

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

**Livestock Disaster Assistance Programs  
1-LDAP**

**Amendment 4**

**Approved by:** Deputy Administrator, Farm Programs



**Amendment Transmittal**

**A Background**

Part 5 has been added to provide policy and procedure for ELAP.

Exhibit 16 has been added to provide the standard AU conversion chart for converting AU's for specific animal types to an AU equivalent.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
1, 2	4-133	1, pages 1, 2
3, 4 (add)	5-1 through 5-232 (add)	16, page 1 (add)



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PART D- FORAGE INFORMATION FIRE (Continued)							COC USE ONLY			
30. Fire Event Number	31. Pasture Number	32. Pasture Type - Federal Managed Lands (Fire Affected)	33. Permitted AU's	34. Permit Days	35. Reduced AU's	36. Reduced Grazing Days	37. Adjusted Permitted AU's	38. Adjusted Permit Days	39. Adjusted Reduced AU's	40. Adjusted Reduced Grazing Days
41. Other payments received for loss \$ 0										
PART E - 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 FSA-925 to be eligible to receive program benefits. By signing this application, the producer:</p> <ol style="list-style-type: none"> <li>Agrees to provide FSA 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 FSA;</li> <li>Authorizes FSA, at any time, with or without their presence, to enter upon, inspect and verify all livestock and acres in which they have an interest;</li> <li>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;</li> <li>Authorizes FSA 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.</li> </ol> <p>I certify that:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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 13 on this application, and/or I sold or otherwise disposed of the livestock entered in Items 15 and/or Item 16 on this application due to a qualifying drought condition(s) during the current production year or 1 or both of the two production years immediately preceding the current production year and I physically maintained control of all such livestock on that date.</li> <li>All livestock for which information is entered on this application meet all eligibility criteria provided in 7 CFR Part 760 Subpart D, 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 on the beginning date:             <ul style="list-style-type: none"> <li>of the qualifying drought condition during the normal grazing period for the specific type of grazing land or pastureland entered in Item 22 and/or Item 27 for the county in Item 10; or</li> <li>the Federal agency excluded the eligible livestock producer from using the managed rangeland listed in Item 31 for grazing due to a fire.</li> </ul> </li> <li>All forage information entered on this application meets all eligibility criteria provided in 7 CFR Part 760 Subpart D;</li> <li>All information on this application and all supporting documents provided are true and correct;</li> <li>Within the county provided in Item 10 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 13; and</li> <li>All livestock checked as mitigated in Item 15 and/or Item 16, were sold as a direct result of a drought condition(s) during the current production year or one or both of the two production years immediately preceding the current production year.</li> <li>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 41.</li> <li>I understand to be eligible for this program, I must have obtained with respect to those grazing lands incurring losses for which assistance is being requested, a policy or plan of insurance for the forage crop under FCIA or filed the required paperwork and paid the administrative fee by the applicable State filing deadline for NAP coverage for that grazing land, or have been approved for a waiver to meet the Risk Management Purchase Requirements.</li> <li>I understand that this application may be disapproved if information or evidence provided is false or in error, and that other sanctions or penalties could apply.</li> </ol>										
42A. Signature (By)			42B. Title/Relationship of the individual signing in the Representative Capacity				42C. Date (MM-DD-YYYY)			
							09/14/2009			
PART F - COUNTY COMMITTEE DETERMINATION										
43. COC or Designee Signature						44. Date (MM-DD-YYYY)		45. Determination <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED		
<p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).</small></p> <p><small>To file a complaint of Discrimination, write to USDA, Director, Office of Adjudication and Compliance, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 845-6136 (Spanish) or (800) 877-8339 (TDD) or (866) 377-8642 (Federal-relay). USDA is an equal opportunity provider and employer.</small></p>										

203-230 (Reserved)



**\*--Part 5 ELAP****Section 1 Basic ELAP Information****231 General Information****A Purpose**

This part provides instructions for administering ELAP.

ELAP provides emergency assistance to eligible producers of livestock, honey bees, and farm-raised fish that have losses because of disease, adverse weather, or other conditions, including losses because of blizzards and wildfires, as determined by the Secretary. ELAP assistance is for losses not covered under other Supplemental Agricultural Disaster Assistance Programs established by the 2008 Farm Bill, specifically, LFP, LIP, and SURE. Eligible losses must have occurred:

- on or after January 1, 2008, and before October 1, 2011
- in the same calendar year for which benefits are being requested.

**Note:** Compensation provided under ELAP is **not** required to be used by the payee for any specific purpose.

**B Source of Authority**

ELAP will be administered using funds from the Agricultural Disaster Relief Trust Fund established under Section 9002 of the Trade Act of 1974, as amended under Titles XII and XV of the Food, Conservation, and Energy Act of 2008, Pub. L. 110-246.

The regulations for ELAP are provided in 7 CFR Part 760, Subparts B and D.

**C Public Information**

Follow instructions in 2-INFO for providing information about ELAP.

**D Modifying Provisions**

Provisions in this handbook shall **not** be revised without prior approval from the National Office. Requests for revisions shall be addressed to the LAP Manager, through the Deputy Administrator.--\*

**\*--231 General Information (Continued)****E Forms**

**Forms, worksheets, applications and other documents other than those provided in this handbook or issued by the National Office shall not be required for implementing ELAP.**

**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 clearance by the following offices:
  - National Office program area
  - MSD, Forms and Graphics Section
  - OMB.

Forms for ELAP will be web-based. A manual application has been developed and will be used until the web-based forms are available. There will be a separate form for each eligible type of loss for the following:

- livestock losses (FSA-918)
- farm-raised fish/honey bee losses (FSA-930).

**F Related Handbooks**

See Part 1 for handbooks related to ELAP.--\*

**\*--232 Responsibilities****A STC Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and D, STC's shall:

- direct the administration of ELAP
- ensure that FSA State and County Offices follow ELAP provisions
- thoroughly document all actions taken in the STC minutes
- handle appeals according to 1-APP
- require reviews be conducted by DD's according to subparagraph 297 D to ensure that County Offices comply with ELAP provisions

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

- take oversight actions to ensure that IPIA provisions are met to prevent County Offices from issuing improper payments according to subparagraph 282 F.

**B SED Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and D, SED's shall:

- ensure that FSA County Offices follow ELAP provisions
- handle appeals according to 1-APP
- ensure that DD's conduct reviews according to subparagraph A

**Note:** SED's may establish additional reviews to ensure that ELAP is administered according to these provisions.

- ensure that **all** County Offices publicize ELAP provisions according to subparagraph D
- immediately notify the National Office LAP 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 282 F.--\*

**\*--232 Responsibilities (Continued)****C DD Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and D, DD's shall:

- ensure that COC's and CED's follow ELAP provisions
- conduct reviews according to subparagraph 297 D , and any additional reviews established by STC's or SED's according to subparagraphs A and B
- provide SED with report of all reviews according to subparagraph 297 D
- ensure that County Offices publicize ELAP provisions according to subparagraph D.

**D COC Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subpart B and D, COC's shall:

- fully comply with all ELAP provisions
- ensure that CED's fully comply with all ELAP provisions
- act on completed FSA-918's and FSA-930's according to paragraph 297
- 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 ELAP determinations made by COC's:

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

**\*--232 Responsibilities (Continued)**

**D COC Responsibilities (Continued)**

- ensure that participants receive complete and accurate ELAP information

**Note:** Program information may be provided through the following:

- program leaflets, newsletters, and print media
  - meetings
  - radio, television, and video
  - County Office visits.
- ensure that ELAP general provisions and other important items are publicized as soon as possible after information is received from the National Office, including, but not limited to, the following:
    - signup period
    - application for payment deadlines
    - payment limitation and attribution
    - eligible livestock, honey bees, or farm-raised fish
    - basic participant eligibility criteria
    - general data required to complete notice of loss and application for payment

**Note:** The ELAP Fact Sheet may be used to provide general program information.

- take oversight actions to ensure that IPIA provisions are met to prevent County Offices from issuing improper payments according to subparagraph 282 F.--\*

**\*--232 Responsibilities (Continued)****E CED Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and D, CED's shall:

- fully comply with all ELAP provisions
- ensure that County Office employees fully comply with all ELAP provisions
- handle appeals according to 1-APP
- act on completed FSA-918's and FSA-930's according to paragraph 297

**Note:** CED may delegate approval authority to program technicians for routine cases. Program technicians shall **not** be delegated authority to disapprove any FSA-918's or FSA-930's.

- ensure that all program and payment eligibility requirements have been met by participants before issuing any payments to ensure that IPIA provisions are met

**Note:** See subparagraph 282 F for additional information.

- immediately notify SED, through DD, of software problems and incomplete or incorrect procedures or when COC takes action contrary to national procedure
- ensure that general provisions and other important items are publicized according to subparagraph D and copies are retained in the County Office.--\*

**\*--232 Responsibilities (Continued)**

**F Program Technician Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and D, program technicians shall:

- fully comply with all ELAP 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 before issuing any payments to ensure that IPIA provisions are met.

**Note:** See subparagraph 282 F for additional information.--\*

**\*--233 Definitions for ELAP****A Definitions**

The following definitions apply to ELAP. The definitions provided in other parts of this handbook do **not** apply to ELAP.

Adult beef bull means a male beef breed bovine animal that was used for breeding purposes that was at least 2 years old before the beginning date of the eligible adverse weather or eligible loss condition.

Adult beef cow means a female beef breed bovine animal that had delivered 1 or more offspring before the beginning date of the eligible adverse weather or eligible loss condition. A first-time bred beef heifer is also considered an adult beef cow if it was pregnant on or by the beginning date of the eligible adverse weather or eligible loss condition.

Adult buffalo/beefalo bull means a male animal of those breeds that was used for breeding purposes and was at least 2 years old before the beginning date of the eligible adverse weather or eligible loss condition.

Adult buffalo/beefalo cow means a female animal of those breeds that had delivered 1 or more offspring before the beginning date of the eligible adverse weather or eligible loss condition. A first-time bred buffalo/beefalo heifer shall also be considered an adult buffalo/beefalo cow if it was pregnant by the beginning date of the eligible adverse weather or eligible loss condition.

Adult dairy bull means a male dairy breed bovine animal that was used primarily for breeding dairy cows and was at least 2 years old by the beginning date of the eligible adverse weather or eligible loss condition.

Adult dairy cow means a female bovine dairy breed animal used for the purpose of providing milk for human consumption that had delivered 1 or more offspring by the beginning date of the eligible adverse weather or eligible loss condition. A first-time bred dairy heifer shall also be considered an adult dairy cow if it was pregnant by the beginning date of the eligible adverse weather or eligible loss condition.

Agricultural operation means a farming operation.

Application means FSA form used to apply for either the emergency loss assistance for livestock or emergency loss assistance for farm-raised fish or honey bees.--\*

**\*--233 Definitions for ELAP (Continued)****A Definitions (Continued)**

Aquatic species means any species of aquatic organism grown as food for human consumption, fish raised as feed for fish that are consumed by humans, or ornamental fish propagated and reared in an aquatic medium by a commercial operator on private property in water in a controlled environment. Catfish and crawfish are both defined as aquatic species for ELAP. However, aquatic species do not include reptiles or amphibians.

Bait fish means small fish caught for use as bait to attract large predatory fish. For ELAP, it also must meet the definition of aquatic species and not be raised as food for fish; provided, however, that only bait fish produced in a controlled environment can generate claims under ELAP.

Buck means a male goat.

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

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.

Controlled environment means an environment in which everything that can practicably be controlled by the participant with structures, facilities, and growing media (including, but not limited to, water and nutrients) and was in fact controlled by the participant at the time of the adverse weather or eligible loss condition.

COC or County Office means the respective FSA committee or office.

Deputy Administrator or DAFP means the Deputy Administrator for Farm Programs, Farm Service Agency, U.S. Department of Agriculture or the designee.

Eligible adverse weather or eligible loss condition means any disease, adverse weather, or other loss condition as determined by the Deputy Administrator. The eligible adverse weather or eligible loss condition would have resulted in agricultural losses not covered by other programs in this part for which the Deputy Administrator determines financial assistance needs to be provided to producers. The disease, adverse weather, or other conditions may include, but are not limited to, blizzards, wildfires, water shortages, and other factors. Specific eligible adverse weather and eligible loss conditions may vary based on the type of loss. Identification of eligible adverse weather and eligible loss conditions will include locations (National, State, or county-level) and start and end dates.--\*

**\*--233 Definitions for ELAP (Continued)****A Definitions (Continued)**

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

Ewe means a female sheep.

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

Farm-raised fish means any aquatic species that is propagated and reared in a controlled environment.

FSA means the Farm Service Agency.

Game or sport fish means fish pursued for sport by recreational anglers; provided, however, that only game or sport fish produced in a controlled environment can generate claims under ELAP.

Goat means a domesticated, ruminant mammal of the genus *Capra*, including Angora goats. Goats are further delineated into categories by sex (bucks and nannies) and age (kids).

Kid means a goat less than 1 year old.

Lamb means a sheep less than 1 year old.

Livestock owner, for death loss purposes, means 1 having legal ownership of the livestock for which benefits are being requested on the day such livestock died because of an eligible adverse weather or eligible loss condition. For all other purposes of loss under ELAP, "livestock owner" means 1 having legal ownership of the livestock for which benefits are being requested during the 60 calendar days before the beginning date of the eligible adverse weather or eligible loss condition.

Nanny means a female goat.

Nonadult beef cattle means a beef breed bovine animal that does not meet the definition of adult beef cow or bull. Nonadult beef cattle are further delineated by weight categories of either less than 400 pounds or 400 pounds or more at the time they died. For a loss other than death, means a bovine animal less than 2 years old that weighed 500 pounds or more on or before the beginning date of the eligible adverse weather or eligible loss condition.

Nonadult buffalo/beefalo means an animal of those breeds that does not meet the definition of adult buffalo or beefalo cow or bull. Nonadult buffalo or beefalo are further delineated by weight categories of either less than 400 pounds or 400 pounds or more at the time of death. For a loss other than death, means an animal of those breeds that is less than 2 years old that weighed 500 pounds or more on or before the beginning date of the eligible adverse weather or eligible loss condition.--\*

**\*--233 Definitions for ELAP (Continued)****A Definitions (Continued)**

Nonadult dairy cattle means a bovine breed animal used for the purpose of providing milk for human consumption that does not meet the definition of adult dairy cow or bull. Nonadult dairy cattle are further delineated by weight categories of either less than 400 pounds or 400 pounds or more at the time they died. For a loss other than death, means a bovine dairy breed animal used for the purpose of providing milk for human consumption that is less than 2 years old that weighed 500 pounds or more on or before the beginning date of the eligible adverse weather or eligible loss condition.

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

Normal mortality means the numerical amount, computed by a percentage, as established for the area by the FSA State Committee, of expected livestock deaths, by category, that normally occur during a calendar year for a producer.

Poultry means domesticated chickens, turkeys, ducks, or geese. Poultry are further delineated into categories by sex, age, and purpose of production as determined by FSA.

Ram means a male sheep.

Secretary means the Secretary of Agriculture or a designee of the Secretary.

Sheep means a domesticated, ruminant mammal of the genus Ovis. Sheep are further defined by sex (rams and ewes) and age (lambs) for purposes of dividing into categories for loss calculations.

STC, State Office, COC, or County Office means the respective FSA committee or office.

Swine means a domesticated omnivorous pig, hog, or boar. Swine for purposes of dividing into categories for loss calculations are further delineated into categories by sex and weight as determined by FSA.

United States means all 50 States of the United States, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, and the District of Columbia.--\*

**234-240 (Reserved)**



## \*--Section 2 Policy and Procedures

**241 Signup Period****A 2008 and 2009 Calendar Year ELAP Signup**

Producers who:

- suffered eligible livestock, honey bee, or farm-raised fish losses during:
  - 2008 and 2009 calendar year can signup for ELAP beginning September 14, 2009
  - 2008 calendar year shall provide a notice of loss and file an application for payment in their administrative County Office no later than December 10, 2009
  - January 1, 2009 through September 10, 2009, shall provide a notice of loss no later than December 10, 2009, and an application for payment must be filed no later than January 30, 2010
- suffer eligible livestock, honey bee, or farm-raised fish losses during September 14, 2009, through December 31, 2009, shall file the following:
  - a notice of loss no later than 30 calendar days of when the loss is apparent to the producer
  - an application for payment no later than January 30, 2010.

**Notes:** For notice of loss for:

- livestock losses, complete FSA-918, Parts A and B
- honey bees or farm-raised fish losses, complete FSA-930, Parts A and B.

For application for payment for livestock losses, complete only those parts of FSA-918, Parts D through L that are applicable.

For application for payment for honey bee or farm-raised fish losses, complete only those parts of FSA-930, Parts D through L that are applicable.

**Important:** There are **no** late-filed provisions for ELAP. FSA shall not refuse to accept a producers request to file FSA-918 or FSA-930. However, FSA-918's or FSA-930's submitted by participants after the end of the applicable filing date shall be disapproved because they were not filed during the application period.

The application period for ELAP is a matter of general applicability to all participants; therefore, disapproval of FSA-918's or FSA-930's filed after the end of the applicable application period is not appealable.--\*

**\*--241 Signup Period (Continued)**

**B 2010 and 2011 Calendar Year ELAP Signup**

For 2010 and subsequent calendar year losses, producers that suffer eligible livestock, honey bee, or farm-raised fish losses shall file:

- a notice of loss the earlier of 30 calendar days:
  - of when the loss is apparent to the participant
  - after the end of the calendar year in which the loss occurred
- an application for payment no later than 30 calendar days after the end of the calendar year in which the loss occurred.

**Important:** There are **no** late-filed provisions for ELAP. FSA shall not refuse to accept a producer's request to file FSA-918 or FSA-930. However, FSA-918 or FSA-930 submitted by participants after the end of the applicable filing date shall be disapproved because they were not filed during the application period.

The application period for ELAP is a matter of general applicability to all participants; therefore, disapproval of FSA-918's or FSA-930's filed after the end of the applicable application period is not appealable.--\*

**\*--242 Eligibility Criteria****A General Eligibility Criteria**

To be eligible to receive assistance under ELAP for eligible losses for livestock, honey bees, and farm-raised fish, an eligible producer must:

- have suffered eligible losses of livestock, honey bees, and farm-raised fish because of an eligible adverse weather or eligible loss condition that occurred:
  - on or after January 1, 2008 and before October 1, 2011
  - in the calendar year for which assistance is being requested
- have suffered losses that are physically located in the county where the eligible adverse weather or eligible loss condition occurred
- obtain a plan of insurance under FCIA equal to at least the CAT level of coverage or NAP coverage for all crops planted or intended to be planted on the farm, or receive an approved waiver according to subparagraph K, L, M, or N, with the exception of grazing land

**Note:** The definition of a farm includes all crops planted or intended to be planted on all farms in all counties, excluding grazing land.

- timely file a notice of loss and application for payment on the applicable FSA-918 or FSA-930
- timely file an acreage report of all cropland and grazing land acres, honey bee colonies, and farm-raised fish pond acres on FSA-578 according to 2-CP.

**Note:** For 2008 calendar year, late-filed acreage reports will be accepted without requiring the producer to pay a late-filed fee. All other requirements for late-filed acreage reports must be met according to 2-CP.--\*

**\*--242 Eligibility Criteria (Continued)****B Eligible Loss**

An eligible loss under ELAP is a loss that an eligible producer or contract grower of livestock, honey bees, or farm-raised fish incurs because of an eligible adverse weather or loss condition including, but not limited to, blizzards and wildfires.

**Note:** A loss covered under LFP, LIP, or SURE is **not** eligible for ELAP.

To be considered an eligible loss for ELAP, the loss must have occurred:

- during the calendar year for which payment is being requested
- on or after January 1, 2008, and before October 1, 2011.

**C Eligible Livestock Losses**

Eligible livestock losses under ELAP are:

- losses of purchased forage or feedstuffs that was:
  - intended for use as feed for the participant's eligible livestock
  - physically located in the county where the eligible adverse weather or eligible loss condition occurred on the beginning date of the eligible adverse weather or loss condition
  - lost because of an eligible adverse weather or eligible loss condition including, but not limited to, blizzard, flood, hurricane, tidal surge, tornado, volcanic eruption, wildfire on non-Federal land, or lightning
- losses of mechanically harvested forage or feedstuffs:
  - intended for use as feed for the participant's eligible livestock
  - physically located in the county where the eligible adverse weather or eligible loss condition occurred on the beginning date of the eligible adverse weather or loss condition
  - that was lost after harvest because of an eligible adverse weather or eligible loss condition including, but not limited to, blizzard, flood, hurricane, tidal surge, tornado, volcanic eruption, wildfire on non-Federal land, or lightning
  - additional costs incurred for providing or transporting feed to eligible livestock, because of an eligible adverse weather or eligible loss condition such as, but not limited to costs associated with equipment rental fees for hay lifts, snow removal, and transporting livestock to higher ground during a flood--\*

**\*--242 Eligibility Criteria (Continued)****C Eligible Livestock Losses (Continued)**

- losses resulting from the additional cost:
  - incurred for providing or transporting livestock feed to eligible livestock because of an eligible adverse weather or loss condition, including, but not limited to, costs associated with equipment rental fees for hay lifts and snow removal
 

**Note:** The additional costs incurred must have been incurred for losses suffered in the county where the eligible adverse weather or loss condition occurred.
  - of purchasing additional livestock feed, above normal quantities, required to maintain eligible livestock during an eligible adverse weather or loss condition, until additional livestock feed becomes available
 

**Note:** The additional feed purchased above normal quantities must be feed that is fed to maintain livestock in the county where the eligible adverse weather or eligible loss condition occurred.
- grazing losses incurred on eligible grazing lands physically located in the county where the eligible adverse weather or loss condition occurred because of an eligible adverse weather or loss condition, including, but not limited to, flood, freeze, hurricane, hail, tidal surge, volcanic eruption, and wildfire on non-Federal land
 

**Note:** The grazing loss will not be eligible if it is because of an adverse weather condition covered by LFP such as drought or wildfire on federally managed land where the producer is prohibited by the Federal agency from grazing the normally permitted livestock on the managed rangeland because of a fire.
- be a physical loss of livestock because of an eligible adverse loss condition not covered under LIP.

**D Eligible Honey Bee/Farm-Raised Fish Losses**

For honey bee or farm-raised fish feed losses to be eligible, the honey bee or farm-raised fish feed producer must have:

- suffered a loss of purchased or produced honey bee or farm-raised fish feed that was intended as feed for the honey bees or farm-raised fish that was damaged because of an eligible adverse weather or loss condition
- incurred the loss in the county where the eligible adverse weather or loss condition.--\*

**\*--242 Eligibility Criteria (Continued)****D Eligible Honey Bee/Farm-Raised Fish Losses**

For honey bee colony or honey bee hive losses to be eligible, the honey bee colony or honey bee hive producer must have:

- lost the honey bee colony or honey bee hive because of an eligible adverse weather or eligible loss condition
- incurred the loss in the county where the eligible adverse weather or eligible loss condition occurred.

**Note:** The eligible honey bee producer must provide documentation to support that the loss of honey bee colony was because of colony collapse disorder.

For a death loss for bait fish or game fish to be eligible, the producer must have:

- suffered a physical loss of bait fish or game fish because of an eligible adverse weather or eligible loss condition
- incurred the loss in the county where the eligible adverse weather or eligible loss condition occurred.

**E Eligible Adverse Weather or Loss Conditions for Livestock Grazing Losses**

Eligible adverse weather or eligible loss conditions for livestock **grazing losses** include, but are not limited to, the following:

- blizzards/winter storms
- wildfires on non-Federally managed grazing lands
- flooding
- hurricanes/tidal surge
- tornados/excessive wind
- freeze damage
- hail
- insects
- lightning
- volcanic eruption.--\*

**\*--242 Eligibility Criteria (Continued)****F Eligible Adverse Weather or Loss Conditions for Honey Bee Losses**

Eligible adverse weather or eligible loss conditions for honey bee losses include, but are not limited to, the following:

- colony collapse disorder
- hurricanes/tidal surge
- tornado/excessive winds
- floods
- wildfires
- earthquake
- volcanic eruption.

**H Eligible Adverse Weather or Loss Conditions for Farm-Raised Fish Losses**

Eligible adverse weather or eligible loss conditions for farm-raised fish losses include, but are not limited to, the following:

- flooding
- hurricanes
- excessive winds
- tornados
- tidal surge
- contaminated water (death losses only)
- earthquakes
- volcanic eruption
- excessive heat (death losses only).--\*

**\*--242 Eligibility Criteria (Continued)****I Eligible Producers**

To be considered an eligible livestock producer for livestock feed losses and to receive payments, the participant must have owned, cash-leased, purchased, entered into a contract to purchase, or been a contract grower of eligible livestock during the 60 calendar days before the beginning date of the eligible adverse weather or eligible loss condition and must have suffered 1 of the following:

- a loss of **purchased** forage or feedstuffs intended for use as feed for the participant's eligible livestock that was physically located in the county where the eligible adverse weather or loss condition occurred because of an eligible adverse weather or loss condition in the calendar year for which benefits are being requested
- a loss of **mechanically harvest** forage or feedstuffs intended for use as feed for the participant's eligible livestock that was physically located in the county where the eligible adverse weather or loss condition occurred because of an eligible adverse weather or loss condition in the calendar year for which benefits are being requested

**Note:** The loss must have occurred after harvest because of an eligible adverse weather or eligible loss condition.

- a loss resulting from the additional cost incurred for providing or transporting livestock feed to the participant's eligible livestock because of an eligible adverse weather or eligible loss condition until additional livestock feed becomes available.

**Note:** The additional feed purchased above normal must be feed that is fed to maintain livestock in the county where the eligible adverse weather or eligible loss condition occurred.--\*

**\*--242 Eligibility Criteria (Continued)****I Eligible Producers (Continued)**

To be considered an eligible livestock producer for grazing losses and to receive payments, the producer must have:

- during the 60 calendar days before the beginning date of the eligible adverse weather or eligible loss condition, owned, cash-leased, purchased, entered into a contract to purchase, or been a contract grower of eligible livestock
- suffered a loss on land that is either:
  - native or improved pastureland with a permanent vegetative cover
  - planted to a crop specifically for the purpose of providing grazing for covered livestock
- provided pastureland for grazing land for covered livestock, including cash-rented pastureland or grazing land for covered livestock that is physically located in the county where the eligible adverse weather or loss condition occurred during the normal grazing period for the county.

To be considered an eligible livestock producer for livestock death losses, the:

- livestock owner must have owned the livestock on the day the livestock died under conditions in which no contract grower could have been eligible for ELAP payment with respect to the animal because of the eligible loss condition
- contract grower must have had:
  - a written agreement with the owner of the eligible livestock setting the specific terms, conditions, and obligations of the parties involved regarding the production of livestock
  - control of the eligible livestock on the day the livestock died
  - a risk of loss in the animal.

To be considered an eligible honey bee producer, the producer must have an interest and risk in an eligible honey bee colony:

- being maintained for the purpose of producing honey or pollination for commercial use as part of a farming operation on the beginning date of the eligible adverse weather or eligible loss condition
- that is physically located in the county where the eligible adverse weather or eligible loss condition occurred on the beginning date of the eligible adverse weather or eligible loss condition.--\*

**\*--242 Eligibility Criteria (Continued)****I Eligible Producers (Continued)**

To be considered an eligible producer for farm-raised fish, the fish must be produced in a controlled environment so to be considered “farm-raised fish”, the “farm-raised fish” must for:

- feed losses:
  - be an aquatic species that is propagated and reared in a controlled environment
  - be maintained and harvested for commercial use as part of a farming operation
  - be physically located in the county where the eligible adverse weather or eligible loss condition occurred on the beginning date of the eligible adverse weather or loss condition
- death losses:
  - be bait fish or game fish that are propagated and reared in a controlled environment
  - been maintained for commercial use as part of a farming operation
  - been physically located in the county the eligible adverse weather or eligible loss condition occurred on the beginning date of the eligible adverse weather or loss condition
- is an individual or entity that is a:
  - citizen of the United States
  - resident alien
 

**Note:** 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
  - any Native American tribe as defined in the Indian Self-Determination and Education Assistance Act
  - any Native American organization or entity chartered under the Indian Reorganization Act
  - any economic enterprise under the Indian Financing Act of 1974.--\*

## \*--242 Eligibility Criteria (Continued)

**J Risk Management Purchase Requirement**

For producers to be eligible for assistance under ELAP for eligible losses for livestock, honey bees, or farm-raised fish, producers **must**, for every commodity on every farm in which the producer has an interest for the relevant program year:

- in the case of an “insurable commodity”, obtained catastrophic coverage or better under a policy or plan of insurance administered by RMA under FCIA, except this obligation will not include crop insurance pilot programs so designated by RMA or forage crops intended for grazing
- in the case of a “noninsurable commodity”, obtained NAP coverage by filing the proper paperwork and paying the applicable administrative fees by the applicable State application closing dates for NAP, except that this requirement will not include forage on grazing land.

The statute requires eligible producers to obtain a policy or plan of insurance equal to at least the CAT level of coverage or NAP coverage for each crop planted or intended to be planted for harvest on the **whole** farm, excluding grazing.

A farm is defined as the sum of all crop acreage in all counties nationwide that a producer has an interest that is planted or intended to be planted for harvest by the eligible producer.

**Example 1:** An eligible livestock producer that raises alfalfa and corn must purchase crop insurance or NAP coverage on the alfalfa and corn, but not the grazing land, to be eligible to participate in ELAP for an eligible livestock grazing loss.

**Note:** An eligible livestock producer that suffers a grazing loss on native pasture intended for grazing is not required to purchase crop insurance or NAP coverage on the grazing lands to receive ELAP benefits for the grazing loss; however, to be eligible to receive benefits for the grazing loss, the producer would have to purchase crop insurance or NAP coverage for the corn and alfalfa.

**Example 2:** An eligible producer of honey bees that raises wheat, soybeans, and honey must obtain a policy or plan of insurance or NAP coverage on the wheat, soybeans, and honey to be eligible for ELAP benefits for the physical losses of the honey bees, because of colony collapse disorder.

**Example 3:** An eligible farm-raised fish producer that suffers a loss because of an eligible adverse weather or eligible loss condition on purchased catfish feed, that also produces soybeans must purchase crop insurance or NAP coverage on catfish and soybeans to be eligible for ELAP benefits for the catfish feed loss.--\*

**\*--242 Eligibility Criteria (Continued)****J Risk Management Purchase Requirement (Continued)**

The risk management purchase requirement for ELAP will be determined based on the initial intended use of a crop at the time a policy or plan of insurance or NAP coverage was purchased and as reported on the acreage report.

**K Waiver for 2008 Calendar Year Only for ELAP**

Producers are eligible for ELAP only if they have obtained either crop insurance or NAP coverage on all insurable and noninsurable commodities on every farm in which the producer has an interest for the relevant crop year, excluding forage crops intended for grazing.

The 2008 Farm Bill was enacted June 18, 2008. Sales closing dates for CAT and application closing deadlines for NAP for the 2008 crop year for all insurable and noninsurable grazing land had passed. For the 2008 crop year, the insurance or NAP purchase requirement will be waived for eligible producers for losses during the 2008 crop year if the eligible producer paid a fee (buy-in) equal to applicable NAP service fee or catastrophic risk protection plan fee by September 16, 2008. Payment of a buy-in fee is for the sole purpose of becoming eligible for ELAP and does not provide any actual insurance or NAP coverage or assistance.

Any producer of 2008 commodities that did not meet the risk management purchase requirement and who did not meet the September 16, 2008, buy-in deadline may still be eligible for 2008 ELAP assistance if the producer paid the applicable catastrophic risk protection plan fee or the applicable NAP service fee no later than May 18, 2009, provided that in the case of each:

- insurable commodity, excluding grazing land, the eligible producer on the farm agrees to obtain a policy or plan of insurance under FCIA, excluding a crop insurance pilot program for the next insurance year for which crop insurance is available to the eligible producer on the farm at a level of coverage equal to 70 percent or more of the recorded or appraised average yield indemnified at 100 percent of the expected price, or equivalent coverage
- noninsurable commodity, the eligible producer on the farm must agree to file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for NAP for the next year for which a policy is available.

**L Waiver for 2009 Calendar Year Only for ELAP**

For the 2009 crop year, RMPR will be waived for insurable crops where the sales closing date for crop insurance coverage occurred before August 14, 2008, so long as the buy-in fee was paid by January 12, 2009.--\*

**\*--242 Eligibility Criteria (Continued)****M Waiver of Buy-In for Socially Disadvantaged, Limited Resource, or Beginning Farmers or Ranchers**

Producers who meet the requirements of a socially disadvantaged, limited resource, or beginning farmer or rancher do **not** have to meet RMPR and are not required to pay the buy-in fee for 2008 and subsequent years.

The waiver for socially disadvantaged, limited resource, or beginning farmer or rancher provides that producers who are socially disadvantaged, limited resource, or beginning farmers or ranchers do not have to meet RMPR and, therefore, are not required to pay the buy-in fee.

In the case of an eligible livestock producer that is a socially disadvantaged farmer or rancher or limited resource or beginning farmer or rancher, the Secretary may:

- waive the requirement to purchase a policy or plan of insurance or obtain coverage under the noninsured crop disaster assistance program
- provide disaster assistance under this subpart at a level that the Secretary determines to be equitable and appropriate.

**N Equitable Relief**

The Secretary may, on a case-by-case basis, provide equitable relief to an eligible livestock producer that is otherwise ineligible or unintentionally fails to meet RMPR for the grazing land incurring the loss.

In the case of an eligible livestock producer that suffered losses on grazing land during the 2008 calendar year, the Secretary will take special consideration to provide equitable relief in cases in which the eligible livestock producer failed to meet RMPR because of the enactment of this title after the closing date of the sales periods for crop insurance under the Federal Crop Insurance Act, and the noninsured crop disaster assistance program.

Equitable relief will not be granted to producers in instances of:

- scheme or device
- intentional decision made to not insure a covered crop under policy or plan of insurance or under NAP
- sanctions placed on the producer by RMA or FSA
- violations of HEL and WC provisions
- violations of controlled substance provisions.--\*

**\*--242 Eligibility Criteria (Continued)****O Deceased Individuals and Dissolved Entities**

Authority to sign contracts, applications, and other documents on behalf of an eligible participant who is now a deceased individual or a dissolved entity may vary according to State law. Payments may be made for eligible grazing losses suffered by an eligible livestock producer who is now a deceased individual or is a dissolved entity if a representative, who currently has authority to enter into a contract, on behalf of the participant, signs FSA-918 or FSA-930, as applicable.

**Important:** Proof of authority to sign for the eligible deceased individual or dissolved entity **must** be on file in the County Office before the representative is allowed to sign FSA-918 or FSA-930 for the participant. Proof of authority includes any of the following:

- court order
- document approved by the OGC Regional Attorney
- letter from Secretary of State.

FSA-325 is:

- only used when it is requested that a payment earned by a deceased, missing, or incompetent program participant be issued in a name other than that of the deceased, missing, or declared incompetent program participant
- not applicable for determining who may file a program application for a deceased, incompetent, or missing individual.

State Office shall consult with the OGC Regional Attorney on the following types of cases:

- documentation submitted does **not** clearly establish authority to enter into a contract or application on behalf of the deceased individual, closed estate, or dissolved entity
- application from and request for issuing payments to heirs of a deceased individual without documentation provided that the heir establishes authority to enter into a contract or application on behalf of the deceased individual.--\*

**\*--242 Eligibility Criteria (Continued)**

**O Deceased Individuals and Dissolved Entities (Continued)**

If a participant is now a dissolved general partnership or joint venture, all members of the general partnership or joint venture at the time of dissolution, or their duly authorized representatives **must** sign FSA-918 or FSA-930.

**Note:** Only one FSA-918 or FSA-930 will be submitted for payment for the general partnership or joint venture; however, all members **must** sign FSA-918 or FSA-930.

See paragraph 282 for making payments to deceased individuals, closed estates, and dissolved entities.--\*

**243-250 (Reserved)**



## \*--Section 3 Livestock Eligibility Criteria

## 251 Livestock Eligibility

## A Eligible Livestock for Feed Losses and Grazing Losses

To be considered eligible livestock for livestock feed losses and grazing losses, livestock must meet **all** of the following conditions:

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

**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 them to another county for grazing, the livestock would be eligible to be included when calculating the monthly feed cost.

- be livestock that is owned, leased, purchased, under contract for purchase, or been raised by a contract grower or an eligible livestock producer, during the 60 calendar days before the beginning date of the eligible adverse weather or eligible loss condition
- been maintained for commercial use as part of the producer's farming operation on the beginning date of the eligible adverse weather or eligible loss condition
- 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 eligible adverse weather or eligible loss condition, as part of the normal business operation of the producer.--\*

**\*--251 Livestock Eligibility (Continued)****B Eligible Livestock for Death Losses**

For death losses for livestock owners to be eligible, the livestock must meet **all** of the following:

- be alpacas, adult or nonadult dairy cattle, beef cattle, buffalo/beefalo, deer, elk, emus, equine, goats, llamas, poultry, reindeer, sheep, or swine
- been owned by an eligible livestock owner on the day the livestock died
- died as a direct result of an eligible loss condition:
  - on or after the beginning date of the eligible loss condition
  - no later than 60 calendar days from the ending date of the eligible loss condition
  - on or after January 1, 2008, and before October 1, 2011
  - in the calendar year for which payment is being requested
- been maintained for commercial use as part of a farming operation on the day the livestock died
- before dying, not have been produced or maintained for reasons other than commercial use as part of a farming operation, such as but not limited to, recreational purposes, pleasure, hunting, roping, pets, or for show-eligible.

For death losses for contract growers to be eligible, the livestock must meet **all** of the following:

- be poultry or swine
- been in the possession of an eligible contract grower on the day the livestock died
- died as a direct result of an eligible loss condition:
  - on or after the beginning date of the eligible loss condition
  - no later than 60 calendar days from the ending date of the eligible loss condition
  - on or after January 1, 2008, and before October 1, 2011
  - in the calendar year for which payment is being requested--\*

**\*--251 Livestock Eligibility (Continued)****B Eligible Livestock for Death Losses (Continued)**

- been maintained for commercial use as part of a farming operation on the day the livestock died
- before dying, not have been produced or maintained for reasons other than commercial use as part of a farming operation, such as but not limited to, recreational purposes, pleasure, hunting, roping, pets, or for show-eligible.

**Note:** The contract grower **shall** provide a copy of the grower contract to the administrative FSA County Office to prove that the participant had possession of the livestock on the day the livestock died.

**Important:** If an animal was pregnant at the time of death, only the pregnant animal that died is eligible for payment under ELAP. The unborn animal is **not** considered eligible livestock under ELAP.

See paragraph:

- 233 for definitions of eligible livestock, commercial use, and farming operation
- 252 for further delineation of eligible livestock by payment rate.

**C Eligibility for Newborn or Stillborn Animals**

Animals that were born at normal full-term or near full-term shall qualify for ELAP if **both** of the following apply:

- the death was the direct cause of the eligible loss condition
- the birth produced a fully developed carcass that normally would have survived under normal conditions.

**Note:** Animals that died before they reached full-term or near full-term and would not normally survive under normal conditions do not qualify for ELAP benefits.--\*

**\*--251 Livestock Eligibility (Continued)****D Ineligible Livestock**

Animals **not** eligible for ELAP include, but are not limited to, the following:

- livestock produced or maintained for reasons other than commercial use as part of a farming operation, including, but not limited to, livestock produced or maintained for recreational purposes, such as:
  - consumption by the owner
  - hunting
  - used as pets
  - pleasure
  - roping
  - show

**Example 1:** Mike Jones owns 5 horses, 2 beef steers, and 3 goats. Mr. 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 as part of a farming operation.

Because none of Mr. Jones' livestock is maintained for commercial use as part of a farming operation, the animals are **not** eligible livestock for ELAP.

**Example 2:** Joe Smith owns 5 horses which he uses to pull hansom cabs in the tourist district of the local city. The hansom cabs are Mr. Smith's business activity he engages in as a means of livelihood for profit.

However, because the horses are not maintained as part of a farming operation, they are not eligible livestock for ELAP.--\*

**\*--251 Livestock Eligibility (Continued)****D Ineligible Livestock (Continued)**

**Example 3:** Jane Black owns and raises a deer herd. Mrs. Black sells the does to a local food market to be processed into meat products. She sells the bucks to hunting preserves nationwide.

Mrs. Black is in the business of selling deer as a means of livelihood for profit; therefore, the deer are maintained for commercial use. However, they also must be maintained as part of a farming operation.

The County Office must determine whether Mrs. Black's deer business is a farming operation. Mrs. Black must provide evidence to satisfy COC or CED that the deer are part of a farming operation. One indicator of being a farming operation would be whether Mrs. Black files taxes as a farming operation. The County Office cannot request Mrs. Black to provide a copy of her tax records; however, COC or CED may ask Mrs. Black how she files her taxes for the operation.

- yaks
- ostriches
- any wild free roaming livestock, including horses and deer
- for grazing and feed losses all nonadult beef cattle, dairy cattle, and buffalo/beefalo that weighed less than 500 pounds on the beginning date of the eligible adverse weather or eligible loss condition
- any animals not included in subparagraph A, B, or C.--\*

**\*--251 Livestock Eligibility (Continued)****E Eligible Feed Loss, Grazing Loss, and Additional Costs Incurred**

To be an eligible feed loss for ELAP, the feed lost must have been 1 of the following:

- a loss of purchased forage or feedstuffs that was:
  - intended for use as feed for the participant's eligible livestock physically located in the county where the eligible adverse weather or loss condition occurred on the beginning date of the eligible adverse weather or loss condition
  - lost because of an eligible adverse weather or loss condition including, but not limited to, blizzard, flood, hurricane, tidal surge, tornado, volcanic eruption, wildfire on non-Federal land, or lightning
- loss of mechanically harvested forage or feedstuffs that was:
  - intended for use as feed for the participant's eligible livestock physically located in the county where the eligible adverse weather or eligible loss condition occurred on the beginning date of the eligible adverse or loss condition
  - lost after harvest because of an eligible adverse weather or eligible loss condition including, but not limited to, blizzard, flood, hurricane, tidal surge, tornado, volcanic eruption, wildfire on non-Federal land, or lightning.

To be an eligible grazing loss, the grazing loss must have occurred on eligible grazing lands physically located in the county where the eligible adverse weather or loss condition occurred because of an eligible adverse weather or loss condition, including, but not limited to, blizzard, flood, hurricane, tidal surge, tornado, volcanic eruption, wildfire on non-Federal land, or lightning.

**Note:** The grazing loss will not be eligible if it is because of an adverse weather condition covered by LFP such as drought or wildfire on Federally managed land where the producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland because of a fire.

Additional costs incurred may include additional costs incurred for providing or transporting feed to eligible livestock because of an eligible adverse weather or loss conditions such as, but not limited to, costs associated with:

- equipment rental fees for hay lifts
- snow removal
- transporting livestock to higher ground during a flood.--\*

**\*--251 Livestock Eligibility (Continued)****F Eligible Grazing Types**

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

- improved pasture with permanent vegetative cover (nonirrigated)
- native pasture with permanent vegetative cover (nonirrigated)
- small grain crops 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).

**G Eligible Grazing Lands**

The following are eligible grazing lands:

- 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 water for reasons beyond the participant's control

**Note:** Counties should use the same provisions as used under NAP for covering irrigated grazing losses.

- privately owned, cash or share leased pasture or rangeland that is used to provide grazing for covered livestock.

Livestock producers are responsible for providing documentation to COC such as, but not limited to, written leases to show that their contributions are at risk in the pastureland and grazing land for which benefits are being requested under ELAP. COC shall review and document in the COC minutes that pastureland or grazing land that is cash leased meets the eligibility criteria for leased pastureland or grazing land under ELAP.

**Note:** Losses because of drought or wildfires on Federally managed land for which the participant is prohibited from grazing his permitted livestock is not eligible under ELAP.--\*

**\*--251 Livestock Eligibility (Continued)****H Ineligible Grazing Land**

The following are ineligible types of grazing:

- acreage enrolled in CRP
- irrigated pastures or crops
- acreage intended for grain, such as corn, where the stocks or aftermath is grazed
- seeded small grain forage crops that are planted with the specific purpose of harvesting forage or seed

**Note:** Seeded small grain forage crops include the following:

- barley
  - millet
  - oats
  - rye
  - triticale
  - wheat.
- grazing land that is leased under any of the following conditions:
    - basis of weight gain
    - cost per head, per day or month

**Example:** Owner A has an agreement with Producer B under which Owner A pays \$.30 per day for 100 yearlings grazed on Producer B's pasture. Owner A pays only for the number of calendar days the 100 yearlings graze. Because Owner A pays only for the actual calendar days grazed, Owner A suffers no grazing loss, and is ineligible for LFP.

- on an AUM-only basis, when the lessee incurs no additional expense for pasture maintenance, wells, fences, etc.--\*

**\*--251 Livestock Eligibility (Continued)**

**I Establishing Grazing Loss Percentages**

The is no requirement for a producer to suffer a certain percentage of loss to be eligible for ELAP; however, the producer will be required to provide documentation to support the number of grazing days lost because of an eligible adverse weather or loss condition. In addition there is no requirement that STC or COC establish a minimum or maximum amount of loss to be eligible for ELAP; therefore, STC's or COC's shall not establish minimum or maximum loss percentages for ELAP. The producer will not be required to report a loss percentage to be eligible for ELAP.

**J Normal Grazing Periods for ELAP**

The normal grazing periods established for all pasture or grazing crop types for ELAP shall be the normal grazing periods established for all pasture or grazing crop types established for LFP according to subparagraph 171 S.--\*

**\*--252 Livestock Payment Rates, Payment Calculations**

**A Payment Rates for Eligible Livestock for Grazing Losses**

The daily livestock payment rates per head for eligible 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 1 calendar day. The following provides the daily payment rate per head by covered livestock category.

Kind of Livestock	Type	Weight Range	Daily Livestock Payment Rate Per Head	
			2008	2009
Beef	Adult	Cows and Bulls	\$ .9985	\$1.3345
	Nonadult	500 pounds or more	\$ .9985	\$1.3345
Dairy	Adult	Cows and Bulls	\$ .9985	\$1.3345
	Nonadult	500 pounds or more	\$ .9985	\$1.3345
Buffalo/Beefalo	Adult	Cows and Bulls	\$ .9985	\$1.3345
	Nonadult	500 pounds or more	\$ .9985	\$1.3345
Sheep	All		\$ .9985	\$1.3345
Goats	All		\$ .9985	\$1.3345
Deer	All		\$ .9985	\$1.3345
Equine	All		\$ .9985	\$1.3345
Swine		Less than 45 pounds	\$ .9985	\$1.3345
		45 to 124 pounds	\$ .9985	\$1.3345
		125 to 234 pounds	\$ .9985	\$1.3345
	Sow	235 pounds or more	\$ .9985	\$1.3345
	Boar	235 pounds or more	\$ .9985	\$1.3345
Elk		Less than 400 pounds	\$ .9985	\$1.3345
		400 pounds to 799 pounds	\$ .9985	\$1.3345
		800 pounds or more	\$ .9985	\$1.3345
Poultry		Less than 3 pounds	\$ .9985	\$1.3345
		3 pounds to 7.9 pounds	\$ .9985	\$1.3345
		8 pounds or more	\$ .9985	\$1.3345
Reindeer	All		\$ .9985	\$1.3345
Alpacas	All		\$ .9985	\$1.3345
Emus	All		\$ .9985	\$1.3345
Llamas	All		\$ .9985	\$1.3345

**B Payment Calculations for Per Acre Leased Grazing Losses, Excluding Fire**

Payments for an eligible livestock producer for grazing losses, except for losses because of wildfires on non-Federal land will be calculated based on 60 percent of the lesser of:

- the total value of the feed cost for all covered livestock owned by the eligible livestock producer based on the number of days grazing was lost, not to exceed 90 calendar days of daily feed cost for all covered livestock
- the total value of grazing lost for all eligible livestock based on the normal carrying capacity of the eligible grazing land of the eligible livestock producer for the number of grazing days lost, not to exceed 90 calendar days of lost grazing.

**Note:** An eligible producer will only be compensated for the number of days that grazing was lost, **not to exceed 90 calendar days in a calendar year** for the same livestock.--\*

**\*--252 Livestock Payment Rates, Payment Calculations (Continued)****B Payment Calculations for Per Acre Leased Grazing Losses, Excluding Fire (Continued)**

**Important:** Calculation of benefits for covered livestock will be on an animal unit basis and will require different types of livestock to be converted to an animal unit basis according to Exhibit 16.

**Example 1:** Producer A suffers a grazing loss in County A in 2008 because of flooding. Producer A's 100 head of adult beef cattle are unable to graze 1000 acres of native pasture during the normal grazing period for native pasture for 30 calendar days because of the flooding. Producer A files FSA-918 in the administrative County Office by physical location county. Producer A's payment will be calculated based on 60 percent of the smaller of:

- value of feed cost of all covered livestock = number of eligible livestock converted to an animal unit basis x daily feed cost to maintain 1 animal unit per one day x number of days grazing lost (not to exceed 90 calendar days) x producer's share

100 animal units (100 adult beef cattle x 1.00 AU conversion factor) x  
\$.9985 (daily cost to maintain 1 animal unit) x 30 calendar days  
(number of days grazing lost) x 100 percent (producer share) =  
\$2,996 (value of feed cost of all covered livestock)

- value of grazing lost based on carrying capacity of eligible grazing land = (acres of eligible grazing land/animal unit carrying capacity) x number of days grazing lost (not to exceed 90 calendar days) x daily feed cost to maintain 1 animal unit x producer's share.

1000 acres native pasture / 5 acres per animal unit x 30 calendar days  
(number of days grazing lost) x \$.9985 (daily feed cost) x 100 percent  
(producer share) = \$5,991 (value of grazing lost based on carrying  
capacity of eligible grazing land)

In this example, Producer A would be paid on the value of feed cost for all covered livestock calculated as follows.

60 percent x \$2,996 (value of feed cost of all covered livestock) =  
\$1,798 (calculated payment amount)--\*

**\*--252 Livestock Payment Rates, Payment Calculations (Continued)****B Payment Calculations for Per Acre Leased Grazing Losses , Excluding Fire (Continued)**

**Example 2:** Producer B suffers a 2008 grazing loss in County B because of a flood. Producer B's 1000 head of sheep are not able to graze 1000 acres of native pasture for 45 calendar days during the normal grazing period for native pasture because of the flood. Producer B files FSA-918 in the administrative County Office by physical location. Producer B's payment will be calculated based on 60 percent of the smaller of:

- value of feed cost of all covered livestock = number of eligible livestock converted to an animal unit basis x daily feed cost to maintain 1 animal unit per one day x number of days grazing lost (not to exceed 90 calendar days) x producer's share

250 animal units (1000 sheep x 0.25 AU conversion factor) x \$.9985 (daily cost to maintain 1 animal unit) x 45 calendar days (number of days grazing lost) x 100 percent (producer share) = \$11,233 (value of feed cost of all covered livestock)

- value of grazing lost based on carrying capacity of eligible grazing land = (acres of eligible grazing land/animal unit carrying capacity) x number of days grazing lost (not to exceed 90 calendar days) x daily feed cost to maintain 1 animal unit x producer's share.

1000 acres native pasture / 5 acres per animal unit x 45 calendar days (number of days grazing lost) x \$.9985 (daily feed cost) x 100 percent (producer share) = \$8,987 (value of grazing lost based on carrying capacity of eligible grazing land)

In this example, Producer B would be paid on the value of grazing lost based on carrying capacity calculated as follows.

60 percent x \$8,987 (value of grazing lost based on carrying capacity) = \$5,392 (calculated payment amount).

**Note:** The 1000 head of sheep were converted to an animal unit basis using the conversion chart in Exhibit 16.--\*

**\*--252 Livestock Payment Rates, Payment Calculations (Continued)****C Payment Calculations for AUM/AU Leased Grazing Losses, Excluding Fire**

Payments for an eligible livestock producer for grazing losses that occur on grazing land or pastureland, except for losses because of wildfires on non-Federal land, that is leased on an AUM/AU basis will be calculated based on 60 percent of the lesser of:

- the total value of the feed cost for all covered livestock owned by the eligible livestock producer based on the number of days grazing was lost, not to exceed 90 calendar days of daily feed cost for all covered livestock
- the total value of grazing lost for all eligible livestock based on the normal carrying capacity of the eligible grazing land of the eligible livestock producer for the number of grazing days lost, not to exceed 90 calendar days of lost grazing.

**Note:** An eligible producer will only be compensated for the number of days that grazing was lost, **not to exceed 90 calendar days in a calendar year** for the same livestock.

The eligible livestock producer will report AU's in FSA-918, item 28 **instead** of number of head of livestock. If the livestock producer's lease is an AUM lease, the County Office will need to convert AUM's to AU's based on the number of animals grazing for a specific time period.

**Example 1:** Federal permit allows grazing 500 AUM's for 5 months.

$$500 \text{ AUM's} / 5 \text{ months} = 100 \text{ animal units.}$$

In this example the producer would enter 100 AU's in FSA-918, item 28.

Ensure that AU's for each specific animal type are converted to an AU equivalent. See Exhibit 16.

**Example 2:** 100 sheep x .25 AU's conversion factor = 25 AU's.--\*

**\*--252 Livestock Payment Rates, Payment Calculations (Continued)**

**C Payment Calculations for AUM/AU Leased Grazing Losses, Excluding Fire (Continued)**

**Example 3:** Producer A has 100 AU's grazing native pasture in County A in 2008. The 100 AU's are unable to graze 1000 acres of native pasture for 45 calendar days because of flooding. Producer A files FSA-918 in the administrative County Office by physical location. Producer A's payment will be calculated based on 60 percent of the smaller of:

- value of feed cost of all covered livestock = number of eligible livestock converted to an animal unit basis x daily feed cost to maintain 1 animal unit per one day x number of days grazing lost (not to exceed 90 calendar days) x producer's share

$$100 \text{ animal units} \times \$0.9985 \text{ (daily cost to maintain 1 animal unit)} \times 45 \text{ calendar days (number of days grazing lost)} \times 100 \text{ percent (producer share)} = \$4,493 \text{ (value of feed cost of all covered livestock)}$$

- value of grazing lost based on carrying capacity of eligible grazing land = (acres of eligible grazing land/animal unit carrying capacity) x number of days grazing lost (not to exceed 90 calendar days) x daily feed cost to maintain 1 animal unit x producer's share.

$$1000 \text{ acres native pasture} / 5 \text{ acres per animal unit} \times 45 \text{ calendar days (number of days grazing lost)} \times \$0.9985 \text{ (daily feed cost)} \times 100 \text{ percent (producer share)} = \$8,987 \text{ (value of grazing lost based on carrying capacity of eligible grazing land)}$$

In this example, Producer A would be paid on the value of feed cost for all covered livestock calculated as follows.

$$60 \text{ percent} \times \$4,493 \text{ (value of feed cost of all covered livestock)} = \$2,696 \text{ (calculated payment amount).--*}$$

**\*--252 Livestock Payment Rates, Payment Calculations (Continued)****D Payment Calculations for Grazing Losses Because of Fire on Non-Federally Managed Land**

Payments to an eligible livestock producer for grazing losses because of fire, on non-Federally managed land, will be compensated at a rate of 50 percent of the daily value of grazing, based on normal carrying capacity, for the number of days grazing was lost on the affected acres, not to exceed 180 calendar days during the calendar year.

**Example:** (number of acres affected by fire / normal carrying capacity of the specific type of grazing land or pastureland) x number of days grazing was lost (not to exceed 180 calendar days in the calendar year) x daily rate of grazing x 50 percent x producer share = payment rate = calculated payment amount for fire losses

1000 acres / 5 acres per animal unit (normal carrying capacity) x 30 calendar days (number of days grazing was lost) x \$.9985 (daily value of grazing for 2008) x .50 percent x 100 percent (producer share) = \$2,996 (calculated payment amount for fire loss).

**E Payment Calculations for Livestock Feed Losses**

Compensation for purchased or harvested feed that was lost or destroyed or for additional costs associated with providing feed for eligible livestock, will be compensated at 60 percent of the cost of the feed that was lost or destroyed or the additional cost associated with providing feed for livestock.

**Example 1:** Producer A purchased 1000 bushels of corn to feed his eligible livestock. The feed was lost because of a hurricane. The producer timely filed FSA-918 and provided a copy of the purchase receipt for corn showing a value of \$5000. Compensation would be calculated as follows.

\$5000 (value of purchased feed lost) x 60 percent = \$3000 (calculated payment amount for purchased feed lost).

**Example 2:** Producer B raised 100 tons of alfalfa hay to feed his eligible livestock. The 100 tons of hay was lost because of a flood in 2008. Producer B timely filed FSA-918 and provided documentation that he produced 100 tons of alfalfa hay. COC determined that the value of the hay was \$100 per ton for a total value of \$10,000. Compensation would be calculated as follows.

\$10,000 (value of lost feed as determined by COC) x 60 percent = \$6000 (calculated payment amount for harvested feed lost).--\*

**\*--252 Livestock Payment Rates, Payment Calculations (Continued)**

**E Payment Calculations for Livestock Feed Losses (Continued)**

**Example 3:** A blizzard required Producer C to hire a bulldozer to plow a road to his stranded livestock so that Producer C could haul feed to his stranded livestock. Producer C timely filed FSA-918 and provided documentation to show that the cost of the bulldozer was \$1000. Compensation would be 60 percent of the additional costs incurred to provide feed to his stranded livestock because of the blizzard condition as follows.

\$1000 (cost of bulldozer) x 60 percent = \$600 (calculated payment amount for the additional costs incurred).--\*

**253-260 (Reserved)**

**\*--Section 4 Honey Bee Eligibility Criteria****261 Honey Bee Eligibility****A Eligible Producer**

An eligible honey bee producer is a producer that has a risk in the honey production or pollination farming operation for the purpose of producing honey or pollination for commercial use as part of a farming operation on the beginning date of the eligible adverse weather or eligible loss condition.

**B Eligible Honey Bees**

Eligible honey bees include bees housed in a managed hive and used for honey production or pollination. Eligible honey bees do **not** include wild, feral honey bees, leaf cutter bees, or other bee species that are not used for the production of honey. Eligible honey bees may also be used for pollination, however, the main purpose of the honey bee is for the production of honey.

**C Eligible Honey Bee Losses**

For honey bee losses to be eligible, the honey bee colony must meet the following conditions:

- be maintained for the purpose of producing honey or pollination for commercial use in a farming operation on the beginning date of the eligible adverse weather or eligible loss condition
- be physically located in the county where the eligible adverse weather or eligible loss conditions occurred on the beginning date of the eligible adverse weather or eligible loss condition
- be a honey bee colony in which the participant has a risk in the honey production or pollination farming operation on the beginning date of the eligible adverse weather or eligible loss condition
- be a honey bee colony for which the producer had an eligible loss of a honey bee colony, honey bee hive, or honey bee feed; the feed must have been intended as feed for honey bees.--\*

**\*--261 Honey Bee Eligibility (Continued)****D Eligible Honey Bee Feed Losses**

For honey bee feed losses to be eligible, the honey bee producer must have:

- suffered a loss of purchased or harvested feed that was intended as feed for the honey bees that was damaged because of an eligible adverse weather or loss condition
- incurred the loss in the county where the eligible adverse weather or loss condition occurred.

Eligible feed losses also includes additional feed purchased above normal quantities to sustain honey bees for a short period of time until additional feed becomes available because of an eligible adverse weather or loss condition.

Eligible honey bee participants must provide verifiable documentation of purchased feed intended as feed for honey bees that was lost or additional feed purchased above normal quantities to sustain honey bees for a short period of time until additional feed becomes available because of an eligible adverse weather or eligible loss condition. To be considered acceptable documentation, the participant must provide original feed receipts and each feed receipt must include the following:

- date of feed purchase
- name, address, and telephone number of feed vendor
- type and quantity of feed purchased
- cost of feed purchased
- signature of feed vendor if the vendor does not have a license to conduct this type of transaction.--\*

**\*--261 Honey Bee Eligibility (Continued)****D Eligible Honey Bee Feed Losses (Continued)**

Eligible honey bee participants must provide verifiable documentation of harvested feed intended as feed for honey bees that was lost because of an eligible adverse weather or eligible loss condition. COC shall determine the value of the harvested feed and document in the COC minutes the type of feed produced and how the value of the harvested feed was determined. Acceptable documentation may include, but is not limited to, the following:

- weight tickets
- truck scale tickets
- contemporaneous diaries used to verify that the crop was stored with the intent to feed the crop to honey bees
- custom harvest documents that clearly identify the amount of feed produced from the applicable acreage.

Documentation must clearly identify the acreage from which the harvested feed was produced.

**Example 1:** Producer A purchased 1000 pounds of sugar to feed eligible honey bees at a cost of \$500. A 2008 flood destroyed the purchased feed. Producer A files FSA-930 and provides documentation to support the feed purchase and cost. The feed purchased to feed the eligible honey bees that was lost because of the flood is an eligible feed loss under ELAP and is eligible to be compensated at the rate of 60 percent of the producer's actual cost as follows.

$\$500$  (cost of purchased feed that was lost) x 60percent =  $\$300$  (payment amount for feed lost before national factor)

**Example 2:** An unexpected blizzard hits County A on March 1, 2008. Producer A purchases 200 pounds of sugar because of the blizzard at a cost of \$200 to feed eligible honey bees to sustain the honey bees for a short period of time. The cost of purchasing the sugar is an additional feed cost that Producer A does not normally incur and is an eligible cost under ELAP. Producer A is compensated at a rate of 60 percent of the cost of the feed purchased as follows.

$\$200$  (cost of purchased feed above normal) x 60 percent =  $\$120$  (payment for additional feed purchased above normal before national factor)--\*

**\*--261 Honey Bee Eligibility (Continued)**

**E Eligible Honey Bee Physical Losses**

For honey bee physical losses to be eligible, the honey bee producer must have:

- suffered a physical loss of a honey bee colony or honey bee hive because of an eligible adverse weather or loss condition
- incurred the loss in the county where the eligible adverse weather or loss condition occurred.

To be eligible for a loss of honey bees because of colony collapse disorder, the eligible producer must provide documentation to support that the loss was because of colony collapse disorder. Acceptable documentation includes, but is not limited to, the following:

- a colony collapse certification by a registered entomologist
- Cooperative Extension specialist
- Land Grant University.

For eligible honey bee colony and honey bee hive losses, the participant must also provide documentation of beginning and ending inventory of honey bee colonies and honey bee hives on the beginning date of the eligible adverse weather or eligible adverse weather condition. Documentation may include, but is not limited to, any combination of the following:

- a report of acreage (colonies reported)
- loan records
- private insurance documents
- property tax records
- sales and purchase receipts
- State colony registration documentation
- chattel inspections.--\*

**\*--261 Honey Bee Eligibility (Continued)****E Eligible Honey Bee Physical Losses (Continued)**

**Example:** Producer A files FSA-930 for honey bees lost to colony collapse disorder. Beginning inventory was 1000 colonies of bees. Producer A's ending inventory was 200 colonies which equates to 800 colonies lost. Documentation provided by the Producer A shows replacement costs for 800 colonies of bees was \$48,000. Compensation would be calculated at 60 percent of the replacement cost as follows.

$\$48,000$  (replacement cost) x 60 percent =  $\$28,800$  (calculated payment amount for lost bee colonies before national factor)

**Notes:** Losses because of controllable conditions, such as mites, is not an eligible cause of loss.

Loss of income from pollinator contracts because of colony collapse disorder is not an eligible loss under ELAP.--\*

**262-270 (Reserved)**



## \*--Section 5 Farm-Raised Fish Eligibility Criteria

## 271 Farm-Raised Fish

## A Eligible Farm-Raised Fish Producer

An eligible producer of farm-raised fish is a producer of any aquatic species that is propagated and reared in a controlled environment, according to subparagraph B, that is being maintained for commercial use as part of the producer's farming operation. Under ELAP, catfish and crawfish are considered farm-raised fish for eligible feed losses.

For the farm-raised fish owner to be considered eligible, the owner must have:

- owned or leased property with readily identifiable boundaries
- had control of the waterbed, the ground under the specific type of water and not just control over a column of water
- provided purchased or produced feed to the farm-raised fish.

**Example:** The farm-raised fish owner leased the right to grow finfish in the aquatic facility for the applicable growing period.

## B Controlled Environment

See paragraph 233 for the definition of controlled environment.

All portions of the aquatic environment must have been under the control of the farm-raised fish owner. Control means the farm-raised fish owner must have implemented the following practices.

- **Flood Prevention**, including, but not limited to, the following:
  - placing the aquacultural facility in an area not prone to flood
  - in the case of raceways, devices or structures designed for the control of water level.
- **Growing media** providing an aquatic medium that:
  - provides nutrients necessary for the production of the farm-raised fish
  - protects the farm-raised fish from harmful species or chemicals.--\*

**\*--271 Farm-Raised Fish (Continued)****B Controlled Environment (Continued)**

- **Fertilization or feeding** to obtain expected production results. Evidence of this practice must be provided by the producer at the request of COC. COC must be satisfied that the producer had an adequate supply of vitamins, minerals, or chemicals designed for the control of water quality and application equipment.
- **Irrigation and water quality.** Farm-raised fish owners should have had systems and practices in place to ensure that the farm-raised fish had adequate, quality water or aquatic medium. This includes having equipment designed to control the chemical balance and oxygenation of water. Therefore, COC shall consider the following:
  - whether the source of water is adequate to ensure continued growth and survival of the aquacultural species even in the event of severe drought

**Note:** Natural sources of water, such as rainfall, is not an eligible means for providing an adequate source of water to ensure continued growth and survival of the aquacultural species.

- whether the aquacultural facility sustained losses in previous years because of water shortages or water supply interruption. If so, list corrective actions that have been taken.

**C Eligible Farm-Raised Fish**

Farm-raised fish must have been:

- placed in the aquacultural facility by the farm-raised fish owner and must not be growing naturally in the facility

**Note:** Species indigenous to the facility are not eligible.

- stocked or seeded on property described in subparagraph B
- stocked or seeded in containers, wire baskets, net pens, or similar device designed for the protection and containment of the seeded aquacultural species.

Eligible farm-raised fish, for feed loss, are any aquatic species that are propagated and reared in a controlled environment to be harvested for sale as part of a commercial farming operation. Alligators and turtles are not considered an aquatic species, but are reptilian species, and are not eligible as farm-raised fish under ELAP. Any other species not determined to be an aquatic species are also not eligible under ELAP.--\*

**\*--271 Farm-Raised Fish (Continued)****D Eligible Farm-Raised Fish Feed Losses**

An eligible farm-raised fish producer may receive payments for farm-raised fish feed losses because of an eligible adverse weather or eligible loss condition, based on 60 percent of the producer's actual replacement cost for the farm-raised fish feed that was:

- damaged or destroyed because of an eligible adverse weather or eligible loss condition
- intended as feed for the eligible farm-raised fish.

**Example:** An eligible farm-raised fish producer purchased 1000 pounds of feed for eligible farm-raised fish at a cost of \$2000. The producer lost all of the purchased feed because of an eligible weather or eligible loss condition. The producer filed a notice of loss and provided documentation verifying the type of feed purchased and the cost. The ELAP payment would be calculated as follows.

\$2000 (cost of feed that was lost) x 60 percent = \$1200 (amount of ELAP payment)

**E Eligible Farm-Raised Fish Physical Losses**

Physical losses of farm-raised fish include losses of game fish (stockers) and bait fish (not raised as food for food fish) only. Physical losses of all other aquatic species are covered under NAP and are not eligible under ELAP. An eligible producer of farm-raised game or sport fish may receive payments for death losses of farm-raised fish because of an eligible adverse weather or eligible loss condition, based on 60 percent of the producer's actual replacement cost of the game or sport fish that died.

**Example:** An eligible producer of game fish suffered a death loss of 5000 game fish because of an eligible adverse weather or eligible loss condition. The producer provided documentation of the type of game fish restocked and the cost of \$2500. The ELAP payment would be calculated as follows.

\$2500 (cost of replacing game fish) x 60 percent = \$1500 (ELAP payment for death of game fish)--\*

**\*--271 Farm-Raised Fish (Continued)**

**F Documentation of Feed Losses or Physical Losses for Farm-Raised Fish**

Eligible producers of farm-raised fish that suffer feed losses or death losses, because of eligible adverse weather events, will be required to provide documentation of the date feed was purchased, type and quantity of feed purchased, and the cost of feed purchased. Documentation will also be required to verify the type and cost of game fish or sport fish that are purchased to replace death losses.

Documentation may include, but are not limited to, any combination of the following:

- acreage reports for NAP (surface acres of water)
- loan records
- private insurance documents
- property tax records
- sales and purchase receipts
- chattel inspections
- sales receipts.--\*

**272-280 (Reserved)**

## \*--Section 6 Payment Limitations and Reductions

**281 Payment Rates, Limitations, and Reductions****A Funding**

The Secretary is authorized to use up to \$50,000,000 per calendar year from the Disaster Trust Fund to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses because of disease, adverse weather, or other conditions, as determined by the Secretary that are not covered under LIP, LFP, or SURE.

Since the funding level has a cap, FSA will accept applications on a calendar year basis and issue payments by calendar year. If approval of all eligible applications for payment in a calendar year would result in expenditures in excess of the amount available for that calendar year, the available funds for that calendar year will be prorated by a national factor to reduce the total expected payments to the amount available for the calendar year.

**B 2008 Payment Limitation**

For 2008, no “person”, as defined and determined under the provisions of 7CFR Part 1400, as in effect for 2008, may receive more than \$100,000 total under ELAP, LFP, LIP, and SURE combined.

For 2008, determine “persons” according to 1-PL.

If a “person” determination for the participant for 2008 has:

- already been made for 2008 for which FSA-918 or FSA-930 has been submitted, use the same “person” determination for ELAP purposes
- **not** been made for 2008 for which FSA-918 or FSA-930 has been submitted, COC shall:
  - obtain CCC-502 from the participant
  - make a “person” determination and notify participant according to 1-PL.

**Notes:** Actively engaged and cash-rent tenant provisions do **not** apply.

The amount of any payment for which a participant may be eligible under ELAP, LIP, LFP, and SURE, ELAP may be reduced by any amount received by the participant for the same or any similar loss from a different source.--\*

**\*--281 Payment Rates, Limitations, and Reductions (Continued)****C 2009 and Subsequent Years Payment Limitation**

For 2009 and subsequent years, no person or legal entity, excluding a joint venture or general partnership, as determined by the rules in 7 CFR Part 1400, may receive, directly or indirectly, more than \$100,000 per program year total under ELAP, LFP, LIP, and SURE combined. For this purpose, both indirect and direct benefits are counted by attribution. In the case of a legal entity, the same payment is attributed to the direct payee in the full amount and those that have an indirect interest to the amount of the interest.

A determination of “persons” as defined by rules in effect for 2008 and prior years is not required for 2009 and subsequent years. However, CCC-901 will be required for legal entities to determine members of legal entities for direct attribution purposes.

**Note:** Direct attribution provisions in 4-PL apply for 2009 and subsequent years.

**D 2008 AGI Provisions**

In applying the limitation on average AGI for 2008, an individual or entity is ineligible for payment under ELAP if the individual’s or entity’s average AGI exceeds \$2.5 million for 2007, 2006, and 2005 under the provisions in 7 CFR Part 1400 in effect for 2008.

**Note:** The AGI provisions of 1-PL are applicable for 2008 ELAP.

**E 2009 and Subsequent Years AGI Provisions**

For 2009 through 2011, the average AGI limitation provisions in 7 CFR Part 1400 about persons or legal entities, excluding joint ventures and general partnerships, with an average adjusted gross nonfarm income as defined in 7 CFR 1400.3 that exceeds \$500,000 will not be eligible for benefits under ELAP.

**Note:** The AGI provisions of 4-PL are applicable for 2009 and subsequent years.

**F Payment Reductions**

The amount of payment for which a contract grower or eligible participant of livestock, honey bees, or farm-raised fish may receive under ELAP shall be reduced by any amount received by the participant or contract grower for the same or similar loss under any other program.--\*

**\*--282 General Payment Information**

**A Assignments and Offsets**

For ELAP, County Offices shall:

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

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

ELAP payments for FSA-918's or FSA-930's involving deceased individuals, closed estates, or dissolved entities shall be made according to the following, provided all other eligibility requirements are met.

<b>IF the participant is...</b>	<b>AND FSA-918 or FSA-930 is signed by an authorized representative of the...</b>	<b>THEN payments shall be issued...</b>
an individual who died before FSA-918 or FSA-930 was filed	deceased according to subparagraph 242 O	to any of the following, as applicable, using the ID number of the participant: <ul style="list-style-type: none"> <li>• the deceased individual</li> <li>• the individual's estate</li> <li>• the heirs, based on OGC determination, according to 1-CM, Part 26.</li> </ul>
an estate that closed before FSA-918 or FSA-930 was filed	estate according to subparagraph 242 O	
an entity that dissolved before FSA-918 or FSA-930 was filed	dissolved entity according to subparagraph 242 O	using the ID number of the participant.
an individual who dies, is declared incompetent, or is missing after filing FSA-918 or FSA-930		to eligible payees executing FSA-325 according to 1-CM, paragraph 779.

**Note:** FSA-325 is only used when it is requested that a payment earned by a deceased, missing, or incompetent program participant be issued in a name other than that of the deceased, missing, or declared incompetent program participant.--\*

**\*--282 General Payment Information (Continued)****C 2008 Payment Eligibility Requirements**

A participant must meet all the following for 2008 calendar year losses before a payment shall be issued:

- CCC-502 on file and “person” determination according to 1-PL
- AD-1026 on file according to 6-CP
- not be in violation of fraud provisions, including FCIC fraud provisions according to 1-CM and 3-PL
- compliance with:
  - average AGI provisions according to 1-PL
  - controlled substance provisions according to 1-CM.

**Note:** See subparagraph:

- E for information about AD-1026
- 281 B for information about CCC-502.

County Offices shall record determinations for the applicable criteria in the web-based eligibility system according to 3-PL.--\*

**\*--282 General Payment Information (Continued)****D 2009 and Subsequent Years Payment Eligibility Requirements**

A participant must meet all the following for 2009 and subsequent calendar year losses before a payment shall be issued:

- CCC-901 on file for legal entities according to 4-PL
- AD-1026 on file according to 6-CP
- not 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 4-PL
  - controlled substance provisions according to 1-CM.

**Note:** See subparagraph:

- E for information about AD-1026
- 281 C for information about CCC-901.

County Offices shall record determinations for the applicable criteria in the web-based eligibility system according to 3-PL (Rev. 1).--\*

**\*--282 General Payment Information (Continued)****E Conservation Compliance Provisions**

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

If AD-1026 applicable for the year for which ELAP 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 ELAP
- not on file for the participant, and affiliates, if applicable, County Offices shall obtain a completed AD-1026 applicable to the year for which ELAP 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 12. 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 HEL/WC violation.

**F Prevention of Improper Payments**

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

**G Definition of Improper Payment**

OMB defines an improper payment as any payment that should **not** have been issued or was issued in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirement.--\*

**283-293 (Reserved)**

## \*--294 Applying for Benefits

**A Application Process**

To apply for ELAP, in addition to submitting an application for payment at the appropriate time, the participant that suffered eligible livestock, honey bee, or farm-raised fish losses must provide a notice of loss in the FSA administrative County Office by physical location for losses that occurred:

- during calendar years 2008 and 2009 before September 11, 2009, no later than December 10, 2009
- on or after September 11, 2009, the earlier of 30 calendar days:
  - of when the loss is apparent to the participant
  - after the end of the calendar year in which the loss occurred.

A notice of loss is part of the application process. Notice of loss shall be submitted on applicable FSA-918 or FSA-930. Multiple notices of loss may be filed during the calendar year as livestock, honey bee, and farm-raised fish losses occur because of eligible adverse weather or eligible loss conditions. Producers that suffer multiple losses during the calendar year may file multiple notices of loss and multiple applications for payment.

In addition to the notice of loss, a participant must submit a completed application for payment on the applicable FSA-918 or FSA-930 no later than either:

- 30 calendar days after the end of the calendar year in which the loss occurred
- December 10, 2009, for losses that occurred during 2008 calendar year.

Applications for payment are completed on a calendar year basis. Other documentation is required for a completed application.

Eligible producers will file the applicable FSA-918 or FSA-930 based on the type of livestock, honey bees, or farm-raised fish that losses.

**Example 1:** Producer A is an eligible producer of adult beef cattle and suffers a grazing loss because of flooding. Producer A would file FSA-918 for the applicable livestock feed losses.

**Example 2:** Producer B is an eligible producer of adult beef cattle and honey bees and suffers a grazing loss for the livestock because of flooding and a physical loss of honey bees because of colony collapse disorder. Producer B would file 2 separate applications, FSA-918 for the livestock feed losses and FSA-930 for the physical loss of the honey bees.--\*

**\*--295 Notice of Loss****A Filing Notice of Loss**

Participants must file a notice of loss on FSA-918 for eligible livestock losses or FSA-930 for eligible losses of honey bees or farm-raised fish in their administrative County Office by physical location the earlier of 30 calendar days:

- of when the loss is apparent to the participant
- after the end of the calendar year in which the eligible loss occurred.

For 2008 and 2009 calendar year losses that occurred before September 11, 2009, the participant must provide a notice of loss on the applicable FSA-918 or FSA-930 in the FSA administrative County Office by physical location no later than December 10, 2009.

A notice of loss may be filed by the participant or participant's representative by 1 of the following alternative methods:

- telephone
- FAX
- e-mail.

**Note:** The participant is not required to sign the notice of loss if 1 of the alternative methods is used. However, the employee accepting the "notice of loss" shall enter the method by which the "notice of loss" was filed in FSA-918, item 10A or FSA-930, item 8A if the participant or participant's representative did not sign.

**Example:** Producer A suffered a grazing loss because of flooding on October 1, 2009. Producer A telephones County Office on October 13, 2009, and reports that he has suffered a grazing loss because of flooding that occurred on October 1, 2009. County Office enters "phone" in FSA-918, item 10A as the method for which the "notice of loss" was reported.--\*

**\*--296 Application for Payment****A Filing Application for Payment**

To apply for ELAP benefits, eligible participants shall file a manual application for payment on the applicable FSA-918 or FSA-930, according to paragraph 298 or 299, in **their administrative County Office** by physical location until the automated software becomes available. When the automated software becomes available, then an automated application for payment shall be filed.

**Note:** A minor child is eligible to file FSA-918 or FSA-930, if all eligibility requirements are met.

In addition to the notice of loss required in paragraph 295, eligible participants that suffer livestock, honey bee, or farm-raised fish losses shall file an application for payment no later than:

- 30 calendar days after the end of the calendar year in which the eligible losses for livestock, honey bees, or farm-raised fish occurred
- December 10, 2009, for livestock, honey bee or farm-raised fish losses that occurred during calendar year 2008.

For 2008 calendar year livestock, honey bee or farm-raised fish losses, the participant must complete an application for payment no later than December 10, 2009. However, for 2009 and subsequent years, if an eligible participant suffers eligible livestock, honey bee, or farm-raised fish losses because of eligible adverse weather or eligible loss conditions, the **eligible participant shall be encouraged** to complete an application for payment within 30 calendar days of when the loss was apparent; however, the application for payment must be completed no later than 30 calendar days after the end of the calendar year of when the loss occurred.

For 2008 calendar year livestock, honey bee, or farm-raised fish losses, the application for payment must be signed and dated by the participant by December 10, 2009, to be considered timely filed. For 2009 and subsequent calendar year livestock, honey bee, and farm-raised fish losses, the application for payment must be signed and dated by the participant no later than 30 calendar days after the end of the calendar year of when the loss occurred. There are **no** late-filed provisions for ELAP according to paragraph 241.

**Note:** A notice of loss must be on file for an application for payment to be filed.

**State and County Offices shall not use unapproved forms, worksheets, applications, or other documents to obtain or collect the data required from participants to complete FSA-918 or FSA-930 according to subparagraph 231 E.--\***

**\*--296 Application for Payment (Continued)****A Filing Application for Payment (Continued)**

FSA-918's and FSA-930's for ELAP will be based on the following:

- administrative county (physical location county)
- calendar year
- participant.

At any point when 1 of these items is different, it will require a separate FSA-918 or FSA-930 to be filed.

**Producers can file multiple applications for payment within 1 calendar year.**

FSA-918's or FSA-930's shall be filed by eligible participants in **their administrative County Office by physical location county**. The administrative County Office is the County Office designated by FSA to:

- handle official records
- issue payment to eligible livestock, honey bee, or farm-raised fish producers
- make determinations.

A participant's administrative County Office is generally the County Office where the participant's farm records are maintained. FSA has provisions in 2-CM and 3-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.

ELAP applications will be filed in the farm's administrative county by physical location county.

**Example:** Producer A has an interest in farm 1 administered in County A that is physically located in County B. County B is administered out of County A. Producer A suffers a grazing loss on the land physically located in County B. Producer A goes to County A and files FSA-918 for the grazing loss suffered in County B.--\*

**\*--296 Application for Payment (Continued)****B Signing and Certifying FSA-918 or FSA-930**

When signing FSA-918, item 61A, or FSA-930, item 19A the participant is:

- applying for ELAP benefits for the participant listed on FSA-918, item 5 or FSA-930, item 5
- certifying **all** of the following as applicable:
  - information provided on FSA-918 or FSA-930, as applicable, is true and correct
  - claimed livestock, honey bees, or farm-raised fish losses on FSA-918 or FSA-930, as applicable, are eligible according to paragraphs 242
  - all supporting documentation provided are true and correct copies of the transactions reported
  - an eligible grazing loss, feed loss, or physical loss occurred, as applicable, because of an eligible adverse weather or loss condition
  - the physical location of the:
    - claimed livestock, honey bees, or farm-raised fish on the beginning date of the eligible adverse weather or eligible loss condition
    - participant's current livestock, honey bee, or farm-raised fish inventory
  - the names of all other producers that have an interest in the claimed livestock, honey bees, or farm-raised fish including their share
  - authorizing FSA officials to:
    - enter upon, inspect, and verify all applicable livestock, honey bees, or farm-raised fish, acreage, colonies, or pond acres, in which the participant has an interest for the purpose of confirming the accuracy of the information provided
    - review, verify, and authenticate all information provided on FSA-918 and/or FSA-930 and supporting documents
    - contact other agencies, organizations, or facilities to verify data provided by a participant from such agencies, organizations, or facilities--\*

**\*--296 Application for Payment (Continued)****B Signing and Certifying FSA-918 or FSA-930 (Continued)**

- acknowledging that:
  - failure to provide information requested by FSA is cause for disapproval of FSA-918 or FSA-930
  - providing a false certification to FSA is cause for disapproval of FSA-918 or FSA-930, 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 the application for payment was filed.

**C Signature Requirements**

All participants' signatures **must** be received no later than:

- December 10, 2009, for 2008 calendar year applications for payment
- 30 calendar days after the end of the calendar year in which the losses occurred for 2009 and subsequent calendar years applications for payment.

Neither STC nor COC has authority to approve late-filed FSA-918 or FSA-930.

Follow 1-CM for signature requirements.

**Important:** 1-CM, Part 25 provides signature requirements for general partnerships. County Offices shall see 1-CM for signature requirements for general partnerships.

**Notes:** General partnerships must have a permanent tax ID number to receive any FSA payment. FSA payments shall not be issued to the individual members of a general partnership.

FSA payments may be issued to:

- a joint venture with a permanent tax ID number
- the individual members of a joint venture, using the individual member's ID numbers, when the joint venture does not have a permanent tax ID number.--\*

**\*--296 Application for Payment (Continued)**

**D Printing and Reviewing FSA-918 or FSA-930**

Once the automated system becomes available, all manual FSA-918's or FSA-930's shall be loaded into the automated system. After all information is entered into the automated system, County Offices shall:

- print an automated FSA-918 or FSA-930
- attach the manual FSA-918 or FSA-930 to the applicable automated FSA-918 or FSA-930
- conduct a second party review of all data on the automated FSA-918 or FSA-930 to ensure that all data is the same on both the manual and automated FSA-918 or FSA-930.

**Important:** The individual conducting the second party review shall not be the same individual who entered the data into the automated system.--\*

**\*--296 Application for Payment (Continued)****E Supporting Documents**

All supporting documents **must** be completed by the participant and on file in the County Office:

- no later than December 10, 2009, for 2008 calendar year losses
- no later than 30 calendar days after the end of the calendar year for which benefits are requested for 2009 and subsequent calendar year losses
- before FSA-918 or FSA-930 may be approved.

Supporting documents include, but are not limited to, the following:

- CCC-901 applicable for 2009 and subsequent calendar years
- AD-1026 applicable for 2008, 2009, 2010, or 2011 calendar year
- CCC-526 or other acceptable document according to 1-PL to determine compliance with average AGI provisions for 2008 calendar year
- CCC-926, or other acceptable document according to 4-PL to determine compliance with AGI provisions for 2009 and subsequent calendar years
- proof of death documentation
- copy of contract growers contracts
- copy of insurance documents to show that risk management purchase requirements have been met
- copies of cash or share lease agreements to show risk in grazing lands.--\*

**\*--297 Acting on FSA-918 or FSA-930****A Approving FSA-918 or FSA-930**

COC or CED **must** act on **all** completed and signed FSA-918's or FSA-930's submitted.

**Note:** CED's may delegate approval authority to program technicians for routine cases. Program technicians shall **not** be delegated authority to disapprove any FSA-918 or FSA-930. Delegation must be documented in the COC minutes.

**Important:** DD review of initial FSA-918's or FSA-930's **must** be completed according to subparagraph 297 D before FSA-918's or FSA-930's may be approved or disapproved.

FSA-918 or FSA-930 shall be approved or disapproved as certified by the participant. When more than 1 type of livestock, honey bees, or farm-raised fish is claimed on FSA-918 or FSA-930, FSA-918 or FSA-930 shall be approved or disapproved based on all livestock, honey bees, or farm-raised fish claimed. However, COC does have authority to make adjustments to certain information reported on FSA-918 or FSA-930 when documentation warrants making adjustments.

**Example:** Jim Brown executes FSA-918 that includes 100 adult beef cows reported in item 16. COC has documentation that only 98 adult beef cows meet the eligibility requirements as eligible livestock in inventory on the beginning date of the eligible flood. In this case, on FSA-918, item 18, COC can enter "98" for adult beef cows and then approve FSA-918 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 for ELAP benefits.--\*

**\*--297 Acting on FSA-918 or FSA-930 (Continued)****A Approving FSA-918 or FSA-930 (Continued)**

Before approving FSA-918 or FSA-930, COC or CED **must**:

- ensure that **all** program eligibility requirements are met
- be satisfied with **all** the following:
  - livestock, honey bees, or farm-raised fish claimed are eligible livestock, honey bees, or farm-raised fish according to paragraphs 242 and 251
  - risk management purchase requirements have been met or a waiver has been approved
  - all forage information entered on FSA-918 meets the eligibility requirements according to paragraphs 242 and 251
  - participant is an eligible producer according to subparagraph 242 I
  - reasonableness of the number and type of livestock, honey bees, or farm-raised fish claimed
  - location of participant's current livestock, honey bee, or farm-raised fish inventory is physically located to conduct spot checks
  - all signature requirements are met.

**Note:** See subparagraph B when:

- COC or CED questions any data provided by participant
- disapproving FSA-918 or FSA-930.--\*

**\*--297 Acting on FSA-918 or FSA-930 (Continued)****B Disapproving FSA-918 or FSA-930**

COC or CED **must** act on all completed and signed FSA-918's or FSA-930's submitted.

**Note:** CED's may delegate approval authority to program technicians for routine cases. Program technicians shall **not** be delegated authority to disapprove any FSA-918 or FSA-930.

**Important:** DD review of initial FSA-918's or FSA-930's must be completed according to subparagraph D before FSA-918's or FSA-930's may be approved or disapproved.

FSA-918 or FSA-930 shall be approved or disapproved as certified by the producer. When more than 1 type of livestock, honey bees, or farm-raised fish is claimed on FSA-918 or FSA-930, FSA-918 or FSA-930 shall be approved or disapproved based on all livestock, honey bees, or farm-raised fish claimed. However, COC does have authority to make adjustments to certain information reported on FSA-918 or FSA-930 when documentation warrants making adjustments.

**Example:** Jim Brown executes FSA-918 that includes 100 adult beef cows reported in item 16. COC has documentation that only 98 adult beef cows meet the eligibility requirements as eligible livestock in inventory on the beginning date of the eligible flood. In this case, in FSA-918, item 18, COC can enter "98" for adult beef cows and then approve FSA-918 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 for ELAP benefits.

If it is determined that any information provided on FSA-918 or FSA-930 is not reasonable or is questionable, additional verifiable documentation or evidence shall be requested from the participant, in writing, provided. Other agencies, organizations, or facilities may be contacted to verify information provided by participants.

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

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

If all program eligibility requirements are **not** met, it is determined that the information on FSA-918 or FSA-930 or any additional supporting documentation provided by participant is **not** accurate or reasonable, then the following actions shall be taken:

- disapprove FSA-918 or FSA-930
- notify participant of disapproval
- provide participant applicable appeal rights according to 1-APP
- thoroughly document reason for disapproval in COC minutes, if disapproved by COC.--\*

**\*--297 Acting on FSA-918 or FSA-930 (Continued)****C Verifying Data With Other Agencies, Organizations, or Facilities**

When contacting agencies, organizations, or facilities to verify data provided by a producer, the County Office shall 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 FSA-918's or FSA-930's**

DD's shall review the first five FSA-918's and FSA-930's submitted, for eligible losses, in each Service Center before approval. The review shall include the following:

- ensuring that FSA-918's or FSA-930's are submitted by participant and 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
- supporting data required for payment eligibility is properly completed and on file, such as CCC-502, CCC-901, CCC-926, AD-1026, and accurate subsidiary and SCIMS data.

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

DD review of the initial FSA-918's and FSA-930's and supporting documentation submitted is critical to ensuring ELAP is being administered according the procedures provided in this handbook and the regulations in 7 CFR Part 760, Subparts B and C.

Reviewing the initial FSA-918's and FSA-930's and supporting documentation in a timely manner:

- identifies possible weaknesses in the administration of ELAP that may be resolved by additional training, clarified procedures, or modified software
- prevents numerous participants from being impacted by erroneous ELAP administration
- allows corrections to be made in a timely manner before erroneous payments are issued.--\*

**\*--298 FSA-918, Emergency Loss Assistance for Livestock Application**

**A Completing Manual FSA-918**

Complete FSA-918 according to the following.

<b>Item</b>	<b>Instruction</b>
1	Enter State and county code. This is the physical location county in which the loss occurred.
2	Enter the calendar year the livestock grazing losses, feed losses, death losses occurred and/or additional expenses were incurred because of an eligible adverse weather or loss condition.
3	Enter County Office name. This is the physical location County Office where the producer's loss occurred.
4	Enter the application number. <b>Note:</b> This is an automated system assigned number.
<b>Part A – Producer Information</b>	
5	Enter the producer's name and address.
<b>Part B – Notice of Loss</b>	
6	Select the applicable type(s) of loss being reported.  <b>Note:</b> More than 1 type of eligible loss may be entered if more than 1 type of eligible loss occurred during the calendar year.
7	Enter the qualifying weather or loss condition(s) that caused the applicable loss or losses entered in item 7.  <b>Notes:</b> A number should be assigned to each qualifying weather or loss condition. This number will be used to tie the weather or loss condition entered in item 7 to the date of occurrence/when loss was apparent entered in item 8.  <b>Example:</b> For a freeze and blizzard that occurred on March 1, 2008, and hurricane that occurred on August 1, 2008, item 7 should be completed as follows.  <p style="text-align: center;"><b><u>Item 7</u></b> 1. Freeze 1. Blizzard 2. Hurricane</p> Multiple weather or loss conditions may be entered if more than 1 eligible weather or loss condition resulted in losses during the calendar year.

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

A Completing Manual FSA-918 (Continued)

Item	Instruction								
8	<p>Enter the later of the date(s) when the loss or losses either:</p> <ul style="list-style-type: none"> <li>• occurred</li> <li>• were apparent to the producer.</li> </ul> <p><b>Notes:</b> Enter the number from adverse weather event from item 7 that corresponds with the date of occurrence/when loss was apparent.</p> <p><b>Example:</b> For a freeze and blizzard that occurred on March 1, 2008, and hurricane that occurred on August 1, 2008, items 7 and 8 should be completed as follows.</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><u><b>Item 7</b></u></td> <td style="text-align: center;"><u><b>Item 8</b></u></td> </tr> <tr> <td style="text-align: center;">1. Freeze</td> <td style="text-align: center;">1. March 1, 2008</td> </tr> <tr> <td style="text-align: center;">1. Blizzard</td> <td style="text-align: center;">2. August 1, 2008</td> </tr> <tr> <td style="text-align: center;">2. Hurricane</td> <td></td> </tr> </table> <p style="text-align: center;">Multiple dates may be entered if multiple losses resulted from more than 1 eligible weather or loss condition during the calendar year. Dates can be a range of dates.</p>	<u><b>Item 7</b></u>	<u><b>Item 8</b></u>	1. Freeze	1. March 1, 2008	1. Blizzard	2. August 1, 2008	2. Hurricane	
<u><b>Item 7</b></u>	<u><b>Item 8</b></u>								
1. Freeze	1. March 1, 2008								
1. Blizzard	2. August 1, 2008								
2. Hurricane									
9	<p>Enter the physical location of the loss/losses at the time they occurred. Include the name of the county where the losses physically occurred or the additional expenses were incurred.</p> <p><b>Example:</b> Knox County, Texas, Farm 2502</p>								
10A	<p>Producer or producer’s representative may sign to indicate that livestock losses have occurred or additional expenses were incurred because of eligible weather or loss conditions listed in item 7 or were apparent to the producer on the dates listed in item 8.</p> <p>Producer or producer’s representative may file a “notice of loss” with the administrative County Office by 1 of the following alternative methods:</p> <ul style="list-style-type: none"> <li>• phone</li> <li>• FAX</li> <li>• e-mail.</li> </ul> <p>Enter the method by which the “notice of loss” was filed in the physical location County Office if the producer or producer’s representative did not sign in item 10A.</p>								
10B	<p>Signatory in item 10A shall enter their title/relationship when signing in a representative capacity.</p> <p>If a producer/applicant is:</p> <ul style="list-style-type: none"> <li>• <b>not</b> signing in the representative capacity, this field should be left blank</li> <li>• signing on behalf of themselves, it is acceptable to write “self”; however, it is <b>not</b> necessary.</li> </ul>								

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

A Completing Manual FSA-918 (Continued)

Item	Instruction								
10C	Producer or producer’s representative shall enter the date they signed the “Notice of Loss” or County Office employee enters date producer or producer’s representative reported “Notice of Loss” using 1 of the alternative methods in item 10A.								
<b>Part C – Disaster Loss Information for Livestock</b>									
11	Enter the physical location of the livestock on the beginning date of the qualifying weather or loss condition(s). Include the name of the county where the loss occurred or the additional expense were incurred.  <b>Example:</b> Knox County, Texas, Farm 2502								
12	Enter the current physical location of the livestock in inventory.  <b>Example:</b> Knox County, Texas, Farm 2502								
13	Enter associated producers who had an ownership share or contract grower share of any livestock entered in item 15 and/or item 48 and indicate their share.								
<b>Part D – Livestock Information - Grazing Losses</b>									
14	A sequential corresponding number will be entered in item 14 for each livestock kind/type, and weight range entered in item 15.  <b>Example:</b> <table style="margin-left: 40px; border: none;"> <tr> <td style="padding-right: 20px;"><b>Item 14</b></td> <td style="padding-right: 20px;"><b>Item 15</b></td> </tr> <tr> <td style="text-align: center;">1</td> <td>Adult Beef Cattle</td> </tr> <tr> <td style="text-align: center;">2</td> <td>Nonadult Beef Cattle &gt; 500 lbs.</td> </tr> <tr> <td style="text-align: center;">3</td> <td>Equine</td> </tr> </table> <b>Note:</b> An entry is only required for those livestock that are or would have been grazing the weather or loss condition affected pasture or grazing land acres.	<b>Item 14</b>	<b>Item 15</b>	1	Adult Beef Cattle	2	Nonadult Beef Cattle > 500 lbs.	3	Equine
<b>Item 14</b>	<b>Item 15</b>								
1	Adult Beef Cattle								
2	Nonadult Beef Cattle > 500 lbs.								
3	Equine								
15	Enter the livestock by kind, type, and weight range that were owned/leased by the producer or that the producer was a contract grower of that was in inventory during the 60 calendar days before the beginning date of the applicable eligible weather or loss condition(s) in item 6.  <b>Note:</b> Livestock kind, type, and weight range can be obtained from the local FSA office or ELAP Fact Sheet located at <a href="http://disaster.fsa.usda.gov">http://disaster.fsa.usda.gov</a> .								
16	Enter the number of covered livestock owned, shared, cash leased, or the participant was a contract grower for livestock listed in item 15.								
17	Enter the share the producer has in the livestock entered in item 15.								
18	COC shall enter the adjusted current year inventory, if applicable.  <b>Notes:</b> An entry is only required when COC determines a current year inventory different than the current year inventory certified to by the producer in item 16.  The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 18.								

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

A Completing Manual FSA-918 (Continued)

Item	Instruction												
<b>Part E – Forage Information – Grazing Losses</b>													
19	<p>Enter the livestock number or numbers from item 14 for each livestock kind/type and weight range that are grazing or would have been grazing the specific type of pasture entered in item 20.</p> <p><b>Example:</b> Adult beef cattle, nonadult beef cattle weighing over 500 pounds, and equine are grazing the native pasture. FSA-918 entries are as follows.</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><u><b>Item 14</b></u></td> <td style="text-align: center;"><u><b>Item 15</b></u></td> <td style="text-align: center;"><u><b>Item 20</b></u></td> </tr> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">Adult Beef Cattle</td> <td style="text-align: center;">1, 2, 3</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">Nonadult Beef Cattle &gt; 500 lbs.</td> <td></td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">Equine</td> <td></td> </tr> </table>	<u><b>Item 14</b></u>	<u><b>Item 15</b></u>	<u><b>Item 20</b></u>	1	Adult Beef Cattle	1, 2, 3	2	Nonadult Beef Cattle > 500 lbs.		3	Equine	
<u><b>Item 14</b></u>	<u><b>Item 15</b></u>	<u><b>Item 20</b></u>											
1	Adult Beef Cattle	1, 2, 3											
2	Nonadult Beef Cattle > 500 lbs.												
3	Equine												
20	<p>Enter all pasture types for owned or cash leased land normally used in the operation to support the eligible livestock during the qualifying adverse weather or loss condition(s) affected by the eligible weather or loss condition(s) for the applicable livestock number(s).</p> <p>Pasture types include the following:</p> <ul style="list-style-type: none"> <li>• native</li> <li>• improved</li> <li>• forage sorghums</li> <li>• small grains.</li> </ul> <p><b>Note:</b> Only enter pasture types for Federal or State land if the agreement is by the acres 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>												
21	<p>Enter the acres, by physical location county, associated with each pasture type entered in item 20.</p>												
22	<p>Enter the actual number of days the producer’s eligible livestock were unable to graze each specific type of pasture entered in item 20 because of the qualifying weather or loss condition(s).</p>												
23	<p>County Office shall enter the applicable carrying capacity for the specific type of pasture entered in item 20.</p>												
24	<p>COC shall enter the adjusted acres, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines acres different than the acres certified to by the producer in item 21.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 24.</p>												
25	<p>COC shall enter the adjusted number of lost grazing days, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a different number of lost grazing days than the number of grazing days lost as certified by the producer in item 22.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 25.</p>												

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

A Completing Manual FSA-918 (Continued)

Item	Instruction
26	Enter the livestock number or numbers from item 14 for each livestock kind/type and weight range that are grazing or would have been grazing the specific type of pasture entered in item 27.
27	<p>Enter all pasture types for AUM or AU leased land normally used in the operation to support eligible livestock during the affected qualifying weather event or loss condition(s) for the livestock number(s) entered in item 26.</p> <p>Pasture types include the following:</p> <ul style="list-style-type: none"> <li>• native</li> <li>• improved</li> <li>• forage sorghums</li> <li>• small grains.</li> </ul> <p><b>Note:</b> 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 shall be entered in item 20.</p>
28	<p>Enter the number of AU's allowed by the pasture type entered in item 27.</p> <p><b>Example 1:</b> Grazing permit allows the producer to graze 150 AU's from September 1 through December 31 for a total of 600 AUM's. The number of AU's to enter in item 27 would be 150 AU's.</p> <p><b>Example 2:</b> 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 27 would be 100 AU's.</p> <p style="text-align: center;"><math>500 \text{ AUM's} / 5 \text{ months} = 100 \text{ AU's}</math></p>
29	Enter the actual number of days the producer's eligible livestock were unable to graze each specific type of pasture entered in item 27 because of the qualifying weather or loss condition(s).
30	<p>COC shall enter the adjusted AU's, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines AU's different than AU's certified to by the producer in item 28.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 30.</p>

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## \*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

## A Completing Manual FSA-918 (Continued)

Item	Instruction
31	<p>COC shall enter the adjusted number of lost grazing days, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a different number of lost grazing days than the number of grazing days lost as certified by the producer in item 29.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 31.</p>
32	<p>Enter all pasture types of land that was affected by wildfire on all non-Federal managed lands.</p> <p>Pasture types include the following:</p> <ul style="list-style-type: none"> <li>• native</li> <li>• improved</li> <li>• small grains</li> <li>• forage sorghums.</li> </ul>
33	<p>Enter the number of acres affected by the wildfire for the applicable pasture type(s) listed in item 32.</p>
34	<p>Enter the actual number of days the producer's eligible livestock were unable to graze each specific type of pasture entered in item 32 because of fire.</p>
35	<p>Enter COC established carrying capacity for the applicable pasture type(s) listed in item 32.</p>
36	<p>COC shall enter the adjusted affected acres, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines affected acres different than the affected acres certified to by the producer in item 33.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 36.</p>
37	<p>COC shall enter the adjusted lost grazing days, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines adjusted lost grazing days different than the adjusted lost grazing days certified to by the producer in item 34.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 37.</p>
<b>Part F – Value of Produced Feed Lost</b>	
38	<p>Enter the type of produced feed which was lost because of a qualifying weather or loss condition.</p>
39	<p>Enter the eligible quantity of produced feed which was lost because of a qualifying weather or loss condition, such as tons of hay lost or tons of silage lost.</p>

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

**A Completing Manual FSA-918 (Continued)**

Item	Instruction
40	Enter the dollar value of produced feed lost.
41	<p>COC shall enter adjusted quantity of produced feed lost, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a quantity of produced feed lost different than the quantity of produced feed lost certified to by the producer in item 39.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 41.</p>
42	<p>COC shall enter adjusted dollar value of produced feed lost, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a dollar value of produced feed lost different than the dollar value of produced feed lost certified to by the producer in item 40.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 42.</p>
<b>Part G – Value of Purchased Feed Lost, Additional Feed Purchased, Additional Expenses</b>	
43	Enter the type of feed purchased that was lost, additional feed purchased to sustain livestock, or additional expenses incurred, such as tons of hay purchased, cost incurred for clearing snow to provide feed to livestock, etc.
44	Enter the dollar value of purchased feed lost, additional feed purchased above normal to sustain livestock, or additional expenses incurred.
45	<p>COC shall enter adjusted value of purchased feed lost, additional feed purchased/additional expenses incurred, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a dollar value of purchased feed lost, additional feed purchased, or additional expenses incurred different than the dollar value certified to by the producer in item 44.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 45.</p>

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

A Completing Manual FSA-918 (Continued)

Item	Instruction
<b>Part H – Livestock Death Loss Information</b>	
46	Enter the corresponding loss condition date number listed in item 8
47	Check (✓) “Yes” if the producer in item 5 is a contract grower. Otherwise, check (✓) “No”.
48	<p>Enter livestock kind, type, and weight range for which loss occurred.</p> <p>If livestock in a previously recorded livestock kind/type and weight has changed to a new weight range, and a loss has occurred to the livestock in the new weight range, enter the original and new livestock kind/type and weight range as follows on the same line:</p> <ul style="list-style-type: none"> <li>• nonadult beef cattle under 400 lbs. (original)</li> <li>• nonadult beef cattle 400 lbs. or more (new).</li> </ul> <p><b>Notes:</b> Losses occurring for the nonadult beef cattle 400 lbs. or more (new) would be recorded in item 50. An entry would <b>not</b> be entered item 49.</p> <p>An entry in this field is always required when there is a loss in a particular kind, type, and weight range of livestock.</p> <p>Livestock by kind, type, and weight range can be obtained from the local FSA office or ELAP Fact Sheet located at <a href="http://disaster.fsa.usda.gov">http://disaster.fsa.usda.gov</a>.</p>
49	<p>Enter the total number of eligible livestock listed in item 48 in inventory on the beginning date of the eligible loss condition in item 8 when 1 of the following apply:</p> <ul style="list-style-type: none"> <li>• loss being reported is the first loss of livestock incurred for the particular kind, type, and weight range of livestock listed in item 48 for the loss condition referenced in item 7</li> </ul> <p><b>Example:</b> Producer A lost 10 head of adult beef cows out of the 100 head of adult beef cows in inventory because of an eligible loss condition on May 1, 2009. The producer had not previously incurred a loss of adult beef cows in inventory for this particular kind, type, and weight range of livestock because of an eligible loss condition. Producer A would enter “100” as inventory in item 49.</p> <ul style="list-style-type: none"> <li>• additional livestock are purchased for a particular kind, type, and weight range of livestock after the first loss of livestock for that particular kind, type, and weight range of livestock has been incurred, and the additional purchased livestock have incurred a loss because of an eligible loss condition.</li> </ul> <p><b>Example:</b> Producer A lost 10 head of adult beef cows out of the 100 head of adult beef cows in inventory because of an eligible loss condition on May 1, 2009. The producer had not previously incurred a loss of adult beef cows in inventory for that particular kind, type, and weight range of livestock because of an eligible loss condition. Producer A would enter “100” as inventory in item 49 for loss condition date number 1.</p> <p>On May 15, 2009, Producer A purchases 100 additional head of adult beef cows. On June 1, 2009, Producer A lost 10 head of adult beef cows because of another eligible loss condition. Producer A would enter “100” as inventory in FSA-918, item 49 for loss condition date number 2.</p>

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

A Completing Manual FSA-918 (Continued)

Item	Instruction
<p>49 (Ctnd)</p>	<p><b>Note:</b> Do not record an entry in item 49 for a particular type/kind and weight range of livestock when subsequent losses occur within a particular kind/type and weight range for which inventory has already been reported on FSA-918.</p> <p><b>Example:</b> Producer A initially reports 100 head of adult beef cows in inventory in FSA-918, item 49 on May 1, 2009. Producer A reports that he lost 10 head because of an eligible loss condition on May 1, 2009.</p> <p>On June 1, 2009, Producer A, reports that he lost an additional 5 head of adult beef cows because of another eligible loss condition. Producer A will not record an entry in FSA-918, item 49. Producer A will only enter the 5 head of adult beef cows lost in FSA-918, item 50 for the additional 5 head lost because of the eligible loss condition.</p> <p>If a producer does not have a 100 percent ownership or contract grower share interest in a particular kind/type and weight range of livestock that was lost because of an eligible loss condition, the livestock for which the producer does not have a 100 percent ownership or contract grower share shall be prorated based on the producer’s percent share interest.</p> <p><b>Example:</b> Producer A has a 100 percent ownership share in 200 head of adult beef cows located on farm 1 and a 50 percent ownership share in 200 head of adult beef cows located on farm 2.</p> <p>10 adult beef cows are lost because of an eligible loss condition on farm 1 and 10 adult beef cows are lost because of the same eligible loss condition on farm 2.</p> <p>Determine the number of eligible livestock to be entered as inventory in item 49 for Producer A according to the following:</p> <ul style="list-style-type: none"> <li>• 200 head x 100 percent share = 200 head</li> <li>• 200 head x 50 percent share = 100 head.</li> </ul> <p>200 head + 100 head = <b>300 head</b> (number of inventory to enter for Producer A in item 49)</p>

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

A Completing Manual FSA-918 (Continued)

Item	Instruction
50	<p>Enter the number of head of livestock by kind/type and weight range that died because of the eligible loss condition referenced in item 7.</p> <p><b>Important:</b> An entry in this field is always required when there is a loss in a particular kind, type, and weight range of livestock.</p> <p><b>Notes:</b> Livestock must have died on or after January 1, 2008, and before October 1, 2011, but no later than 60 calendar days from the ending date of the loss condition(s) in item 7. The livestock must have also died during the calendar year for which benefits are being requested.</p> <p>If a producer does not have a 100 percent ownership or contract grower share interest in a particular kind/type and weight range of livestock that was lost because of an eligible loss condition, the livestock for which the producer does not have a 100 percent ownership or contract grower share shall be prorated based on the producer's percent share interest.</p> <p><b>Example:</b> Producer A has a 100 percent ownership share in 200 head of adult beef cows located on Farm 1 and a 50 percent ownership share in 200 head of adult beef cows located on Farm 2.</p> <p>10 adult beef cows are lost because of an eligible loss condition adverse weather event on Farm 1 and 10 adult beef cows are lost because of the same eligible loss condition on Farm 2. Determine the number of eligible livestock to be entered as lost in item 50 for Producer A according to the following:</p> <ul style="list-style-type: none"> <li>• 10 head lost x 100 percent share = 10 head</li> <li>• 10 head lost x 50 percent share = 5 head.</li> </ul> <p>10 head lost + 5 head lost = <b>15 head</b> (number of adult beef cows lost to enter for Producer A in item 16)</p>

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

A Completing Manual FSA-918 (Continued)

Item	Instruction
51	<p>Enter the number of livestock that died because of normal mortality on or after the date of the first loss condition in item 7.</p> <p><b>Example:</b> Producer A has a 100 percent ownership interest in 100 head of adult beef cows that are lost because of an eligible loss condition. The producer had not previously incurred a loss of adult beef cows in inventory for this particular kind/type and weight range of livestock because of an eligible loss condition. On October 11, 2009, Producer A enters “100” in item 49 and “10” in item 50. No entry would be made in item 51 because this is the first loss for this kind/type and weight range of livestock for which a loss in normal mortality has not occurred on or after the date of the first loss condition.</p> <p>On October 15, 2009, Producer A loses 2 adult beef cows to normal mortality. Producer A revises FSA-918 by entering “2” in item 51 and provides documentation to the County Office to support livestock deaths because of normal mortality.</p>
52	<p>COC shall enter the adjusted inventory, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines an inventory different than the inventory certified to by the producer in item 49.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 52.</p>
53	<p>COC shall enter the adjusted number of livestock lost because of an eligible loss condition, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines the number of eligible livestock lost because of an eligible loss condition is different than the number of livestock certified to by the producer as lost because of the eligible loss condition in item 50.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 53.</p>
54	<p>COC shall enter the adjusted number of livestock lost because of normal mortality, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines the number of livestock lost because of normal mortality is different than the number of livestock certified to by the producer as lost because of normal mortality in item 51.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 54.</p>

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

**A Completing Manual FSA-918 (Continued)**

Item	Instruction
<b>Part I – Documentation of Inventory</b>	
55	Enter the type of supporting documentation provided by the producer to verify beginning inventory.
56	Enter the total number of livestock supported by the documentation provided in item 55.
<b>Part J – Documentation to Verify Livestock Losses</b>	
57	Enter the type of supporting documentation provided by the producer to verify livestock death losses in item 50.
58	Enter the total number of livestock supported by the documentation provided in item 57.
<b>Part K – Other Compensation/Reductions</b>	
59	Enter the amount of monetary compensation received by the producer from their contractor for the loss of income suffered from the death of the livestock under contract (for contract growers only).
60	Enter amount of compensation received from other disaster assistance programs for the same grazing, feed, livestock death losses, or additional expenses.
<b>Part L – Producer Certification</b>	
61A through 61C	<p>After reading the certification, producer or producer’s representative shall sign and date.</p> <p>Signatory in item 61A shall enter title/relationship when signing in the representative capacity.</p> <p>If a producer/applicant is:</p> <ul style="list-style-type: none"> <li>• <b>not</b> signing in the representative capacity, this field should be left blank</li> <li>• signing on behalf of themselves, it is acceptable to write “self”; however, it is <b>not</b> necessary.</li> </ul>
<b>Part M – County Committee Determination</b>	
62A	Enter COC signature.
62B	Enter date of COC action.
62C	<p>Check (✓) “Approved” or “Disapproved”.</p> <p><b>Important:</b> FSA-918 shall be approved or disapproved as certified by the producer after applicable COC adjustment fields are completed.</p>

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

**B Example of FSA-918**

This form is available electronically

<b>FSA-918</b> (09-11-09)  <b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency  <b>EMERGENCY LOSS ASSISTANCE FOR LIVESTOCK APPLICATION</b>	1. State and County Code  48 009	2. Calendar Year  2008
	3. County Office Name  Knox	4. Application Number  2008

**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 760, 7 CFR Part 1400, and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to determine eligibility for 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 program benefits.

This information collection is exempted from the Paperwork Reduction Act as it is required for the administration of the Food, Conservation and Energy Act of 2008 (see Pub. L. 110-246, Title 1, Subtitle F – Administration).

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.

**PART A – PRODUCER INFORMATION**

5. Producer's Name and Address (City, State and Zip Code)  
 Sam Jones  
 1000 Star Street  
 Knox City, Texas 11134

**PART B – NOTICE OF LOSS**

I am reporting that I have incurred losses due to qualifying weather or loss condition(s) listed in Item 7 and the losses occurred or were apparent to me on the date(s) listed in Item 8.

6. Type of Loss (Check)  <input checked="" type="checkbox"/> Grazing Loss <input type="checkbox"/> Additional Expenses <input type="checkbox"/> Feed Loss <input type="checkbox"/> Livestock Deaths	7. Qualifying Weather or Loss Condition(s) 1. Flooding	
8. Date(s) of Occurrence/When Loss Was Apparent 1. June 1, 2008 through June 15, 2008	9. Physical Location of Loss(es) Farm 44	
10A. Producer's Signature (By)	10B. Title/Relationship of the Individual Signing in the Representative Capacity	10C. Date (MM-DD-YYYY)  09-14-2009

**PART C – DISASTER LOSS INFORMATION FOR LIVESTOCK**

11. Where were the livestock physically located on the beginning date of the qualifying weather or loss condition(s)? (Include County name, farm number, etc.) Knox County, Texas Farm 44	12. Where is the current physical location of the livestock in inventory? Knox County, Texas Farm 44
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13. Associated Producers (List all other producers that have an ownership share of any livestock listed in Item 15 and/or Item 48 and indicate their share).  
 None

**PART D – LIVESTOCK INFORMATION - GRAZING LOSSES**

PART D – LIVESTOCK INFORMATION - GRAZING LOSSES				COC USE ONLY	
14. Livestock Number	15. Livestock Kind/Type and Weight Range	16. Current Year Inventory	17. Share	18. COC Adjusted Current Year Inventory	
1	Adult Beef Cattle	100	100.00		

**PART E – FORAGE INFORMATION – GRAZING LOSSES**

PART E – FORAGE INFORMATION – GRAZING LOSSES					COC USE ONLY	
19. Livestock Number	20. Pasture Type – Owned or Cash Leased Land (Non-Fire Affected)	21. Acres	22. Lost Grazing Days	23. Carrying Capacity	24. COC Adjusted Acres	25. COC Adjusted Lost Grazing Days
1	Native	2000.0	30	20.0		

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

**B Example of FSA-918 (Continued)**

FSA-918 (09-11-09)						Page 2 of 3		
PART E – FORAGE INFORMATION – GRAZING LOSSES (CONTINUED)								
26. Livestock Number	27. Pasture Type – AUM/AU Leased Land (Non-Fire Affected)		28. Animal Units	29. Lost Grazing Days	COC USE ONLY			
					30. COC Adjusted Animal Units	31. COC Adjusted Lost Grazing Days		
32. Pasture Type – Non-Federal Managed Lands (Fire Affected)		33. Affected Acres	34. Lost Grazing Days		COC USE ONLY			
					35. Carrying Capacity	36. COC Adjusted Affected Acres	37. COC Adjusted Lost Grazing Days	
PART F - VALUE OF PRODUCED FEED LOST								
38. Type of Feed Produced		39. Eligible Quantity Lost		40. Dollar Value Lost		COC USE ONLY		
						41. COC Adjusted Quantity Lost	42. COC Adjusted Dollar Value	
PART G - VALUE OF PURCHASED FEED LOST, ADDITIONAL FEED PURCHASED, ADDITIONAL EXPENSES								
43. Type of Feed Purchased and/or Additional Expense Incurred				44. Dollar Value Lost/Expense Incurred		COC USE ONLY		
						45. COC Adjusted Value Lost/Expense Incurred		
PART H – LIVESTOCK DEATH LOSS INFORMATION								
46. Loss Condition Date Number	47. Contract Grower		48. Livestock Kind/Type and Weight Range	49. Inventory	50. Number Lost Due to Eligible Loss Conditions	51. Number Lost Due to Normal Mortality	COC USE ONLY	
	Yes	No					52. COC Adjusted Inventory	53. COC Adjusted Number Lost Due to Eligible Loss Conditions
PART I – DOCUMENTATION OF INVENTORY								
55. Describe the document(s) provided to verify beginning inventory. Attach copies of documents						56. Number of Livestock		
Example: Receipt from Harry's Sale Barn for purchase of 25 feeder pigs on November 10, 2007						25		
A.								
B.								
C.								
D.								
PART J – DOCUMENTATION TO VERIFY LIVESTOCK LOSSES								
57. Describe the document(s) provided to verify livestock losses. Attach copies of documents.						58. Number of Livestock		
Example: Rendering receipt for pick up of 10 pigs March 12, 2007						10		
A.								
B.								
C.								
D.								

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\*--298 FSA-918, Emergency Loss Assistance for Livestock Application (Continued)

**B Example of FSA-918 (Continued)**

<b>FSA-918 (09-11-09)</b>		Page 3 of 3
<b>PART K – OTHER COMPENSATION/REDUCTIONS</b>		
59. Other Compensation (Contract Grower Only): \$ 0		
60. Reductions: \$ 0		
<b>PART L – PRODUCER CERTIFICATION</b>		
<p>Payments under the Emergency Loss Assistance for Livestock will be made to provide emergency relief to producers of livestock due to losses from qualifying weather or loss conditions as determined by the Secretary. Each producer must file a separate form FSA-918 to be eligible to receive program benefits. By signing this application, the producer:</p>		
<ol style="list-style-type: none"> <li>1. Agrees to provide FSA 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 such information requested by FSA;</li> <li>2. Authorizes FSA, at any time, with or without their presence, to enter upon, inspect and verify all livestock, livestock deaths, and acreage in which they have an interest;</li> <li>3. 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;</li> <li>4. Authorizes FSA 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; and</li> </ol>		
<b>I certify that:</b>		
<ol style="list-style-type: none"> <li>1. 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 organization structure, the entity is organized under State law.</li> <li>2. On the beginning date of the qualifying weather or loss condition(s) in Item 7, I owned, leased, purchased, entered into a contract to purchase, or was a contract grower of the livestock entered in Item 15 or Item 48 on this application;</li> <li>3. All livestock entered on this application meet all eligibility criteria provided in 7 CFR Part 760 Subpart C, including being maintained by me for commercial use as part of my farming operation, and if applicable, are livestock that would normally have been grazing the eligible grazing land or pastureland on the beginning date of the qualifying weather or loss condition(s);</li> <li>4. All forage information entered on this application meets all eligibility criteria provided in 7 CFR Part 760 Subpart C;</li> <li>5. All information on this application and all supporting documents provided is true and correct;</li> <li>6. Within the county provided in Item 9 and as a direct result of the qualifying weather or loss condition(s) listed in Item 7, I have suffered an eligible grazing loss, feed loss, death loss, or incurred additional expenses for the livestock entered on this application in Items 15 or Item 48;</li> <li>7. I understand to be eligible for this program, I must have obtained with respect to all farms for which I have an interest for which coverage is available, for all insurable crops, at least the catastrophic level of coverage or better under a plan or policy of insurance administered by RMA under FCIA, except this obligation will not include crop insurance pilot programs so designated by RMA and will not include forage on grazing land; and for all noninsurable crops, have obtained NAP coverage by filing the proper paper work and fee within the relevant deadlines, except that this requirement will not include forage on grazing land; or have been approved for a waiver to meet the Risk Management Purchase Requirements.</li> <li>8. All benefits received under any other Federal disaster payment program for the same grazing losses, livestock death loss, and loss year have been reported on this application in Item 60; and</li> <li>9. I understand that this application may be disapproved if information or evidence provided is false or in error, and that other sanctions or penalties could apply.</li> </ol>		
61A. Signature (By)	61B. Title/Relationship of the individual signing in the Representative Capacity	61C. Date (MM-DD-YYYY)  09-14-2009
<b>PART M - COUNTY COMMITTEE DETERMINATION</b>		
62A. COC or Designee Signature	62B. Date (MM-DD-YYYY)	62C. Determination <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED
<p>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of Discrimination, write to USDA, Director, Office of Adjudication and Compliance, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 845-6136 (Spanish) or (800) 877-8339 (TDD) or (866) 377-8642 (Federal-relay). USDA is an equal opportunity provider and employer.</p>		

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application**

**A Completing Manual FSA-930**

Complete FSA-930 according to the following:

<b>Item</b>	<b>Instruction</b>
1	Enter State and county code. This is the physical location of the county in which the loss occurred.
2	Enter the calendar year the eligible farm-raised fish or honey bee losses occurred and/or additional expenses were incurred because of an eligible adverse weather or loss condition.
3	Enter County Office name. This is the physical location County Office where the producer's losses occurred/additional expenses were incurred.
4	Enter the application number.  <b>Note:</b> This is an automated system assigned number.
<b>Part A – Producer Information</b>	
5	Enter the producer's name and address.
<b>Part B – Notice of Loss</b>	
6	<p>Enter the later of the date(s) when the loss or losses:</p> <ul style="list-style-type: none"> <li>• occurred</li> <li>• were apparent to the producer.</li> </ul> <p><b>Notes:</b> A number should be assigned to each date of occurrence/when loss was apparent. This number will be used to associate the adverse weather or loss condition(s) entered in item 7 to the date of occurrence/when loss was apparent.</p> <p><b>Example:</b> For a flood and tornado that occurred on March 1, 2008, and hurricane that occurred on August 1, 2008, item 6 should be completed as follows.</p> <p style="text-align: center;"><b>Item 6</b></p> <p style="text-align: center;">1. March 1, 2008 2. August 1, 2008</p> <p>Multiple adverse weather or loss conditions may be entered if more than 1 eligible adverse weather or loss condition resulted in losses during the calendar year.</p>

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application (Continued)**

**A Completing Manual FSA-930 (Continued)**

Item	Instruction								
7	<p>Enter the eligible adverse weather or loss condition(s) that caused the loss or losses or resulted in the additional expense.</p> <p><b>Notes:</b> Enter the number from date of occurrence/when loss was apparent from item 6 that corresponds with the adverse weather and/or loss condition(s).</p> <p><b>Example:</b> For a flood and tornado that occurred on March 1, 2008, and hurricane that occurred on August 1, 2008, item 6 should be completed as follows.</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><u><b>Item 6</b></u></td> <td style="text-align: center;"><u><b>Item 7</b></u></td> </tr> <tr> <td style="text-align: center;">1. March 1, 2008</td> <td style="text-align: center;">1. Flood</td> </tr> <tr> <td style="text-align: center;">2. August 1, 2008</td> <td style="text-align: center;">1. Tornado</td> </tr> <tr> <td></td> <td style="text-align: center;">2. Hurricane</td> </tr> </table> <p>Multiple entries may be made if more than 1 eligible adverse weather or loss condition resulted in losses during the calendar year.</p>	<u><b>Item 6</b></u>	<u><b>Item 7</b></u>	1. March 1, 2008	1. Flood	2. August 1, 2008	1. Tornado		2. Hurricane
<u><b>Item 6</b></u>	<u><b>Item 7</b></u>								
1. March 1, 2008	1. Flood								
2. August 1, 2008	1. Tornado								
	2. Hurricane								
8A	<p>Producer or producer’s representative may sign to indicate that farm-raised fish or honey bee losses have occurred or additional expenses were incurred because of eligible adverse weather or loss conditions listed in item 7 and occurred or were apparent to the producer on the dates listed in item 6.</p> <p>Producer or producer’s representative may file a “notice of loss” with the administrative County Office by 1 of the following alternative methods:</p> <ul style="list-style-type: none"> <li>• phone</li> <li>• FAX</li> <li>• e-mail.</li> </ul> <p>Enter the method by which the “notice of loss” was filed in the physical location County Office if the producer or producer’s representative did not sign in item 8A.</p>								
8B	<p>Signatory in item 8A shall enter the title/relationship when signing in a representative capacity.</p> <p>If a producer/applicant is:</p> <ul style="list-style-type: none"> <li>• <b>not</b> signing in the representative capacity, this field should be left blank</li> <li>• signing on behalf of themselves, it is acceptable to write “self”; however, it is <b>not</b> necessary.</li> </ul>								
8C	<p>Producer or producer’s representative shall enter date they signed the “notice of loss” or County Office employee shall enter the date producer or producer’s representative reported “notice of loss” using 1 of the alternative methods in item 8A.</p>								

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application  
(Continued)**

**A Completing Manual FSA-930 (Continued)**

Item	Instruction						
<b>Part C – Location and Associated Producer Information</b>							
9	<p>Enter the physical location of where the farm-raised fish, honey bee colonies, and/or honey bee hives were physically located on the beginning date of the qualifying weather or loss condition(s). Include the name of the county where the losses occurred and or additional expenses were incurred.</p> <p><b>Example:</b> Knox County, Texas, Farm 2502</p>						
10	<p>Enter associated producers who had an ownership share or lease interest in any of the farm-raised fish and/or honey bee colonies or hives entered in items 11B, 13B, or 15B and their shares.</p>						
<b>Part D – Farm-Raised Fish Death Loss Information</b>							
11A	<p>Enter the corresponding date of occurrence number listed in item 6.</p>						
11B	<p>Enter the type, kind, and size of each farm-raised fish for which loss occurred.</p> <p><b>Important:</b> An entry in this field is always required when there is a loss in a particular type, kind, and size of farm-raised fish.</p> <p><b>Note:</b> Separate line entries by type, kind, and size are required when producer shares are different.</p> <p><b>Example:</b></p> <table border="0" style="margin-left: 40px;"> <tr> <td style="text-align: center;"><b><u>Item 11B</u></b></td> <td style="text-align: center;"><b><u>Item 11G</u></b></td> </tr> <tr> <td style="text-align: center;">Baitfish/Fathead minnow</td> <td style="text-align: center;">1.0000</td> </tr> <tr> <td style="text-align: center;">Baitfish/Fathead minnow</td> <td style="text-align: center;">0.7500</td> </tr> </table>	<b><u>Item 11B</u></b>	<b><u>Item 11G</u></b>	Baitfish/Fathead minnow	1.0000	Baitfish/Fathead minnow	0.7500
<b><u>Item 11B</u></b>	<b><u>Item 11G</u></b>						
Baitfish/Fathead minnow	1.0000						
Baitfish/Fathead minnow	0.7500						
11C	<p>Enter the unit of measure, pounds, pieces, inches, or gallons, as determined by STC.</p>						
11D	<p>Enter the <b>beginning</b> inventory of farm-raised fish immediately before the beginning date of the qualifying adverse weather or loss condition(s) listed in item 6.</p>						
11E	<p>Enter the <b>ending</b> inventory immediately after the end of the qualifying adverse weather or loss condition(s) listed in item 7.</p>						
11F	<p>Enter amount of ineligible farm-raised fish losses reported by the producer, if applicable.</p>						
11G	<p>Enter the share the producer has in the farm-raised fish in item 11B.</p>						
11H	<p>COC shall enter the adjusted beginning inventory before loss, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a beginning inventory (before loss) different than the beginning inventory (before loss) certified to by the producer in item 11D.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 11H.</p>						

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application  
(Continued)**

**A Completing Manual FSA-930 (Continued)**

<b>Item</b>	<b>Instruction</b>
11I	COC shall enter the adjusted ending inventory after loss, if applicable.  <b>Notes:</b> An entry is only required when COC determines an ending inventory (after loss) different than the ending inventory (after loss) certified to by the producer in item 11E.  The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 11I.
11J	COC shall enter the adjusted ineligible inventory lost, if applicable.  <b>Notes:</b> An entry is only required when COC determines an ineligible inventory lost different than the ineligible inventory lost certified to by the producer in item 11F.  The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 11H.
<b>Part E – Farm-Raised Fish Documentation of Value</b>	
12A	Enter a sequential number for each receipt provided by the producer.
12B	Enter a description of each receipt provided to document the value or replacement cost of the bait fish or game fish.
12C	Enter the quantity of the bait fish or game fish from the receipt.
12D	Enter the dollar value of each receipt.
12E	COC shall enter the adjusted quantity, if applicable.  <b>Notes:</b> An entry is only required when COC determines a quantity different than the quantity on the receipt recorded in item 12C.  The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 12E.
12F	COC shall enter the adjusted dollar value of each receipt, if applicable.  <b>Notes:</b> An entry is only required when COC determines a dollar value different than the dollar value on the receipt recorded in item 12D.  The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 12F.
<b>Part F – Honey Bee Colony Loss Information</b>	
13A	Enter the corresponding date of occurrence number listed in item 6.
13B	Enter the <b>beginning</b> inventory of honey bee colonies immediately before the beginning date of the eligible adverse weather or loss condition(s) listed in item 6.  Make separate line entries for different shares.
13C	Enter the total number of honey bee colonies lost.  Make separate line entries for different shares.

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application  
(Continued)**

**A Completing Manual FSA-930 (Continued)**

Item	Instruction
13D	Enter the total number of honey bee colonies lost because of an ineligible adverse weather or loss condition.  Make separate line entries for different shares.
13E	Enter the share the producer has in the honey bee colony in item 13B.
13F	COC shall enter the adjusted beginning inventory of honey bee colonies, if applicable.  <b>Notes:</b> An entry is only required when COC determines a beginning inventory of honey bee colonies different than the beginning inventory of honey bee colonies certified to by the producer in item 13B.  The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 13F.
13G	COC shall enter the adjusted number of honey bee colonies lost, if applicable.  <b>Notes:</b> An entry is only required when COC determines a number of honey bee colonies lost different than the number of honey colonies lost certified to by the producer in item 13C.  The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 13G.
13H	COC shall enter the adjusted ineligible honey bee colonies lost, if applicable.  <b>Notes:</b> An entry is only required when COC determines ineligible honey bee colonies lost different than the ineligible honey bee colonies lost certified to by the producer in item 13D.  The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 13H.
<b>Part G – Honey Bee Colony Documentation of Value</b>	
14A	Enter a sequential number for each receipt provided by the producer.
14B	Enter a description of each receipt provided to document the value or replacement cost of the honey bee colony.
14C	Enter the quantity of honey bee colonies from the receipt.
14D	Enter the dollar value of each receipt.
14E	COC shall enter the adjusted quantity, if applicable.  <b>Notes:</b> An entry is only required when COC determines a quantity different than the quantity on the receipt recorded in item 14C.  The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 14E.

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application  
(Continued)**

**A Completing Manual FSA-930 (Continued)**

Item	Instruction
14F	<p>COC shall enter the adjusted dollar value of each receipt, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a dollar value different than the dollar value on the receipt recorded in item 14D.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 14F.</p>
<b>Part H – Honey Bee Hive Loss Information</b>	
15A	Enter the corresponding date of occurrence number listed in item 6.
15B	<p>Enter the <b>beginning</b> inventory of honey bee hives immediately before the beginning date of the eligible adverse weather or loss condition(s) listed in item 6.</p> <p><b>Note:</b> Make separate line entries for different shares.</p>
15C	<p>Enter the total number of honey bee hives lost.</p> <p><b>Note:</b> Make separate line entries for different shares.</p>
15D	<p>Enter the total number of honey bee hives lost because of an ineligible adverse weather or loss condition(s).</p> <p><b>Note:</b> Make separate line entries for different shares.</p>
15E	Enter the share the producer has in the honey bee colony in item 15B.
15F	<p>COC shall enter the adjusted beginning inventory of honey bee hives, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a beginning inventory of honey bee hives different than the beginning inventory of honey bee hives certified to by the producer in item 15B.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 15F.</p>
15G	<p>COC shall enter the adjusted total number of honey bee hives lost, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a total number of honey bee hives lost different than the total number of honey bee hives lost certified to by the producer in item 15C.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 15G.</p>
15H	<p>COC shall enter the adjusted ineligible honey bee hives lost, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines ineligible honey bee hives lost different than ineligible honey bee hives lost certified to by the producer in item 15D.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 15H.</p>

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application  
(Continued)**

**A Completing Manual FSA-930 (Continued)**

Item	Instruction
<b>Part I – Honey Bee Hive Documentation of Value</b>	
16A	Enter a sequential number for each receipt provided by the producer.
16B	Enter a description of each receipt provided to document the value or replacement cost of the bee hives.
16C	Enter the quantity of bee hives on each receipt.
16D	Enter the dollar value of each receipt.
16E	<p>COC shall enter the adjusted quantity, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a quantity different than the quantity on the receipt recorded in item 16C.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 16E.</p>
16F	<p>COC shall enter the adjusted dollar value of each receipt, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines a dollar value different than the dollar value on the receipt recorded in item 16D.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 16F.</p>
<b>Part J – Value of Purchased Feed Lost and/or Additional Expenses – Farm-Raised Fish and Honey Bees</b>	
17A	Enter the corresponding number for the adverse weather or loss condition(s) date from item 6.
17B	Enter type of purchased feed lost and/or additional expenses incurred for farm-raised fish and/or honey bees.
17C	<p>Enter the dollar value of purchased feed lost and/or additional expenses.</p> <p><b>Note:</b> Make separate line entries for different shares.</p>
17D	Enter share applicable to each line entry.
17E	<p>COC shall enter the adjusted value of feed lost or additional expenses incurred, if applicable.</p> <p><b>Note:</b> An entry is only required when COC determines a value of feed lost or additional expense incurred different than the dollar value of feed lost or additional expenses incurred reported by the producer in item 17C.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 17E.</p>
<b>Part K –Payment Reductions</b>	
18	Enter amount of compensation received from other disaster assistance programs for the same or similar losses or additional expenses incurred.

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application  
(Continued)**

**A Completing Manual FSA-930 (Continued)**

Item	Instruction
<b>Part L – Producer Certification</b>	
19A through 19C	<p>After reading the certification, producer or producer’s representative signs and dates.</p> <p>Signatory in item 19A shall enter title/relationship when signing in the representative capacity.</p> <p>If a producer/applicant is:</p> <ul style="list-style-type: none"> <li>• <b>not</b> signing in the representative capacity, this field should be left blank</li> <li>• signing on behalf of themselves, it is acceptable to write “self”; however, it is <b>not</b> necessary.</li> </ul>
<b>Part M – County Committee Determination</b>	
20A	Enter COC signature.
20B	Enter date of COC action.
20C	<p>CHECK (✓) “Approved” or “Disapproved”.</p> <p><b>Important:</b> FSA-930 shall be approved or disapproved as certified by the producer after applicable COC adjustment fields are completed.</p>

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application (Continued)**

**B Example of FSA-930**

This form is available electronically.

<b>FSA-930</b> (09-11-09)	U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency	1. State and County Code	2. Calendar Year
		48 009	2009
<b>EMERGENCY LOSS ASSISTANCE FOR FARM-RAISED FISH/HONEY BEES APPLICATION</b>		3. County Office Name	4. Application Number
		Castro	409

**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 760 and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to determine eligibility for 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 program benefits.

This information collection is exempted from the Paperwork Reduction Act as it is required for the administration of the Food, Conservation and Energy Act of 2008 (see Pub. L. 110-246, Title 1, Subtitle F – Administration).

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.**

**PART A – PRODUCER INFORMATION**

5. Producer's Name and Address (City, State and Zip Code)  
 Johnson Apiaries  
 P. O. Box 100  
 Dimmitt, Texas 12345

**PART B – NOTICE OF LOSS**

6. Date(s) of Occurrence/When Loss Was Apparent	7. Qualifying Adverse Weather and/or Loss Condition(s):
1. October 1, 2009	1. Colony Collapse Disorder

8. I am reporting that I have incurred losses and/or additional expenses due to the qualifying adverse weather and/or loss condition(s) listed in Item 7 and the losses occurred or additional expenses incurred were apparent to me on the date(s) listed in Item 6.

A. Producer's Signature (By)	B. Title/Relationship of the Individual Signing in the Representative Capacity	C. Date (MM-DD-YYYY)
		10-14-2009

**PART C – LOCATION AND ASSOCIATED PRODUCER INFORMATION**

9. Where were the claimed farm-raised fish, honey bee colonies, and/or honey bee hives physically located on the beginning date of the qualifying weather or loss condition(s)? (Include County name, farm number etc.)  
 Castro County, Texas Farm 1010

10. Associated Producers (List all other producers that have an ownership share of any honey bee colonies/hives and/or farm-raised fish).  
 None

**PART D – FARM-RAISED FISH DEATH LOSS INFORMATION**

11A. Date of Occurrence Number	11B. Type/Kind/Size	11C. Unit of Measure	11D. Beginning Inventory (Before Loss)	11E. Ending Inventory (After Loss)	11F. Ineligible Inventory Lost	11G. Share	COC USE ONLY		
							11H. Adjusted Beginning Inventory (Before Loss)	11I. Adjusted Ending Inventory (After Loss)	11J. Adjusted Ineligible Inventory Lost

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application (Continued)**

**B Example of FSA-930 (Continued)**

FSA-930 (09-11-09)						Page 2 of 3	
PART E – FARM-RAISED FISH DOCUMENTATION OF VALUE							
12A. Receipt Number	12B. Documentation Description			12C. Quantity	12D. Dollar Value	COC USE ONLY	
						12E. Adjusted Quantity	12F. Adjusted Dollar Value
PART F – HONEY BEE COLONY LOSS INFORMATION							
13A. Date of Occurrence Number	13B. Beginning Inventory of Honey Bee Colonies	13C. Total Number of Honey Bee Colonies Lost	13D. Ineligible Honey Bee Colonies Lost	13E. Share	COC USE ONLY		
					13F. Adjusted Beginning Colony Inventory	13G. Adjusted Total Number of Colonies Lost	13H. Adjusted Ineligible Colonies Lost
1	500	275	50	100.00			
PART G – HONEY BEE COLONY DOCUMENTATION OF VALUE							
14A. Receipt Number	14B. Documentation Description			14C. Quantity	14D. Dollar Value	COC USE ONLY	
						14E. Adjusted Quantity	14F. Adjusted Dollar Value
1		Jackson Apiaries Wholesale Receipt	275		\$5000.00		
PART H – HONEY BEE HIVE LOSS INFORMATION							
15A. Date of Occurrence Number	15B. Beginning Inventory of Honey Bee Hives	15C. Total Number of Honey Bee Hives Lost	15D. Ineligible Honey Bee Hives Lost	15E. Share	COC USE ONLY		
					15F. Adjusted Beginning Hive Inventory	15G. Adjusted Total Number of Hives Lost	15H. Adjusted Ineligible Hives Lost
PART I – HONEY BEE HIVE DOCUMENTATION OF VALUE							
16A. Receipt Number	16B. Documentation Description			16C. Quantity	16D. Dollar Value	COC USE ONLY	
						16E. Adjusted Quantity	16F. Adjusted Dollar Value
PART J- VALUE OF PURCHASED FEED LOST AND/OR ADDITIONAL EXPENSES – FARM-RAISED FISH AND HONEY BEES							
17A. Date of Occurrence Number	17B. Type of Feed Lost or Additional Expense Incurred			17C. Value of Feed Lost or Additional Expense Incurred	17D. Share	COC USE ONLY	
						17E. Adjusted Value of Feed Lost or Additional Expense Incurred	
				\$		\$	
				\$		\$	
				\$		\$	
				\$		\$	

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**\*--299 FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application (Continued)**

**B Example of FSA-930 (Continued)**

FSA-930 (09-11-09)		Page 3 of 3
<b>PART K – PAYMENT REDUCTIONS</b>		
18. Payment Reduction Amount \$ 0		
<b>PART L – PRODUCER CERTIFICATION</b>		
<p>Payments under the Emergency Assistance for Honey Bees and Farm-Raised Fish will be made to provide emergency relief to producers of honey bees and/or farm-raised fish due to losses from adverse weather or loss conditions as determined by the Secretary. Each producer must file a separate form FSA-930 to be eligible to receive program benefits. By signing this application, the producer or producers:</p>		
<ol style="list-style-type: none"> <li>1. Agrees to provide FSA 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 such information requested by FSA;</li> <li>2. Authorizes FSA, at any time, with or without their presence, to enter upon, inspect and verify all honey bee colonies, honey bee hives, farm-raised fish, ponds, and acres in which they have an interest;</li> <li>3. Agrees to comply with, and acknowledges they and their application are subject to, all the regulations governing the program and understands that instructions and assistance are available for completing this form; and,</li> <li>4. Authorizes FSA to obtain from third parties, such as, but not limited to, other government agencies, individuals, suppliers, contractors, or processors, feed cooperatives, and feed supply companies, any records or other evidence that substantiates the information provided on this application or any supporting documentation provided.</li> </ol>		
<i>I certify that:</i>		
<ol style="list-style-type: none"> <li>1. 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;</li> <li>2. On the beginning date of the adverse weather or loss condition(s) in Item 6, I owned all honey bee colonies, honey bee hives, and/or farm raised fish entered on this application and physically maintained control of all such honey bees and/or farm-raised fish on that date for commercial use as part of my farming operation;</li> <li>3. All honey bee colonies, honey bee hives, and/or farm-raised fish entered as lost on this application perished during the calendar year in Item 2 as a direct result of a qualifying adverse weather or loss condition(s) entered in Item 7 in the county provided in Item 3, and all losses occurred or additional expenses were incurred on or after January 1, 2008, and before October 1, 2011;</li> <li>4. All information on this application and all supporting documents I provided are true and correct;</li> <li>5. Within the county provided in Item 3 and as a direct result of the qualifying adverse weather and/or loss condition(s) listed in Item 7, I have suffered an eligible loss of honey bee colonies, honey bee hives, and/or farm-raised fish; feed losses, or incurred additional expenses for the honey bees or farm-raised fish entered on this application;</li> <li>6. I understand to be eligible for this program, I must have obtained with respect to all farms for which I have an interest for which coverage is available, for all insurable crops, at least the catastrophic level of coverage or better under a plan or policy of insurance administered by RMA under FCIA, except this obligation will not include crop insurance pilot programs so designated by RMA and will not include forage on grazing land; and for all noninsurable crops on all farms, have obtained NAP coverage by filing the proper paper work and fee within the relevant deadlines, except that this requirement will not include forage on grazing land; or have been approved for a waiver to meet the Risk Management Purchase Requirements;</li> <li>7. All benefits received under any other Federal disaster payment program for the same or similar losses and loss year have been reported on this application in Item 18; and</li> <li>8. I understand that this application may be disapproved if information or evidence provided is false or in error, and that other sanctions or penalties could apply.</li> </ol>		
19A. Producer's Signature (By)	19B. Title/Relationship of the Individual Signing in the Representative Capacity	19C. Date (MM-DD-YYYY)  10-14-2009
<b>PART M – COUNTY COMMITTEE DETERMINATION</b>		
20A. COC or Designee Signature	20B. Date (MM-DD-YYYY)	20C. Determination: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Adjudication and Compliance, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 845-6136 (Spanish) or (800) 877-8339 (TDD) or (866) 377-8642 (Federal-relay). USDA is an equal opportunity provider and employer.</small>		

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## Reports, Forms, Abbreviations, and Redelegations 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		Text
CCC-257	Schedule of Deposit		1
CCC-502	Farm Operating Plan for Payment Eligibility Review		42, 45, 75, Part 4, Part 5
CCC-526	Payment Eligibility Average Adjusted Gross Income Certification		73, 200, 296
CCC-901	Members Information 2009 and Subsequent Years		42, 75, Part 4, Part 5
CCC-770 ELIG 2002	Eligibility Checklist - 2002 Farm Bill		Ex. 9
CCC-770 ELIG 2008	Eligibility Checklist - 2008 Farm Bill		Ex. 9
CCC-926	Average Adjusted Gross Income (AGI) Statement		75, 200, 201, 296, 297
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		41, 45, 171, 184, 242, 282
FSA-578	Report of Acreage		242
FSA-770 LIP	Livestock Indemnity Program Checklist	Ex. 9	43, 73
FSA-914	Livestock Indemnity Program Application	76	22, 40, 41, 42, 45, 72, 73, 75, 77, Ex. 7, 9
FSA-915	Estimated Livestock Indemnity Program (LIP) Lost Calculation Worksheet	77	
FSA-918	Emergency Loss Assistance for Livestock Application	298	Part 5
FSA-925	Livestock Forage Disaster Program Application	202	Part 4
FSA-926	Livestock Indemnity Program Third Party Certification	74	73
FSA-930	Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application	299	Part 5

## Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

## Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviation	Term	Reference
AU	animal unit	182, 183, 202, 252, 298, Ex. 16
AUD	animal unit day	183
AUM	animal unit months	171, 202, 251, 252, 298
ELAP	Honey Bees and Farm-Raised Fish Program	Text
FCIA	Federal Crop Insurance Act	171
IPIA	Improper Payments Information Act of 2002	22, 161, 184, 232, 282, Ex. 9
LFP	Livestock Forage Disaster Program	Part 4
NTE	not to exceed	183
RMPR	Risk Management Purchase Requirement	171, 242
PRF-VI	Pasture, Rangeland, Forage Rainfall Index	171
SURE	Supplemental Revenue Assistance Payment Program	Text

## Re delegations of Authority

For LIP, CED may delegate authority to program technicians to approve only routine FSA-914's where proof of death is provided.

**Important:** Program technicians shall **not** be delegated authority to:

- disapprove any FSA-914
- approve any FSA-914 where third party certification is used as proof of loss.

**\*--Standard AU Conversion Chart**

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

<b>Animal Type</b>	<b>Unit</b>
Dairy Cow	2.00
All Bulls 2 years or more	2.00
Cattle, buffalo, or beefalo 1 year old or more	1.00
Adult Cow with nursing calf	1.00
Horses or mules 1 year old or more	1.00
Cattle, horses, mules, buffalo, or beefalo 6 months to 1 year old	.50
Deer	.25
Sheep or Goats	.25
Lambs or kids	.14
Reindeer	.22
Alpaca	.82
Llama	.36
Emu	.51

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