as native grass
- acres per animal unit, grazing days, and final harvest date (grazing period ending date) are loaded in the NCT for the applicable crop according to 3-NAP
- loaded into the LFP Normal Grazing Period Table
- document review of grazing periods in the STC minutes

27 Normal Grazing Periods for LFP (Continued)**A Establishing Normal Grazing Periods for LFP (Continued)**

- ensure that grazing periods are established considering the date must be rounded to the 1st, 15th, or last day of the month.

Note 1: NAP and LFP State program specialists must work together to ensure that both NAP, LFP, and ELAP program requirements are addressed and consistency is maintained between programs when establishing normal grazing periods and acres per AU (carrying capacity).

Note 2: If the NAP sales closing date has passed for the specific pasture or grazing crop type for the applicable year, the normal grazing period for that specific pasture or grazing crop may **not** be changed, **except** for the next crop year.

B Establishing Both Warm and Cool Season Grazing Periods for LFP

STC's may seek approval from DAFP to establish **both** warm and cool season grazing periods. Before a State can establish both warm and cool season grazing periods, DAFP approval must be obtained.

Note: The establishment of both **warm and cool season** grazing periods:

- does **not require** the grazing periods to be equal in length of time
- combined **will not** exceed 12 months
- **cannot** result in an overlap of the grazing periods.

27 Normal Grazing Periods for LFP (Continued)**C Eligible Grazing Types**

Different types or varieties of pasture and grazing crops for a county shall be grouped into 1 of the following pasture types for LFP purposes:

- full season improved pasture with permanent vegetative cover (nonirrigated)
- native pasture with permanent vegetative cover (nonirrigated)
- full season improved mixed forage planted specifically for providing grazing for covered livestock (nonirrigated)
- warm season improved pasture with permanent vegetative cover (nonirrigated)
- cool season improved pasture with permanent vegetative cover (nonirrigated)
- short season small grain crops planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)
- short season spring small grains planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)
- short season fall/winter small grains planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)
- long season small grain crops planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)
- annual ryegrass planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)
- annual crabgrass planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)
- forage sorghum crops planted specifically for the purpose of providing grazing for covered livestock (nonirrigated).

28 CCC-855, Annual Lease Agreement Certification Statement

A Using CCC-855

*--If a written acreage lease or rental agreement was **not** executed and provided to FSA, CCC-855 **must** be completed and signed by the lessee and lessor, according to this subparagraph. CCC-855 is an annual form and is only valid for the program year the--* producer is applying for benefits.

CCC-855 must contain sufficient information for COC to review and make a determination if the lease meets the requirements of subparagraph 26 E. COC or delegate review of CCC-855 and eligibility determination must be recorded in the COC minutes

1-CM provides guidance for signature authority for representative signatures.

B Completing CCC-855

Complete CCC-855 according to the following.

Item	Instructions
1	Enter State the leased land is physically located.
2	Enter County the leased land is physically located.
3	Enter the program year. Note: This form is an annual form and is only acceptable for the program year the producer is applying for benefits.
4	Enter name of operator/tenant (lessee), or lessee associated to sublease, if subleased.
5	Enter name of landowner/landlord (lessor) or original lessee, if the original lessee is subleasing the land for which the original lessee did not have a written acreage lease or rental agreement with lessor.
6	Enter farm number(s) associated with the lease agreement.
7	*--Enter number of acres leased, if applicable; if left blank an entry must be made in item 11.
8	Enter date lease commenced, if applicable; if left blank an entry must be made in item 12.
9	Enter date lease expires, if applicable; if left blank an entry must be made in--* item 13.

28 CCC-855, Annual Lease Agreement Certification Statement (Continued)

B Completing CCC-855 (Continued)

Item	Instructions	
10	Check "Yes" if this is a sublease and attach a copy of the original lease or a completed CCC-855. Check "No" if it is not a sublease. Note: If the original lease prohibits the sublease of the land, the lessee associated to the sublease will be ineligible for LFP benefits on that acreage, according to subparagraph 26 E.	
11	*--Enter number of AUMS/AU/Livestock for the lease, if applicable; if left blank an entry must be made in item 7.	
12	Enter the grazing start date for the permit or lease, if applicable; if left blank an entry must be made in item 8.	
13	Enter the grazing end date for the permit or lease, if applicable; if left blank an entry must be made in item 9.	
14	Lessor will check (✓) appropriate terms of the lease agreement that apply or--* "Other", if none of the terms listed apply and then specify specific terms that do apply.	
15	For all lease agreements selected above, including "Other", provide any additional details under the terms of the lease that would indicate, for example who provides pasture maintenance, well and fence repair, spraying of weeds, etc.	
16A	*--Lessee or authorized representative will sign.--*	
16B	IF...	THEN...
	lessor or original lessee is signing	leave blank.
	someone is signing in a representative capacity for lessor or original lessee	enter title or relationship to lessor or original lessee.
16 C	Enter date signatory signs.	
17A	*--Lessor, original lessee if land is subleased, or authorized representative will--* sign.	
17B	IF...	THEN...
	lessor or original lessee is signing	leave blank.
	someone is signing in a representative capacity for lessor or original lessee	enter title or relationship to lessor or original lessee.
17C	Enter date signatory signs.	

28 CCC-855, Annual Lease Agreement Certification Statement (Continued)

C Example of Completed CCC-855

The following is an example of a completed CCC-855.

<p>CCC-855 (09-12-19)</p> <p>U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation</p> <p>ANNUAL LEASE AGREEMENT CERTIFICATION STATEMENT</p>				1. State
				2. County
				3. Program Year
<p>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 1416, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79), as amended. The information can be used to certify a lease agreement pertaining to any FSA programs. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information may result in a determination of ineligibility for FSA program benefits.</p> <p>Paperwork Reduction Act (PRA) Statement: The information collection is exempted from PRA as specified in 7 U.S.C. 9091(c)(2)(B).</p> <p>The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</p>				
LEASE AGREEMENT CERTIFICATION STATEMENT				
4. Operator/Tenant (Lessee) (Print):				
5. Landowner/Landlord/Original Lessee (Lessor) (Print):				
6. FSA Farm Number(s):		7. Number of Acres Leased (if applicable):		8. Lease Commenced on:
				9. Lease Expires on:
10. Is this a sublease? (if "Yes" attach original lease): <input type="checkbox"/> YES <input type="checkbox"/> NO		11. Number of AUMs/AUs/Livestock (if applicable):		12. Grazing Start Date (if applicable):
				13. Grazing End Date (if applicable):
14. Terms of the Lease Agreement (Check the appropriate box):				
<input type="checkbox"/> Dollar/Acre Rental Arrangement. <input type="checkbox"/> Rate of Gain. <input type="checkbox"/> Cash or Fixed Dollar Amount. <input type="checkbox"/> Cost Per Head, Per Day or Month. <input type="checkbox"/> Share Rent. <input type="checkbox"/> Animal Unit Month Basis. <input type="checkbox"/> Combination or Flex. <input type="checkbox"/> Other (Specify):				
15. Please provide any additional details under the terms of this lease (additional expenses, pasture maintenance, well and fence repair, etc.):				
<p><i>I certify that all the information entered on this form, whether personally entered by me or by someone else on my behalf is true and correct to the best of my knowledge. I further certify that I entered into a lease agreement with the Operator/Tenant specified in Item 4 or Landowner/Landlord in Item 5 beginning on the date specified in Item 8 or Item 12 and ending on the date in Item 9 or Item 13. I certify that the terms of the lease agreement entered above are true and correct for the specified farm(s) listed in Item 6 for the period of the lease agreement entered above.</i></p>				
16A. Signature of Lessee (By)		16B. Title/Relationship of the Individual Signing in a Representative Capacity		16C. Date (MM-DD-YYYY)
17A. Signature of Lessor (By)		17B. Title/Relationship of the Individual Signing in a Representative Capacity		17C. Date (MM-DD-YYYY)
<p><small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small></p> <p><small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small></p> <p><small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.</small></p>				

29-55 (Reserved)

Section 2 Payment Rates, Limitations, and Reductions

56 Drought Payment Calculation

A General Payment Information

An eligible livestock producer will be eligible to receive LFP payments for grazing losses because of a qualifying drought equal to a factor of 1, 3, 4, or 5 times the monthly payment rate calculated according to subparagraph B.

To be eligible to receive a factor of:

- 1-month payment, that is a payment equal to the monthly feed cost as determined according to subparagraph B, the eligible livestock producer **must** own or lease grazing land or pastureland that is physically located in a county that is rated a D2 severe drought (intensity) in any area of the county for at least 8 consecutive weeks during the normal grazing period for the specific type of grazing land or pastureland in the county
- 3-month payment, that is a payment equal to 3 times the monthly feed cost as determined according to subparagraph B, the eligible livestock producer **must** own or lease grazing land or pastureland that is physically located in a county that is rated at least a D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the specific type of grazing land or pastureland for the county
- 4-month payment, that is a payment equal to 4 times the monthly feed cost as determined under subparagraph B, the eligible livestock producer **must** own or lease grazing land or pastureland that is physically located in a county that is rated a D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the specific type of grazing land or pastureland for the county or is rated a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period for the specific type of grazing land or pastureland for the county
- 5-month payment, that is a payment equal to 5 times the monthly feed cost as determined under subparagraph B, the eligible livestock producer **must** own or lease grazing land or pastureland that is physically located in a county that is rated a D4 (exceptional drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the specific type of grazing land or pastureland for the county.

56 Drought Payment Calculation (Continued)

B LFP Monthly Payment Rate

The monthly payment rate will be equal to 60 percent of the **lesser of** either the monthly feed cost:

- for all covered livestock owned or leased by the eligible livestock producer, or
- calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock because of drought conditions in 1 or both of the 2 previous production years, the payment rate will be equal to 80 percent of the monthly payment rate. See subparagraph 25 B for eligible mitigated livestock.

C Monthly Feed Cost Payment Rates for Covered Livestock

The monthly feed cost for covered livestock is based, in part, on the number of pounds of corn equivalent per head, as established by FSA, determined necessary to provide the energy requirements for the specific kind/type of livestock for 30 calendar days.

The AU daily feed rate and monthly forage value determined according to [7 CFR 1416.207] is the following.

Year	Daily AU Feed Rate	Monthly Value of Forage
2019	\$0.9781	\$29.34
2020	\$1.0629	\$31.89
--2021	\$1.0629	\$31.18--

56 Drought Payment Calculation (Continued)

C Monthly Feed Cost Payment Rates for Covered Livestock (Continued)

The following provides the monthly payment rate per head by covered livestock category. See Exhibit 6 for the Standard AU Conversion Chart.

Kind of Livestock	Type	Weight Range	Payment Rate Per Head		
			2019	2020	*--2021
Beef	Adult	Cows and Bulls	\$29.34	\$31.89	\$31.18
	Nonadult	500 pounds or more	\$22.01	\$23.92	\$23.38
	Nonadult	Less than 500 pounds	\$14.67	\$15.94	\$15.59
Dairy	Adult	Cows and Bulls	\$76.29	\$82.91	\$81.07
	Nonadult	500 pounds or more	\$22.01	\$23.92	\$23.38
	Nonadult	Less than 500 pounds	\$14.67	\$15.94	\$15.59
Beefalo	Adult	Cows and Bulls	\$29.34	\$31.89	\$31.18
	Nonadult	500 pounds or more	\$22.01	\$23.92	\$23.38
	Nonadult	Less than 500 pounds	\$14.67	\$15.94	\$15.59
Buffalo/ Bison	Adult	Cows and Bulls	\$29.34	\$31.89	\$31.18
	Nonadult	500 pounds or more	\$22.01	\$23.92	\$23.38
	Nonadult	Less than 500 pounds	\$14.67	\$15.94	\$15.59
Sheep	All		\$7.34	\$7.97	\$7.79
Goats	All		\$7.34	\$7.97	\$7.79
Deer	All		\$7.34	\$7.97	\$7.79
Equine	All		\$21.71	\$23.60	\$23.07
Elk	All		\$15.85	\$17.22	\$16.84
Reindeer	All		\$6.46	\$7.02	\$6.87
Alpacas	All		\$24.17	\$26.27	\$25.68
Emus	All		\$15.02	\$16.32	\$15.96
Llamas	All		\$10.71	\$11.64	\$11.38--*

Note: A grazing animal is defined as those species of livestock that, from a nutritional and physiological perspective, satisfy more than 50 percent of their net energy requirement through the consumption of forage grasses and legumes, regardless of whether they are grazing or are present on grazing land or pastureland. Unweaned livestock are not considered a grazing animal and are ineligible for LFP.

The monthly feed cost for covered livestock will be calculated by multiplying the monthly payment rate per head, from the table, times the number of eligible covered livestock.

56 Drought Payment Calculation (Continued)**D Example of Monthly Payment Rate Calculation**

The LFP monthly payment rate for losses because of qualifying drought are calculated at 60 percent of the lesser of step 1 or step 2 below as follows:

Step 1: The monthly feed cost for all covered livestock calculated by multiplying the monthly feed cost payment rate for each specific kind, type and weight range from the table in subparagraph C, times the number of head of eligible covered livestock for each specific kind/type and weight range of livestock and totaling the result.

Example: Participant has 100 head of adult beef cows that suffer a grazing loss during 2019, because of a qualifying drought. The monthly feed cost for the 100 head of adult beef cows equals the monthly payment rate from the table in subparagraph C times the number of head of eligible covered livestock.

100 head adult beef cattle x \$29.34 (monthly payment rate per head) =
\$2,934 (monthly feed cost payment rate for adult beef cattle).

56 Drought Payment Calculation (Continued)**D Example of Monthly Payment Rate Calculation (Continued)**

Step 2: Monthly feed cost based on normal carrying capacity of the eligible grazing land is calculated by dividing the number of eligible grazing land or pastureland acres of the specific type of grazing land by the normal carrying capacity of the specific type of eligible grazing land or pastureland, times 30 days, times the daily feed cost.

Example: In 2019, the LFP participant has 1,000 acres eligible grazing land/5 acres per AU normal carrying capacity x 30 days x \$0.9781 (daily feed cost) = \$5,869 (monthly feed cost using normal carrying capacity).

The LFP monthly payment rate is 60 percent of the smaller of step 1, monthly feed cost for covered livestock or step 2, monthly feed cost using normal carrying capacity. In this example, the monthly feed cost for covered livestock in step 1 is smaller. The livestock producer's monthly payment rate is calculated as follows.

$\$2,934 \times .60 = \$1,760$ (monthly payment rate for LFP grazing loss).

56 Drought Payment Calculation (Continued)**E Maximum Payment Calculation**

Total LFP payments to an eligible livestock producer in a calendar year for grazing losses because of qualifying drought will **not** exceed a factor of 5 monthly payments for the same livestock; that is, the maximum payment a producer can receive under LFP in a calendar year **cannot** exceed 5 times the same covered livestock's feed cost times 60 percent.

An eligible producer can only receive a maximum payment of the value of 5 monthly payments for the same covered livestock during the calendar year regardless of how many different drought intensity ratings the county receives.

Example: John Rancher owns 100 head of adult beef cows. The maximum payment amount John Rancher can receive under LFP during the 2019 calendar year for the 100 head of adult beef is:

Livestock Monthly Feed Cost for the 100 Head of Adult Beef Cows x 5 x 60%.

$\$29.34 \times 100 \text{ head} = \$2,934$

$\$2,934 \times 5 = \$14,670$

$\$14,670 \times 60\% = \$8,802$

Maximum payment amount for John Rancher's 100 head of adult beef cows is \$8,802. The maximum payment amount the 100 head of adult beef cows can earn will be \$8,802, regardless of how many different counties those cows graze in or how many drought intensity ratings any of those counties receives during the grazing periods.

56 Drought Payment Calculation (Continued)

F Limiting LFP Payments for the Same Covered Livestock Grazing in Multiple Counties

7 CFR 1416.207(g) and subparagraph D provide that total LFP payments to an eligible livestock producer in a calendar year for grazing losses because of a qualifying drought **must not** exceed a factor of 5 monthly payments for the same livestock.

Situations exist where a livestock producer's **same** covered livestock graze eligible grazing land during the normal grazing period in more than 1 county at different times during the year. While the **same** covered livestock were grazing specific grazing land in each county during the normal grazing period, each county qualified for LFP because of drought. In this situation, the livestock producer may qualify for LFP payments on specific eligible livestock in 1 or more of the counties; however, the maximum payment the producer can receive in **all** counties combined under LFP in a calendar year for the **same** covered livestock **cannot** exceed 5 monthly payments for the livestock's feed cost. The LFP payment is based on the loss of grazed forage carrying capacity not to exceed the AU feed needs of the livestock. The payment is limited to actual forage loss not to exceed actual feed needs.

LFP payment software allows for processing LFP payments by administrative county, by physical location however the software does **not** have the capability of identifying payment amounts to a specific animal or group of animals. In a situation where the eligible livestock producer files CCC-853 because of drought in more than 1 qualifying county for the **same** covered livestock, the LFP payment software will **not** limit an eligible livestock producer's payment to 5 monthly payments. County Offices **must** manually make adjustments when necessary.

56 Drought Payment Calculation (Continued)

G Adjusting LFP Payments for Same Covered Livestock Grazing in Multiple Counties

County Offices **must** make manual adjustments to LFP payments for same covered livestock grazing in multiple counties, according to this paragraph, to ensure that an eligible producer's payments for the specific eligible livestock do **not** exceed the maximum value of 5 monthly payments in any calendar year as identified in subparagraphs D and F.

Note: County Offices must ensure that each time a county triggers with an additional payment factor, that multiple county producers do not receive more than 5 monthly payments in any calendar year for the same covered livestock.

Step	Action
1	The administrative County Office, before issuing payment, must print ECPR and Payment History Report - Summary for all counties in which the eligible livestock producer has an interest. ECPR and Payment History Report – Summary shall be printed for all counties the producer is linked to SCIMS.
2	<p>The administrative County Office shall calculate the maximum payment amount for the producer's total eligible livestock. The calculation will only be for the kind, type, and weight range which grazed in more than 1 county.</p> <p>Example: John Rancher owns 100 head of adult beef cows. The maximum payment amount John Rancher can receive under LFP during the 2019 calendar year for the 100 head of adult beef is:</p> <p>Livestock Monthly Feed Cost for the 100 Head of Adult Beef Cows x 5 x 60%.</p> <p>\$29.34 x 100 head = \$2,934 \$2,934 x 5 = \$14,670 \$14,670 x 60% = \$8,802</p> <p>Maximum payment amount for John Rancher's 100 head of adult beef cows is \$8,802. The maximum payment amount the 100 head of adult beef cows can earn will be \$8,802, regardless of how many different counties those cows graze in or how many drought intensity ratings any of those counties receives during the grazing periods.</p>

56 Drought Payment Calculation (Continued)

G Adjusting LFP Payments for Same Covered Livestock Grazing in Multiple Counties (Continued)

Step	Action
3	<p>Using the Payment History Report – Summary, determine the total amount of LFP payments the eligible livestock producer was paid or will be paid in the other counties for the producer’s same livestock kind, type, and weight range of covered livestock that have grazed in more than 1 county at different times during the year for which the eligible livestock producer filed CCC-853.</p> <p>Example: John Rancher’s 100 head of adult beef cows grazed native pasture during the normal grazing period in Colusa County from January 1 through March 15, 2019. Colusa County was rated D3 on March 1, 2019. ECPR, Part E shows a drought intensity factor of 3 for native pasture. A drought intensity factor of 3 was used in calculating the total net calculated payment amount of \$5,281 for the 100 head of adult beef cows.</p> <p>John Rancher received a factor of 3 monthly payments in the amount of \$5,281 for the 100 head of adult beef cows on native pasture in Colusa County.</p>
4	<p>Use ECPR, Part E to determine the value of LFP payments used to calculate the total net calculated payment amount for the same specific livestock by kind, type, and weight range of a producer’s covered livestock that:</p> <ul style="list-style-type: none"> grazed in more than 1 county at different times during the year for which the eligible livestock producer filed CCC-853 received LFP payments because of drought in other counties. <p>Example: John Rancher grazed 100 head of adult beef cows on native pasture in Moduc County during the normal grazing period from March 16 through September 30, 2019. The same 100 head of adult beef cows grazed in Colusa County from January 1 through March 15, 2019, for which the eligible livestock producer was paid \$5,281. Moduc County was rated D3 for 1 day on April 15, 2019.</p> <p>ECPR, Part E shows a net calculated payment amount of \$5,281 for native pasture in Moduc County. The \$5,281 pending payment amount will be used to calculate John Rancer’s total net calculated payment amount for the 100 head of adult beef cows on native pasture in Moduc County.</p>

56 Drought Payment Calculation (Continued)

G Adjusting LFP Payments for Same Covered Livestock Grazing in Multiple Counties (Continued)

Step	Action
5	<p>Determine the remaining payment to be issued by subtracting the amount of the payments issued for the producer's same covered livestock by kind, type, and weight range in all other counties in step 3 from the maximum payment amount in step 2. If the result is a negative amount, then consider the result to be a zero amount.</p> <p>Example: John Rancher received a payment on 100 head of adult beef cows grazing native pasture in Colusa County totaling \$5,281. He filed CCC-853 in Moduc County for the same 100 head of adult beef cows that grazed native pasture in Moduc County at a different time during the year. He is only eligible to receive an additional \$3,521 in payments on the same 100 head of adult beef cows in Moduc County.</p> <p style="text-align: right;">$\\$8,802$ (maximum payment amount) - $\\$5,281$ (payment issued in Colusa County) = $\\$3,521$ (remaining payment to be issued in Moduc County).</p>
6	<p>Compare the amount of payments remaining to be issued to the producer for the same covered livestock by kind, type, and weight range in step 5 to the amount of the payment calculated to be issued for the same covered livestock by kind, type, and weight range in step 4. If the amount of the payment remaining to be issued in step 5 is:</p> <ul style="list-style-type: none"> • equal to the amount of the payments calculated to be issued in step 4, no adjustment needs to be made to the LFP payment to be issued for the same covered livestock by kind, type, and weight range that received a payment in other counties (go to step 8) • less than the amount of payments calculated to be issued in step 4, but greater than zero, subtract step 5 from step 4 to determine the amount of the eligible livestock producer's calculated payment amount which needs to be adjusted for the producer's same covered livestock by kind, type, and weight range that received payment in other counties (go to step 7) • equal to zero, the amount of payment calculated to be issued in step 4, the eligible livestock producer's calculated payment amount needs to be adjusted for the producer's same covered livestock by kind, type, and weight range that received a payment in other counties is equal to the amount used to calculate the total net calculated payment for the same covered livestock by kind, type, and weight range in step 4 (go to step 7). <p>Example: $\\$8,802$ (maximum payment amount) - $\\$5,281$ (payment issued in Colusa County) = $\\$3,521$ (remaining payment to be issued in Moduc County).</p>

56 Drought Payment Calculation (Continued)

G Adjusting LFP Payments for Same Covered Livestock Grazing in Multiple Counties (Continued)

Step	Action
7	<p>To adjust an eligible livestock producer's LFP payment for the same covered livestock by kind, type, and weight range manually and enter the LFP payment adjustment *--amount on CCC-853, item 43. Load the LFP payment adjustment amount,--* according to paragraph 140, in the web-based software in the Producer Summary Screen, "Other Compensation" field. Go to step 8.</p> <p>Note: The entry of the "Other Compensation" field is not required before a producer's signature, nor does it require a producer to re-sign CCC-853.</p> <p>Example John Rancher received a payment of \$5,281 on 100 head of adult beef cows grazing native pasture in Colusa County in 2019. He filed a 2019 CCC-853 in Moduc County for 100 adult beef cows that are grazing native pasture at a different time during the year. All of the 100 head of adult beef cows grazing in Colusa County earned a payment of \$5,281. Moduc County was rated D3 drought intensity for 1 day during the normal grazing period for native pasture. ECPR, Part E for John Rancher in Moduc County displays a total net calculated payment amount for the 100 head of adult beef cows of \$5,281.</p> <p>John Rancher's LFP payment in Moduc County must be adjusted for the 100 head of adult beef cows by an amount equal to \$1,760, because the producer's same covered livestock received \$5,281 in Colusa County as follows:</p> <p>*--\$1,760 will be manually entered in CCC-853, item 43 and loaded in the--* web-based software on the Producer Summary Screen in the "Other Compensation" field for John Rancher's 2019 LFP application in Moduc County.</p> <p>\$5,281 - \$1,760 (LFP payment adjustment amount) = \$3,521 LFP payment to be issued in Moduc County.</p>
8	<p>Print CCC-853 and either have the producer review the document for accuracy, sign, and date or attached the new CCC-853 to the previously signed CCC-853. Enter producer's signature date in CCC-853 software according to paragraph 140. LFP payment software will automatically process the payment.</p>

56 Drought Payment Calculation (Continued)

G Adjusting LFP Payments for Same Covered Livestock Grazing in Multiple Counties (Continued)

Example: Sam Sneed's 200 head of adult beef cows grazed on native pasture in Harney County from June 1 through September 15, 2019. Harney County was rated a D3 drought intensity on July 15, 2019.

Sam had 100 head of adult beef cows which grazed in Malheur County from January 1 through May 31, 2019, in which Sam was paid \$7,042 from a factor of 4 monthly payments. Sam stated the 100 head of adult beef cows in Malheur County were the same livestock which he had grazing in Harney County.

ECPR, Part E shows that Malheur County, for Sam Sneed, used a drought intensity factor of 4 to calculate the total net calculated payment amount on the 100 head of adult beef cows of \$7,042.

$\$8,802$ (maximum payment amount for 100 head) - $\$7,042$ (monthly payment issued in Malheur County) = $\$1,760$ (payment remaining for the 100 head in Harney County).

When comparing the payment remaining to be issued to the payment calculated to be paid on the 100 head of adult beef cows in Harney County for Sam Sneed, they eligible livestock producers' calculated payment amount must be adjusted for the producer's payment in the amount of \$3,521. The \$3,521 must be entered into *--the "Other Compensation" (CCC-853, item 43) on the producer's application--* for Harney County.

57 Fire Payment Calculation**A Payment Calculation for Grazing Losses Because of Fire**

An eligible livestock producer will be eligible to receive compensation for grazing losses because of a qualifying fire on Federally managed lands. The payment begins on the first day the permitted livestock are prohibited from grazing the eligible rangeland and ending on the earlier of the last day of the Federal lease of the eligible livestock producer or 180 calendar days from the first day in which the livestock were prohibited from grazing. The payment rate is 50 percent of the monthly feed cost for the number of days the producer is prohibited from grazing the managed rangeland because of a qualifying fire, **not** to exceed 180 calendar days.

Note: If the producer is prohibited by the Federal agency from grazing the eligible rangeland in subsequent years, the producer will be eligible for compensation for grazing losses because of the qualifying fire until the producer is permitted to graze their normal permit. The payment rate is 50 percent of the monthly feed cost for the number of days the producer is prohibited from grazing the managed rangeland because of the qualifying fire, not to exceed 180 calendar days.

57 Fire Payment Calculation (Continued)

A Payment Calculation for Grazing Losses Because of Fire (Continued)

A producer's payment for losses suffered because of a qualifying fire on Federally managed rangeland for which the producer is prohibited from grazing the normal permitted livestock is calculated according to the following.

Step	Action
1	<p>Calculate the total maximum payment according to the following for a 2019 loss.</p> <p>Permitted AU's x normal permitted grazing days (not to exceed 180 calendar days) x daily AUD payment rate x 50 percent (statutory factor) = maximum payment amount.</p> <p>Example: 100 (permitted AU's) x 180 calendar days (normal permitted grazing days) x \$0.9781 (daily AUD rate) x 50 percent = \$8,803 (maximum payment amount).</p>
2	<p>Calculate the value of the reduced grazing (reduced AU's and grazing days) because of the fire according to the following.</p> <p>Reduced AU's x Reduced Grazing Days x daily AUD payment rate x 50 percent = value of reduction because of fire.</p> <p>Example: 75 (reduced AU's) x 110 (reduced grazing days) x \$0.9781 (daily AUD rate) = x 50 percent = \$4,035.</p>
3	<p>Issue payment to producer based on the smaller of step 1 or step 2.</p> <p>Example: Smaller of step 1 or step 2 is step 2; therefore, the producers calculated payment, because of a qualifying fire is \$4,035.</p> <p>Note: The payment the producer receives cannot exceed the maximum payment amount.</p>

58 General Payment Information**A Assignments and Offsets**

For LFP, County Offices will:

- accept assignments according to 63-FI
- apply offsets according to 58-FI.

B Issuing Payments to Deceased Individuals, Closed Estates, and Dissolved Entities

For LFP, County Offices will process payments to deceased individuals, closed estates, and dissolved entities according to 1-CM.

C Payment Eligibility Requirements

Producers with qualifying livestock and qualifying losses must also meet payment limitation and payment eligibility criteria to be considered eligible for program benefits. The following must be on file before a payment will be issued:

- current CCC-902 on file for the participant on CCC-853 according to 5-PL
- CCC-901 on file for legal entities according to 5-PL
- CCC-903 on file for the person or legal entity according to 5-PL
- **not** be in violation of fraud provisions, including FCIC fraud provisions, according to 1-CM and 3-PL (Rev. 1)
- compliance with:
 - average AGI provisions according to 5-PL
 - controlled substance provisions according to 1-CM
 - substantive change provisions according to 5-PL.

County Offices will record determinations for the applicable criteria in the web-based eligibility system according to 5-PL.

58 General Payment Information (Continued)**D Conservation Compliance Provisions**

AD-1026 applicable to the year for which LFP benefits are requested **must** be on file for the participant according to 6-CP.

If AD-1026 applicable for the year for which LFP benefits are requested is:

- already on file for the participant, and affiliates, if applicable, it is **not** necessary to obtain a new AD-1026 for LFP
- **not** on file for the participant, and affiliates, if applicable, County Office will obtain a completed AD-1026 applicable to the year for which LFP benefits are requested.

If a new AD-1026 is required to be filed, payments may be issued to eligible participants upon signing in AD-1026, item 10. It is **not** necessary to withhold payments pending NRCS HEL or WC determinations. The continuous certification statement on AD-1026 requires participants to refund program payments if an NRCS determination results in the discovery of a HELC/WC violation.

E Prevention of Improper Payments

IPIA requires Federal agencies to evaluate programs to determine whether internal controls are sufficient to prevent improper payments. County Offices must take all steps necessary to ensure that program and payment eligibility requirements have been met before issuing any payments.

F Definition of Improper Payment

Improper payment, as defined by OMB, means any payment that should **not** have been issued or was issued in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirement.

59-86 (Reserved)

Section 3 Applying for Benefits

87 Applying for Benefits

A CCC-853 Process

To apply for LFP, the participant that suffered eligible grazing losses because of a qualifying drought or fire **must** have first submitted a valid FSA-578 according to 2-CP before submitting a completed CCC-853 application for payment and required supporting documentation to the administrative County Office no later than 30 calendar days after the end of the calendar year in which the grazing loss occurred.

Note: If the 30th calendar day after the end of the calendar year in which the grazing loss occurred falls on a day the County Office is not open for business during normal work hours, then a completed CCC-853 and required supporting documentation must be submitted to the administrative County Office no later than the next workday.

Producers who suffer grazing losses because of additional grazing types being affected by drought or fire during the calendar year may file multiple CCC-853's for payment. Other documentation is required for a complete CCC-853.

Complete CCC-853 in the web-based software according to Part 7. **A manual CCC-853 must only be completed if the automated system is not available.**

State and County Offices must not develop, design, or use any forms, worksheets, applications, or other documents to obtain or collect the data required from participants to complete CCC-853.

CCC-853's for LFP will be based on the following:

- administrative county by physical location
- calendar year
- participant.

87 Applying for Benefits (Continued)

A CCC-853 Process (Continued)

If at any point the administrative county, physical location county, calendar year, or participant is different, a separate CCC-853 **must** be filed.

CCC-853's must be filed by eligible livestock producers in **the farm's administrative County Office** by physical county location.

FSA does have provisions in 10-CM that will allow farms to be transferred to other counties; therefore, some farms may be administratively located in a county where the farm is **not** physically located.

When a participant has a percentage share interest in a livestock operation with an associated participant that is physically located in the same county in the same calendar year, the total eligible livestock for each participant must be listed on separate CCC-853's based on each participant's share in the livestock operation.

Example: Jane Jones has livestock interests in Castro County in calendar year 2019, and certified grazing losses because of a qualifying drought. Jane Jones is a 50-50 share owner with Bill Green of 100 adult beef cows in Castro County. Jane Jones and Bill Green, as individuals, each have a 50 percent interest in 100 head of beef cattle.

The following two CCC-853's would be filed in Castro County, Texas for calendar year 2019, assuming all participants file CCC-853 for the eligible livestock, and none of the participants have any other livestock interests.

- One CCC-853 for Jane Jones that includes 100 head of beef cows from the operation shared with Bill Green with a share of 50 percent.
- One CCC-853 for Bill Green for 100 head of beef cattle from the operation he shares with Jane Jones with a share of 50 percent.

87 Applying for Benefits (Continued)**A CCC-853 Process (Continued)**

When, in the same calendar year, a participant has a percentage share interest with different associated producers in multiple livestock operations that are physically located in the same county, the eligible livestock for each participant must be listed separately on CCC-853's based on each participant's share.

Example: Sammy Smith has the following livestock interests in Motley County, Texas and suffered grazing losses for calendar year 2019:

- 50-50 owner share of an eligible beef cow herd with Bill Brown. Sammy Smith and Bill Brown, as individuals, each have a 50 percent interest in 100 head of beef cows
- 75-25 owner share of a beef cow herd with Martha Green. Sammy Smith and Martha Green jointly own the beef cows as individuals on 75-25 percent share interest in 200 head of beef cows
- 25-50-25 owner share of a beef cow herd with Bob Black and Mike White. Sammy Smith, Bob Black, and Mike White have a 25-50-25 percent interest, respectively, in 300 head of beef cows.

87 Applying for Benefits (Continued)**A CCC-853 Process (Continued)**

The following five CCC-853's would be filed in Motley County, Texas, the administrative county for calendar year 2019, assuming all participants file CCC-853 for the eligible livestock, and none of the participants have any other livestock interests.

- One CCC-853 for Sammy Smith that includes **all** of the following:
 - 100 eligible adult beef cows from the operation he shares with Bill Brown with a share of 50 percent
 - 200 eligible adult beef cows from the operation he shares with Martha Green with a share of 75 percent
 - 300 eligible adult beef cows from the operation he shares with Bob Black and Mike White with a share of 25 percent.
- One CCC-853 for Bill Brown that includes 100 eligible adult beef cows from the operation he shares with Sammy Smith with a share of 50 percent.
- One CCC-853 for Martha Green that includes 200 eligible adult beef cows from the operation she shares with Sammy Smith with a share of 25 percent.
- One CCC-853 for Bob Black that includes 300 eligible adult beef cows from the operation he shares with Sammy Smith and Mike White with a 50 percent share.
- One CCC-853 for Mike White that includes 300 eligible adult beef cows from the operation he shares with Sammy Smith and Bob Black with a 25 percent share.

87 Applying for Benefits (Continued)

B Signing and Certifying CCC-853

--When signing CCC-853, item 44A, the producer is:--

- applying for LFP benefits based on the eligible grazed forage crop acreage previously reported according to 2-CP for the participant listed on CCC-853, item 6
- certifying **all** of the following:
 - information provided on CCC-853 is true and correct
 - livestock claimed on CCC-853 are eligible livestock according to paragraph 24
 - that during the 60 days before the beginning date of the qualifying drought and/or fire condition, the participant owned, leased, purchased, entered into a contract to purchase, or is a contract grower of the eligible livestock, and/or sold livestock because of a qualifying drought condition(s), and that these livestock were either grazing or would be grazing the participant's eligible pastureland and/or rangeland during the grazing period

***--Note:** Producer is to only apply for benefits on the animals that were owned, leased, or contracted that were grazing or were intended for grazing during the grazing period for the calendar year that benefits are being applied for.

- if producer has applied for LFP benefits on the same livestock in any other County--* Office location, and if applicable, report the county and State location, and the number of livestock kind, type, and weight range on other LFP application(s)
- all supporting documentation provided are true and correct copies of the transaction reported
- that an eligible grazing loss occurred because of a qualifying drought or fire on Federally managed grazing land for which the producer was prohibited from grazing the normal permitted livestock on the Federally managed rangeland
- physical location and date of qualifying fire condition, if applicable
- the names of all other producers that have an interest in the claimed livestock, including their share

87 Applying for Benefits (Continued)

B Signing and Certifying CCC-853 (Continued)

- authorizing FSA officials to:
 - enter upon, inspect, and verify all applicable livestock and acreage in which the participant has an interest for confirming the accuracy of the information provided
 - review, verify, and authenticate all information provided on CCC-853 and supporting documents
 - contact other agencies, organizations, or facilities to verify data provided by a participant from such agencies, organizations, or facilities
- acknowledging that:
 - failure to provide information requested by FSA is cause for disapproval of CCC-853
 - providing a false certification to FSA is cause for disapproval of CCC-853, and is punishable by imprisonment, fines, and other penalties.

Note: Participants who receive assistance **must** keep records and supporting documentation for 3 years following the end of the year in which CCC-853 for payment was filed.

C Signature Requirements

All participants' signatures **must** be received by no later than 30 calendar days after the end of the calendar year in which the grazing loss occurred.

Note: If the 30th calendar day after the end of the calendar year in which the grazing loss occurred falls on a day the County Office is not open for business during normal work hours, then all participants' signatures on CCC-853 must be received no later than the next work day.

STC or COC do **not** have authority to approve late-filed CCC-853.

See 1-CM for signature requirements.

Note: All participants' signatures must be obtained on both manual and automated CCC-853's, if applicable.

87 Applying for Benefits (Continued)**D Printing and Reviewing CCC-853**

After all information is entered into the automated system, County Offices will:

- print an automated CCC-853
- if a manual CCC-853 was submitted:
 - attach the manual CCC-853 to the automated CCC-853
 - conduct a second party review of all data on the automated CCC-853 to ensure that all data is loaded correctly.

Important: The individual conducting the second party review must:

- **not** be the same individual who entered the data into the automated system
- initial and date automated CCC-853 to indicate second party review has been completed.

Note: Manual CCC-853's shall only be taken if the automated LFP application software system is **not** operational or available at the time of application. DD shall conduct second party reviews for all manual CCC-853's to ensure that manual CCC-853's are loaded in the automated system within 5 workdays from the date the participant signs.

87 Applying for Benefits (Continued)

E Supporting Documents

All supporting documents **must** be completed by the participant and on file in the County Office before CCC-853 may be acted on.

The participant **must** provide the following supporting documentation to the County Office by no later than 30 calendar days after the end of the calendar year for which benefits are requested:

- report of acreage for the grazing land incurring losses filed by the applicable crops final reporting date or the report of acreage is determined acceptable under late-filed provisions according to 2-CP

Notes: Acreage and/or AUM's must be recorded and certified in CARS according to 2-CP for the producer's forage data to be interfaced into the LFP application software system. State, Federal, tribal permits, and/or leases in AUM's or acres must be recorded in CARS accordingly.

FSA-578, intended use must **not** be revised after the crop's acreage reporting date according to 2-CP.

- evidence that grazing land is owned or leased

Note: If the 30th calendar day after the end of the calendar year for which benefits are requested falls on a day the County Office is not open for business during normal work hours, then all participants must provide the supporting documentation to the County Office no later than the next workday.

- copy of contract grower contracts
- evidence that participant is prohibited by the Federal Agency from grazing the normal permitted livestock on the managed rangeland because of a fire.

Additional supporting documents including, but **not** limited to, the following **must** be completed by the participant and be on file in the County Office before a payment can be issued:

- *--AD-1026, according to 6-CP--*
- CCC-901, if applicable according to 5-PL
- CCC-902, according to 5-PL

Note: A CCC-903 COC determination must also be completed according to 5-PL.

- CCC-941, or other acceptable document according to 5-PL to determine compliance with average AGI provisions.

88 Acting on CCC-853's**A Approving CCC-853's**

COC or CED, if delegated **must** act on **all** completed and signed CCC-853's submitted.

Important: DD review of initial CCC-853's **must** be completed according to subparagraph D before CCC-853's may be approved or disapproved.

CCC-853 must be approved or disapproved as certified by the participant. When more than 1 type of livestock is claimed, CCC-853 must be approved or disapproved based on all livestock claimed. However, COC does have authority to make adjustments to information reported on CCC-853 when documentation warrants making adjustments.

Example: Jim Brown files CCC-853 that includes 100 adult beef cows reported in item 14. COC has documentation that only 98 adult beef cows meet eligibility requirements as eligible covered livestock in inventory on the beginning date of the qualifying drought. In this case, on CCC-853, COC can enter "98" in item 18 for adult beef cows and then approve CCC-853 for the 98 eligible adult beef cows. Jim Brown would be provided appeal rights according to 1-APP for the 2 adult beef cows **not** used in the calculation of LFP benefits.

88 Acting on CCC-853's (Continued)

A Approving CCC-853's (Continued)

Before approving CCC-853, COC or CED, if delegated **must**:

- ensure that **all** program eligibility requirements are met
- be satisfied with **all** the following:
 - livestock claimed are eligible livestock according to paragraph 25
 - all forage information entered on the application meets eligibility requirements according to paragraph 26
 - participant is an eligible livestock producer according to paragraph 24
 - reasonableness of the number and type of livestock claimed
 - all signature requirements are met.

Note: See subparagraph B when:

- COC questions any data provided by participant
- disapproving CCC-853.

If all program eligibility requirements are met, COC has determined that the information on CCC-853 is accurate and all supporting documentation has been received, COC or delegate will approve CCC-853 and thoroughly document approval in the COC minutes.

B COC Adjusting or Disapproving CCC-853's

COC or CED, if delegated **must** act on all completed and signed CCC-853's submitted.

Important: DD review of initial CCC-853's **must** be completed according to subparagraph D before CCC-853's may be approved or disapproved.

CCC-853 must be approved or disapproved as certified by the participant. When more than 1 type of livestock is claimed, CCC-853 must be approved or disapproved based on all livestock claimed. However, COC does have authority to adjust certain information reported on CCC-853 when documentation warrants making adjustments.

Example: Jim Brown files CCC-853 that includes 100 adult beef cows reported in item 14. COC has documentation that only 98 adult beef cows meet eligibility requirements as eligible covered livestock in inventory on the beginning date of the qualifying drought. In this case, on CCC-853, COC can enter "98" in item 18, for adult beef cows and then approve CCC-853 for the 98 eligible adult beef cows. Jim Brown would be provided appeal rights according to 1-APP for the 2 adult beef cows **not** used in the calculation of LFP benefits.

88 Acting on CCC-853's (Continued)

B COC Adjusting or Disapproving CCC-853's (Continued)

If it is determined that any information provided on CCC-853 is **not** reasonable or is questionable, including but not limited to current year inventory, additional verifiable documentation or evidence must be requested from the participant, in writing, to support the data provided. Other agencies, organizations, or facilities may also be contacted to verify information provided by participants or in limited cases on farm visits may be required to verify information.

Important: See subparagraph C when contacting other agencies, organizations, or facilities to verify information provided by participants.

Exception: COC's will **not** require tax records; however, participant may voluntarily provide tax records.

If all program eligibility requirements are **not** met or it is determined that the information on CCC-853 or any additional supporting documentation provided by participant, is **not** accurate or reasonable, then the following actions shall be taken by COC:

- adjust or disapprove CCC-853
- notify participant of the adjustment or disapproval
- provide participant applicable appeal rights according to 1-APP
- thoroughly document reason for the adjustment or disapproval in COC minutes.

Note: See:

- subparagraph 22 C for late-filed provisions
- paragraph 4 for unacceptable, incorrect, or false records and certifications
- paragraph 5 for misrepresentation.

88 Acting on CCC-853's (Continued)**C Verifying Data With Other Agencies, Organizations, or Facilities**

When contacting agencies, organizations, or facilities to verify data provided by a participant, the County Office must be specific in the information requested. The request should include, but is **not** limited to, the following:

- participant's name and address
- animal kind and type
- why the request is being made
- what information is being requested.

D DD Review and Report of Initial CCC-853's

DD's must review the first ten CCC-853's submitted, for both qualifying drought conditions and fire conditions, in each Service Center before approval or disapproval. The review will ensure that:

- separate CCC-853's are submitted by participant and physical location County Office
- signature requirements, including power of attorney, are met
- no State or County Office developed forms, worksheets, applications, or other documents are being used to obtain or collect the data required from participants
- all program eligibility determinations have been properly completed and documented
- all supporting documentation has been received
- supporting data required for payment eligibility is properly completed and on file; such as AD-1026, CCC-901, CCC-902, CCC-941, and accurate subsidiary and SCIMS data
- payment calculations are correct and payment eligibility is met.

Note: DD's must document review on CCC-770 LFP for each CCC-853.

DD's must perform a follow up review after approval/disapproval by COC to ensure that the determination was adequately documented in COC minutes for:

- approvals, see subparagraphs 26 E and 28 A
- disapprovals, see subparagraph 88 B.

88 Acting on CCC-853's (Continued)**D DD Review and Report of Initial CCC-853's (Continued)**

Within 10 workdays of completing the applicable review, DD must provide a written report to SED describing the review findings, including a list of errors discovered, and the overall status of the implementation of LFP in the County Office.

DD review of the initial CCC-853's and supporting documentation submitted is critical to ensuring that LFP is being administered according to the procedures provided in this handbook and the regulations in 7 CFR Part 1416, Subparts A and C.

Reviewing the initial CCC-853's and supporting documentation in a timely manner:

- identifies possible weaknesses in the administration of LFP that may be resolved by additional training, clarified procedures, modified software, or require the County Office to complete CCC-770 LFP for each CCC-853 filed before payment is issued
- prevents numerous participants from being impacted by erroneous LFP administration
- allows corrections to be made in a timely manner before erroneous payments are issued.

89 CCC-853, Livestock Forage Disaster Program Application

A Completing Manual CCC-853

Instructions to complete a manual CCC-853 are as follows.

***--Note:** A manual CCC-853 will only be used when the automated LFP application--* software system is unavailable.

Item	Instruction
1	Enter State and county code for the physical location of the county in which the loss of grazing occurred.
2	<p>Enter calendar year the loss of grazing occurred.</p> <p>Note: If pasture type is a short season small grains for grazing crop, enter the calendar year as the calendar year when the normal grazing period for the short season small grains ends.</p> <p>Example: The producer claims to have suffered a grazing loss for wheat (short season small grains) reported as intended for grazing. The normal *--grazing period for wheat (short season small grains) is October 1, 2019, through March 1, 2020. The calendar year the producer would file an application for payment would be 2020.--*</p>
3	Enter County Office State and county name for the administrative location and the State and county name of the physical county location where the producer's loss of grazing occurred, if different.
4	Enter date of application.
5	<p>Enter application number.</p> <p>Note: This is an automated system-assigned number.</p>
Part A - Producer Information	
6	Enter producer's name and address.
--7	<p>Enter associated producers who had an ownership share, contract grower share, or cash-lease share of any of the eligible covered livestock in Part C or represented in Part E during the 60 calendar days before the beginning date of the qualifying drought and/or fire and indicate their share.</p> <p>If there is multiple ownership, a separate CCC-853 must be completed for each ownership, contract grower, cash leased share of eligible covered livestock, and the respective share entered in item 15 of inventory reported in item 12, 13, and/or 14.</p> <p>If application is solely for a fire condition, go to item 32.--</p>

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction
Part B - Disaster Information	
8	<p>Check (✓) appropriate box or boxes to indicate the type of qualifying disaster conditions causing the grazing loss. Indicate whether the grazing loss is a result of drought, fire, or both. If:</p> <ul style="list-style-type: none"> •*--fire is checked, go to item 9 • drought is checked, go to item 10.--* <p>Note: A producer cannot receive assistance for grazing losses because of drought and fire on the same acres.</p>
9	<p>Enter date and location of the qualifying fire conditions that occurred on Federal managed rangelands only, for which the producer is prohibited by the Federal Agency from grazing the normal permitted livestock covered by the Federal lease. Leave item 8 blank if fire was not selected as a qualifying grazing loss condition in *--item 8.</p> <p>Each date and location of a qualifying fire condition will be sequentially numbered, starting with 1. This will be used to identify the fire event numbers, by occurrence in Part E, item 32.--*</p>
* * *	* * *

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction						
--Part C - Livestock Information Drought--							
***	***						
10	<p>Enter sequential corresponding number to be associated to each livestock kind, type, *--and weight range to be entered in item 11 will be assigned by the automated system.</p> <p>Example: <u>Item 10</u> <u>Item 11</u>--*</p> <table> <tr> <td>1</td><td>Adult Beef Cows</td></tr> <tr> <td>2</td><td>Nonadult Beef Cattle > 500 lbs.</td></tr> <tr> <td>3</td><td>Sheep</td></tr> </table> <p>Note: An entry is only required in this field for those livestock that are or would have been grazing the drought affected pasture or grazing land.</p>	1	Adult Beef Cows	2	Nonadult Beef Cattle > 500 lbs.	3	Sheep
1	Adult Beef Cows						
2	Nonadult Beef Cattle > 500 lbs.						
3	Sheep						
11	<p>Enter covered livestock by kind, type, and weight range that were owned/leased by the producer or that the producer was a contract grower of during the 60 calendar days before the beginning date of the applicable qualifying drought * * *.</p> <p>Note: Livestock kind, type, and weight range can be obtained from the local FSA office or LFP Fact Sheet available at http://disaster.fsa.usda.gov.</p>						
12	<p>Enter number of covered livestock owned/leased by the producer or that the producer was a contract grower of that was in inventory 60 calendar days before the beginning date of the applicable qualifying drought * * *.</p>						
13	<p>Enter number of covered livestock that were sold or otherwise disposed of because of a qualifying drought condition during the current production year.</p> <p>Note: The current production year is defined as the calendar year in which the grazing loss occurred for which benefits are being requested.</p> <p>Example: The normal grazing period for the specific type of grazing land (native *--pasture) is May 1 through October 1, 2020. The D2 designation occurred on August 17, 2020. The qualifying 8 consecutive week drought condition occurred August 17, 2020. The producer sold 48 head of livestock on July 17, 2020, because of drought conditions. The 48 head of livestock were sold within the current calendar year, because of the qualifying drought condition, would be considered mitigated livestock in the current production year. The 48 head of livestock would be entered in item 13.--*</p>						

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction
--Part C - Livestock Information Drought (Continued)--	
14	<p>Enter number of mitigated livestock that were sold because of a qualifying drought condition in either 1 or both of the prior production years.</p> <p>Example: The county's grazing period for native pasture is May 15 through *--November 1, 2020. The D2 designation occurred on August 17, 2020. The beginning date of the qualifying 8 consecutive week drought condition began on August 17, 2020. The producer sold 75 head of livestock on February 1, 2018, because of a qualifying drought in 2018 and sold 20 head of livestock on April 1, 2019, because of a qualifying drought condition in 2019. The 95 head of livestock were sold in both of the prior production years because of qualifying drought conditions in those years and would be considered mitigated livestock in the 2 prior production years and would be entered in item 14.</p>
15	Enter producer's ownership, cash lease, or contract grower share in the livestock entered in item 12, 13, or 14 on the beginning date of the applicable qualifying drought event(s) for which a grazing loss was suffered.
16	<p>COC will enter the adjusted current year inventory, if applicable.</p> <p>Note: An entry is only required when COC determines a current year inventory different than the current year inventory certified to by the producer.</p> <p>The producer will be provided applicable appeal rights according to 1-APP if an entry is entered in item 16.--*</p>
***	***
17	<p>*--COC will enter the adjusted current year mitigated, if applicable.--*</p> <p>Note: An entry is only required when COC determines a current year mitigated different than the current year mitigated certified to by the producer.</p> <p>*--The producer will be provided applicable appeal rights according to 1-APP if an entry is entered in item 17.--*</p>

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction												
*--Part C - Livestock Information Drought (Continued)													
18	<p>COC will enter the adjusted prior years mitigated, if applicable.--*</p> <p>Note: An entry is only required when COC determines different prior years mitigated than the prior years mitigated certified to by the producer.</p> <p>*--The producer will be provided applicable appeal rights according to 1-APP if an entry is entered in item 18.</p>												
19	<p>Enter the producer's response to the following question, "Do you certify that during the 60 days prior to the beginning date of the qualifying drought condition, you owned, leased, purchased, entered into a contract to purchase, or was a contract grower of the livestock entered in Part C on this application, and/or sold livestock entered in Items 13 and/or Item 14 due to a qualifying drought condition(s), and that these livestock were either grazing or would be grazing the land identified in Part D during the grazing period?". Include only the animals that were owned, leased, or contracted that were grazing or were intended for grazing during the grazing period for the year identified in item 2.</p> <p>Check "Yes" or "No".</p>												
20	<p>Enter the producer's response to the following question, "Has the producer in Part A, Item 6, applied for LFP benefits in any other FSA county office location for any of the same kind, type, and weight range of livestock shown in Items 10 through 14?".</p> <p>Check "Yes" or "No".</p> <p>If "Yes", list each State, county, and application number. The producer will need to indicate the number of livestock kind, type, and weight range that were applied for on other county applications.</p>												
Part D - Forage Information Drought													
21	<p>Enter livestock number or numbers from item 10 for each livestock kind/type and weight range that are grazing or would have been grazing the specific type of pasture entered in item 23.</p> <p>Example: Adult beef cows, nonadult beef cattle weighing more than 500 pounds, and equine are all grazing the native pasture entered in item 23.</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th><u>Item 10</u></th><th><u>Item 11</u></th><th><u>Item 21</u>--*</th></tr> </thead> <tbody> <tr> <td>1</td><td>Adult Beef Cows</td><td>1, 2, 3</td></tr> <tr> <td>2</td><td>Nonadult Beef Cattle > 500</td><td></td></tr> <tr> <td>3</td><td>Equine</td><td></td></tr> </tbody> </table>	<u>Item 10</u>	<u>Item 11</u>	<u>Item 21</u> --*	1	Adult Beef Cows	1, 2, 3	2	Nonadult Beef Cattle > 500		3	Equine	
<u>Item 10</u>	<u>Item 11</u>	<u>Item 21</u> --*											
1	Adult Beef Cows	1, 2, 3											
2	Nonadult Beef Cattle > 500												
3	Equine												

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction
Part D - Forage Information Drought (Continued)	
--22	<p>Enter the date of the applicable qualifying drought event for each pasture type in item 23 that a grazing loss occurred.</p> <p>Note: This date can be found on the LFP Eligible Counties Report at http://fsaintranet.sc.egov.usda.gov/ffas/farmbill/ccc/ or on the County Eligibility Report found in the LFP Application Software “Report” section of the Main Menu. See subparagraph 23 B.--</p>
23	<p>Enter all pasture types for owned or cash-leased land normally used in the operation to support eligible covered livestock during the qualifying drought condition grazing loss events for the applicable livestock numbers.</p> <p>Pasture types, planted specifically for grazing, include the following:</p> <ul style="list-style-type: none"> • native • full season improved • full season improved mixed forage • warm season improved • cool season improved • short season small grains • short season Spring small grains • short season Fall/Winter small grains • long season small grains • forage sorghum • annual ryegrass • annual crabgrass. <p>Note: STC’s must designate grazed forage types for improved pasture in the county as either of the following to be consistent with NAP:</p> <ul style="list-style-type: none"> • full season improved • cool season and warm season improved. <p>Only enter pasture types for Federal or State land if the agreement is by the acre and does not provide for an allotted number of AU or AUM that can be grazed for an established period of time.</p>

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction
Part D - Forage Information Drought (Continued)	
24	<p>Enter acres, by physical location county, associated with each pasture type entered *--in item 23. Acreage data must be obtained from the producer's FSA-578 for the calendar year in which the grazing loss occurred.</p> <p>Note: If multiple participants are using the same pasture acres for their livestock, the acres must be prorated and reported in CARS according to 2-CP.--*</p> <p>Example 1: Participant A has 200 head of eligible livestock and Participant B has 75 head, a total of 275 head grazing the same 2 pasture acres.</p> <p>Calculate prorated acres according to the following:</p> <p>Participant A: $200 \text{ head} / 275 \text{ head} = .7273$ Participant B: $75 \text{ head} / 275 \text{ head} = .2727$</p> <p>$.7273 \times 2 \text{ ac.} = 363.7 \text{ total acres for Participant A}$ $.2727 \times 2 \text{ ac.} = 136.3 \text{ total acres for Participant B.}$</p> <p>Example 2: Participant A and Participant B have a 50-50 owner share in 200 head of eligible livestock. The 200 head of eligible livestock graze 2 acres of native pasture.</p> <p>Calculate prorated acres according to the following:</p> <p>$.20 \times 2 \text{ ac.} = 250 \text{ total acres for Participant A}$ $.20 \times 2 \text{ ac.} = 250 \text{ total acres for Participant B.}$</p>
25	<p>Enter applicable carrying capacity for the specific type of pasture entered in *--item 23.</p> <p>Note: This entry will be the STC/COC-approved carrying capacity for the specific type of pasture in item 23 as established under NAP.</p>
26	<p>COC will enter the adjusted acres, if applicable.--*</p> <p>Note: An entry is only required when COC determines acres different than the acres certified to by the producer.</p> <p>*--The producer will be provided applicable appeal rights according to 1-APP if an entry is entered in item 26.--*</p>

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction
Part D - Forage Information Drought (Continued)	
27	*--Enter livestock number or numbers from item 10 for each livestock kind/type and weight range that are grazing or would have been grazing the specific type of pasture entered in item 29.
28	<p>Enter the date of the applicable qualifying drought event for each pasture type in item 29 that a grazing loss occurred.</p> <p>Note: This date can be found on the LFP Eligible Counties Report at http://fsaintranet.sc.egov.usda.gov/ffas/farmbill/cce/ or on the County Eligibility Report found in the LFP Application Software "Report" section of the Main Menu. See subparagraph 23 B.</p>
29	<p>Enter all pasture types for AUM or AU leased land normally used in the operation to support eligible covered livestock during the applicable drought grazing loss condition for the livestock numbers entered in item 27.--*</p> <p>Pasture types, planted specifically for grazing, include the following:</p> <ul style="list-style-type: none"> • native • full season improved • full season improved mixed forage • warm season improved • cool season improved • short season small grains • short season Spring small grains • short season Fall/Winter small grains • long season small grains • forage sorghum • annual ryegrass • annual crabgrass. <p>Notes: STC's must designate grazed forage types for improved pasture in the county as either of the following to be consistent with NAP:</p> <ul style="list-style-type: none"> • full season improved • cool season and warm season improved. <p>Only enter pasture types for privately leased, Federal, or State land that provide for an allotted number of AU's or AUM's that can be grazed for an established period of time. Pasture types for Federal and State leases expressed in acres and not *--AU's or AUM's for an established period of time will be entered in item 23.--*</p>

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction
Part D - Forage Information Drought (Continued)	
30	<p>*--Enter number of AU's allowed by the pasture type entered in item 29.</p> <p>Example 1: Grazing Permit allows the producer to graze 150 AU's from September 1 through December 31 for a total of 750 AUM's. The number of AU's to enter in item 30 would be 150 AU's.</p> <p>Example 2: Grazing Permit allows the producer to graze 500 AUM's for a 5-month grazing period. The total number of AU's entered in item 30 would be 100 AU's. $500 \text{ AUM's} / 5 \text{ months} = 100 \text{ AU's}$.--*</p> <p>Important: Ensure that AU's for each specific animal type are converted to an AU equivalent. See Exhibit 6.</p> <p>Example: $100 \text{ sheep} \times .25 \text{ AU's} = 25 \text{ AU's}$.</p>
31	<p>*--COC will enter the adjusted AU's, if applicable.</p> <p>Note: An entry is only required when COC determines AU's different than the AU's certified to by the producer in item 30.</p> <p>The producer will be provided applicable appeal rights according to 1-APP if an entry is entered in item 31.</p>
Part E - Forage Information Fire	
32	Enter fire event number that corresponds to the fire event number listed in item 9.--*
33	<p>Manually assign a pasture number to each fire event.</p> <p>Note: Multiple fire events may be associated to the same pasture number.</p>

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction
Part E - Forage Information Fire (Continued)	
34	<p>ENTER "Rangeland" as the pasture type for all rangeland that is managed by a federal agency (that is, BIA, BLM, FS, etc.) that was affected by fire for which the eligible producer is prohibited by the federal agency from grazing the normal permitted livestock on the managed rangeland because of fire.</p> <p>Note: Grazing losses on private or State rangelands managed by a federal agency because of fire for which an eligible producer is prohibited by the federal --agency from grazing the normal permitted rangeland because of fire will also be entered in items 32 through 38.</p>
35	<p>Enter permitted AU's from the Federal grazing lease agreement. AUM data must be obtained from the producer's FSA-578 for the calendar year in which the grazing loss occurred and converted to AU.</p> <p>Note: The conversion formula to convert AUM to AU's is the following:</p> $[(AUM \times \%PL) \times 30.416 \text{ days}] / \text{number of grazing days} = AU--*$
36	<p>Enter number of permit days grazing is allowed under the federal lease agreement during the calendar year.</p> <p>Note: The number of permit days grazing is allowed under the federal lease --agreement will be obtained from the producers grazing permit.--*</p>
37	<p>Enter number of AU's the producer is prohibited from grazing on the managed rangeland by the federal agency because of fire.</p> <p>--Note: There may be entries in item 37 and/or item 38.</p>
38	<p>Enter number of days the producer is prohibited from grazing the normal permitted livestock on the managed rangeland by the federal agency because of fire.</p> <p>Note: There may be entries in item 37 and/or item 38.</p>
39	<p>COC will enter the adjusted permitted AU's, if applicable.</p> <p>Note: An entry is only required when COC determines permitted AU's different than the permitted AU's certified to by the producer in item 35.</p> <p>The producer will be provided applicable appeal rights according to 1-APP if an entry is entered in item 39.--*</p>

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instruction
Part E - Forage Information Fire (Continued)	
40	<p>*--COC will enter the adjusted permit days, if applicable.</p> <p>Note: An entry is only required when COC determines permit days different than the permit days certified to by the producer in item 36.</p> <p>The producer will be provided applicable appeal rights according to 1-APP if an entry is entered in item 40.</p>
41	<p>COC will enter the adjusted reduced AU's, if applicable.</p> <p>Note: An entry is only required when COC determines reduced AU's different than the reduced AU's certified to by the producer in item 37.</p> <p>The producer will be provided applicable appeal rights according to 1-APP if an entry is entered in item 41.</p>
42	<p>COC will enter the adjusted reduced grazing days, if applicable.</p> <p>Note: An entry is only required when COC determines reduced grazing days different than the reduced grazing days certified to by the producer in item 38.</p> <p>The producer will be provided applicable appeal rights according to 1-APP if an entry is entered in item 42.</p>
COC USE ONLY--*	
43	<p>Enter amount of compensation received from other disaster assistance programs for the same grazing losses.</p>

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

A Completing Manual CCC-853 (Continued)

Item	Instructions
Part F - Producer Certification	
44A through 44C	<p>After reading the certification, producer or producer's representative signs and dates.</p> <p>*--Signatory in item 44A will enter their title/relationship when signing in the--*</p> <p>representative capacity.</p> <p>If a producer/applicant is:</p> <ul style="list-style-type: none"> • not signing in the representative capacity, this field should be left blank • signing on behalf of themselves, it is acceptable to ENTER "self"; however, it is not necessary.
Part G - County Committee Determination	
45	Enter COC signature.
46	Enter date of COC action.
47	<p>Check (✓) either "APPROVED" or "DISAPPROVED".</p> <p>*--Important: CCC-853 will be approved or disapproved as certified by the--*</p> <p>producer after applicable COC adjustment fields are completed.</p>

89 CCC-853, Livestock Forage Disaster Program Application (Continued)**B Scenario for Completed Example of CCC-853**

--5R Cattle Company's livestock operation consists of 100 head of adult beef cows and bulls, 60 nonadult beef cattle 500 pounds or more, and 2 head of equine in Sandoval County, New Mexico. 5R has owned the livestock 60 days before the qualifying drought and has not applied in another County Office for the same livestock. The eligible livestock graze on 2,900.0 acres of native pasture that 5R owns with a carrying capacity of 64 and 130 acres per AU. 5R also has a BLM permit that allows the operation to have 120 Cattle AU's and 2 Equine AU's from March 1 through February 28. 5R has a United States Forest Service Permit that allows the operation to graze 60 Cattle AU's from April 1 through October 1. The normal grazing period for native pasture in Sandoval County is January 1 through December 31. In calendar year 2019, Sandoval County rated D2 intensity for at least 8 consecutive weeks during the normal grazing period for native pasture on January 1, 2020. The drought has continued and at the time of application rated D4 intensity. 5R completed CCC-853 to receive a 4-month payment for the eligible pasture types on May 9, 2020.--

89 CCC-853, Livestock Forage Disaster Program Application (Continued)

B Scenario for Completed Example of CCC-853 (Continued)

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This form is available electronically.

CCC-853 (03-12-20)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. State and County Code 35-043	2. Calendar Year 2020			
LIVESTOCK FORAGE DISASTER PROGRAM APPLICATION		3. County Office Name Admin: Sandoval, New Mexico Physical: Sandoval, New Mexico		4. Application Date 1/25/2020				
				5. Application Number 9999999				
<p>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1416, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79, as amended). The information will be used to determine eligibility for livestock forage disaster program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for livestock forage disaster program benefits.</p> <p>Paperwork Reduction Act (PRA) Statement: This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title 1, Subtitle F - Administration, as amended). The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</p>								
PART A - PRODUCER INFORMATION								
6. Producer's Name and Address (City, State and Zip Code) 5R Cattle Company Anywhere Road Sandoval City, NM 00000				7. Associated Producers (List all other producers that have an ownership share of any livestock entered in Part C or represented in Part E and indicate their share.)				
PART B - DISASTER INFORMATION								
8. Type of qualifying disaster condition causing grazing loss <input checked="" type="checkbox"/> Drought <input type="checkbox"/> Fire				9. Date and location of qualifying fire condition(s)				
PART C - LIVESTOCK INFORMATION DROUGHT								
10. Livestock Number	11. Livestock Kind/Type and Weight Range	12. Current Year Inventory	13. Current Year Mitigated	14. Prior Years Mitigated	15. Share %	16. Adjusted Current Year Inventory	17. Adjusted Current Year Mitigated	18. Adjusted Prior Years Mitigated
1	Beef, Cows and Bulls Adult	100	0	0	100			
2	Beef, Non-Adult 500 pounds or more	60	0	0	100			
3	Equine, ALL	2	0	0	100			
19. Do you certify that during the 60 days prior to the beginning date of the qualifying drought condition, you owned, leased, purchased, entered into a contract to purchase, or was a contract grower of the livestock entered in Part C on this application, and/or sold livestock entered in Items 13 and/or Item 14 due to a qualifying drought condition(s), and that these livestock were either grazing or would be grazing the land identified in Part D during the grazing period? (Include only the animals that were owned, leased, or contracted that were grazing or were intended for grazing during the grazing period for the year identified in Item 2.) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO								
20. Has the producer in Part A, Item 6, applied for LFP benefits in any other FSA county office location for any of the same kind, type, and weight range of livestock shown in Items 10 through 14? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If YES, list each County, State, and the application number(s). Producer will need to indicate the number of livestock kind, type, and weight range that were applied for on other county application(s).								
PART D - FORAGE INFORMATION DROUGHT								
21. Livestock Number	22. Date of Qualifying Drought	23. Pasture Type-Crop Type - Owned or Cash Leased Land (Drought Affected)	24. Acres	25. Carrying Capacity	26. Adjusted Acres			
1,2,3	1/1/2020	Native Pasture - Native, NAG	1000.00	64				
1,2,3	1/1/2020	Native Pasture - Native, NAG	1900.00	130				
COC USE ONLY								
27. Livestock Number	28. Date of Qualifying Drought	29. Pasture Type - Crop Type - AUM/AU Leased Land (Drought Affected)	30. Animal Units	31. Adjusted Animal Units				
1,2	1/1/2020	Native Pasture - Native, NAG	180					
3	1/1/2020	Native Pasture - Native, NAG	2					

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89 CCC-853, Livestock Forage Disaster Program Application (Continued)

B Scenario for Completed Example of CCC-853 (Continued)

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CCC-853 (03-12-20)							Page 2 of 2			
PART E – FORAGE INFORMATION FIRE										
32. Fire Event Number	33. Pasture Number	34. Pasture Type - Federal Managed Lands (Fire Affected)	35. Permitted AU's	36. Permit Days	37. Reduced AU's	38. Reduced Grazing Days	COC USE ONLY			
							39. Adjusted Permitted AU's	40. Adjusted Permit Days	41. Adjusted Reduced AU's	42. Adjusted Reduced Grazing Days
COC USE ONLY										
43. Other payments received for loss \$ 0										
PART F – PRODUCER CERTIFICATION										
<p>Payments under the Livestock Forage Disaster Program will be made to eligible livestock producers that have suffered livestock grazing losses on land that is native or improved pastureland with permanent vegetative cover or is land planted to a crop planted specifically for grazing for covered livestock due to a qualifying drought condition during the normal grazing period for the county. Payments under the Livestock Forage Disaster Program will also be made to eligible livestock producers that have suffered grazing losses on rangeland managed by a Federal agency if the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a qualifying fire condition. Each producer must file a separate form CCC-853 to be eligible to receive program benefits. By signing this application, the producer:</p> <ol style="list-style-type: none"> Agrees to provide CCC any documentation it requires to determine eligibility that verifies and supports all information provided, including the producer's certification, and understands the application may be disapproved if they fail to provide any information requested by CCC; Authorizes CCC, at any time, with or without their presence, to enter upon, inspect and verify all livestock and acres in which they have an interest; Agrees to comply with, and acknowledges they are subject to, all the regulations governing the program and understands that instructions and assistance are available for completing this form; Authorizes CCC to obtain from third parties, such as, but not limited to, other government agencies, individuals, auction barns, contractors, or processors, feed cooperatives, feed supply companies and rendering services, any records or other evidence that substantiates the information provided on this application or any supporting documentation provided. <p>I certify that all information entered on this form, whether or not personally entered by me or by someone else on my behalf is true and correct to the best of my knowledge. I further certify that:</p> <ol style="list-style-type: none"> If applying as an individual, that I am a citizen of the United States or a resident alien; if applying as a partnership, the members of the partnership are citizens of the United States; or if applying as a corporation, limited liability corporation, or other farm organizational structure, the entity is organized under State law. If applying as an Indian tribe or tribal organization, the tribe meets the definition according to the terms as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304). During the 60 days prior to the beginning date of the qualifying drought and/or fire condition in Item 7, I owned, leased, purchased, entered into a contract to purchase, or was a contract grower of the livestock entered in Item 11 and Item 12 or represented in Part E on this application, and/or I sold or otherwise disposed of the livestock entered in Items 13 and/or Item 14 on this application due to a qualifying drought condition(s) during the current production year or 1 or both of the 2 production years immediately preceding the current production year, and I physically maintained control of all such livestock on that date; All livestock for which information is entered on this application meet all eligibility criteria provided in 7 CFR Part 1416 Subpart C, including being maintained by me for commercial use as part of my farming operation, and are livestock that would normally have been grazing the eligible grazing land or pastureland in the county: <ul style="list-style-type: none"> during the normal grazing period for the specific type of grazing land or pastureland entered in Item 23 and/or Item 29 for the county in Item 3 during the time period that the qualifying drought occurred; or when the Federal agency excluded the eligible livestock producer from using the managed rangeland listed in Item 34 for grazing due to a fire. All forage information entered on this application meets all eligibility criteria provided in 7 CFR Part 1416 Subpart C; All information on this application and all supporting documents provided are true and correct; Within the county provided in Item 3 and as a direct result of the qualifying grazing loss condition(s) listed in Item 7, I have suffered a grazing loss for the livestock entered on this application in Item 11; and All livestock checked as mitigated in Item 13 and/or Item 14, were sold as a direct result of a drought condition(s) during the current production year or 1 or both of the 2 production years immediately preceding the current production year. All benefits received under any other Federal disaster payment program for the same grazing losses and loss year have been reported on this application in Item 43. I understand that this application may be disapproved if information or evidence provided is false or in error, and that other administrative actions could apply. 										
44A. Signature (By)				44B. Title/Relationship of the individual signing in the Representative Capacity				44C. Date (MM-DD-YYYY)		
PART G - COUNTY COMMITTEE DETERMINATION										
45. COC or Designee Signature					46. Date (MM-DD-YYYY)		47. Determination <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED			

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

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90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet

A Using CCC-853-1

CCC-853-1 may be used as a tool by County Offices to calculate LFP payment amounts for eligible livestock producers. CCC-853-1 is not a required form.

If CCC-853-1 is used as a tool by County Office's to calculate LFP payment amounts for eligible livestock producers, a new CCC-853-1 **must** be completed for an eligible livestock producer each time the drought intensity level changes for a county for a specific type of grazing land or a new type of grazing land becomes eligible for LFP that was **not** previously eligible.

Example 1: In calendar year 2019, County A rated a D2 drought intensity for at least 8 consecutive weeks during the normal grazing period for short season small grains. CCC-853-1 was completed for Producer A and the producer received a 1-month payment. Later on during the normal grazing period for short season small grains, County A rated a D3 drought intensity for at least 1 day during the normal grazing period for short season small grains. Producer A is eligible for an additional 1-month payment for short season small grains. A new CCC-853-1 needs to be completed to calculate Producer A's payment based on the new D3 drought intensity rating.

Example 2: In calendar year 2019, County A rated a D2 drought intensity for at least 8 consecutive weeks during the normal grazing period for long season small grains. CCC-853-1 was completed for Producer A and the producer received a 1-month payment. Later during the year County A rated a D3 drought intensity for at least 1 day during the normal grazing period for native pasture which has a different normal grazing period than long season small grains. Producer A is eligible to apply for a 2-month payment for native pasture. A new CCC-853-1 needs to be completed to calculate Producer A's payment based on a D2 drought intensity rating for long season small grains the D3 drought intensity rating for native pasture.

CCC-853-1 is available on the employees form/publications online website at <http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>.

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1

--CCC-853-1 will be completed according to the following.--

Item	Instruction
1	Enter State and county code for is the physical location of the county in which the loss occurred.
2	Enter participant's name.
3	<p>Enter calendar year the loss of grazing occurred.</p> <p>Note: If the pasture type is a small grains for grazing crop, enter the calendar year of when the normal grazing period for the small grains ends.</p> <p>Example: The participant claims to have suffered a grazing loss for wheat, short season small grain, reported as intended for grazing. The normal grazing period for wheat is October 1, 2018, to March 1, 2019. The calendar year the participant's loss occurred would be 2019.</p>
4	<p>Check (✓) the appropriate box or boxes to indicate the type of qualifying disaster conditions causing the grazing loss. Indicate whether the grazing loss is a result of drought, fire, or both.</p> <p>Notes: The National Office will notify State and County Offices when their county becomes eligible for LFP and whether the county's drought intensity level is rated a D2, D3, or D4 according to the U.S. Drought Monitor. Fire is only applicable to Federally managed grazing lands for which the participant is prohibited from grazing the normal permitted livestock because of fire.</p> <p>A producer cannot receive assistance for grazing losses because of drought and fire on the same acres.</p>
<p align="center">Part A - Livestock Information - Drought - Current Year Inventory and Current Year Mitigated</p>	
<p>*--Note: This Part A calculation will be completed for each livestock number listed in CCC-853, item 10.</p>	
5	Enter corresponding number or alpha-numeric number assigned to the livestock kind/type and weight range from CCC-853, item 10.
6	Enter applicable livestock kind/type and weight range from CCC-853, item 11.--*

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation
Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
7	<p>*--Enter number of livestock from CCC-853 (item 12 plus item 13).</p> <p>Notes: If an entry is entered in CCC-853, item 16, then item 16 will be used in performing the calculation for the specific livestock kind/type and weight range instead of item 12.</p> <p>If an entry is entered in CCC-853, item 17, then item 17 will be used in performing the calculation for the specific livestock kind/type and weight range instead of item 13.</p>
8	Enter participant's ownership, cash lease, or contract grower share from CCC-853, item 15.--*
9	Enter payment rate per head for the applicable livestock kind/type and weight range.
10	<p>Enter the livestock monthly feed cost calculated by multiplying:</p> <ul style="list-style-type: none"> • item 7, times • item 8, times • item 9. <p>The result should be rounded to the nearest whole dollar.</p>
11	Enter total of all entries in item 10. This is the total value of livestock monthly feed cost for all current year inventory and mitigated livestock.
Part B - Livestock Information - Drought - Mitigated Livestock From Prior Years	
*-- Note: This Part B calculation will be completed for each livestock number listed in CCC-853, item 10.	
12	Enter corresponding number or alpha-numeric number assigned to the livestock kind/type and weight range from CCC-853, item 10.
13	Enter applicable livestock kind/type and weight range from CCC-853, item 11.
14	<p>Enter number of livestock by kind/type and weight range that were mitigated in 1 or both of the 2 previous production years because of drought from CCC-853, item 14.</p> <p>Note: If an entry is entered in CCC-853, item 18, then item 18 for the specific livestock kind/type and weight range will be used instead of item 14.</p>
15	Enter participant's ownership, cash lease, or contract grower share from CCC-853, item 15.--*

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
16	Enter payment rate per head for the applicable livestock kind/type and weight range.
17	Partial compensation factor of 80 percent for prior year mitigated livestock.
18	<p>Enter livestock monthly feed cost calculated by multiplying:</p> <ul style="list-style-type: none"> • item 14, times • item 15, times • item 16, times • item 17. <p>The result should be rounded to the nearest whole dollars.</p>
19	Enter total of all entries in item 18. This is the total value of livestock monthly feed cost for all mitigated livestock from prior years.
Part C - Forage Information - Drought - Owned or Cash Leased Land	
20	For owned or cash-leased land, enter the numeric or alpha-numeric number from *--CCC-853, item 10 for each livestock kind/type and weight range that are grazing or would have been grazing the specific pasture type in CCC-853, item 23.
21	Enter all pasture types for owned or cash-leased land normally used in the operation to support eligible covered livestock during the specific qualifying drought condition from CCC-853, item 23.--*

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation
Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
21 (Cntd)	<p>Pasture types planted specifically for grazing include the following:</p> <ul style="list-style-type: none"> • native • full season improved • full season improved mixed forage • warm season improved • cool season improved • short season small grains • short season Spring small grains • short season Fall/Winter small grains • long season small grains • forage sorghum • annual ryegrass • annual crabgrass. <p>STC's must designate grazed forage types for improved pasture in the county as either of the following to be consistent with NAP:</p> <ul style="list-style-type: none"> • full season improved • cool season and warm season improved. <p>Only enter pasture types for Federal or State land if the agreement is by the acre and does not provide for an allotted number of AU's or AUM's that can be grazed for an established period of time.</p>

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
22	<p>*--Enter number of acres, by pasture type, from CCC-853, item 24, normally--* used in the operation to support eligible covered livestock during the qualifying drought condition for privately owned/cashed leased land.</p> <p>If multiple participants are using the same pasture acres during the qualifying drought period, the acres must be prorated.</p> <p>Example 1: Participant A has 200 head of eligible livestock and Participant B has 75 head, a total of 275 head grazing the same 2 pasture acres.</p> <p>Calculate prorated acres according to the following.</p> <p>Participant A: $200 \text{ head} / 275 \text{ head} = .7273$. Participant B: $75 \text{ head} / 275 \text{ head} = .2727$.</p> <p>$.7273 \times 2 \text{ acres} = 363.7 \text{ total acres for Participant A.}$ $.2727 \times 2 \text{ acres} = 136.3 \text{ total acres for Participant B.}$</p> <p>Example 2: Participant A and Participant B have a 50-50 owner share in 200 head of eligible livestock. The 200 head of eligible livestock graze 2 acres of native pasture.</p> <p>Calculate prorated acres according to the following.</p> <p>$.20 \times 2 \text{ acres} = 250.0 \text{ total acres for Participant A.}$ $.20 \times 2 \text{ acres} = 250.0 \text{ total acres for Participant B.}$</p> <p>*--Notes: If an entry is entered in CCC-853, item 26, then item 26 for the specific pasture type will be used instead of item 24.--*</p> <p>Only enter pasture types for Federal or State land if the agreement is by the acre and does not provide for an allotted number of AU's or AUM's that can be grazed for an established period of time.</p>
23	<p>Enter carrying capacity or acres/AU for the applicable type of pasture type from *--CCC-853, item 25.--*</p> <p>Note: This entry will be the STC/COC-approved carrying capacity for the specific type of pasture in item 21 as established under NAP.</p>

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
24	Enter maximum AU's by dividing acres in item 22 by acre/AU in item 23. Round the result to 2 decimal places. Example: 2000 acres/30.0 acre/AU = 66.67 AU's.
25	Enter established monthly value of forage for the applicable calendar year *--according to subparagraph 56 C.--*
26	Enter the carrying capacity monthly feed cost calculated by multiplying item 24 times item 25. Round to the nearest whole dollar.
Part D - Forage Information - Drought - AUM or Animal Unit Lease Land	
27	For land leased on an AUM or AU basis, enter the numeric or alpha-numeric *--number from CCC-853, item 10 for each livestock kind/type and weight range that are grazing or would have been grazing the specific pasture type in CCC-853, item 29.
28	Enter all pasture types leased on an AUM/AU basis normally used in the operation to support eligible covered livestock during the qualifying drought condition from CCC-853, item 29.--*

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
28 (Cntd)	<p>Pasture types planted specifically for grazing include the following:</p> <ul style="list-style-type: none"> • native • full season improved • full season improved mixed forage • warm season improved • cool season improved • short season small grains • short season Spring small grains • short season Fall/Winter small grains • long season small grains • forage sorghum • annual ryegrass • annual crabgrass. <p>STC's must designate grazed forage types for improved pasture in the county as either of the following to be consistent with NAP:</p> <ul style="list-style-type: none"> • full season improved • cool season and warm season improved. <p>Only enter pasture types for Federal or State land that provide for an allotted number of AU's or AUM's that can be grazed for an established period of time. Pasture types for Federal or State leases expressed in acres and not AU's or AUM's for an established period of time shall be entered in item 21.</p>

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
29	<p>*--Enter AU's from CCC-853, item 30.</p> <p>Notes: If an entry is entered in CCC-853, item 31, then item 31 will be used instead of item 30.--*</p> <p>Federal permits and some private/State land leases provide for an allotted number of AU's or AUM's that can be grazed for an established period of time. AU's will be listed on the Federal grazing permits or can be calculated by dividing the AUM's by the number of months grazed.</p> <p>Example: Federal permit allows grazing 1100 AUM's for 5 months.</p> $1100 \text{ AUM's} / 5 \text{ months} = 220 \text{ AU's}$ <p>Ensure that AU's for each specific animal type are converted to an AU equivalent. Round to the nearest whole number. See Exhibit 6.</p> <p>Example: 100 sheep x .25 AU's = 25 AU's.</p> <p>Adjustments may need to be made to the number of AU's entered when the Federal Agency reduces the grazing days under the Federal grazing permit or lease because of drought, and the producer does not have to pay the Federal Agency because of a temporary non-use of the permit.</p>
30	Enter established monthly value of forage for the applicable calendar year *--according to subparagraph 56 C.--*
31	Enter the carrying capacity monthly feed cost calculated by multiplying item 29 times item 30. Round to the nearest whole dollar.

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
	Part E - Net Payment Calculation for Drought by Pasture Type
32	<p>Enter sum of the livestock monthly feed costs (items 10 plus item 18) for all the livestock that were or would have been grazing the specific pasture type listed in item 21 and/or item 28.</p> <p>Example: In calendar year 2019, County A rated a D2 for at least 8 consecutive weeks during the normal grazing period for native pasture. 100 beef adult cows and 100 beef nonadult cattle weighing more than 2 pounds were grazing the native pasture during the normal grazing period. The livestock monthly feed costs for each of the specific kind/type and weight range of livestock grazing the native pasture listed in item 10 while the county was rated a D2 for 8 consecutive weeks is calculated as follows.</p> <p style="padding-left: 40px;">100 adult beef cows x 100 percent producer share x \$29.34 payment rate per head = \$2,934 (item 10).</p> <p style="padding-left: 40px;">100 nonadult beef cattle weighing 500 pounds or more x 100 percent producer share x \$22.01 payment rate per head = \$2,201 (item 18).</p> <p>Sum the livestock monthly feed costs for the adult beef cows and the nonadult beef cows weighing 2 pounds or more in item 10 and item 18 to determine total livestock monthly feed costs for all livestock grazing the native pasture to be entered in item 32 as follows.</p> <p style="text-align: center;">$\\$2,934 + \\$2,201 = \\$5,135$(sum of livestock monthly feed cost).</p>

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
33	<p data-bbox="402 363 1455 464">Enter sum of the entries in item 26 plus item 31 for the specific pasture type being grazed or that would have been grazed by the specific livestock in item 6 or item 13.</p> <p data-bbox="402 506 1463 793">Example: In calendar year 2019, County A rated a D2 for at least 8 consecutive weeks during the normal grazing period for native pasture. Beef adult cows and beef nonadult cattle weighing 500 pounds or more were grazing a 1,000-acre native pasture with a carrying capacity of 10.0 acre/AU and another native pasture of 1,000 acres with a carrying capacity of 5.0 acre/AU. The carrying capacity monthly feed cost for each of the specific pasture types listed in item 26 while the county was rated a D2 for 8 consecutive weeks is calculated as follows.</p> <p data-bbox="594 835 1446 905">(1,000 acres native pasture/10.0 acre/AU) x \$29.34 monthly value of forage = \$2,934 carrying capacity monthly feed cost.</p> <p data-bbox="594 947 1459 1016">(1,000 acres native pasture/5.0 acre/AU) x \$29.34 monthly value of forage = \$5,868 carrying capacity monthly feed cost.</p> <p data-bbox="548 1058 1471 1159">Sum the carrying capacity monthly feed costs in item 26 and item 31 for all of the native pasture for which the adult beef cows and nonadult beef cattle were grazing to be entered in item 33 as follows.</p> <p data-bbox="594 1201 1373 1270">\$2,934 + \$5,868 = \$8,802 (sum of carrying capacity monthly feed cost).</p>

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
34	<p>Enter monthly feed cost by entering the smaller of the following:</p> <ul style="list-style-type: none"> • item 32 • item 33. <p>Example: Item 32 = \$5,135. Item 33 = \$8,802.</p> <p>Smaller amount is item 32, \$5,135.</p>
35	Enter national payment factor of 60 percent.
36	<p>Enter calculated monthly payment rate by multiplying:</p> <ul style="list-style-type: none"> • item 34, times • item 35. <p>Round to the nearest whole dollar.</p> <p>Example: \$5,135 (item 34) x 60 percent (item 35) = \$3,081.</p>
37	<p>Select appropriate drought monitor intensity for the specific pasture type listed in item 21 and/or item 28. State and County Offices will be notified by the National Office whenever a county reaches the applicable D2, D3, or D4 intensity rating in any portion of the county for the required time period.</p> <p>Example: County A rated a D2 drought intensity for 8 consecutive weeks for native pasture. The box under “native pasture” for “x 1” is selected.</p>

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
38	<p>Enter calculated payment amount by multiplying:</p> <ul style="list-style-type: none"> • item 36, times • item 37. <p>Example: \$3,081 (item 36) x 1 (drought intensity factory for native pasture) = \$3,081 calculated payment amount.</p> <p>Note: The calculated payment amount for a:</p> <ul style="list-style-type: none"> • D2 drought intensity rating for 8 consecutive weeks during the normal grazing period for a specific type of grazing will equal item 36 x 1 • D3 drought intensity rating at any time during the normal grazing period for a specific type of grazing will equal item 36 x 3 • D3 drought intensity rating for any 4-week period during the normal grazing period for a specific type of grazing, or a D4 drought intensity rating at any time during the normal grazing period for a specific type of grazing will equal item 36 x 4 • D4 drought intensity rating for any 4-week period for a specific type of grazing at any time during the normal grazing period for a specific type of grazing will equal item 36 x 5.
39	<p>Enter maximum calculated maximum payment amount for all covered livestock by multiplying (item 11 plus item 19) times 5 months times 60 percent.</p> <p>Example: (\$3,081, item 11 entry + \$1,000, item 19 entry) x 5 months x 60% = \$12,243.</p>

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
40	<p>Enter adjusted maximum payment amount for each specific pasture type. This calculation is obtained for each specific pasture type as follows:</p> <ul style="list-style-type: none"> • 40a. short season small grains = (item 39) • 40b. long season small grains = (item 39 - item 41a) • 40c. native pasture = (item 39 - item 41a - item 41b) • 40d. full season improved pasture = (item 39 - item 41a - item 41b - item 41c) • 40e. forage sorghum = (item 39 - item 41a - item 41b - item 41c - item 41d) • 40f. annual planted ryegrass = (item 39 - item 41a - item 41b - item 41c - item 41d - item 41e) • 40g. annual planted crabgrass = (item 39 - item 41a - item 41b - item 41c - item 41d - item 41e - item 41f) • 40h. cool season improved = (item 39 - item 41a - item 41b - item 41c - item 41d - item 41e - item 41f - item 41g) • 40i. warm season improved = (item 39 - item 41a - item 41b - item 41c - item 41d - item 41e - item 41f - item 41g - item 41h) <p>Example: County A was rated a D2 drought intensity for small grains during the normal grazing period for short season small grains. County A was rated a D4 drought intensity for long season small grains, native pasture, and improved pasture during the normal grazing periods for native pasture and improved pasture. Producer A's maximum payment amount for all covered livestock (item 39) is \$50,000. The calculated payment amount for short season small grains, item 38 is \$3,000; for long season small grains is \$10,000; for native pasture is \$5,000; and for full season improved pasture is \$2,000. Item 40a for short season small grains, item 40b for long season small grains, item 40c for native pasture, and item 40d for improved pasture shall be calculated as follows:</p> <ul style="list-style-type: none"> • 40a. short season small grains = (item 39) = \$50,000 • 40b. long season small grains = (item 39 - item 41a) = \$50,000 - \$3,000 = \$47,000 • 40c. native pasture = (item 39 - item 41a - item 41b) = \$50,000 - 3,000 - \$10,000 = \$37,000 • 40d. full season improved pasture = (item 39 - item 41a - item 41b - item 41c) = \$50,000 - \$3,000 - \$10,000 - \$5,000 = \$32,000.

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
41	Enter smaller of item 38 or item 40. This is the net calculated payment amount for the specific type of pasture.
42	Enter total of all item 41 line entries. This is the total net calculated payment amounts for all pasture types for drought.
Part F - Fire - Federally Managed Lands - Maximum Calculated Payment by Federal Lease	
*--Note: This Part F calculation will be completed for each fire event number listed on CCC-853, item 32.	
43	Enter fire event number from CCC-853, item 32.
44	<p>Enter participant's permitted AU's from CCC-853, item 35 for the specific fire event number.</p> <p>Notes: If an entry is entered in CCC-853, item 39, then item 39 will be used instead of item 35.--*</p> <p>The permitted AU's will be listed on the producer's Federal grazing lease. If AUM's are listed on the lease, AU's can be calculated by dividing the AUM's by the number of months in the grazing lease.</p> <p>Example: Federal permit allows grazing 2 AUM's for 5 months.</p> $2 \text{ AUM's} / 5 \text{ months} = 100 \text{ AU's.}$ <p>Ensure that AU's for each specific animal type is converted to an AU equivalent. Round to the nearest whole number. See Exhibit 6.</p> <p>Example: 100 sheep x .25 AU's = 25 AU's.</p>
45	<p>*--Enter permitted grazing days from CCC-853, item 36, not to exceed--* 180 calendar days per calendar year. The permitted grazing days will be listed on the Federal grazing permit. The statute limits the grazing days to a maximum of 180 calendar days.</p> <p>*--Note: If an entry is entered in CCC-853, item 40, then item 40 will be used instead of item 36.--*</p>

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
46	Enter total permitted AUD's by multiplying: <ul style="list-style-type: none"> • item 44, times • item 45, not to exceed 180 calendar days.
47	*--Enter AUD payment rate according to subparagraph 56 C.--*
48	National payment factor of 50 percent.
49	Enter calculated maximum payment amount for each specific fire event by multiplying: <ul style="list-style-type: none"> • item 46, times • item 47, times • item 48. Round to the nearest whole dollar.
50	Enter total of all entries in item 49. This is the total maximum calculated payments from Federal leases.

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
	Part G - Fire - Federally Managed Lands - Calculated Value of Reduced AUD's by Federal Lease
	*--Note: This Part G calculation will be completed for each fire event number listed on CCC-853, item 32.
51	Enter fire event number from CCC-853, item 32.
52	Enter number of AU's the producer is prohibited from grazing on the managed rangeland by the Federal Agency because of fire from CCC-853, item 37. Note: If an entry is entered in CCC-853, item 41, then item 41 will be used instead of item 37.
53	Enter number of days the producer is prohibited from grazing the normal permitted livestock on the managed rangeland by the Federal Agency because of fire from CCC-853, item 38. Note: If an entry is entered in CCC-853, item 42, then item 42 will be used instead of item 38.--*
54	Enter total reduced AUD's for the specific fire event number, which is the result of multiplying: <ul style="list-style-type: none"> • item 52, times • item 53.
55	*--Enter AUD payment rate according to subparagraph 56 C.--*
56	National payment factor is 50 percent.
57	Enter calculated value of the reduced AUD's for each specific fire event number by multiplying: <ul style="list-style-type: none"> • item 54, times • item 55, times • item 56. Round to the nearest whole dollar.
58	Enter total of all entries in item 57. This is the total value of reduced AUD's from Federal leases.

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

B Completing CCC-853-1 (Continued)

Item	Instruction
Part H - Fire - Federally Managed Lands - Total Net Calculated Payment Amount of Reduced AUD's	
59	Enter smaller of item 50 or item 58. This is the calculated payment due the producer because of fire before reductions.
Part I - Total Net Calculated Payment Amount After Reductions - Drought and/or Fire	
60	Enter total net calculated payment amount before reduction by adding: <ul style="list-style-type: none"> • item 42, plus • item 59. This is the total net calculated payment amounts before reduction for drought and/or fire.
61	Enter amount of compensation received from other disaster assistance programs for *--the same grazing losses because of drought and/or fire from CCC-853, item 43.--*
62	Enter result of item 60 minus item 61. This is the LFP calculated payment amount due the participant for grazing losses because of drought and/or fire on Federally managed land.
Part J - Calculated Payment Amount After Reduction for Previous Payments Issued	
63	Enter total amount of previous calendar year LFP payments issued to the participant.
64	Enter result of item 62 minus item 63. This is the LFP estimated payment to be issued.
65A	*--Preparer of form will sign.
65B	Preparer of form will enter title.
65C	Preparer of form will enter date form is prepared.--*

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

C Example of CCC-853-1

--The following is an example of a completed CCC-853-1.--

This form is available electronically.

CCC-853-1 (02-12-15)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. State and County Code 35-043	2. Participant's Name Redrock Farms	
ESTIMATED LIVESTOCK FORAGE DISASTER PROGRAM PAYMENT CALCULATION WORKSHEET				3. Calendar Year 2019	4. Qualifying Disaster Condition Causing Grazing Loss (Check appropriate box or boxes) <input checked="" type="checkbox"/> Drought <input type="checkbox"/> Fire	

PART A - LIVESTOCK INFORMATION - DROUGHT - CURRENT YEAR INVENTORY AND CURRENT YEAR MITIGATED					
5. Livestock Number	6. Livestock Kind/Type and Weight Range	7. Number of Livestock	8. Participant Share	9. Payment Rate Per Head	10. Livestock Monthly Feed Cost (Items 7 X 8 X 9)
1	Beef, Adult Cows and Bulls	100	100%	\$ 29.34	\$ 2,934
2	Beef, Non-adult, 500 lbs or more	60	100%	\$ 22.01	\$ 1,321
3	Equine, All	2	100%	\$ 21.71	\$ 43
				\$	\$
				\$	\$
				\$	\$
				\$	\$
				\$	\$
				\$	\$
				\$	\$
11. Total Livestock Monthly Feed Cost - Current Year (Total of Item 10)					\$ 4,298

PART B - LIVESTOCK INFORMATION - DROUGHT - MITIGATED LIVESTOCK FROM PRIOR YEARS						
12. Livestock Number	13. Livestock Kind/Type and Weight Range	14. Number of Livestock	15. Participant Share	16. Payment Rate Per Head	17. Partial - sation Factor	18. Livestock Monthly Feed Cost (Items 14 X 15 X 16 X 17)
				\$	80%	\$
				\$	80%	\$
				\$	80%	\$
				\$	80%	\$
				\$	80%	\$
				\$	80%	\$
19. Total Livestock Monthly Feed Cost - Prior Year Mitigated Livestock (Total of Item 18)						\$ 0

PART C - FORAGE INFORMATION - DROUGHT - OWNED OR CASH LEASED LAND										
20. Livestock Number					21. Pasture Type	22. Acres	23. Acres Per Animal Unit (AU)	24. Maximum Animal Units (MAU's) (Items 22 X 23)	25. Monthly Value of Forage	26. Carrying Capacity Monthly Feed Cost (Items 24 X 25)
1	2	3			Native	1000.0	64	15.63	\$ 29.34	\$ 458
1	2	3			Native	1900.0	130	14.62	\$ 29.34	\$ 429
									\$	\$
									\$	\$
									\$	\$
									\$	\$

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

C Example of CCC-853-1 (Continued)

CCC-853-1 (02-12-15)										Page 2 of 4			
PART D – FORAGE INFORMATION - DROUGHT – AUM OR ANIMAL UNIT LEASES													
27. Livestock Number					28. Pasture Type	29. Animal Units (AU's)	30. Monthly Value of Forage	31. Carrying Capacity Monthly Feed Cost (Items 29 x 30)					
1	2	3			Native	120	\$ 29.34	\$ 3,521					
1	2	3			Native	60	\$ 29.34	\$ 1,760					
							\$	\$					
							\$	\$					
							\$	\$					
							\$	\$					
							\$	\$					
PART E – NET PAYMENT CALCULATION FOR DROUGHT BY PASTURE TYPE													
					A. Short Season Small Grains	B. Long Season Small Grains	C. Native Pasture	D. Full Season Improved Pasture	E. Forage Sorghum	F. Annual Planted Ryegrass	G. Annual Planted Crabgrass	H. Cool Season Improved Pasture	I. Warm Season Improved Pasture
32. Sum of Livestock Monthly Feed Cost (Items 10 + 18) for the specific livestock grazing the specific pasture type in Items 21 and/or Item 28.					\$		\$4,298	\$	\$	\$	\$	\$	\$
33. Sum of Carrying Capacity Monthly Feed Cost (Item 26 + 31) for the specific pasture type being grazed by the specific livestock in Item 6 and/or Item 13.					\$	\$	\$6,168	\$	\$	\$	\$	\$	\$
34. Monthly Feed Cost. Enter the smaller of Item 32 or Item 33.					\$	\$	\$4,298	\$	\$	\$	\$	\$	\$
35. National Payment Reduction Factor.					60%	60%	60%	60%	60%	60%	60%	60%	60%
36. Calculated Monthly Payment Rate for the Specific Pasture Type Loss (Item 34 x Item 35).					\$	\$	\$2,579	\$	\$	\$	\$	\$	\$
37. If any portion of the county is rated by the U.S. Drought Monitor as having a (Check only one box for each specific grazing land type):													
<ul style="list-style-type: none"> D2 drought intensity for eight consecutive weeks during the normal grazing period for the specific type of grazing land, the calculated monthly payment rate will be multiplied by a drought intensity factor of 1. 					<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	<input type="checkbox"/> X 1
<ul style="list-style-type: none"> D3 drought intensity at anytime during the normal grazing period for the specific type of grazing land, the calculated monthly payment rate will be multiplied by a drought intensity factor of 3. 					<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	<input type="checkbox"/> X 3

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

C Example of CCC-853-1 (Continued)

CCC-853-1 (02-12-15)										Page 3 of 4
PART E – NET PAYMENT CALCULATION FOR DROUGHT BY PASTURE TYPE (Continuation)										
	A. Short Season Small Grains	B. Long Season Small Grains	C. Native Pasture	D. Full Season Improved Pasture	E. Forage Sorghum	F. Annual Planted Ryegrass	G. Annual Planted Crabgrass	H. Cool Season Improved Pasture	I. Warm Season Improved Pasture	
<ul style="list-style-type: none"> D4 drought intensity at anytime during the normal grazing period or a D3 intensity for any 4 week period during the normal grazing period for the specific type of grazing land, the calculated monthly payment rate will be multiplied by a drought intensity factor of 4. D4 drought intensity for any 4 week period during the normal grazing period for the specific type of grazing land, the calculated monthly payment rate will be multiplied by a drought intensity factor of 5. 	<input type="checkbox"/> X 4	<input type="checkbox"/> X 4	<input checked="" type="checkbox"/> X 4	<input type="checkbox"/> X 4	<input type="checkbox"/> X 4	<input type="checkbox"/> X 4	<input type="checkbox"/> X 4	<input type="checkbox"/> X 4	<input type="checkbox"/> X 4	
	<input type="checkbox"/> X 5	<input type="checkbox"/> X 5	<input type="checkbox"/> X 5	<input type="checkbox"/> X 5	<input type="checkbox"/> X 5	<input type="checkbox"/> X 5	<input type="checkbox"/> X 5	<input type="checkbox"/> X 5	<input type="checkbox"/> X 5	
39. Enter calculated payment amount (Item 36 times Item 37)	\$	\$	\$10,315	\$	\$	\$	\$	\$	\$	
39. Maximum Payment Amount = ((Item 11 + Item 19) x 5 x 60 percent).	\$ 12,894									
40. Adjusted Maximum Payment Amount:										
40a. Short Season Small grains = (Item 39) 40b. Long Season Small grains = (Item 39 – Item 41a) 40c. Native pasture = (Item 39 – Item 41a – Item 41b) 40d. Full season improved pasture = (Item 39 – Item 41a – Item 41b – Item 41c) 40e. Forage sorghum = (Item 39 – Item 41a – Item 41b – Item 41c – Item 41d) 40f. Annual Ryegrass = (Item 39 – Item 41a – Item 41b – Item 41c – Item 41d – Item 41e) 40g. Annual Crabgrass = (Item 39 – Item 41a – Item 41b – Item 41c – Item 41d – Item 41e – Item 41f) 40h. Cool season improved pasture = (Item 39 – Item 41a – Item 41b – Item 41c – Item 41d – Item 41e – Item 41f – Item 41g) 40i. Warm season improved pasture = (Item 39 – Item 41a – Item 41b – Item 41c – Item 41d – Item 41e – Item 41f – Item 41g – Item 41h)	\$	\$	\$0	\$	\$	\$	\$	\$	\$	
41. Net Calculated Payment Amount For Specific Pasture Type (Smaller of Item 38 or Item 40).	\$	\$	\$10,315	\$	\$	\$	\$	\$	\$	
42. Total Net Calculated Payment Amounts for All Pasture Types (Sum of All Item 41 entries).									\$10,315	

90 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)

C Example of CCC-853-1 (Continued)

CCC-853-1 (02-12-15)							Page 4 of 4
PART F – FIRE – FEDERALLY MANAGED LANDS – MAXIMUM CALCULATED PAYMENT BY FEDERAL LEASE							
43. Fire Event Number	44. Permitted Animal Units (AU's)	45. Permit Days (NTE 180 Days)	46. Total Permit Animal Unit Days (AUD's) (Item 44 x 45)	47. AUD Payment Rate	48. Payment Factor	49. Calculated Maximum Payment Amount (Items 46 x 47 x 48)	
					50%	\$	
					50%	\$	
					50%	\$	
					50%	\$	
					50%	\$	
					50%	\$	
50. Total Maximum Calculated Payment Amounts From Federal Leases (Total of Item 49)						\$	
PART G – FIRE – FEDERALLY MANAGED LANDS – CALCULATED VALUE OF REDUCED AUD'S BY FEDERAL LEASE							
51. Fire Event Number	52. Reduced AU's From Permit	53. Reduced Grazing Days From Permit	54. Total Reduced Animal Unit Days (AUD's) (Item 52 x 53)	55. AUD Payment Rate	56. Payment Factor	57. Calculated Value of Reduced AUD's (Items 54 x 55 x 56)	
					50%	\$	
					50%	\$	
					50%	\$	
					50%	\$	
					50%	\$	
					50%	\$	
58. Total Value of Reduced AUD's From Federal Leases (Total of Item 57)						\$	
PART H – FIRE – FEDERALLY MANAGED LANDS – TOTAL NET CALCULATED PAYMENT AMOUNT OF REDUCED AUD'S							
59. Net Calculated Payment Amount of Reduced AUD's (Smaller of Item 50 or Item 58)						\$	
PART I – TOTAL NET CALCULATED PAYMENT AMOUNT AFTER REDUCTIONS – DROUGHT AND/OR FIRE							
60. Total Net Calculated Payment Amount Before Reduction (Item 42 + Item 59)						\$	
61. Reduction						\$	
62. Total Net Calculated Payment Amount (Item 60 minus Item 61)						\$	
PART J – CALCULATED PAYMENT AMOUNT AFTER REDUCTION FOR PREVIOUS PAYMENTS ISSUED							
63. Total Prior LFP Payment Amounts.						\$	
64. LFP Calculated Payment Amount (Item 62 minus Item 63)						\$	
65A. PREPARER SIGNATURE			65B. Title		65C. Date (MM-DD-YYYY)		

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91 CCC-770 LFP, Livestock Forage Disaster Program (LFP) Checklist**A Overview**

The Improper Payments Information Act of 2002 requires Federal agencies to evaluate programs to determine whether internal controls are sufficient to prevent improper payments. CCC-770 LFP was developed to address areas of concern to ensure that LFP payments are issued properly.

B CCC-770 LFP Program Checklist

CCC-770 LFP:

- is applicable to administering LFP
- must be used when a CCC-853 is filed for the first ten applications
- does **not** negate STC, SED, State Office, DD, COC, CED, and County Office responsibility for administering all provisions applicable to LFP.

Note: CCC-770 LFP was developed by the National Office and is the **only** authorized checklist for LFP. County Offices will **not** use State- or locally-generated checklists for administering LFP.

91 CCC-770 LFP, Livestock Forage Disaster Program (LFP) Checklist (Continued)**C County Offices Use of CCC-770 LFP**

County Offices may use CCC-770 LFP as a management tool to help address deficiencies identified by a review or spot check of whether LFP policies or procedures are being followed before issuing LFP payments.

The County Office employee that completes each item on CCC-770 LFP is certifying that the applicable LFP provisions have, or have **not**, been met. As an alternative, County Offices may choose to review all items after COC approval, if applicable.

After all questions on CCC-770 LFP have been answered in a manner that supports approving the applicable CCC-853, the County Office employee will sign and date CCC-770 LFP, item 35, as the preparer.

Note: In cases involving multiple preparers, the preparer can use item 34, “Remarks” section, to indicate which items they verified.

County Offices will see the applicable handbook provisions, as specified, for additional information.

D Determining When to Use CCC-770 LFP

SED, STC, or designee, DD, or CED, will determine:

- when County Offices are to complete CCC-770 LFP, if apparent internal control deficiencies are found during CED, STC representative, or DD reviews
- whether CCC-770 LFP is necessary to avoid findings indicated in COR reviews
- when additional internal controls are necessary to reduce improper payments.

91 CCC-770 LFP, Livestock Forage Disaster Program (LFP) Checklist (Continued)

E Completing CCC-770 LFP

CCC-770 LFP will be completed according to the following.

Item	Instructions
1	Enter the name of the producer.
2	Enter applicable State name.
3	Enter County Office name that is completing CCC-770 LFP.
4	Enter the calendar year for which benefits are being requested from CCC-853, item 2.
*--5-28	Check (✓) “YES”, “NO”, or “N/A”, as applicable for each entry.
29	Enter any remarks that may explain special circumstances or explanation for items checked “NO”.
30A and B	The County Office employee(s) completing the checklist will sign and date as the preparer(s).
31A, B, and C	<p>Important: This item will be completed if CCC-770 LFP is selected for spot check. If CCC-770 LFP is selected for spot check, CED or designated representative must certify:</p> <ul style="list-style-type: none"> • item 31A by checking “Concur” or “Do Not Concur” accordingly if CCC-770 LFP items have been verified and completed • item 31B by signing • item 31C by entering date.
32A, B, and C	<p>Important: This item will be completed if CCC-770 LFP is selected for spot check. If CCC-770 LFP is selected for spot check, DD or designated representative must certify:</p> <ul style="list-style-type: none"> • item 32A by checking “Concur” or “Do Not Concur” accordingly if CCC-770 LFP items have been verified and completed • item 32B by signing • item 32C by entering date or signature.--*

91 CCC-770 LFP, Livestock Forage Disaster Program (LFP) Checklist (Continued)

F Example of CCC-770 LFP

The following is an example of CCC-770 LFP.

--*

CCC-770 LFP (04-21-21)	U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation	1. Producer Name	2. State Name		
LIVESTOCK FORAGE DISASTER PROGRAM (LFP) CHECKLIST		3. County Office Name	4. Calendar Year		
Office Staff Actions		Handbook or Other Reference	YES	NO	N/A
Eligibility					
5. Has the county triggered a loss for the specific pasture type under LFP for a qualifying drought?		1-LFP, Paragraph 23	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Has the COF reviewed and/or printed the County Eligibility Report to determine the beginning date of the qualifying drought in relation to the producer's eligibility of covered livestock and grazing land?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. If the grazing loss was due to fire, did the producer provide documentation from the Federal Agency to show the location of the fire, cause of fire, date the fire started, and whether the livestock producer was prohibited from grazing their normal permitted livestock and/or their grazing days were reduced because of the fire?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Does the producer meet the requirements of an eligible livestock producer?		1-LFP, Paragraph 24	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. For contract growers, does the grower own and/or cash lease the grazing land that is being provided for the livestock on the date of qualifying drought or fire and is at risk in the production of grazed forage to meet the requirements of an eligible livestock producer?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Does the producer have risk and control of the forage crop acreage and claimed livestock, on the date of qualifying drought or fire?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Has the FSA-578 Report of Acreage been filed according to 2-CP for grazed forage crop acreage? Note: Ensure that if the FSA-578 was filed after the acreage reporting date (late filed), that it was processed in accordance with 2-CP policy.			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Do all the claimed livestock, including non-adult beef, dairy, beefalo, and/or buffalo/bison weighing less than 500 lbs., meet the definition of a grazing animal, and are weaned as of the date of the qualifying drought or fire?		1-LFP, Paragraph 25	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Do claimed mitigated livestock meet the definitions of mitigated livestock to qualify for payment on the application?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. For leased land, have all leases/permits, CCC-855s, and final bills or invoices if applicable, been obtained and provided to the County Office by the applicable deadline so that risk can be determined? Note: The original lease or permit must allow for subleasing if producer is claiming subleased land.		1-LFP, Paragraph 26	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Is the name of the individual or legal entity on the lease and/or CCC-855 the same as the LFP producer?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Application Process					
16. Has signature authority been verified for all signatures on CCC-853?		1-CM, Part 25	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Is the livestock owner or contract grower a producer of the grazed forage crop acreage shown on CCC-853? <i>A producer of forage crop acreage is one who is at risk of loss on grazed forage production as opposed to a buyer of grazed forage.</i>		1-LFP, Paragraph 24 & 89	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Has a separate CCC-853 been filed for each participant by administrative county, by physical location for the land for which a grazing loss is claimed?		1-LFP, Paragraph 87	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Did the LFP producer complete, sign, date, and submit CCC-853 and supporting documentation (FSA-578, lease(s), CCC-853(s), contract grower agreements, if applicable) by the program deadline?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. If fire was the qualifying disaster condition causing the grazing loss, did the applicant provide the date and location of the qualifying fire in Item 9 of CCC-853?		1-LFP, Paragraph 89	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Did the COC or delegate review the lease(s) and CCC-855(s) for all grazed forage crop acreage, to determine if the acreage is eligible and was this review of eligibility documented in COC minutes?		1-LFP, Paragraph 26 & 28	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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91 CCC-770 LFP, Livestock Forage Disaster Program (LFP) Checklist (Continued)

F Example of CCC-770 LFP (Continued)

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CCC-770 LFP (04-21-21)		Page 2 of 2		
Office Staff Actions	Handbook or Other Reference	YES	NO	N/A
22. Was the correct carrying capacity(ies) as established by the STC entered in Item 25 for the specific pasture type(s) entered in Item 23 of the CCC-853?	1-LFP, Paragraph 27	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. For Multi-County Producers Only:	1-LFP, Subparagraph 56 F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Did the producer certify in Item 20 that an application has been filed on the same kind, type, and weight range of covered livestock in another county(ies)?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. If applicable, has an adjustment been made to ensure that a payment factor of five has not been exceeded for the same kind, type and weight range of covered livestock?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. Is all supporting documentation on file, for individuals and all members of an entity, before CCC-853 payment is issued? • AD-1026 • CCC-901, if applicable • CCC-902 • CCC-903 • CCC-941 Note: See 6-PL. Producers not filing the applicable forms will be ineligible to receive program benefits subject to eligibility and limitation applicable to the CCC-853. Ensure a payment reduction has been completed for an ineligible participant(s) share, if applicable.	1-LFP, Paragraph 87	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25. Has CCC-853 been signed, dated, and approved by COC, CED, or authorized representative? Note: All CCC-853s executed by State Office employees, STC, COC, CED's, County Office employees, and their spouses must be sent to STC, or designee for approval/disapproval.	1-LFP, Paragraph 88	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26. Has producer, covered livestock, and grazing land eligibility determinations and CCC-853 approval/disapproval been thoroughly documented in COC minutes?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27. If CCC-853 is disapproved, or if any COC adjustments have been made, has the producer been notified in writing and provided the applicable appeal rights?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28. If a manual CCC-853 was completed then entered into the automated system, or if the SED or CED requires a second party review, has a second party review been conducted and has CCC-853 been initialed and dated, if applicable?	1-LFP, Paragraph 2 and Subparagraph 87 D	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29. Remarks				
As shown above, I certify that the entries are correct for the items noted:				
30A. Signature of Preparer(s)	30B. Date (MM-DD-YYYY)	30C. Signature of Preparer(s)	30D. Date (MM-DD-YYYY)	
31A. I concur/do not concur the above items have been verified and updated accordingly: <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur				
31B. CED Signature for Spot Check			31C. Date (MM-DD-YYYY)	
32A. I concur/do not concur the above items have been verified and updated accordingly: <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur				
32B. STC Designee Signature for Spot Check			32C. Date (MM-DD-YYYY)	
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92-127 (Reserved)

5-3-21

1-LFP Amend. 3

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Reports, Forms, Abbreviations, and Delegations of Authority

Reports

None

Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification		58, 87, 88
CCC-770 LFP	Livestock Forage Disaster Program (LFP) Checklist	91	88
CCC-853	Livestock Forage Disaster Program Application	89	Text, Ex. 2
CCC-853-1	Estimated Livestock Forage Disaster Program Payment Calculation Worksheet	90	
CCC-855	Annual Lease Agreement Certification Statement	28	2, 6, 22, 26
CCC-901	Members Information		58, 87, 88
CCC-902	Farm Operating Plan		58, 87, 88
CCC-903	Worksheet for Payment Eligibility and Payment Limitation Determinations		58, 87
CCC-941	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		87, 88
FSA-321	Finality Rule and Equitable Relief		6
FSA-578	Report of Acreage		2, 6, 7, 22, 24, 25, 26, 87, 89

Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviation	Term	Reference
2014 Farm Bill	Agricultural Act of 2014 (Pub. L. 113-79)	1
AU	animal unit	Text, Ex. 6
AUD	animal unit day	57, 90
AUM	animal unit month	Text
IPIA	Improper Payments Information Act of 2002	2, 58
PRF	Pasture, Rangeland, Forage	21
RI-PRF	Rainfall Index-Pasture, Rangeland, Forage	21
SND	Safety Net Division	1, 6

Redelegations of Authority

COC may delegate authority to CED's to approve only routine CCC-853's with supporting documentation.

Important: CED's will **not** be delegated authority to disapprove any CCC-853.

Definitions of Terms Used in This Handbook

*--Acreage Tolerance

Acreage tolerance means the number of acres that the reported acreage may differ from the determined acreage for all grazing acres the producer has certified as having a grazing loss because of drought or fire.--*

Adult Beef Bull

Adult beef bull means a male beef bovine animal that was at least 2 years old and used for breeding purposes on or before the beginning date of a qualifying drought or fire.

Adult Beef Cow

Adult beef cow means a female beef breed bovine animal that had delivered 1 or more offspring. *--A first-time bred beef heifer will also be considered an adult beef cow if it was pregnant on or--* before the beginning date of a qualifying drought or fire.

Adult Beefalo Bull

Adult beefalo bull means a male hybrid of beef and bison that was at least 2 years old and used for breeding purposes before the beginning date of a qualifying drought or fire.

Adult Beefalo Cow

Adult beefalo cow means a female hybrid of beef and bison that had delivered 1 or more *--offspring before dying. A first-time bred beefalo heifer will also be considered an adult--* beefalo cow if it was pregnant on or before the beginning date of a qualifying drought or fire.

Adult Buffalo/Bison Bull

Adult buffalo/bison bull means a male animal of those breeds that was at least 2 years old and used for breeding purposes on or before the beginning date of a qualifying drought or fire.

Adult Buffalo/Bison Cow

Adult buffalo/bison cow means a female animal of those breeds that had delivered 1 or more *--offspring. A first-time bred buffalo/bison heifer will also be considered an adult buffalo/bison--* cow if it was pregnant on or before the beginning date of a qualifying drought or fire.

Adult Dairy Bull

Adult dairy bull means a male dairy breed bovine animal at least 2 years old used primarily for breeding dairy cows on or before the beginning date of a qualifying drought or fire.

Definitions of Terms Used in This Handbook (Continued)**Adult Dairy Cow**

Adult dairy cow means a female dairy breed bovine animal used for the purpose of providing milk for human consumption that had delivered one or more offspring. A first time bred dairy *--heifer will also be considered an adult dairy cow if it was pregnant on or before the beginning--* date of a qualifying drought or fire.

Agricultural Operation

Agricultural operation means a farming operation.

Application

Application means CCC-853.

Commercial Use

Commercial use means used in the operation of a business activity engaged in as a means of livelihood for profit by the eligible livestock producer.

Contract

Contract means, with respect to contracts for the handling of livestock, a written agreement between a livestock owner and another individual or entity setting the specific terms, conditions, and obligations of the parties involved regarding the production of livestock or livestock products.

Contract Grower

Contract grower means a person or legal entity, other than a feedlot, that was engaged in a farming operation not as an owner of covered livestock but in a business whose income is dependent on the actual weight gain of the livestock or number of offspring produced from the livestock.

Covered Livestock

Covered livestock means livestock of an eligible livestock producer that, at any time during the 60 calendar days before the beginning date of a qualifying drought or fire as determined by the Secretary, the eligible livestock producer:

- owned, leased, purchased, or entered into a contract to purchase
- is a contract grower
- sold or otherwise disposed of because of a qualifying drought conditions during the current production year

Definitions of Terms Used in This Handbook (Continued)

Covered Livestock (Continued)

- sold or otherwise disposed of because of drought conditions in 1 or both of the 2 production years immediately preceding the current production year. Notwithstanding the foregoing *--portions of this definition, covered livestock for “contract growers” will **not** include--* livestock in feedlots.

Current Year Mitigated Livestock

Current year mitigated livestock means livestock that are sold or disposed of during the current program year.

Equine Animal

Equine animal means a weaned domesticated horse, mule, or donkey.

Farming Operation

Farming operation means a business enterprise engaged in producing agricultural products.

Federal Agency

Federal Agency means, with respect to the control of grazing land, an agency of the Federal Government that manages rangeland on which livestock is generally permitted to graze. For the purposes of LFP, it includes, but is **not** limited to:

- BIA
- BLM
- FS.

Goat

Goat means a weaned domesticated, ruminant mammal of the genus Capra, including Angora goats.

Grazing Animals

Grazing animals mean those species of livestock that, from a nutritional and physiological perspective, satisfy more than 50 percent of their net energy requirement through the consumption of growing forage grasses and legumes. Species of livestock for which more than 50 percent of their net energy requirements are not recommended to be met from consumption of forage grasses and legumes, such as poultry and swine, are excluded regardless of whether those species are grazing or are present on grazing land or pastureland.

Definitions of Terms Used in This Handbook (Continued)**Nonadult Beef Cattle**

Nonadult beef cattle means a weaned beef breed bovine animal that on or before the beginning date of a qualifying drought or fire does **not** meet the definition of adult beef cow or bull.

Nonadult Beefalo

Nonadult beefalo means a weaned animal hybrid of beef and bison that on or before the beginning date of a qualifying drought or fire does not meet the definition of a beefalo cow or bull.

Nonadult Buffalo/Bison

Nonadult buffalo/bison means a weaned animal of those breeds that on or before the beginning date of a qualifying drought or fire does **not** meet the definition of adult buffalo/bison cow or bull.

Nonadult Dairy Cattle

Nonadult dairy cattle means a weaned bovine animal, of a breed used for providing milk for human consumption, that on or before the beginning date of a qualifying drought or fire, does **not** meet the definition of adult dairy cow or bull.

Normal Carrying Capacity

Normal carrying capacity means, with respect to each type of grazing land or pastureland in a county, the normal carrying capacity that would be expected from the grazing land or pastureland for livestock during the normal grazing period in the county, in the absence of a drought or fire that diminishes the production of the grazing land or pastureland.

Normal Grazing Period

Normal grazing period means, with respect to a county, the normal grazing period during the calendar year with respect to each specific type of grazing land or pastureland in the county served by the applicable COC.

Owner

Owner means 1 who had legal ownership of the livestock for which benefits are being requested during the 60 calendar days before the beginning of a qualifying drought or fire.

Definitions of Terms Used in This Handbook (Continued)**Prior Year Mitigated Livestock**

Prior year mitigated livestock means livestock that are sold or disposed of during the prior program year or 2 program years immediately preceding the current program year.

Sheep

Sheep means a weaned domesticated, ruminant mammal of the genus Ovis.

Systemic Drought

Systemic drought means the U.S. Drought Monitor indicates drought conditions are continuous from the previous calendar year.

U.S. Drought Monitor

U.S. Drought Monitor is a system for classifying drought severity according to a range of abnormally dry to exceptional drought. It is a collaborative effort between Federal and academic partners, produced on a weekly basis, to synthesize multiple indices, outlooks, and drought impacts on a map and in narrative form. This synthesis of indices is reported by the National Mitigation Center at <http://droughtmonitor.unl.edu>.

Standard AU Conversion Chart

The following provides the Standard AU Conversion Chart for converting AU's for specific animal types to an AU equivalent.

Animal Type	Unit
Dairy Cow or Bull	2.6
Beef, Buffalo, or Beefalo Adult Cow or Bull	1.00
Equine	.74
Dairy Cattle, Beef Cattle, Buffalo, or Beefalo 500 lbs. or more	.75
Dairy Cattle, Beef Cattle, Buffalo, or Beefalo less than 500 lbs	.50
Deer	.25
Sheep or Goats	.25
Reindeer	.22
Alpaca	.82
Llama	.36
Emu	.51
Elk	.45

