

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

Livestock Disaster Assistance Programs
1-LDAP

Amendment 6

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Background

Subparagraphs 23 A, 41 G, 241 A, and 242 I have been amended for clarity.

Subparagraph 41 A has been amended to provide that LIP limits payments to eligible producers on farms that incurred livestock death losses in excess of normal mortality.

Subparagraph 42 F has been amended to provide the 2010 LIP livestock owner payment per head rates.

Subparagraph 42 G has been amended to provide the 2010 LIP contract grower payment per head rates.

Subparagraph 73 I has been amended to clarify supporting and additional supporting documentation required to be provided by the participant before FSA-914 can be approved.

Subparagraph 75 D has been amended to clarify:

- that DD shall review first five FSA-914's for calendar year 2008 and/or 2009 for proof of death, reliable records, and third party certifications before COC approves any such FSA-914
- that for 2010 and subsequent calendar years, DD shall review the first five FSA-914's each calendar year where:
 - proof of death is provided according to subparagraph 73 E before COC or CED approves FSA-914
 - reliable records are provided with verifiable beginning and ending inventory records according to subparagraph 73 F before COC approves FSA-914
 - third party certification is used to prove death according to 73 G before COC approves FSA-914.

Amendment Transmittal (Continued)

A Background (Continued)

Subparagraph 76 has been amended to provide a revised example of FSA-914.

Subparagraph 171 E has been amended to clarify that to be considered a qualifying drought for mitigated livestock purposes in:

- 2006 and 2007, the county must have received a drought Secretarial declaration and the livestock must have been sold or disposed of because of the qualifying drought
- 2008 and subsequent years, the county must have been rated as having a D2, D3, or D4 drought intensity rating by the U.S. Drought Monitor that would qualify the county for LFP and the livestock must have been sold or disposed of because of the qualifying drought.

Subparagraph 171 L has been added to provide RMA insurance exceptions where producers will be considered in compliance with the RMPR requirement if their share in a crop is insured based on RMA crop policy rules.

Subparagraph 171 O has been amended to provide that FSA-321 is not required to be completed.

Subparagraph 171 P has been amended for clarity and to provide that FSA-321 is not required to be completed.

Subparagraph 182 D has been amended to clarify that the maximum payment a producer can receive under LFP in a calendar year cannot exceed 3 times the same covered livestock's monthly feed cost times 60 percent regardless of how many different drought intensity ratings the county receives.

Subparagraph 241 A has been amended to accept late-filed FSA-918's and FSA-930's for payment for 2008 and 2009 calendar year losses.

Subparagraph 242 A has been amended to accept late-filed FSA-578's for calendar year 2009.

Subparagraph 242 B has been to amended clarify eligibility of losses resulting from the additional costs incurred for providing or transporting feed to eligible livestock.

Subparagraph 242 C has been amended to provide that:

- only livestock death losses in excess of normal mortality are considered eligible death losses
- eligible loss conditions for livestock death losses, includes but is not limited to, wolf depredation.

Subparagraph 242 D has been amended to reference subparagraph 261 E.

Amendment Transmittal (Continued)

A Background (Continued)

Subparagraph 242 E has been amended to include eligible adverse weather or loss conditions for livestock feed losses.

Subparagraph 242 F has been added to provide eligible loss conditions for livestock death losses.

Subparagraph 242 I has been amended to include honey bee breeders as an eligible honey bee producer for ELAP.

Subparagraph 242 K has been amended to reference all crops.

Subparagraph 242 M has been added to provide RMPR requirements for farm-raised fish producers.

Subparagraph 242 N has been added to provide RMPR requirements for honey bee producers.

Subparagraph 242 P has been amended to provide 2008 ELAP equitable relief provisions.

Subparagraph 242 Q has been amended to provide 2009 ELAP equitable relief provisions.

Subparagraph 251 B has been amended to reference subparagraph K for acceptable documentation of livestock deaths.

Subparagraph 251 F has been amended to include annual rye grass as an eligible grazing crop.

Subparagraph 251 H has been amended to reference ELAP.

Subparagraph 251 I has been amended to clarify establishing grazing losses percentages.

Subparagraph 251 J has been amended to provide the correct subparagraph reference.

Subparagraph 251 K has been added to provide acceptable proof of livestock death losses.

Subparagraph 252 C has been amended to correct the payment calculation and examples for AUM/AU leased grazing losses, excluding fire.

Subparagraph 252 E has been amended to provide a payment calculation example for livestock feed losses relating to the purchase of additional feed, above normal quantities, required to maintain eligible livestock.

Subparagraph 252 F has been added to provide payment rates for livestock death losses.

Subparagraph 252 G has been added to provide that ELAP only covers livestock death losses in excess of normal mortality.

Amendment Transmittal (Continued)

A Background (Continued)

Paragraph 253 has been added to provide procedure for determining value of:

- purchased forage or feed stuffs
- forage or feed stuffs produced by participant
- additional livestock feed costs.

Subparagraphs 261 A, B, and C have been amended to include honey bee breeders as eligible honey bee producers.

Subparagraph 261 E has been amended to clarify required documentation for honey bee colony losses.

Subparagraph 271 F has been amended to include loss conditions.

Subparagraph 294 A has been amended to clarify procedure for filing FSA-918's and FSA-930's.

Subparagraph 298 A has been amended to correct item references.

Page Control Chart		
TC	Text	Exhibit
1-4	2-13 through 2-30 2-33, 2-34 2-39, 2-40 2-45 through 2-48 2-85, 2-86 2-97, 2-98 2-109 through 2-118 4-35, 4-36 4-43, 4-44 4-44.5 through 4-44.8 4-45 through 4-70 4-75, 4-76 5-21 through 5-56 5-59, 5-60 5-63 through 5-66 5-69 through 5-104 5-133 through 5-158 5-195, 5-196 5-207 through 5-210	1, pages 1, 2 page 3 (add)

Table of Contents

Page No.

Part 1 Basic Information

1	Handbook Purpose and Coverage.....	1-1
2-20	(Reserved)	

Part 2 LIP

Section 1 Basic LIP Provisions

21	General Information.....	2-1
22	Responsibilities.....	2-2
23	Definitions for LIP.....	2-9
24-39	(Reserved)	

Section 2 Policy and Procedure

40	Signup Period.....	2-31
41	Eligibility Criteria.....	2-33
42	Payment Rates, Limitations, and Reductions	2-44
43	General Payment Information.....	2-50
4-70	(Reserved)	
71	Applying for Benefits	2-71
72	Notice of Loss.....	2-72
73	Application for Payment.....	2-73
74	FSA-926, Livestock Indemnity Program Third Party Certification	2-87
75	Acting on FSA-914.....	2-94
76	FSA-914, Livestock Indemnity Program Application.....	2-100
77	FSA-915, Estimated Livestock Indemnity Program (LIP) Loss Calculation Worksheet.....	2-112
78-90	(Reserved)	

Part 3 (Reserved)

91-159 (Reserved)

Table of Contents

Page No.

Part 4 LFP

Section 1 Basic LFP Information

160	General Information.....	4-1
161	Responsibilities.....	4-2
161	Definitions for LFP.....	4-8
163-169	(Reserved)	

Section 2 Policy and Procedure

170	Signup Period.....	4-31
171	Eligibility.....	4-32
172-180	(Reserved)	

Section 3 Payment Rates, Limitations, and Reductions

181	Payment Rates, Limitations, and Reductions.....	4-71
182	Drought Payment Calculation.....	4-74
183	Drought Fire Payment Calculation.....	4-77
184	General Payment Information.....	4-78
185-199	(Reserved)	

Section 4 Applying for Benefits

200	Applying for Benefits.....	4-111
201	Acting on FSA-925.....	4-119
202	FSA-925, Livestock Forage Disaster Program Application.....	4-123
203	FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet.....	4-134
204-230	(Reserved)	

Table of Contents

Page No.

Part 5 ELAP

Section 1 Basic ELAP Information

231	General Information.....	5-1
232	Responsibilities.....	5-3
233	Definitions for ELAP.....	5-8
234-240	(Reserved)	

Section 2 Policy and Procedure

241	Signup Period.....	5-21
242	Eligibility Criteria.....	5-23
243-250	(Reserved)	

Section 3 Livestock Eligibility Criteria

251	Livestock Eligibility	5-57
252	Livestock Payment Rates, Payment Calculations.....	5-66
253	Determining Lost Feed Value and Additional Feed Costs	5-75
254-260	(Reserved)	

Section 4 Honey Bee Eligibility Criteria

261	Honey Bee Eligibility	5-101
262-270	(Reserved)	

Section 5 Farm-Raised Fish Eligibility Criteria

271	Farm-Raised Fish.....	5-131
272-280	(Reserved)	

Section 6 Payment Limitation and Reductions

281	Payment Rates, Limitations, and Reductions	5-159
282	General Payment Information.....	5-161
283-293	(Reserved)	
294	Applying for Benefits	5-195
295	Notice of Loss.....	5-196

Table of Contents

Page No.

Part 5 ELAP (Continued)

Section 6 Payment Limitation and Reductions (Continued)

296	Application for Payment.....	5-197
297	Acting on FSA-918 or FSA-930.....	5-203
298	FSA-918, Emergency Loss Assistance for Livestock Application.....	5-207
299	FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application.....	5-222

Exhibits

1	Reports, Forms, Abbreviations, and Redelegations of Authority
2	Definitions of Terms Used in This Handbook
3-6	(Reserved)
7	Producer Notification of Spot Checks of LIP
8	National Normal Mortality Rate Table
9	FSA-770 LIP, Livestock Indemnity Program Checklist
10-12	(Reserved)
13	FSA-770 LFP, Livestock Forage Disaster Program Checklist
14, 15	(Reserved)
16	Standard AU Conversion Chart

23 Definitions for LIP (Continued)**A Definitions (Continued)**

Kid means a goat less than 1 year old.

Lamb means a sheep less than 1 year old.

Livestock owner means one having legal ownership of the livestock for which benefits are being requested on the day such livestock died and under conditions in which no contract grower could have been eligible for benefits with respect to the livestock.

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.

Nonadult buffalo or beefalo means an animal of those breeds that does not meet the definition of adult buffalo/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.

Nonadult dairy cattle means a dairy breed bovine animal, of a breed used for the purpose of providing milk for human consumption, that do 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.

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

23 Definitions for LIP (Continued)

A Definitions (Continued)

Poultry means domesticated chickens, turkeys, ducks, and geese. Poultry are further delineated by sex, age, and purpose of production or 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 (ram 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, and boar. Swine are further delineated by sex and weight as determined by FSA for loss calculations.

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

24-39 (Reserved)

41 Eligibility Criteria

A Eligible Adverse Weather Event

To be considered eligible to receive benefits under LIP, livestock **must** have died in excess of normal mortality as a direct result of an eligible adverse weather event as follows:

- on or after January 1, 2008, and before October 1, 2011
- no later than 60 calendar days from the ending date of the applicable eligible adverse weather event
- in the calendar year for which benefits are being requested.

Exception: Drought is **not** an eligible adverse weather event **except** when associated with anthrax, a condition that occurs because of drought and results in the death of eligible livestock.

State Offices are responsible for establishing eligibility criteria for livestock deaths because of extreme heat and extreme cold. STC shall ensure that COC thoroughly documents each case to ensure that:

- in fact the cause of loss was because of extreme heat or extreme cold
- management decisions were not the cause of loss
- the extreme heat or extreme cold was such an abnormality that it could reasonably cause the deaths.

Livestock deaths because of insufficient or contaminated water or feed during a drought are considered to be the result of management decisions and are not eligible for LIP.

Exception: Drought is **not** an eligible adverse weather event **except** when associated with anthrax, a condition that occurs because of drought and results in the death of eligible livestock.

41 Eligibility Criteria (Continued)

A Eligible Adverse Weather Event (Continued)

Participants that apply for livestock deaths that are caused by disease are required to provide documentation to support how disease was accelerated or exacerbated by an eligible adverse weather event before COC approves the LIP application. Diseases that can be prevented by implementing and following acceptable management practices, such as vaccination, shall not be considered an eligible cause of livestock death loss under LIP.

Notes: Livestock losses that are not weather related are not eligible for LIP.

Blackleg is a highly fatal disease of young cattle caused by, for example, the spore-forming, rod-shaped, gas-producing bacteria *Clostridium chauvoei*. Blackleg is almost entirely preventable by vaccination; therefore, blackleg is **not** an eligible cause of livestock death loss under LIP.

The eligible adverse weather events have been further defined to include anthrax, blizzards, disease, if accelerated or exacerbated by another eligible adverse weather event, earthquake, extreme cold, extreme heat, floods, hail, hurricanes, lightning, tornado, tropical storm, typhoon, wild fire, and winter storm.

B Eligible Livestock for Owners

To be eligible livestock for owners under LIP, the livestock must meet all of the following:

- been owned by an eligible livestock owner on the day the livestock died
- been maintained for commercial use as part of a farming operation on the day the livestock died

***--Note:** Food, Conservation, and Energy Act of 2008, Section 901(c) limits payments to eligible producers “on **farms**” that have incurred livestock death losses in excess of normal mortality.--*

- died as a direct result of an eligible adverse weather event:
 - on or after January 1, 2008, but before October 1, 2011, and
 - no later than 60 calendar days from the ending date of the applicable eligible adverse weather event, but before October 1, 2011, and
 - in the calendar year for which benefits are being requested
- 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

41 Eligibility Criteria (Continued)

E Ineligible Livestock (Continued)

- all animals that died:
 - before January 1, 2008, or after October 1, 2011
 - in a calendar year other than the calendar year for which benefits are being requested.

Important: Contact the National Office Livestock Assistance Program Manager, through the State Office, when the reason for livestock death is questionable.

F Eligible Livestock Owners

An eligible livestock owner for LIP is one who assumes the production and market risks associated with the agricultural production of livestock and meets all of the following:

- had legal ownership of the eligible livestock for which benefits are being requested on the day the livestock died, and under conditions in which no contract grower could have been eligible for benefits with respect to the animal
- 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.

An individual or entity that did **not** have legal ownership of the livestock on the day the livestock died is **not** an eligible livestock owner for LIP benefits.

41 Eligibility Criteria (Continued)

G Eligible Livestock Contract Growers

An eligible livestock contract grower for LIP is one, other than the livestock owner, who meets **all** of the following:

- possessed an independent financial interest in eligible livestock according to subparagraph D, or products derived from such livestock, as defined by a written agreement with the owner of eligible livestock, setting specific terms, conditions, and obligations of the parties involved about the production of livestock on the day the livestock died
- suffered a loss of income as a direct result of the death of specific eligible livestock subject to the terms, conditions, and obligations of the written contract with the owner of the specific livestock

Note: The contract grower **shall** provide a copy of the grower contract to the FSA administrative County Office.

- 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.

* * *

42 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, a CCC-901 will be required for legal entities to determine individual 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 LIP 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 LIP.

E 2009 and Subsequent Years AGI Provisions

For 2009 through 2011, the average AGI limitation provisions in 7 CFR Part 1400 relating to 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 LIP.

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

42 Payment Rates, Limitations, and Reductions (Continued)

F Payment Rates for Eligible Livestock for Livestock Owners

LIP provides separate payment rates for eligible livestock owners and eligible contract growers. See subparagraph G for payment rates for eligible livestock contract growers.

Payment rates for livestock owners are based on 75 percent of a fair market value, as determined by FSA, for the specific livestock category. The following table provides LIP per head payment rates, by livestock category, for eligible livestock owners.

Kind	Type	Weight Range	2008 Payment Per Head	2009 Payment Per Head	*--2010 Payment Per Head
Alpacas			\$262.50	\$262.50	\$240.29
Beef	Nonadult	Less than 400 pounds	\$343.83	\$319.44	\$302.58
		400 to 799 pounds	\$487.04	\$463.41	\$432.59
		800 pounds or more	\$749.76	\$722.13	\$654.60
	Adult	Cow	\$681.62	\$694.98	\$631.41
		Bull	\$886.11	\$903.48	\$820.84
Dairy	Nonadult	Less than 400 pounds	\$345.00	\$366.09	\$259.69
		400 to 799 pounds	\$690.00	\$732.19	\$519.38
		800 pounds or more	\$749.76	\$722.13	\$654.60
	Adult	Cow	\$1,380.00	\$1,464.38	\$1,038.75
		Bull	\$1,380.00	\$1,464.38	\$1,038.75
Buffalo/ Beefalo	Nonadult	Less than 400 pounds	\$326.64	\$303.47	\$287.45
		400 to 799 pounds	\$462.68	\$440.24	\$410.96
		800 pounds or more	\$712.27	\$686.03	\$621.87
	Adult	Cow	\$600.00	\$611.76	\$555.80
		Bull	\$1,125.00	\$1,147.05	\$1,042.13
Swine	Boars/Sows	Over 450 pounds	\$124.20	\$114.98	\$139.75
	Sows/Boars/Barrows/Gilts	151 to 450 pounds	\$74.62	\$75.44	\$66.40
	Lightweight Barrows/Gilts	50 to 150 pounds	\$56.18	\$52.59	\$48.70
	Feeder Pigs	Under 50 pounds	\$37.75	\$29.74	\$31.00
Sheep	Rams		\$107.24	\$107.24	\$105.49
	Ewes		\$82.49	\$82.49	\$81.14
	Lambs		\$102.02	\$104.58	\$104.98
Goats	Bucks		\$73.66	\$65.28	\$78.44
	Nannies		\$73.66	\$65.28	\$57.93
	Slaughter Goats/Kids		\$47.36	\$48.56	\$48.74
Chickens	Layers/Roasters		\$10.45	\$13.66	\$9.23
	Broilers/Pullets		\$1.81	\$1.92	\$1.87
	Chicks		\$0.19	\$0.20	\$0.18
Turkeys	Toms/Fryers/Roasters		\$10.24	\$12.30	\$11.23
	Poults		\$0.99	\$1.08	\$1.00
Ducks	Ducks		\$2.73	\$3.33	\$3.74
	Ducklings		\$0.44	\$0.53	\$0.60
Geese	Goose		\$11.88	\$21.05	\$20.66
	Gosling		\$2.50	\$4.42	\$4.34
Deer			\$412.50	\$412.50	\$377.60
Elk			\$572.59	\$572.59	\$524.15
Emus			\$150.00	\$150.00	\$137.31
Equine			\$637.50	\$637.50	\$583.57
Llamas			\$210.00	\$210.00	\$192.23
Reindeer			\$412.50	\$412.50	\$377.60--*

42 **Payment Rates, Limitations, and Reductions (Continued)****G Payment Rates for Eligible Livestock for Livestock Contract Growers**

LIP provides separate payment rates for eligible livestock owners and eligible contract growers. See subparagraph F for payment rates for eligible livestock owners.

Payment rates for livestock contract growers are based on 75 percent of the average income loss sustained, as determined by FSA, by the contract grower with respect to the dead livestock. The following table provides per head payment rates, by livestock category, for eligible livestock contract growers.

Kind	Type	Weight Range	2008 Payment Per Head	2009 Payment Per Head	*--2010 Payment Per Head
Chickens	Layers/Roasters		\$0.63	\$0.82	\$0.55
	Broilers/Pullets		\$0.20	\$0.21	\$0.21
Turkeys	Toms/Fryers/Roasters		\$1.13	\$1.35	\$1.24
Ducks	Ducks		\$0.30	\$0.37	\$0.41
Geese	Goose		\$1.31	\$2.32	\$2.27
Swine	Boars/Sows	Over 450 pounds	\$51.04	\$47.25	\$57.43
	Sows/Boars/Barrows/Gilts	151 to 450 pounds	\$11.21	\$11.33	\$9.97
	Lightweight Barrows/Gilts	50 to 150 pounds	\$8.44	\$7.90	\$7.31
	Feeder Pigs	Under 50 pounds	\$4.29	\$3.38	\$3.52--*

42 Payment Rates, Limitations, and Reductions (Continued)

--H Payment Reductions for Livestock Owners--

Pub. L. 110-246 provides that payments for LIP shall be reduced by any amount received by the participant for the same or any similar loss from a different source.

Therefore, LIP payment amounts for eligible livestock owners shall be reduced by the amount the participant received for the specific livestock under any other source for the same or similar loss.

73 Application for Payment (Continued)

H Proof and Reasonableness of Livestock Inventory (Continued)

Example: John Brown certified to 125 head of adult beef cows on his FSA-approved 2007 LCP application. The 125 head of adult beef cows certified on the 2007 LCP application may be used in combination with purchase and sales reports, birth and death records, and other verifiable documents providing evidence of beef cattle for Mr. Brown to determine the beef cattle inventory when the deaths occurred. However, the 2007 LCP application data by itself is **not** sufficient evidence of livestock inventory when the deaths occurred in 2009.

Note: None of the documents listed in this subparagraph, by themselves, may be sufficient evidence to determine the reasonableness of the number of livestock in inventory when the deaths occurred. COC's shall ensure that the documents submitted by participants provide verifiable evidence that supports the reasonableness of the number of livestock inventory when the deaths occurred, as certified by the participant.

COC's shall determine the reasonableness of the livestock inventory and claimed losses using the following guidelines, when appropriate, for calving, farrowing, and kidding:

- 90 percent calving rate
- 103 to 105 percent for sheep
- 150 to 180 percent kidding rate
- 8.5 pigs per litter farrowing rate.

Example: A participant reports a livestock inventory of 150 beef cows, 5 beef bulls, and 155 beef calves when the deaths occurred. The normal calving rate would yield 135 (150 times 90 percent) calves. Based on the normal calving rate, 155 calves for 150 cows does not appear reasonable. COC should question the livestock inventory if it is not supported by verifiable documentation.

73 Application for Payment (Continued)

I Supporting Documents

All supporting documents must be completed by the participant and on file in the County Office * * * before FSA-914 may be approved.

*--For 2008 calendar year losses, the participant must have provided the following to the County Office by no later than December 10, 2009:

- proof of death documentation
- copy of contract growers contracts
- proof of normal mortality documentation.

For 2009 and subsequent year calendar year losses, the participant **must** provide the following supporting documentation to the County Office by no later than 30 calendar days after the end of the calendar year for which benefits are requested:

- proof of death documentation
- copy of contract growers contracts
- proof of normal mortality documentation.

Additional supporting documents including, but not limited to, the following must be completed by the participant and be on file in the County Office before FSA-914 can be approved:--*

- CCC-901 applicable for 2009 and subsequent years
- AD-1026 applicable for 2008, 2009, 2010, 2011
- CCC-526 or other acceptable document according to 1-PL to determine compliance with average AGI provisions for 2008
- CCC-926 or other acceptable document according to 4-PL to determine compliance with average AGI provisions for 2009 and subsequent years.

* * *

75 Acting on FSA-914 (Continued)

B Disapproving FSA-914 (Continued)

If all program eligibility requirements are **not** met, or it is determined that the information on FSA-914, or any additional supporting documentation provided by the participant, is **not** accurate or reasonable, then the following actions shall be taken:

- disapprove FSA-914
- notify participant of disapproval
- provide participant applicable appeal rights according to 1-APP
- thoroughly document reason for disapproval in the COC minutes.

C Verifying Data With Other Agencies, Organizations, or Facilities

When contacting agencies, organizations, or facilities to verify data provided by a participant or third party, 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
- reason the request is being made
- information that is being requested.

D DD Review and Report of Initial FSA-914's

--DD shall review the first five FSA-914's for calendar years 2008 and/or 2009 before-- approval where:

- proof of death is provided according to subparagraph 73 E, before COC or CED may approve any such FSA-914
- reliable records are provided along with verifiable beginning and ending inventory records as proof of death according to subparagraph 73 F, before COC may approve FSA-914
- third party certification is used to prove death according to subparagraph 73 G, before COC may approve any such FSA-914.

--Note: Only COC is authorized to act on FSA-914's where reliable records are provided according to subparagraph 73 F and third party certification is used to prove loss.--

75 Acting on FSA-914 (Continued)

D DD Review and Report of Initial FSA-914's (Continued)

*--For 2010 and subsequent calendar years, DD shall review the first 5 FSA-914's each calendar year before approval where:

- proof of death is provided according to subparagraph 73 E, before COC or CED may approve any such FSA-914
- reliable records are provided along with verifiable beginning and ending inventory records as proof of death according to subparagraph 73 F, before COC may approve FSA-914
- third party certification is used to prove death according to subparagraph 73 G, before COC may approve any such FSA-914.

Note: Only COC is authorized to act on FSA-914's where reliable records are provided according to subparagraph 73 F and third party certification is used to prove loss.--*

The review shall include ensuring that:

- separate FSA-914's are submitted by participant and administrative county
- signature requirements, including power of attorney, are met
- *--proof of death is provided and verifiable, according to subparagraph 73 E, when applicable
- reliable records are provided along with verifiable beginning and ending inventory records as proof of death according to subparagraph 72 F, when applicable--*
- third party certifications, if applicable, meet all requirements according to subparagraph 73 G
- 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-901, CCC-926, CCC-502, AD-1026, and accurate subsidiary and SCIMS data.

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item	Instruction
Part E - Documentation of Beginning Inventory	
21	<p>Enter the type of supporting documentation provided by the producer to verify *--beginning inventory and the number of livestock supported by the documentation provided.--*</p> <p>Note: See subparagraph 73 H for examples of acceptable documentation that may provide verifiable evidence of livestock beginning inventory.</p>
Part F - Documentation to Verify Livestock Losses	
22	<p>Enter the type of documentation provided by the producer to verify livestock *--losses and the number of livestock supported by the documentation provided.--*</p> <p>Note: See paragraph 73 for acceptable documentation for verifying livestock losses.</p>
Part G - Similar Loss/Contract Growers	
23	<p>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).</p>
24	<p>Enter amount of compensation received from other disaster assistance programs for the same livestock losses.</p>
Part H - Producer Certification	
25A through 25C	<p>After reading the certification, producer or producer’s representative signs and dates.</p> <p>Signatory in item 25A shall enter their title/relationship when signing in the representative capacity.</p> <p>If a producer/applicant is not signing in the representative capacity, this field should be left blank. If a producer/applicant is signing on behalf of themselves, it is acceptable to write “self”; however, it is not necessary.</p>
Part I - County Committee Determination	
26	<p>Enter COC signature.</p>
27	<p>Enter date of COC action.</p>
28	<p>Enter a check in approved or disapproved box.</p> <p>Important: FSA-914 shall be approved or disapproved as certified by the producer after applicable COC adjustment fields are completed.</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

B Example of FSA-914

*--

This form is available electronically.

FSA-914 (02-24-10) LIVESTOCK INDEMNITY PROGRAM APPLICATION	U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency	1. State and County Code 48 001	2. Calendar Year 2010
		3. County Office Name Knox	4. Application Number 0001

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 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 I, 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)

John Anywhere
 P. O. Box 5000
 Anywhere, Texas 79240

PART B – NOTICE OF LOSS

6. Date(s) of Occurrence/When Loss Was Apparent

1. March 15, 2010

7. Adverse Weather Event(s)

1. Flooding

8. I am reporting that I have incurred livestock losses due to the adverse weather event(s) listed in Item 7 and the losses occurred or 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)
		03/31/2010

PART C – LIVESTOCK LOCATION AND ASSOCIATED PRODUCER INFORMATION

9. Where were the claimed livestock physically located at the time they died? (Include County name, farm number, etc.)

Knox County, Farm 500

10. Where is the current physical location of the livestock in inventory?

Knox County, Farm 500

11. Associated Producers (List all other producers that have an ownership share of any livestock listed in Item 14 and indicate their share.)

None

PART D - LIVESTOCK INFORMATION

12. Adverse Weather Event Date Number	13. Contract Grower		14. Livestock Kind/Type and Weight Range	15. Inventory on Date of Adverse Weather Event	16. Number of Death Losses Due to Adverse Weather Event	17. Number Lost Due to Normal Mortality	COC USE ONLY		
	Yes	No					18. Adjusted Inventory	19. Adjusted Number Lost Due to Adverse Weather	20. Adjusted Number Lost Due to Normal Mortality
1		X	Beef, Adult cow	100	20				
1		X	Beef, Non-Adult, Less 400 lbs	85	10				

--*

76 FSA-914, Livestock Indemnity Program Application (Continued)

B Example of FSA-914 (Continued)

*--

FSA-914 (02-24-10)		Page 2 of 2
PART E – DOCUMENTATION OF BEGINNING INVENTORY		
21. List the document(s) provided to verify beginning inventory. Attach copies of documents.		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 F – DOCUMENTATION TO VERIFY LIVESTOCK LOSSES		
22. List the document(s) provided to verify livestock losses. Attach copies of documents.		Number of Livestock
Example: Rendering receipt for pick up of 10 pigs March 12, 2007		10
A. Rendering receipts		30
B.		
C.		
D.		
PART G – SIMILAR LOSS/CONTRACT GROWERS		
23. Other Compensation (Contract Growers): \$		
24. Reduction: \$0		
PART H – PRODUCER CERTIFICATION		
<p>Payments under the Livestock Indemnity Program will be made with respect to certain livestock deaths that occurred as a direct result of an eligible adverse weather event, except drought, and including anthrax. Each producer must file a separate form FSA-914 to be eligible to receive program benefits. By signing this application, the producer:</p> <ul style="list-style-type: none"> • 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; • 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; • Agrees to comply with, and acknowledges they are subject to, all the regulations governing the program and understands that instructions and assistance are available for completing this form; • Authorizes FSA to obtain from third parties, such as, but not limited to, other government agencies, individuals, auction barns, contractors or processors, feed vendors, veterinarian services, and rendering services, records or other evidence that substantiates the information provided on this application or any supporting documentation provided. <p><i>I certify that:</i></p> <ul style="list-style-type: none"> • If applying as an individual, that I am a citizen of the United States or a resident alien; if applying as a partnership, the members of the partnership are citizens of the United States; or if applying as a corporation, limited liability corporation, or other farm organizational structure, the entity is organized under State law; • On the day livestock died, I owned or was a contract grower of all livestock entered on this application and physically maintained control of all such livestock on that date on my farm for commercial use as part of my farming operation; • All livestock entered as losses on this application died during the calendar year in Item 2 as a direct result of an eligible adverse weather event(s) no later than 60 days from the ending dates of such adverse weather event(s) provided in Item 7 in the county provided in Item 9, and that all losses occurred on or after January 1, 2008, and before October 1, 2011; • All livestock entered on this application meet all the livestock eligibility criteria provided in 7 CFR Part 760 Subpart E, including being maintained for commercial use as part of my farming operation; • 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; and • All information on this application and all supporting documents I provided is true and correct. 		
25A. Producer's Signature (By)	25B. Title/Relationship of the Individual Signing in the Representative Capacity	25C. Date (MM/DD/YYYY) 03/31/2010
PART I – COUNTY COMMITTEE DETERMINATION		
26. COC or Designee Signature	27. Date (MM/DD/YYYY)	28. Determination <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of 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, political beliefs, genetic information, 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, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</small>		

--*

--77 FSA-915, Estimated Livestock Indemnity Program (LIP) Loss Calculation Worksheet--

A Using FSA-915's

FSA-915 has been developed to assist County Offices in calculating LIP payment amounts for eligible livestock producers until the automated payment process is deployed. FSA-915 shall be used by County Offices to calculate LIP payment amounts for eligible livestock producers until the automated payment process is deployed.

A new FSA-915 shall be completed for an eligible livestock producer each time a subsequent adverse weather event results in eligible livestock death losses for which benefits may be earned.

FSA-915 has been provided to State Offices as an Excel spreadsheet.

B Completing FSA-915's

FSA-915 shall be completed according to the following table.

Item	Instructions
1	Enter County Office name. This is the administrative County Office where the participant's farm records are maintained.
2	Enter calendar year in which the livestock death losses occurred.
3a	Enter participant's name.
3b	<p>For 2008, an entry is only required if the participant identified in item 3a is a general partnership or joint venture with a permanent TIN. A separate FSA-915 shall be completed for each member of the general partnership and/or joint venture. Items 4 through 16 for each member will be calculated based on information entered for the general partnership or joint venture. Items 17 through 21 will be calculated based on information about each specific member of the general partnership or joint venture.</p> <p>For 2009 and subsequent years, an entry is required for all general partnerships and joint ventures with permanent TIN's, and legal entities. A separate FSA-915 shall be completed for each member of the general partnership, joint venture, or legal entity. Items 4 through 16 for each member will be calculated based on information entered for the general partnership, joint venture, or legal entity. Items 17 through 21 will be calculated based on information about each specific member of the general partnership, joint venture, or legal entity.</p>
3c	<p>Enter the share of the member of the general partnership, joint venture, or legal entity, if applicable.</p> <p>Note: Member share is only required if a member is required to be entered in item 3b.</p>

--77 FSA-915, Estimated Livestock Indemnity Program (LIP) Loss Calculation Worksheet--
(Continued)

B Completing FSA-915's (Continued)

Item	Instructions
4	Enter applicable livestock kind/types and weight range from FSA-914, item 14.
5	<p>Enter number of livestock in inventory for each livestock kind/type and weight range from FSA-914, item 15.</p> <p>Note: If there is an entry in FSA-914, item 18, then item 18 shall be used instead of FSA-914, item 15.</p> <p>This is the number of livestock owned or, if a contract grower, in the possession of the contract grower, for the applicable livestock kind/type and weight range, on the day the livestock deaths occurred.</p>
6	Enter the normal mortality rate, established by STC, for the applicable livestock kind/type and weight range.
7	<p>Enter the loss threshold by entering the result of multiplying item 5 times item 6. Round to the nearest whole number.</p> <p>Example: 100 adult beef cows in inventory Normal Mortality Rate = 2 percent</p> <p>Loss Threshold = 100 head x 2% = 2 head.</p>
8	<p>Enter the number of livestock lost because of normal mortality for each livestock kind/type and weight range of livestock from FSA-914, item 17.</p> <p>Note: If there is an entry in FSA-914, item 20, item 20 shall be used instead of FSA-914, item 17.</p>
9	Enter the result of subtracting item 7 from item 8. This is the "Net Loss Threshold". If the result is negative, Enter "0".

--77 FSA-915, Estimated Livestock Indemnity Program (LIP) Loss Calculation Worksheet--
(Continued)

B Completing FSA-915's (Continued)

Item	Instructions
10	Enter total number of livestock lost because of adverse weather for each livestock kind/type and weight range of livestock from FSA-914, item 16. Note: If there is an entry in FSA-914, item 19, item 19 shall be used instead of item 16.
11	Enter the result of subtracting item 9 from item 10. The result is the eligible number of livestock by kind/type and weight range that are eligible for payment. Note: If the result is less than or equal to zero, enter zero and stop . The producer is not due a LIP payment.
12	Enter payment rate for the applicable livestock kind/type and weight range.
13	Enter gross estimated calculated payment amount for each livestock kind/type and weight range by multiplying item 11 times item 12.
14	Enter "total" of all the entries in item 13 by kind/type and weight range. This is the "Gross Estimated Calculated Payment Amount".
15	Enter amount of monetary compensation received by the participant from their contractor for the loss of income suffered from the death of the livestock under contract (for contract growers only from FSA-914, item 23).
16	Enter dollar amount of compensation received from other disaster assistance programs for the same livestock losses from FSA-914, item 24.

--77 FSA-915, Estimated Livestock Indemnity Program (LIP) Loss Calculation Worksheet--
(Continued)

B Completing FSA-915's (Continued)

Item	Instructions
17	<p>Enter total net estimated calculated payment amount determined before application of the payment limitation as follows:</p> <p>(Item 14 minus item 15 minus item 16) times (item 3c, if applicable).</p> <p>If the result is negative, enter "0". This is the total net estimated calculated payment amount before payment limitation.</p> <p>Notes: For 2008, FSA-915's shall be completed for individual members of general partnerships and joint ventures with permanent TIN's. In these instances, the total net estimated calculated payment amount before payment limitation will be multiplied by each member's share in item 3c.</p> <p>Example 1: Individual A's gross estimated calculated payment is \$1000, other compensation is \$0, and other reduction is \$0.</p> <p style="text-align: right;">$\\$1000 - \\$0 - \\$0 = \\1000 (Total Net Estimated Calculated Payment Amount Before Payment Limitation)</p> <p>Example 2: Partner B has a 50 percent interest in Partnership AB. The gross estimated calculated payment for the partnership is \$5000, other compensation for the partnership is \$0, and other reductions for the partnership are \$0.</p> <p style="text-align: right;">$(\\$5000 - \\$0 - \\$0) \times 50\% = \\2500 (Total Net Estimated Calculated Payment Amount Before Payment Limitation for Individual B).</p> <p>For 2009, FSA-915's shall be completed for individual members of general partnerships and joint ventures with permanent TIN's, and legal entities. In these instances, the total net estimated calculated payment amount before payment limitation will be multiplied by each member's share in item 3c.</p>

--77 FSA-915, Estimated Livestock Indemnity Program (LIP) Loss Calculation Worksheet--
(Continued)

B Completing FSA-915's (Continued)

Item	Instructions
18	<p>Enter the maximum payment amount that can be received in ELAP, LFP, LIP, and SURE payments, combined. Reductions to the \$100,000 maximum payment limitation should be made for any ineligible share in an entity because of AGI, controlled substance, fraud provisions, conservation compliance, etc.</p> <p>Note: \$100,000 is the maximum payment that a “person”, as determined under the provisions in 7 CFR Part 1400 in effect for 2008 may receive for 2008 under ELAP, LFP, LIP, and SURE combined.</p> <p>\$100,000 is the maximum payment that a person or legal entity, (excluding a joint venture or general partnership) as determined under the provisions in 7 CFR Part 1400 in effect for 2009 and subsequent years, may receive, directly or indirectly, per program year total under ELAP, LFP, LIP, and SURE combined. Both direct and indirect benefits are counted by attribution.</p> <p>If there are entries in items 3A and 3B, then reduction in the maximum payment limitation will be made at the member level.</p>
19	<p>Enter for:</p> <ul style="list-style-type: none"> • 2008 calendar year losses, the total amount of previous 2008 program year payments issued to the “person”, including combined persons under ELAP, LFP, LIP, and SURE • 2009 and subsequent calendar year losses, the total amount of program year payments issued to the person or legal entity, directly or indirectly under ELAP, LFP, LIP, and SURE.
20	<p>Enter available payment limitation by subtracting item 19 from item 18.</p>

--77 FSA-915, Estimated Livestock Indemnity Program (LIP) Loss Calculation Worksheet--
(Continued)

B Completing FSA-915's (Continued)

Item	Instruction
21	Enter LIP estimated payment amount to be issued by entering the smaller of item 17 or item 20. Note: For members of general partnerships and joint ventures with permanent TIN's, and legal entities for 2009 and subsequent years, total the LIP estimated payment amounts for all members of the general partnership or joint venture and manually enter the total in item 21 on a summary FSA-915 for the applicable general partnership, joint venture, or legal entity. FSA-915's for the members of the general partnership, joint venture, or legal entity shall be attached to the applicable summary FSA-915.
22a	Preparer of form shall sign.
22b	Preparer of form shall enter title.
22c	Preparer of form shall enter date form is prepared.
23a	Party conducting second party review shall sign form when second party review is complete.
23b	Second party reviewer shall enter date second party review is completed.

--77 FSA-915, Estimated Livestock Indemnity Program (LIP) Loss Calculation Worksheet--
(Continued)

C Example of FSA-915

This form is available electronically. FSA-915 U.S. DEPARTMENT OF AGRICULTURE (07-17-09) Farm Service Agency				1. Farm Service Agency County Office Name	2. Calendar Year
ESTIMATED LIVESTOCK INDEMNITY PROGRAM (LIP) LOSS CALCULATION WORKSHEET				Knox County FSA Office	2009
				3A. Participant Name	
				Sam Jones	
				3B. Member Name (If Applicable)	3C. Member Share (If Applicable)
				A. Livestock Kind/Type, Weight Range	
4. Enter applicable Livestock Kind/Type(s) by Weight Range from Form FSA-914, Item 14.				Beef, Nonadult, Less Than 400 pounds	
5. Inventory on Date of Adverse Weather Event. (FSA-914, Item 15 or Item 18).				100	
6. Mortality Rate for Applicable Livestock Kind/Type, Weight Range.				3.0%	
7. Loss Threshold (Item 5 x Item 6, round to nearest whole number).				3	
8. Number Lost Due to Normal Mortality (FSA-914, Item 17 or Item 20).				0	
9. Net Loss Threshold (Item 7 minus Item 8. If the result is negative, enter 0).				3	
10. Total Number of Death Losses Due to Adverse Weather (FSA-914, Item 16 or Item 19).				20	
11. Eligible Number of Livestock for Payment (Item 10 minus Item 9. If the result is less than or equal to zero, enter 0 and STOP).				17	
12. Payment Rate for Applicable Livestock Kind/Type and Weight Range.				319.44	
13. Gross Estimated Calculated Payment Amount by Livestock Kind/Type and Weight Range (Item 11 x Item 12). Round to whole dollars.				5,430	
14. Total Gross Estimated Calculated Payment Amount (Total all entries in Item 13).					\$
15. Other Compensation (Contact Growers)					\$
16. Other Reductions					\$
17. Total Net Estimated Calculated Payment Amount Before Payment Limitation (Item 14 minus Item 15 minus Item 16) x (Item 3C, if applicable). If the result is negative, enter 0. Round to whole dollars.					\$ 5,430
18. Maximum Payment Limitation for Payments Combined under ELAP, LIP, LFP, and SURE.					\$ 100,000
19. Total Previous Payments Issued Under ELAP, LIP, LFP, and SURE.					\$
20. Available Payment Limitation (Item 18 minus Item 19).					\$ 100,000
21. LIP Estimated payment to be Issued. (Enter the smaller of Item 17 or Item 20).					\$ 5,430
22A. Signature of Preparer			22B. Title of Preparer		22C. Date (MM-DD-YYYY)
23A. Signature of Second Party Reviewer					23B. Date (MM-DD-YYYY)

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 Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

78-90 (Reserved)

Part 3 (Reserved)

91-159 (Reserved)

171 Eligibility Criteria (Continued)

E Eligible Covered Livestock

To be eligible considered covered livestock, 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 in the county
 - during the normal grazing period for the specific type of grazing land or pastureland for 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 the livestock to another county for grazing, the livestock would be eligible to be included when calculating the monthly feed cost.

- when the Federal agency prohibited the eligible livestock producer from using the managed rangeland for grazing because of a fire
- be livestock that the eligible livestock producer:
 - at anytime during the 60 calendar days before the beginning date of a qualifying drought or fire owned, leased, purchased, entered into a contract to purchase, or was a contract grower of
 - sold or otherwise disposed of because of a qualifying drought during:
 - the current production year
 - 1 or both of the 2 production years immediately preceding the current production year
 - been maintained for commercial use as part of the producer's farming operation on the beginning date of the qualifying drought or fire
 - not have been produced or maintained for reasons other than commercial use as part of the producer's farming operation

171 Eligibility Criteria (Continued)

E Eligible Covered Livestock (Continued)

- not have been livestock that were or would have been in a feedlot, on the beginning date of the qualifying drought or fire, as part of the normal business operation of the producer.

Important: Mitigated livestock are livestock that were sold or otherwise disposed of because of a qualifying drought during the current production year, or were sold or otherwise disposed of because of a qualifying drought in 1 or both of the 2 production years immediately preceding the current production year. Mitigated livestock are still eligible livestock for LFP, if the livestock meet the requirement of this subparagraph and the definitions in paragraph 162.

*--To be considered a qualifying drought for mitigated livestock purposes in:

- 2006 or 2007, the county must have received a drought Secretarial disaster declaration and the livestock must have been sold or disposed of because of the qualifying drought
- 2008 and subsequent years, the county must have been rated as having 1 of the following by the U.S. Drought Monitor and the livestock must have been sold or disposed of because of the qualifying drought:
 - D2 intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the county
 - D3 intensity in any area of the county at anytime during the normal grazing period for the county
 - D3 intensity in any area of the county during the normal grazing period for the county for 4 weeks during the normal grazing period
 - D4 intensity in any area of the county at anytime during the normal grazing period for the county.--*

Proof of sale of livestock shall be required if selected for spot check.

Example: John Smith normally maintains 100 head of adult beef cows in his commercial ranching operation. The adult beef cows normally graze native pasture during the normal grazing period in Matagorda County, Texas which is January 1 through December 31. On September 23, 2008, the county was rated a D2 on the U.S. Drought Monitor for 8 consecutive weeks. Mr. Smith sold 15 head of the adult beef cows because of the drought conditions on July 10, 2008. The 15 cows sold are eligible mitigated livestock for LFP provided all other eligibility requirements are met. Proof of sale documents shall be provided by Mr. Smith if Mr. Smith's FSA-925 for payment is selected for spot check.

171 Eligibility Criteria (Continued)

K Producers With RMA PFR-RI Pilot Program Coverage

The PRF-RI pilot program policy, offered in only selected States and counties, only covers losses because of drought. Because PRF-RI does not cover all perils, NAP has to be made available to producers on the same acres covered by the PRF-RI policy to provide coverage for losses resulting from other eligible NAP conditions, such as flood, fire, and freeze.

A producer that obtains PRF-RI on their grazing lands, some or all acres, to cover drought, and NAP coverage on the same acres to cover all other perils will be ineligible for a NAP payment if the producer receives an PRF indemnity payment.

For calendar year 2008, if a producer purchased a PRF-RI policy on some, but not all of their grazing land acres, the producer would be eligible to pay the “buy-in” fee for NAP to make the grazing land acres not included under the PRF-RI policy in the unit eligible for LFP.

Example: PRF-RI coverage is available in the county in 2008. Producer reports 1000 acres native grass intended for grazing. Producer has 500 acres of native grass intended for grazing covered under PRF-RI. NAP coverage was not purchased to cover the other perils in 2008. Because NAP coverage was available for the other perils, the producer can pay the “buy-in” fee to make the remaining 500 acres of native grass intended for grazing that was not included under the PRF-RI policy eligible for LFP.

***--L RMA Insurance Exceptions**

Producers will be considered in compliance with the RMPR requirement if their share in a crop is insured based on 1 of the following RMA crop policy rules:

- **Husband/Wife** – Either spouse insures all interest in the crop under 1 policy.
- **Landlord/Tenant** – Either the landlord or tenant may insure both parties’ share with permission of the other party.
- **Landlord Undivided Interest** – Land is jointly and severally owned with 1 person being the responsible person.--*

171 Eligibility Criteria (Continued)

***--L RMA Insurance Exceptions (Continued)**

- **Joint Ventures** – One of the member's TIN is used to insure the entire interest of the joint venture with all members agreeing and signing the policy.

Note: The exception on joint ventures does **not** apply to corporations or any other entities with members.

- **Revocable Trusts** – An individual beneficiary's or grantor's TIN is used to insure the entire interest of the revocable trust. Documentation may include a copy of the statement advising where the authority can be found.
- **DBA** – A producer with TIN for DBA with only the individual as sole proprietor can insure using either DBA's TIN or the individual's TIN. If DBA has substantial beneficial interest other than the individual, then DBA is **not** eligible for the exception.

Note: A producer is considered to have met RMPR only if documentation is provided by insured to substantiate that the insured has met 1 of the RMA crop policy rules.

- **Transfer of Indemnity** – A producer's share is insured under a policy purchased by another individual that transfers the insurance coverage to the producer. The original insured individual transfers the insurance coverage to another person. RMA may provide FSA with the original insured's TIN because only the crop insurance companies maintain transfer information. The producer must provide proof of transfer from their crop insurance agent.--*

M Waiver for Calendar Year 2008 only for LFP

Producers are eligible for LFP only if either crop insurance or NAP coverage has been obtained for the grazing land incurring losses for which assistance is being requested.

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. A waiver was authorized to allow producers to pay a buy-in fee, or receive a waiver, by September 16, 2008, for grazing land for which the producer did not obtain crop insurance or NAP coverage for 2008.

171 Eligibility Criteria (Continued)

N 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.

O 2008 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 and the livestock producer made a good faith effort to comply.

Note: See 7-CP, paragraph 63 to determine whether a producer made a good faith effort to comply.

171 Eligibility Criteria (Continued)

O 2008 Equitable Relief (Continued)

Equitable relief shall 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
- lack of good faith in reporting acreage
- sanctions placed on the producer by RMA or FSA
- the producer was prohibited from insuring acreage because the producer did not timely pay the crop insurance premiums in a prior year
- violations of HEL and WC provisions
- violations of controlled substance provisions.

Equitable relief requests must be initiated by the participant.

Producers granted relief for **not** meeting 2008 RMPR must pay an administrative fee in an amount of \$100 per crop.

Note: The administrative fee is \$100 per crop, but not more than either of the following:

- \$300 per producer per administrative county
- \$900 total per producer for all counties less any previously paid fees for NAP.

Producers must visit their administrative county to pay the appropriate administrative fees and complete CCC-752 and/or CCC-753. * * *

171 Eligibility Criteria (Continued)**O 2008 Equitable Relief (Continued)**

STC shall:

- review each request for equitable relief and clearly document in the STC minutes the justification for granting or denying equitable relief
- include the following information in the STC minutes when granting or denying equitable relief:
 - producer's name
 - program year
 - program
 - action taken by the producer.

COC shall:

- review each equitable relief request and clearly document the justification for recommending equitable relief, along with all supporting documentation to STC
- document the justification for recommending equitable relief in the COC minutes according to 7-CP, subparagraph 82 C before submitting equitable relief cases to STC.

***--Note:** FSA-321 shall **not** be completed according to 7-CP.--*

P 2009 and Subsequent Years Equitable Relief

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

Equitable relief shall 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 under NAP
- sanctions placed on the producer by RMA or FSA
- violations of HEL and WC provisions
- violations of controlled substance provisions.

Equitable relief requests must be initiated by the participant.

171 Eligibility Criteria (Continued)

P 2009 and Subsequent Years Equitable Relief (Continued)

*--Producers granted relief for **not** meeting 2009 RMPR must pay an administrative fee of \$250 per crop.

Note: There is **no** limit on the amount of administrative fees that can be collected from producers for equitable relief.

Producers must visit their administrative county to pay the appropriate fees and complete FSA-754 and/or FSA-755.--*

STC shall:

- review each request for equitable relief and clearly document in the STC minutes the justification for granting or denying equitable relief
- include the following information in the STC minutes when granting or denying equitable relief:
 - producer's name
 - program year
 - program
 - action taken by the producer.

COC shall:

- review each equitable relief request and clearly document the justification for recommending equitable relief, along with all supporting documentation to STC
- document the justification for recommending equitable relief in the COC minutes according to 7-CP, subparagraph 82 C before submitting equitable relief cases to STC.

*--**Note:** FSA-321 shall **not** be completed according to 7-CP.--*

171 Eligibility Criteria (Continued)

Q 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).

R 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 LFP. 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 LFP.

171 Eligibility Criteria (Continued)

S 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 days the 100 yearlings graze. Because Owner A pays only for the actual 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.

T Establishing Grazing Loss Percentages

There is no requirement for a producer to suffer a certain percentage of loss to be eligible for LFP. In addition there is no requirement that STC or COC establish a minimum or maximum amount of loss to be eligible for LFP; therefore, STC and COC shall **not** establish minimum or maximum loss percentages for LFP. The producer will not be required to report a loss percentage to be eligible for LFP.

171 Eligibility Criteria (Continued)

U Establishing Normal Grazing Periods for LFP

LFP provides payments to eligible livestock producers that have suffered livestock grazing losses because of a qualifying drought during the normal grazing period for the county. The qualifying drought must have occurred on or after January 1, 2008, but before October 1, 2011.

For drought, the losses must have occurred:

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

STC’s shall establish normal grazing periods for each of the grazing types listed in subparagraph I for each county in their State. Only 1 grazing period per pasture or grazing crop type shall be established per county. The normal grazing period established for each pasture or grazing crop type shall be consistent with those established for **NAP** purposes.

Example: <u>Pasture Type</u>	<u>Start Date</u>	<u>End Date</u>
Forage Sorghum	June 20	October 20
Improved Pasture	August 1	October 31
Native Pasture	March 1	October 31
Small Grains	October 15	May 15

Exception: Two grazing periods for small grains may be established in each applicable county in those States where producers purchase NAP coverage for small grains grazing and the producer subsequently harvests the small grains for grain; however, the normal grazing period for full season grazing shall be entered into the LFP Normal Grazing Period Table.

Example 1: In County A, producers plant small grains with the intent to graze the small grains for the full growing season. The normal grazing period for full season small grains grazing in County A is October 15, 2007, through June 1, 2008. The normal grazing period for full season small grains would be established as follows.

<u>Pasture Type</u>	<u>Start Date</u>	<u>End Date</u>
Small grains (full season)	October 15	June 1

171 Eligibility Criteria (Continued)

U Establishing Normal Grazing Periods for LFP (Continued)

Example 2: In County A, producers also plant small grains with the intent of grazing the small grains until the normal livestock pull off date of March 1, and then subsequently harvest the small grains for grain. The normal grazing period for small grains grazing in County A that are subsequently harvested for grain is October 15, 2007, through March 1, 2008. The normal grazing period for small grains intended for grazing that are subsequently harvested for grain would be established as follows.

<u>Pasture Type</u>	<u>Start Date</u>	<u>End Date</u>
Small grains	October 15	March 1

STC's shall ensure that normal grazing periods are:

- established for all pasture or grazing crop types listed in subparagraph I as soon as possible
- loaded into the LFP Normal Grazing Period Table.

V 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-925.

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-925 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.

171 Eligibility Criteria (Continued)

V Deceased Individuals and Dissolved Entities (Continued)

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.

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-925.

Note: Only one FSA-925 will be submitted for payment for the general partnership or joint venture; however, all members **must** sign FSA-925.

See paragraph 184 for making payments to deceased individuals, closed estates, and dissolved entities.

172-180 (Reserved)

***--182 Drought Payment Calculation (Continued)**

C Monthly Feed Cost Payment Rates For Covered Livestock

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

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

Kind of Livestock	Type	Weight Range	Payment Rate Per Head	
			2008	2009
Beef	Adult	Cows and Bulls	\$29.96	\$40.04
	Non-adult	500 pounds or more	\$22.47	\$30.03
Dairy	Adult	Cows and Bulls	\$77.88	\$104.09
	Non-adult	500 pounds or more	\$22.47	\$30.03
Buffalo/Beefalo	Adult	Cows and Bulls	\$29.96	\$40.04
	Non-adult	500 pounds or more	\$22.47	\$30.03
Sheep	All		\$7.49	\$10.01
Goats	All		\$7.49	\$10.01
Deer	All		\$7.49	\$10.01
Equine	All		\$22.17	\$29.63
Swine		Less than 45 pounds	\$0.89	\$1.19
		45 to 124 pounds	\$2.09	\$2.79
		125 to 234 pounds	\$3.60	\$4.81
	Sow	235 pounds or more	\$12.29	\$16.42
	Boar	235 pounds or more	\$7.20	\$9.62
Elk		Less than 400 pounds	\$6.60	\$8.82
		400 pounds to 799 pounds	\$12.29	\$16.42
		800 pounds or more	\$16.18	\$21.62
Poultry		Less than 3 pounds	\$0.19	\$0.25
		3 pounds to 7.9 pounds	\$0.38	\$0.50
		8 pounds or more	\$0.86	\$1.15
Reindeer	All		\$6.60	\$8.82
Alpacas	All		\$24.67	\$32.98
Emus	All		\$15.33	\$20.49
Llamas	All		\$10.93	\$14.61

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

Example: Participant A has 100 head of adult beef cattle that suffer a 2008 grazing loss because of a qualifying drought. The monthly feed cost for the 100 head of adult beef cattle equals the monthly payment rate, from the table, times 100 head.

$$100 \text{ (head) adult beef cattle} \times \$29.96 \text{ (monthly payment rate)} = \$2,996 \text{ (monthly payment rate for adult beef cattle).--*}$$

182 Drought Payment Calculation (Continued)

D Example of Monthly Payment Rate Calculation

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

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

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

100 (head) adult beef cattle x \$29.96 (monthly payment rate per head) = \$2,996 (monthly feed cost payment rate for adult beef cattle).

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

Example: 1,000 acres eligible grazing land/5 acres per AU normal carrying capacity x \$.9985 (daily feed cost) x 30 days = \$5991 (monthly feed cost using normal carrying capacity).

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

$\$2996 \times .60 = \$1,798$ (monthly payment rate for LFP grazing loss)

An eligible producer can only receive a maximum of 3 monthly payments for the same covered livestock during the calendar year regardless of how many different drought *-intensity ratings the county receives; that is, the maximum payment a producer can receive under LFP in a calendar year cannot exceed 3 times the same covered livestock's feed cost times 60 percent.

Example: Producer A owns 100 head of adult beef cattle. The maximum payment amount Producer A can receive under LFP during the calendar year for the 100 head of adult beef is:

Livestock Monthly Feed Cost for the 100 Head of Adult Beef Cattle x 3 x 60%.-*

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 must have provided 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 11, 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.

*--FSA-918's and FSA-930's, for 2008 and 2009 calendar year losses shall be accepted no later than 14 calendar days after the technical correction to 7 CFR Part 760 is published in FR. 2008 and 2009 late-filed FSA-918's and FSA-930's will be accepted **without** requiring producers to pay a late-filed fee.--*

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 FSA-918 or FSA-930, as applicable, for payment
- timely file FSA-578 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 and 2009 calendar year, late-filed FSA-578's will be accepted without requiring the producer to pay a late-filed fee. All other requirements for late-filed FSA-578's 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 Aquaculture Grant Program, 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
- ***--**losses resulting from the 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.
- *--the physical loss of livestock in excess of normal mortality that died because of an eligible adverse loss condition not covered under LIP including, but not limited to, wolf depredation.--*

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, as provided in
subparagraph 261 E.--*

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 Feed and Grazing Losses**

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

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

242 Eligibility Criteria (Continued)***--F Eligible Loss Conditions for Livestock Death Losses**

Eligible loss conditions for livestock death losses are loss conditions determined eligible by DAFP and **not** related to an eligible adverse weather event under LIP.

Wolf depredation has been determined to be an eligible loss condition for livestock death losses.--*

G 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
- earthquake
- floods
- hurricanes/tidal surge
- tornado/excessive winds
- volcanic eruption
- wildfires.

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:

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

--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 or grazing land during the normal grazing period 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. * * *

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 producing honey, pollinating, or breeding bees 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 * * * 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 Farm-Raised Fish Producers**

NAP coverage or a policy or plan of insurance administered by RMA was **not** available for farm-raised fish for 2008 or 2009. Therefore, to be eligible for 2008 or 2009 farm-raised fish losses under ELAP, a producer who does **not** have any other crop planted or intended to be planted for harvest on the whole farm, excluding grazing, does **not** have to:

- meet RMPR
- pay a buy-in fee equal to the applicable NAP service fee or catastrophic risk protection plan fee.

N Honey Bee Producers

Honey bee producers, who have a risk in honey production for producing honey for commercial use as part of a farming operation, must meet RMPR.

A pasture, rangeland, and forage pilot policy:

- is available for honey producers in certain areas of the country
- covers all aspects of honey production, including the loss of hives or colonies
- will allow the producer to meet RMPR; however, it is **not** required for all producers because it is a pilot.

NAP coverage is **not** available for the loss of honey bee colonies or hives. Therefore, a honey bee producer meeting **all** of the following criteria does **not** have to meet RMPR to be eligible for 2008 and 2009 honey bee losses under ELAP:

- does **not** have any other crop planted or intended to be planted for harvest on the whole farm, excluding grazing
- has a risk in a honey bee pollination or breeding operation
- does **not** produce honey for commercial use.

In addition, honey bee producers meeting this criteria do **not** have to pay a buy-in fee equal to the applicable NAP service fee or catastrophic risk protection plan fee to become eligible for ELAP payments.--*

242 Eligibility Criteria (Continued)

O 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.

***--P Equitable Relief for 2008**

The Food, Conservation, and Energy Act of 2008 provided special consideration to provide equitable relief in 2008 to eligible producers who failed to meet 2008 RMPR for ELAP, because most sales closing dates for crop insurance and application closing dates for NAP occurred before the enactment.

For relief requests submitted before May 18, 2009, equitable relief was granted by STC, on a case-by-case basis, to an eligible producer who failed to meet 2008 RMPR when the determination was made that the producer made a good faith effort to comply, and when 1 of the following situations occurred:

- producer was unable to pay the 2008 buy-in fee for the crop by the September 16, 2008, deadline and the sales closing date for crop insurance or application closing date for NAP crops had passed
- late-planting a crop because of weather-related causes--*

242 Eligibility Criteria (Continued)

***--P Equitable Relief for 2008 (Continued)**

- actual use of the crop that differs from IU was uninsurable.

Example: Certain insurance policies, such as Crop Revenue Coverage, insure corn **only** intended as grain. If the corn is intended for silage, the coverage will **not** attach.

Note: 7-CP, paragraph 63 was used to determine whether a producer made a good faith effort.

Equitable relief shall **not** be granted by STC to a producer who failed to meet 2008 RMPR because of 1 of the following reasons:

- producer intentionally chose **not** to insure a covered crop under RMA or NAP
- a lack of good faith in reporting acreage or production
- ineligibility determinations rendered under RMA or NAP regulations
- producer was prohibited from insuring acreage because the producer did **not** timely pay the crop insurance premiums in a prior year
- relief request was after May 18, 2009.

Equitable relief requests must be initiated by the participant.

Producers granted relief by STC for **not** meeting 2008 RMPR must pay a \$100 per crop administrative fee.

Note: The administrative fee is \$100 per crop, but **not** more than either of the following:

- \$300 per producer per administrative county
- \$900 total per producer for all counties less any previously paid fees for CAT and/or NAP.

Producers **must** visit their administrative county to pay the appropriate fees and complete CCC-752 or CCC-753.--*

242 Eligibility Criteria (Continued)

***--P Equitable Relief for 2008 (Continued)**

STC's shall do the following for 2008 relief cases acted on by STC:

- review each request for equitable relief and clearly document in STC minutes the justification for granting or denying equitable relief
- include the following information in STC minutes when granting or denying equitable relief:
 - producer's name
 - program year
 - ELAP Program
 - action taken by the producer.

COC shall do the following for relief cases to be submitted to STC:

- review each equitable relief request and clearly document the justification for recommending equitable relief, along with all supporting documentation to STC
- document the justification for recommending equitable relief in COC minutes according to 7-CP, subparagraph 82 C **before** submitting equitable relief cases to STC.

Note: FSA-321 shall **not** be completed according to 7-CP.

The American Recovery and Reinvestment Act authorized an additional waiver for a second buy-in. This waiver allowed producers another opportunity to pay a buy-in fee to be eligible for ELAP.

Since producers were given a second opportunity to pay a buy-in fee to meet 2008 RMPR, all STC relief provisions were suspended.

Important: For requests for relief cases submitted after May 18, 2009, State and County Offices shall follow 7-CP for submitting equitable relief cases to DAFP.--*

242 Eligibility Criteria (Continued)

***--Q Equitable Relief for 2009**

The 2009 crop year sales closing dates for crop insurance and application closing dates for NAP coverage had occurred **before** enactment of the Food, Conservation, and Energy Act of 2008 for some crops. Pub. L. 110-398 amended the Food, Conservation, and Energy Act of 2008 to allow a waiver of RMPR for producers who did **not** meet RMPR.

Producers were given the opportunity to buy-in until January 12, 2009, for crops that had a sales closing date before August 14, 2008, and for which crop insurance was not purchased.

Note: The application closing date for NAP was extended until December 1, 2008; therefore, this provision did **not** apply to NAP crops.

Equitable relief may be granted by STC on a case-by-case basis, to an eligible producer that failed to meet 2009 RMPR when the determination has been made that the producer made a good faith effort to comply and 1 of the following situations occurred:

- producer was unable to file the necessary paperwork and pay the administrative fee by the December 1, 2008, deadline for NAP crops; January 12, 2009, deadline for insurable crops; and the sales closing date for crop insurance or application closing date for NAP crops had passed
- late planting decisions were made because of weather-related causes
- actual use of the crop differs from the intended use.

Example: Certain insurance policies, such as Crop Revenue Coverage, insure corn **only** intended as grain. If the corn is intended for silage, the coverage will **not** attach.

Note: See 7-CP, paragraph 63 to determine whether a producer made a good faith effort.

STC shall **not** grant equitable relief to a producer that failed to meet 2009 RMPR because of any of the following reasons:

- producer intentionally chose **not** to insure a covered crop under RMA or NAP
- a lack of good faith in reporting acreage or production
- ineligibility determinations rendered under RMA or NAP regulations
- producer's inability to insure acreage because of **not** paying premiums with crop insurance in a prior year.--*

242 Eligibility Criteria (Continued)

***--Q Equitable Relief for 2009**

Equitable relief requests **must** be initiated by the participant.

Producers granted relief for **not** meeting 2009 RMPR shall pay a \$250 per crop administrative fee.

Note: There is **no** limit on the amount of administrative fees that can be collected from a producer for equitable relief.

Producers **must** visit their administrative county to pay the appropriate fees and complete FSA-754 and/or FSA-755.

STC shall:

- review each request for equitable relief and clearly document in STC minutes the justification for granting or denying equitable relief
- include the following information in STC minutes when granting or denying equitable relief:
 - producer's name
 - program year
 - program
 - action taken by producer.

COC shall:

- review each equitable relief request and clearly document the basis for recommending equitable relief, along with all supporting documentation to STC
- document the basis for recommending equitable relief in COC minutes according to 7-CP, subparagraph 82 C **before** submitting equitable relief cases to STC.

Note: FSA-321 shall **not** be completed according to 7-CP.--*

242 Eligibility Criteria (Continued)

R 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)

R 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)

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:

- *--subparagraph K for acceptable documentation of livestock deaths--*
- paragraph 233 for definitions of eligible livestock, commercial use, and farming operation
- paragraph 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)

***--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 providing grazing for covered livestock (nonirrigated)
- forage sorghum crops planted specifically for providing grazing for covered livestock (nonirrigated).
- *--annual ryegrass that is specifically for 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 ELAP.--*

- 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**

--There is no requirement for a producer to suffer a certain percentage of grazing 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 T.

K Proof of Death

Participants must provide verifiable documentation of livestock deaths, including livestock that the participant claims died because of normal mortality. Adequate documentation must be provided that proves the death of eligible livestock occurred as a direct result of an eligible loss condition in the calendar year for which benefits are being requested, including deaths because of normal mortality.

See subparagraph 73 E for types of acceptable verifiable evidence of livestock death losses under LIP that also applies to livestock death losses under ELAP.

If adequate verifiable proof of death documentation is **not** available, including proof of death for normal mortality, the participant may provide reliable records, along with verifiable beginning and ending inventory records, as proof of death.

See subparagraphs 73 F and H for types of reliable records and proof and reasonableness of livestock inventory under LIP that also apply to livestock death losses under ELAP.--*

***--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)

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 AU's permitted to graze the eligible grazing land 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. * * * 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 400 sheep grazing native pasture that is leased on an AU basis in County A in 2008. The 400 sheep are equivalent to 100 AU's (400 sheep x .25 AU's conversion factor). The 100 AU's are unable to graze native pasture for 45 calendar days because of flooding. The Federal permit allows grazing 80 AU's. 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 animal units (400 sheep x .25) x \$.9985 (daily cost to maintain 1 animal unit) x 45 calendar days (number of days grazing lost) x 100 percent (producer share) = \$4,493 (value of feed cost of all covered livestock)

- value of grazing lost based on AU's permitted to graze the eligible grazing land = (AU's permitted to graze the eligible grazing land) 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.

80 AU's x 45 calendar days (number of days grazing lost) x \$.9985 (daily feed cost) x 100 percent (producer share) = \$3,595 (value of grazing lost based on carrying capacity of eligible grazing land)

In this example, Producer A would be paid on the value of grazing lost based on AU's permitted to graze the eligible grazing land calculated as follows.

60 percent x \$3,595 (value of grazing lost based on AU's permitted to graze the eligible land) = \$2,157 (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 feed that was lost or destroyed will be compensated at 60 percent of the cost of the feed that was lost or destroyed. See subparagraph 253 A for determining the value of purchased forage or feed stuffs.--

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).

--Compensation for harvested feed or feed stuffs that was lost or destroyed will be compensated at 60 percent of the cost of the feed that was lost or destroyed. See subparagraph 253 B for determining the value of feed or feed stuffs provided by the participant.--

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)

--Compensation for providing or transporting feed to eligible livestock, because of an eligible adverse weather or loss condition, will be 60 percent of the additional cost associated with providing feed for livestock.--

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).

*--Compensation for 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, will be compensated at 60 percent of the additional feed purchased. See subparagraph 253 C for determining value of additional feed purchased.

Example 4: Producer C purchased 70 bales of hay in the spring of 2009, at a total cost of \$2,800, to feed his 100 adult beef cows. Producer C claims that he purchased additional hay in the spring of 2009 above what he normally would have purchased because of the flood that occurred in April 2009. According to subparagraph 253 C, the County Office determines the value of the additional feed cost incurred in 2009 by Producer C to be \$800. Compensation would be calculated as follows.

\$800 (value of additional livestock feed purchased) x 60 percent = \$480 (calculated payment amount for additional livestock feed costs).--*

252 Livestock Payment Rates, Payment Calculations (Continued)

*--F Payment Rates for Livestock Death Losses

ELAP provides separate payment rates for eligible livestock owners and eligible contract growers. Payment rates for livestock owners are based on 75 percent of a fair market value, as determined by FSA, for the specific livestock category. Payment rates for livestock contract growers are based on 75 percent of the average income loss sustained, as determined by FSA, by the contract grower with respect to the dead livestock. For livestock owners and contract growers, the LIP payment rates will be used when calculating livestock death losses under ELAP. Subparagraph 42 F provides the per head payment rates, by livestock category, for eligible livestock owners, and subparagraph 42 G provides the per head payment rates, by livestock category, for eligible livestock contract growers.

G Normal Mortality Rates for Livestock Death Losses

ELAP compensates eligible livestock producers for eligible livestock death losses that occur in excess of normal mortality because of an eligible loss condition during the calendar year.

Payment for a specific kind/type and weight range of livestock will be determined by multiplying the normal mortality rate for the specific kind/type and weight range of livestock by the number of livestock of that specific kind/type and weight range in inventory at the time of the eligible loss condition and subtracting the result from the number of eligible livestock lost because of the eligible loss condition.

Example: Producer A owned 200 head of adult beef cattle on the beginning date of loss condition.

- Normal mortality is 2 percent
- 10 head were lost
- $200 \text{ head} \times 2 \text{ percent} = 4$ (loss threshold)
- $10 \text{ head lost} - 4 \text{ (loss threshold)} = 6$ head adult beef cattle eligible for payment.

The normal mortality rates established by the STC's under LIP, as provided in subparagraph 41 I, will be used when calculating ELAP livestock death losses.--*

252 Livestock Payment Rates, Payment Calculations (Continued)***--H Payment Calculation for Livestock Death Losses**

Eligible livestock producers will be compensated for eligible livestock death losses because of an eligible loss condition based on the following:

- national payment rate for each livestock category times
- number of eligible livestock that died in each category as a result of an eligible loss condition in excess of normal mortality.

Example: Producer A has 100 nonadult beef cattle, less than 400 pounds, on April 1, 2009. The normal mortality rate for nonadult beef cattle, less than 400 pounds, is 3 percent. On April 10, 2009, Producer A lost 20 nonadult beef cattle because of wolf depredation. The payment rate for nonadult beef cattle, less than 400 pounds, is \$319.44.

- 20, number of death losses because of eligible loss condition
- 0, number lost because of normal mortality
- 3, death loss threshold
- death loss threshold.

Note: Late-filed FSA-918's and FSA-930's, as applicable, for 2008 and 2009 calendar year losses shall be accepted no later than 14 calendar days after the technical correction to 7 CFR Part 760 is published in the Federal Register. 2008 and 2009 late-filed FSA-918's and FSA-930's will be accepted without requiring the producer to pay a late-filed fee.--*

--253 Determining Lost Feed Value and Additional Feed Costs*A Determining Value of Purchased Forage or Feed Stuffs**

When a participant indicates the livestock feed lost was purchased forage or feed stuffs, other than forage grazing acres, purchased by the participant, County Offices shall:

- request participant provide **original** receipts for forage or feed stuffs purchased
- validate the **original** receipts by:
 - date stamping the front of the original receipts
 - make a photocopy of the validated original receipts
 - attach the photocopy to FSA-918
 - return validated original receipts to participant.

To be considered acceptable and used to determine the value of lost feed, the feed receipt must include all of 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.

Example: The participant purchased baled hay from their neighbor. The neighbor is not a licensed vendor; therefore, the neighbor's signature is required to be on the purchase receipt.--*

***--253 Determining Lost Feed Value and Additional Feed Costs (Continued)**

A Determining Value of Purchased Forage or Feed Stuffs (Continued)

County Office shall determine the value of lost feed from purchased forage or feed stuffs, other than forage grazing acres, that was purchased by the participant, intended for use as feed for the participant’s eligible livestock, and damaged or destroyed because of an eligible adverse weather or loss condition, according to the following table.

Step	Action	Result
1	Request participant provide original receipts for purchased forage or feed stuffs intended for use as feed for the eligible livestock.	
2	Determine whether the feed purchased was feed for the eligible livestock.	
3	Determine whether the receipts provided meet all requirements to be acceptable and used to determine the value of the feed lost.	
4	Add the cost of the eligible feed purchased for the eligible livestock from all acceptable purchase receipts.	Total cost of forage or feed stuffs, other than forage grazing acres, purchased by the participant for the eligible livestock.

Example: Producer A purchased 75 big round bales of hay on January 15, 2010, to feed his eligible livestock located in the county where the eligible adverse weather or loss condition occurred. The hay cost \$3,000. Producer A indicates he lost 45 of the bales of hay because of flooding that occurred on May 1, 2010.

Producer A provides County Office original receipts for the hay purchased. The receipts meet all the requirements in this subparagraph.

County Offices determines the value of the lost feed to be \$1,800 as follows:

$$\$3,000 \text{ (total cost of all hay) divided by } 75 \text{ (total number of bales purchased) } \times 45 \text{ (number of bales of hay lost) } = \$1,800.$$

Note: The value of feed lost in the amount of \$1,800 would be entered in FSA-918, item 44.--*

***--253 Determining Lost Feed Value and Additional Feed Costs (Continued)**

B Determining Value of Forage or Feed Stuffs Produced by Participant

County Office shall determine the value of lost feed from forage or feed stuffs, other than forage grazing acres, that were mechanically harvested, intended for use as feed for the participant’s eligible livestock, and damaged or destroyed because of an eligible adverse weather or loss condition, according to the following table.

Step	Action	Result
1	Request participant provide all the following: <ul style="list-style-type: none"> • verifiable evidence of either or both of the following: <ul style="list-style-type: none"> • participant had the ability to produce the kind and amount of forage or feed stuffs claimed lost, such as equipment, seed receipts, fertilizer purchase receipts, FSA-578’s • participant paid for the production of the forage or feed stuffs claimed lost, such as custom harvest costs • any evidence that supports the amount of the forage or feed stuffs claimed produced, such as weight tickets, acres and yields, processing receipts. 	
2	Determine whether the feed produced was feed intended for use as feed for the participant’s eligible livestock.	
3	Determine a value of the forage or feed stuffs produced based on the fair market value of the forage or feed stuffs before the eligible adverse weather or loss condition.	
4	Add the determined value of all forage and feed stuffs lost.	Total cost of forage and feed stuffs, other than forage grazing acres, produced by participant for eligible livestock.

--*

--253 Determining Lost Feed Value and Additional Feed Costs (Continued)*B Determining Value of Forage or Feed Stuffs Produced by Participant (Continued)**

Example: Producer A produced 55 big round bales of hay before the flood in March 2010. Producer A produced the hay to feed to his 40 dairy cows. Producer A indicates he lost 40 of the bales of hay because of the flood.

Producer A provides evidence that he has the ability to harvest the kind of hay he claimed lost. He also provides the average weight of the bales of hay produced. - COC obtains information indicating the value of the type of hay produced by Producer A before the flood.

Based on the information submitted by Producer A, the information about the value of the type of hay fed, and COC's knowledge of the value of the hay produced, COC determines the total value of the hay lost to be \$1,000.

Note: The value of feed lost in the amount of \$1,000 would be entered in FSA-918, item 40.

C Determining Value of Additional Feed Costs

When a participant indicates additional feed costs were incurred, above normal quantities, required to maintain eligible livestock during an eligible adverse weather or loss condition, until additional livestock feed becomes available, the County Office shall:

- request the participant provide **original receipts or summary purchase receipts** for forage or feed stuffs that:
 - is **purchased** by the participant as part of the participant's normal business operation for the time of the eligible adverse weather or loss condition for the **year immediately preceding the calendar year** for which additional feed costs are being claimed--*

--253 Determining Lost Feed Value and Additional Feed Costs (Continued)*C Determining Value of Additional Feed Costs (Continued)**

- was **purchased** by the participant for the timeframe of the eligible adverse weather or loss condition for the **calendar year** for which additional costs are being claimed to feed the participant's eligible livestock

Example: Producer B claims that he suffered feed losses resulting from the additional cost of purchasing additional livestock feed, above normal quantities, to maintain eligible livestock during an eligible adverse weather or loss condition. Producer B normally purchases 100 bales of hay as part of his normal business operation to feed his adult beef cows. Producer B indicated that because of a flood in May 2009, he had to purchase 140 bales of hay to feed his adult beef cows during the flood. Producer B must provide original or summary purchase receipts for the hay he purchased in 2008 and 2009 to feed his livestock during the timeframe of the flood.

- validate the **original receipts** or the **summary purchase receipt from the vendor** by:
 - date stamping the front of the original receipts or summary purchase receipts from the vendor
 - make a photocopy of the validated original receipts or summary purchase receipts from the vendor
 - attach the photocopy to FSA-918
 - return validated original receipts or summary purchase receipts to participant.—*

***--253 Determining Lost Feed Value and Additional Feed Costs (Continued)**

C Determining Value of Additional Feed Costs (Continued)

To be considered acceptable and used to determine the value of the additional feed costs, the feed receipts or summary feed purchase receipts **must** include all of 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.

Example: The participant purchased baled hay from their neighbor. The neighbor is **not** a licensed vendor; therefore, the neighbor’s signature is required to be on the purchase receipt.

County Offices shall determine the value of a participant’s additional feed costs, other than forage grazing acres, purchased by the participant as part of the participant’s normal business operation, intended for use as feed for the participant’s eligible livestock, according to the following table.

Step	Action	Result
1	Request the participant provide original receipts or summary purchase receipts for the forage or feed stuffs that were purchased by the participant for the timeframe of the eligible adverse weather or loss condition for the: <ul style="list-style-type: none"> • year immediately preceding the calendar year for which additional feed costs are being claimed • calendar year for which additional costs are being claimed to feed the participant’s eligible livestock. 	
2	Determine whether the feed purchased above normal quantities was feed that was fed to maintain livestock in the county where the eligible adverse weather or loss condition occurred.	

--*

***--253 Determining Lost Feed Value and Additional Feed Costs (Continued)**

C Determining Value of Additional Feed Costs (Continued)

Step	Action	Result
3	Determine whether the receipts provided meet all requirements to be acceptable and used to determine the value of the additional feed costs.	
4	Add the cost of the eligible feed purchased for the timeframe of the eligible adverse weather or loss condition for the year immediately preceding the calendar year for which additional feed costs are being claimed from all acceptable purchase receipts.	Total cost of forage and feed stuffs, other than forage grazing acres, purchased by the participant for the timeframe of the eligible adverse weather or loss condition for the year immediately preceding the calendar year for which additional feed costs are being claimed.
5	Add the cost of the eligible feed purchased for the timeframe of the eligible adverse weather or loss condition for the calendar year for which additional costs are being claimed to feed the participant’s eligible livestock.	Total cost of forage or feed stuffs, other than forage grazing acres, purchased by the participant for the timeframe of the eligible adverse weather or loss condition for the calendar year for which additional costs are being claimed to feed the participant’s eligible livestock.
6	Subtract the result in step 4 from the result in step 5.	This is the value of the participant’s additional feed costs. Note: If the value is negative, in FSA-918, item 44 ENTER “0”.

Example: Producer C purchased 70 bales of hay in the spring 2009, at a total cost of \$2,800, to feed his 100 adult beef cows. Producer C claims that he purchased additional hay in the spring 2009 above what he normally would have purchased because of the flood that occurred in April 2009. Producer C purchased 50 round bales of hay in the spring 2008, at a total cost of \$2,000, to feed his adult beef cows. Producer C provides County Office original receipts for the hay he purchased in spring 2008 and 2009. The receipts meet all requirements in this subparagraph. COC determines that additional feed purchased in 2009 is because of the flood that occurred in spring 2009.

County Office determines the value of the additional feed cost incurred in 2009 by Producer C to be \$800 as follows:

\$2800 (total cost of hay purchases in spring 2009) minus \$2,000 (total cost of hay purchases in spring 2008) = \$800.

Note: The value of additional feed costs in the amount of \$800 would be entered in FSA-918, item 43.--*

254-260 (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, pollination, or honey bee breeding operation for producing honey, pollinating, or breeding honey bees 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, pollination, or honey bee breeding. Eligible honey bees do **not** include wild, feral honey bees, leaf cutter bees, or other bee species that are not used for producing honey, pollinating, or breeding honey bees.--*

C Eligible Honey Bee Losses

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

- *--be maintained for producing honey, pollinating, or breeding honey bees 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 honey production, pollination, or honey bee breeding 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 loss. Documentation may include, but is not limited to, any 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.

--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 \$2,500. The ELAP payment would be calculated as follows.

$\$2,500$ (cost of replacing game fish) x 60 percent = $\$1,500$ (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 or loss conditions, 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)

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 losses suffered by the eligible producer in the calendar year in which benefits are being requested.--

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.--*

298 FSA-918, Emergency Loss Assistance for Livestock Application

A Completing Manual FSA-918

Complete FSA-918 according to the following.

Item	Instruction
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 * * * 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. Note: This is an automated system assigned number.
Part A – Producer Information	
5	Enter the producer's name and address.
Part B – Notice of Loss	
6	Select the applicable types of loss being reported. Note: 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 conditions that caused the applicable loss or losses *--entered in item 6.--* Notes: 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. Example: 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. Item 7 1. Freeze 1. Blizzard 2. Hurricane Multiple weather or loss conditions may be entered if more than 1 eligible weather or loss condition resulted in losses during the calendar year.

*--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 dates when the loss or losses either:</p> <ul style="list-style-type: none"> • occurred • were apparent to the producer. <p>Notes: Enter the number from adverse weather event from item 7 that corresponds with the date of occurrence/when loss was apparent.</p> <p>Example: 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; width: 50%;"><u>Item 7</u></td> <td style="text-align: center; width: 50%;"><u>Item 8</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>Item 7</u>	<u>Item 8</u>	1. Freeze	1. March 1, 2008	1. Blizzard	2. August 1, 2008	2. Hurricane	
<u>Item 7</u>	<u>Item 8</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>Example: 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"> • phone • FAX • e-mail. <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"> • not signing in the representative capacity, this field should be left blank • signing on behalf of themselves, it is acceptable to write “self”; however, it is not necessary. 								

--*

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.								
Part C – Disaster Loss Information for Livestock									
11	Enter the physical location of the livestock on the beginning date of the qualifying weather or loss conditions. Include the name of the county where the loss occurred or the additional expense was incurred. Example: Knox County, Texas, Farm 2502								
12	Enter the current physical location of the livestock in inventory. Example: 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.								
Part D – Livestock Information - Grazing Losses									
14	A sequential corresponding number will be entered in item 14 for each livestock kind/type, and weight range entered in item 15. Example: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;"><u>Item 14</u></td> <td style="text-align: center;"><u>Item 15</u></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 > 500 lbs.</td> </tr> <tr> <td style="text-align: center;">3</td> <td>Equine</td> </tr> </table> Note: An entry is only required for livestock that is or would have been grazing the weather or loss condition affected pasture or grazing land acres.	<u>Item 14</u>	<u>Item 15</u>	1	Adult Beef Cattle	2	Nonadult Beef Cattle > 500 lbs.	3	Equine
<u>Item 14</u>	<u>Item 15</u>								
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 conditions in *--item 7.--* Note: Livestock kind, type, and weight range can be obtained from the local FSA office or ELAP Fact Sheet located at http://disaster.fsa.usda.gov .								
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. Notes: 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.								

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

A Completing Manual FSA-918 (Continued)

Item	Instruction												
Part E – Forage Information – Grazing Losses													
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>Example: 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>Item 14</u></td> <td style="text-align: center;"><u>Item 15</u></td> <td style="text-align: center;"><u>Item 20</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 > 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>Item 14</u>	<u>Item 15</u>	<u>Item 20</u>	1	Adult Beef Cattle	1, 2, 3	2	Nonadult Beef Cattle > 500 lbs.		3	Equine	
<u>Item 14</u>	<u>Item 15</u>	<u>Item 20</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 conditions affected by the eligible weather or loss conditions for the applicable livestock numbers.</p> <p>Pasture types include the following:</p> <ul style="list-style-type: none"> • native • improved • forage sorghums • small grains. <p>Note: 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	Enter the acres, by physical location county, associated with each pasture type entered in item 20.												
22	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 conditions.												
23	County Office shall enter the applicable carrying capacity for the specific type of pasture entered in item 20.												
24	<p>COC shall enter the adjusted acres, if applicable.</p> <p>Notes: 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>Notes: 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>												

--*

Reports, Forms, Abbreviations, and Delegations of Authority

Reports

None

Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELIC) and Wetland Conservation (WC) Certification		Text
CCC-257	Schedule of Deposit		1
CCC-502	Farm Operating Plan for Payment Eligibility Review		42, 45, 75, Parts 4 and 5
CCC-526	Payment Eligibility Average Adjusted Gross Income Certification		73, 200, 296
CCC-752	Supplemental Agricultural Disaster Assistance Buy-In for Insurable Crops		171, 242
CCC-753	2008 Supplemental Agricultural Disaster Assistance Buy-In for Noninsurable Crops		171, 242
CCC-770 ELIG 2002	Eligibility Checklist - 2002 Farm Bill		Ex. 9, 13
CCC-770 ELIG 2008	Eligibility Checklist - 2008 Farm Bill		Ex. 9, 13
CCC-901	Members Information 2009 and Subsequent Years		42, 75, Parts 4 and 5
CCC-926	Average Adjusted Gross Income (AGI) Statement		75, 200, 201, 296, 297
FSA-321	Finality Rule and Equitable Relief		171
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		200, 242, 253
FSA-754	Supplemental Agricultural Disaster Assistance Relief for Insurable Crops		171, 242
FSA-755	Supplemental Agricultural Disaster Assistance Relief for Noninsurable Crops		171, 242
FSA-770 LFP	Livestock Forage Disaster Program Checklist	Ex. 13	184
FSA-770 LIP	Livestock Indemnity Program Checklist	Ex. 9	43, 73

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

Forms (Continued)

Number	Title	Display Reference	Reference
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, Ex. 13
FSA-925-1	Estimated Livestock Forage Disaster Program Payment calculation Worksheet	203	
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

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, 203, 252, 298, Ex. 16
AUD	animal unit day	183, 203
AUM	animal unit months	171, 202, 203, 251, 252, 298
DBA	doing business as	171
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
MAU	maximum animal unit	203
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

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

Redelegations 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.

