FACT SHEET

UNITED STATES DEPARTMENT OF AGRICULTURE
FARM SERVICE AGENCY

February 2011

Livestock Forage Disaster Program (LFP)

Overview

The 2008 Farm Bill authorized the Livestock Forage Disaster Program (LFP) to provide compensation to eligible livestock producers that have suffered grazing losses for covered livestock on land that is native or improved pastureland with permanent vegetative cover or is planted specifically for grazing. The grazing losses must be due to a qualifying drought condition during the normal grazing period for the county. LFP also provides compensation 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.

The grazing losses must have occurred on or after Jan. 1, 2008, and before Oct. 1, 2011.

Eligible Counties for Drought

An eligible livestock producer that owns or leases grazing land or pastureland physically located in a county rated by the U.S. Drought Monitor as having a:

- D2 (severe drought) intensity in any area of the county for at least eight consecutive weeks during the normal grazing period is eligible to receive assistance in an amount equal to one monthly payment;
- D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period is eligible to receive assistance in an amount equal to two monthly payments;
- D3 (extreme drought) intensity in any area of the county for at least four weeks during the normal grazing period or is rated a D4 (exceptional drought) intensity at any time during the normal grazing period is eligible to receive assistance in an amount equal to three monthly payments.

A map of eligible counties for LFP drought may be found at: http//disaster.fsa.usda.gov.

Eligible Livestock

Eligible livestock types under LFP include alpacas, beef cattle, buffalo, beefalo, dairy cattle, deer, elk, emus, equine, goats, llamas, poultry, reindeer, sheep or swine that have been or would have been grazing the eligible grazing land or pastureland:

- During the normal grazing period for the specific type of grazing land or pastureland for the county or;
- When the federal agency excluded the livestock producer from grazing the normally permitted livestock on the managed rangeland due to fire.

Eligible livestock must:

- Have been owned, purchased or entered into a contract to purchase during the 60 days prior to the beginning date of a qualifying drought or fire condition;
- Have been held by a contract grower or sold or otherwise disposed of due to a qualifying drought condition during the current production year or one or both of the two production years immediately preceding the current production year;
- Have been maintained for commercial use as part of a farming operation on the beginning date of the eligible drought or fire condition;
- Not have been produced and maintained for reasons other than commercial use as part of a farming operation. (Such excluded uses include, but are not limited to, wild free roaming animals or animals used for recreational purposes such as pleasure,

hunting, pets, roping or for show);
- 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.

Eligible Producers

To be eligible for LFP, producers must:

- Own, cash or share lease, or be a contract grower of covered livestock during the 60 calendar days before the beginning date of a qualifying drought or fire;
- Provide pastureland or grazing land for covered livestock, including cash-rented pastureland or grazing land that is either:
- Physically located in a county affected by a qualifying drought during the normal grazing period for 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 normally permitted livestock because of a qualifying fire.
- Certify that they have suffered a grazing loss because of a qualifying drought or fire;
- Timely file an acreage report for all grazing land for which a loss of grazing is being claimed.

Risk Management Purchase Requirement (RMPR)

To be eligible for LFP for the grazing land incurring losses because of a qualifying drought or fire for which assistance is being requested, producers must:

- Obtain a policy or plan of insurance for the grazed forage crop under the Federal Crop Insurance Act (FCIA) or;
- File the required paperwork and pay the administrative fee by the applicable state application closing date for the Noninsured Crop Disaster Assistance Program (NAP).

Producers are only required to obtain a policy or plan of insurance or have NAP coverage on the grazing land or pastureland acres for which benefits are being requested under LFP. Livestock producers are not required to purchase pilot program insurance to be eligible for LFP.

Note: Eligible farmers and ranchers who meet the definition of “Socially Disadvantaged,” “Limited Resource,” or “Beginning Farmer or Rancher,” do not have to meet this requirement.

For crop year 2008, livestock producers were allowed to participate in LFP by paying a fee equivalent to NAP coverage by Sept. 16, 2008.

Payments

FSA will calculate LFP payments for an eligible livestock producer for grazing losses because of a qualifying drought equal to 1, 2, or 3 times the LFP monthly payment rate. The LFP monthly payment rate for drought is equal to 60 percent of the lesser of the monthly feed cost:

- For all covered livestock owned or leased by the eligible livestock producer;
- Calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

Total LFP payments to an eligible livestock producer in a calendar year for grazing losses will not exceed three monthly payments for the same livestock.

In the case of an eligible livestock producer that sold or otherwise disposed of livestock because of drought conditions in one or both of the two previous production years immediately preceding the current production year, the payment rate will equal 80 percent of the monthly payment rate.

FSA will calculate LFP payments for eligible livestock producers for losses suffered because of a qualifying fire on federally managed rangeland for which the producer is prohibited from grazing the normally permitted livestock. 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 the day that would make the period a 180 calendar day period. 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.

Payment Limitation

For the 2008 program year, no person as defined and determined under the provisions in 7 CFR part 1400 in effect for 2008, may receive more than $100,000 total in payments under LFP, Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program (ELAP), Livestock Indemnity Program (LIP), and the Supplemental Revenue Assistance Payments Program (SURE), combined. For 2009 and subsequent program years, no person or legal entity, excluding a joint venture or general partnership, may receive directly or indirectly, more than $100,000 total in payments under LFP, ELAP, LIP, and SURE, combined. In applying the limitation on average adjusted gross income (AGI) for 2008, an individual or entity is ineligible for payment under LFP if the individual's or entity's average annual adjusted gross income exceeds $2.5 million for 2007, 2006 and 2005 under the provisions in 7 CFR part 1400 in effect for 2008 unless 75 percent or more of their income was from farming, ranching or forestry.

For 2009 through 2011, a person or legal entity with an average annual adjusted gross nonfarm income, as defined in 7 CFR Part 1400.3, which exceeds $500,000, will not be eligible to receive LFP payments. Direct attribution provisions also apply to LFP for 2009 and subsequent years. Under direct attribution, any payment to a legal entity also will be considered for payment limitation purposes to be a payment to persons or legal entities with an interest in the legal entity or in a sub-entity.

Sign-up

For 2008 and 2009 grazing losses due to drought and fire on federally managed rangeland, producers were able to apply for LFP benefits at their local FSA service centers beginning Sept. 14, 2009. The 2008 sign-up period ended on Dec. 10, 2009. The 2009 sign-up period ended Jan. 30, 2010.

For 2010 and subsequent years, producers must provide a completed application for payment and required supporting documentation to their administrative FSA county office within 30 calendar days after the end of the calendar year in which the grazing loss occurred.

Applying for LFP

Producers who suffer grazing losses due to a qualifying drought or fire in calendar year 2010 or 2011 should submit an application for payment no later than 30 calendar days after the end of the calendar year in which the grazing loss occurred.

The producer should include a copy of the grower contract if the producer is a contract grower and any other supporting documents required for determining eligibility. Supporting documents must show evidence of loss, current physical location of livestock in inventory, evidence of meeting risk management purchase requirements, evidence that grazing land or pastureland is owned or leased and evidence that if the loss of grazing was due to a fire that the producer was prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a fire.

Payments on Behalf of Deceased Producers

Payments may be made for eligible losses suffered by an eligible producer who is now deceased or for a dissolved entity if a currently authorized representative signs the application for payment. Proof of authority to sign for a deceased individual or dissolved entity must be provided. If a producer is a dissolved entity, all former members at the time of dissolution or their duly

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authorized representative(s) must sign the application for payment.

FSA will use data furnished by the applicant to determine eligibility for program benefits. Furnishing the data is voluntary; however, without all required data, program benefits will not be approved or provided.

The following table provides the monthly payment rate per head by covered livestock category.

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To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Kind of Livestock	Type	Weight Range	Payment Rate Per Head			
			2008	2009	2010	2011
Beef	Adult	Cows and Bulls	$29.96	$40.04	$35.37	$34.57
	Non-adult	500 pounds or more	$22.47	$30.03	$26.53	$25.93
Dairy	Adult	Cows and Bulls	$77.88	$104.09	$91.97	$89.89
	Non-adult	500 pounds or more	$22.47	$30.03	$26.53	$25.93
Buffalo/Beefalo	Adult	Cows and Bulls	$29.96	$40.04	$35.37	$34.57
	Non-adult	500 pounds or more	$22.47	$30.03	$26.53	$25.93
Sheep	All		$7.49	$10.01	$8.84	$8.64
Goats	All		$7.49	$10.01	$8.84	$8.64
Deer	All		$7.49	$10.01	$8.84	$8.64
Equine	All		$22.17	$29.63	$26.18	$25.58
Swine		Less than 45 pounds	$0.89	$1.19	$1.05	$1.03
		45 to 124 pounds	$2.09	$2.79	$2.47	$2.41
		125 to 234 pounds	$3.60	$4.81	$4.25	$4.15
	Sow	235 pounds or more	$12.29	$16.42	$14.51	$14.18
	Boar	235 pounds or more	$7.20	$9.62	$8.50	$8.31
Elk		Less than 400 pounds	$6.60	$8.82	$7.79	$7.61
		400 pounds to 799 pounds	$12.29	$16.42	$14.51	$14.18
		800 pounds or more	$16.18	$21.62	$19.10	$18.67
Poultry		Less than 3 pounds	$0.19	$0.25	$0.22	$0.22
		3 pounds to 7.9 pounds	$0.38	$0.50	$0.45	$0.44
		8 pounds or more	$0.86	$1.15	$1.01	$0.99
Reindeer	All		$6.60	$8.82	$7.79	$7.61
Alpacas	All		$24.67	$32.98	$29.14	$28.48
Emus	All		$15.33	$20.49	$18.10	$17.69
Llamas	All		$10.93	$14.61	$12.91	$12.62