

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Livestock Disaster Assistance Programs
1-LDAP**

Amendment 8

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 23 A has been amended to clarify the definition of "adverse weather".

Subparagraph 41 A has been amended to provide that:

- poultry and swine operations that do not follow good management practices and (confinement facilities' operating equipment) do not meet industry standards will not be eligible for LIP when an eligible adverse weather event causes such equipment to malfunction
- anaplasmosis, pneumonia, infectious bovine rhinotracheitis, and parainfluenza are not considered to be eligible causes of loss under LIP because preventable measures such as vaccination can be implemented as an acceptable management practice and the diseases are not considered accelerated or exacerbated by eligible adverse weather events.

Subparagraph 73 D has been amended to provide that the individual conducting the second party review of FSA-914 loaded into the automated system shall also initial and date automated FSA-914 to indicate second party review has been completed.

Subparagraph 73 I has been amended to:

- correct the final date to provide proof of death, contract grower contract, and proof of normal mortality documentation for 2008 LIP
- clarify additional supporting documentation required to be provided by the participant before FSA-914 can be approved.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 182 B 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.

Subparagraph 182 C has been amended to add the 2010 LFP monthly feed cost payment per head rates.

Subparagraph 200 D has been amended to provide that the individual conducting the second party review of FSA-925 loaded into the automated system shall also initial and date automated FSA-925 to indicate second party review has been completed.

Subparagraph 200 F has been amended to clarify supporting and additional supporting documentation required to be provided by the participant before FSA-925 can be approved.

Subparagraph 202 B has been amended to provide a revised example of FSA-925.

Subparagraph 251 J has been amended to correct a subparagraph reference.

Page Control Chart		
TC	Text	Exhibit
	2-9, 2-10 2-33, 2-34 2-34.5, 2-34.6 (add) 2-79, 2-80 2-85, 2-86 2-97, 2-98 4-73 through 4-76 4-117, 4-118 4-129 through 4-134 5-65, 5-66	1, pages 1, 2

23 Definitions for LIP**A Definitions**

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

Adult beef bull means a male beef breed bovine animal that was at least 2 years old and used for breeding purposes before it died.

Adult beef cow means a female beef breed bovine animal that had delivered 1 or more offspring before dying. A first-time bred beef heifer shall also be considered an adult beef cow if it was pregnant at the time it died.

Adult buffalo/beefalo bull means a male animal of those breeds that was at least 2 years old and used for breeding purposes before it died.

Adult buffalo/beefalo cow means a female animal of those breeds that had delivered 1 or more offspring before dying. A first-time bred buffalo or beefalo heifer shall also be considered an adult buffalo/beefalo cow if it was pregnant at the time it died.

Adult dairy bull means a male dairy breed bovine animal at least 2 years old and used primarily for breeding dairy cows before it died.

Adult dairy cow means a female bovine dairy breed animal used for the purpose of providing milk for human consumption that had delivered 1 or more offspring before dying. A first-time bred dairy heifer shall also be considered an adult dairy cow if it was pregnant when it died.

--Adverse weather means damaging weather events, including, but not limited to, Anthrax, hurricanes, floods, blizzards, disease, if accelerated or exacerbated by another eligible adverse weather event, earthquake, hail, lightning, tornado, tropical storm, typhoon, winter storm, wildfires, extreme heat, and extreme cold.--

Agricultural operation means a farming operation.

Application means the "Livestock Indemnity Program" form.

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

Buck means male goat.

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

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

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

Eligible livestock owner means one who assumes the production and market risks associated with the agricultural production of livestock and who 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 livestock and is citizen of, or legal resident alien in, the United States. A partnership of citizens of the United States who owned the eligible livestock on the day the livestock died will be considered eligible livestock owners. A corporation, limited liability corporation, or other farm organizational structure organized under State law that owned the eligible livestock on the day the livestock died will be considered eligible livestock owners. Any Native American tribe (as defined in section 4(b) of the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638, 88 Stat. 2003)); any Native American organization or entity chartered under the Indian Reorganization Act; any tribal organization chartered under the Indian Self-Determination and Education Assistance Act; and any economic enterprise under the Indian Financing Act of 1974 may be considered an eligible livestock owner so long as they meet the terms of the definition.

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

***--Exception:** Poultry and swine livestock confinement operations shall follow good management practices and the confinement facility's operating equipment shall meet industry standards to be eligible for LIP.

Poultry and/or swine death losses that are attributed to an adverse weather event causing the confinement operation's equipment to malfunction shall not be eligible for compensation under LIP if:

- good management practices are not followed
- the confined livestock operation's facilities do not possess all the equipment that meets industry standards such as, but not limited to, backup generators, alarm systems, fans, etc.
- management decisions were made not to take the necessary measures that could have prevented the loss.--*
- the extreme heat or extreme cold was such an abnormality that it could reasonably cause the deaths.

41 Eligibility Criteria (Continued)

A Eligible Adverse Weather Event (Continued)

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.

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. For example, cattle can be vaccinated to prevent anaplasmosis, pneumonia, infectious bovine rhinotracheitis, and parainfluenza. Vaccination is an acceptable management practice to prevent anaplasmosis, pneumonia, infectious bovine rhinotracheitis, and parainfluenza in cattle and these diseases are not considered an eligible cause of 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.

41 Eligibility Criteria (Continued)**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

73 Application for Payment (Continued)

D Printing and Reviewing Automated FSA-914 (Continued)

Important: The individual conducting the second party review shall:

- not be the same individual who entered the data into the automated system
- *--initial and date automated FSA-914 to indicate second party review has been completed.--*

E Proof of Death

When FSA-914 is submitted, participants must provide **verifiable** documentation of livestock deaths claimed on FSA-914, 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 adverse weather event in the calendar year for which benefits are being requested, including deaths because of normal mortality.

The documentation must provide sufficient data that identifies the quantity and the livestock kind/type and weight range. Documents providing verifiable evidence may include, but are not limited to, any or a combination of the following:

- rendering truck receipts or certificates
- FEMA records
- National Guard records
- veterinary records
- records assembled for tax purposes
- private insurance documents
- written contracts
- bank or other loan documents
- purchase records
- productions records
- property tax records.

Note: In addition, livestock contract growers must provide a copy of their grower contract.

73 Application for Payment (Continued)

F Producer Records

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

See subparagraph H for verifiable documentation of inventory.

Reliable records may include, but are not limited to:

- contemporaneous producer records existing at the time of the event
- pictures with a date
- brand inspection records
- dairy herd improvement records
- other similar reliable documents.

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 September 14, 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-502, applicable for 2008 calendar year--*
- 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 or 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.

***--181 Payment Rates, Limitations, and Reductions (Continued)**

F Payment Reductions

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

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

Other restrictions may apply, including but not limited to, those about:

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

182 Drought Payment Calculation**A General Payment Information**

An eligible livestock producer will be eligible to receive LFP payments for grazing losses because of a qualifying drought equal to 1, 2, or 3 times the monthly payment rate calculated according to subparagraph B.

To be eligible to receive a:

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

B LFP Monthly Payment Rate

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

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

Total LFP payments to an eligible livestock producer in a calendar year for grazing losses because of qualifying drought will not exceed 3 monthly payments for the same livestock; *--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.--*

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

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	*--2010
Beef	Adult	Cows and Bulls	\$29.96	\$40.04	\$35.37
	Non-adult	500 pounds or more	\$22.47	\$30.03	\$26.53
Dairy	Adult	Cows and Bulls	\$77.88	\$104.09	\$91.97
	Non-adult	500 pounds or more	\$22.47	\$30.03	\$26.53
Buffalo/Beefalo	Adult	Cows and Bulls	\$29.96	\$40.04	\$35.37
	Non-adult	500 pounds or more	\$22.47	\$30.03	\$26.53
Sheep	All		\$7.49	\$10.01	\$8.84
Goats	All		\$7.49	\$10.01	\$8.84
Deer	All		\$7.49	\$10.01	\$8.84
Equine	All		\$22.17	\$29.63	\$26.18
Swine		Less than 45 pounds	\$0.89	\$1.19	\$1.05
		45 to 124 pounds	\$2.09	\$2.79	\$2.47
		125 to 234 pounds	\$3.60	\$4.81	\$4.25
	Sow	235 pounds or more	\$12.29	\$16.42	\$14.51
	Boar	235 pounds or more	\$7.20	\$9.62	\$8.50
Elk		Less than 400 pounds	\$6.60	\$8.82	\$7.79
		400 pounds to 799 pounds	\$12.29	\$16.42	\$14.51
		800 pounds or more	\$16.18	\$21.62	\$19.10
Poultry		Less than 3 pounds	\$0.19	\$0.25	\$0.22
		3 pounds to 7.9 pounds	\$0.38	\$0.50	\$0.45
		8 pounds or more	\$0.86	\$1.15	\$1.01
Reindeer	All		\$6.60	\$8.82	\$7.79
Alpacas	All		\$24.67	\$32.98	\$29.14
Emus	All		\$15.33	\$20.49	\$18.10
Llamas	All		\$10.93	\$14.61	\$12.91--*

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 (head) adult beef cattle x \$29.96 (monthly payment rate) = \$2,996 (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.

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

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.

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

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:

$$\text{Livestock Monthly Feed Cost for the 100 Head of Adult Beef Cattle} \times 3 \times 60\% \text{---*}$$

200 Applying for Benefits (Continued)**D Printing and Reviewing FSA-925**

Once the automated system becomes available, all manual FSA-925's shall be loaded into the automated system. After all information is entered into the automated system, County Offices shall:

- print an automated FSA-925
- if a manual FSA-925 was submitted:
 - attach the manual FSA-925 to the automated FSA-925
 - conduct a second party review of all data on the automated FSA-925 to ensure that all data is the same on both the manual and automated FSA-925.

Important: The individual conducting the second party review shall:

- not be the same individual who entered the data into the automated system
- *--initial and date automated FSA-925 to indicate second party review has been completed.--*

200 Applying for Benefits (Continued)

F Supporting Documents

All supporting documents **must** be completed by the participant and on file in the County Office before FSA-925 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:

- report of acreage for the grazing land incurring losses according to 2-CP

Note: FSA-578, item 17 shall not be revised according to 2-CP.

- evidence that grazing land is owned or leased
- evidence of meeting risk management purchase requirements or an approved waiver.

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:--*

- report of acreage for the grazing land incurring losses according to 2-CP

Note: FSA-578, item 17 shall **not** be revised according to 2-CP.

- evidence that grazing land is owned or leased
- evidence of meeting risk management purchase requirement or an approved waiver.

--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-925 can be approved:--

- CCC-502, applicable for 2008 calendar year
- CCC-901, applicable for 2009 and subsequent years
- AD-1026, applicable for 2008, 2009, 2010, and 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
- copy of contract grower contracts.

202 FSA-925, Livestock Forage Disaster Program Application (Continued)

A Completing Manual FSA-925 (Continued)

Item	Instruction
27	<p>Enter all pasture types for AUM or AU leased land normally used in the operation to support eligible covered livestock during the applicable drought grazing loss condition for the livestock number(s) entered in item 26.</p> <p>Pasture types include the following:</p> <ul style="list-style-type: none"> • native • improved • forage sorghum • small grains. <p>Note: Only enter pasture types for privately leased, Federal, or State land that provide for an allotted number of AU's or AUM's that can be grazed for an established period of time. Pasture types for Federal and State leases expressed in acres and not AU's or AUM's for an established period of time shall be entered in item 22.</p>
28	<p>Enter the number of AU's allowed by the pasture type entered in item 27.</p> <p>Example 1: Grazing Permit allows the producer to graze 150 AU's from September 1 through December 31 for a total of 600 AUM's. The number of AU's to enter in item 27 would be 150 AU's.</p> <p>Example 2: Grazing Permit allows the producer to graze 500 AUM's for a 5-month grazing period. The total number of AU's entered in item 27 would be 100 AU's. 500 AUM's/5 months = 100 AU's.</p> <p>Important: Ensure that AU's for each specific animal type are converted to an AU equivalent. See Exhibit 16.</p> <p>Example: 100 sheep x .25 AU's = 25 AU's.</p>
29	<p>COC shall enter the adjusted AU's, if applicable.</p> <p>Note: An entry is only required when COC determines AU's different than the AU's certified to by the producer in item 28.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 29.</p>
--Part E - Forage Information Fire--	
30	<p>Enter the fire event number that corresponds to the fire event number listed in item 8.</p>
31	<p>Manually assign a pasture number to each fire event.</p> <p>Note: Multiple fire events may be associated to the same pasture number.</p>

*--202 FSA-925, Livestock Forage Disaster Program Application (Continued)

A Completing Manual FSA-925 (Continued)

Item	Instruction
32	<p>ENTER “rangeland” as the pasture type for all rangeland that is managed by a Federal agency (i.e.: BIA, BLM, FS, etc.) that was affected by fire for which the eligible producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland because of fire.</p> <p>Note: Grazing losses on private or State rangelands managed by a Federal agency because of fire for which an eligible producer is prohibited by the Federal agency from grazing the normal permitted rangeland because of fire shall also be entered in items 30 through 36.</p>
33	<p>Enter the permitted AU’s from the Federal grazing lease agreement.</p>
34	<p>Enter the number of permit days grazing is allowed under the Federal lease agreement during the calendar year.</p> <p>Note: The number of permit days grazing is allowed under the Federal lease agreement shall be obtained from the producers grazing permit.</p>
35	<p>Enter the number of AU’s the producer is prohibited from grazing on the managed rangeland by the Federal Agency because of fire.</p> <p>Note: There may be entries in item 35 and/or item 36.</p>
36	<p>Enter the number of days the producer is prohibited from grazing the normal permitted livestock on the managed rangeland by the Federal Agency because of fire.</p> <p>Note: There may be entries in item 35 and/or item 36.</p>
37	<p>COC shall enter the adjusted permitted AU’s, if applicable.</p> <p>Note: An entry is only required when COC determines permitted AU’s different than the permitted AU’s certified to by the producer in item 33.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 37.</p>
38	<p>COC shall enter the adjusted permit days, if applicable.</p> <p>Note: An entry is only required when COC determines permit days different than the permit days certified to by the producer in item 34.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 38.</p>

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202 FSA-925, Livestock Forage Disaster Program Application (Continued)

A Completing Manual FSA-925 (Continued)

Item	Instructions
39	<p>COC shall enter the adjusted reduced AU's, if applicable.</p> <p>Note: An entry is only required when COC determines reduced AU's different than the reduced AU's certified to by the producer in item 35.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 39.</p>
40	<p>COC shall enter the adjusted reduced grazing days, if applicable.</p> <p>Note: An entry is only required when COC determines reduced grazing days different than the reduced grazing days certified to by the producer in item 36.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 40.</p>
41	<p>Enter amount of compensation received from other disaster assistance programs for the same grazing losses.</p>
Part F - Producer Certification	
42 A through 42C	<p>After reading the certification, producer or producer's representative signs and dates.</p> <p>Signatory in item 42A shall enter their title/relationship when signing in the representative capacity.</p> <p>If a producer/applicant is:</p> <ul style="list-style-type: none"> • not signing in the representative capacity, this field should be left blank • signing on behalf of themselves, it is acceptable to ENTER "self"; however, it is not necessary.
Part G - County Committee Determination	
43	<p>Enter COC signature.</p>
44	<p>Enter date of COC action.</p>
45	<p>Check (✓) either "APPROVED" or "DISAPPROVED".</p> <p>Important: FSA-925 shall be approved or disapproved as certified by the producer after applicable COC adjustment fields are completed.</p>

202 FSA-925, Livestock Forage Disaster Program Application (Continued)

B Example of FSA-925

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This form is available electronically.

FSA-925 U.S. DEPARTMENT OF AGRICULTURE (03-22-10) Farm Service Agency LIVESTOCK FORAGE DISASTER PROGRAM APPLICATION	1. State and County Code 06/099	2. Calendar Year 2009
	3. County Office Name Knox	4. Application Date September 14, 2009
		5. 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 7 CFR Part 760, 7 CFR Part 1400, and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.*

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

The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

PART A – PRODUCER INFORMATION	PART B – DISASTER INFORMATION
6. Producer's Name and Address (City, State and Zip Code) John Doe Nowhere Land Nowhere, Texas 79999	7. Type of qualifying disaster condition causing grazing loss: <input checked="" type="checkbox"/> Drought <input type="checkbox"/> Fire 8. Date and location of qualifying fire condition(s)

PART C – LIVESTOCK INFORMATION

9. Where were the claimed livestock physically located on the beginning date of the qualifying grazing loss condition? (Include County name, farm number, etc.)
 Farm 4000

10. Where is the current physical location of the livestock in inventory?
 Farm 4000

11. Associated Producers (List all other producers that have an ownership share of any livestock listed in Item 13 and indicate their share.)
 None

12. Livestock Number	13. Livestock Kind/Type and Weight Range	14. Current Year Inventory	15. Current Year Mitigated	16. Prior Years Mitigated	17. Share %	COC USE ONLY		
						18. Adjusted Current Year Inventory	19. Adjusted Current Year Mitigated	20. Adjusted Prior Years Mitigated
1	Beef adult Cows and Bulls	100			100			

PART D – FORAGE INFORMATION DROUGHT

21. Livestock Number	22. Pasture Type – Owned or Cash Leased Land (Drought Affected)	23. Acres	COC USE ONLY	
			24. Carrying Capacity	25. Adjusted Acres
1	Native Pasture	1000.0	10.0	

26. Livestock Number	27. Pasture Type – AUM/AU Leased Land (Drought Affected)	28. Animal Units	COC USE ONLY
			29. Adjusted Animal Units

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202 FSA-925, Livestock Forage Disaster Program Application (Continued)

B Example of FSA-925 (Continued)

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FSA-925 (03-22-10)							Page 2 of 2			
PART E – FORAGE INFORMATION FIRE										
30. Fire Event Number	31. Pasture Number	32. Pasture Type - Federal Managed Lands (Fire Affected)	33. Permitted AU's	34. Permit Days	35. Reduced AU's	36. Reduced Grazing Days	COC USE ONLY			
							37. Adjusted Permitted AU's	38. Adjusted Permit Days	39. Adjusted Reduced AU's	40. Adjusted Reduced Grazing Days
41. Other payments received for loss \$										
PART F – PRODUCER CERTIFICATION										
<p>Payments under the Livestock Forage Disaster Program will be made to eligible livestock producers that have suffered livestock grazing losses on land that is native or improved pastureland with permanent vegetative cover or is land planted to a crop planted specifically for grazing for covered livestock due to a qualifying drought condition during the normal grazing period for the county. Payments under the Livestock Forage Disaster Program will also be made to eligible livestock producers that have suffered grazing losses on rangeland managed by a Federal agency if the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a qualifying fire condition. Each producer must file a separate form FSA-925 to be eligible to receive program benefits. By signing this application, the producer:</p> <ol 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 information requested by FSA; Authorizes FSA, at any time, with or without their presence, to enter upon, inspect and verify all livestock and acres in which they have an interest; 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 cooperatives, feed supply companies and rendering services, any records or other evidence that substantiates the information provided on this application or any supporting documentation provided. <p>I certify that:</p> <ol style="list-style-type: none"> If applying as an individual, that I am a citizen of the United States or a resident alien; if applying as a partnership, the members of the partnership are citizens of the United States; or if applying as a corporation, limited liability corporation, or other farm organizational structure, the entity is organized under State law. During the 60 days prior to the beginning date of the qualifying drought and/or fire condition in Item 7, I owned, leased, purchased, entered into a contract to purchase, or was a contract grower of the livestock entered in Item 13 on this application, and/or I sold or otherwise disposed of the livestock entered in Items 15 and/or Item 16 on this application due to a qualifying drought condition(s) during the current production year or 1 or both of the 2 production years immediately preceding the current production year, and I physically maintained control of all such livestock on that date; All livestock for which information is entered on this application meet all eligibility criteria provided in 7 CFR Part 760 Subpart D, including being maintained by me for commercial use as part of my farming operation, and are livestock that would normally have been grazing the eligible grazing land or pastureland on the beginning date: <ul style="list-style-type: none"> • of the qualifying drought condition during the normal grazing period for the specific type of grazing land or pastureland entered in Item 22 and/or Item 27 for the county in Item 10; or • the Federal agency excluded the eligible livestock producer from using the managed rangeland listed in Item 31 for grazing due to a fire. All forage information entered on this application meets all eligibility criteria provided in 7 CFR Part 760 Subpart D; All information on this application and all supporting documents provided are true and correct; Within the county provided in Item 10 and as a direct result of the qualifying grazing loss condition(s) listed in Item 7, I have suffered a grazing loss for the livestock entered on this application in Item 13; and All livestock checked as mitigated in Item 15 and/or Item 16, were sold as a direct result of a drought condition(s) during the current production year or 1 or both of the 2 production years immediately preceding the current production year. All benefits received under any other Federal disaster payment program for the same grazing losses and loss year have been reported on this application in Item 41. I understand to be eligible for this program, I must have obtained with respect to those grazing lands incurring losses for which assistance is being requested, a policy or plan of insurance for the forage crop under FCIA or filed the required paperwork and paid the administrative fee by the applicable State filing deadline for NAP coverage for that grazing land, or have been approved for a waiver to meet the Risk Management Purchase Requirements. 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. 										
42A. Signature (By)			42B. Title/Relationship of the individual signing in the Representative Capacity				42C. Date (MM/DD/YYYY)			
							09/14/2009			
PART G – COUNTY COMMITTEE DETERMINATION										
43. COC or Designee Signature						44. Date (MM/DD/YYYY)		45. Determination <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED		
<p><i>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).</i></p> <p><i>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.</i></p>										

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--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet*A Using FSA-925-1**

FSA-925-1 shall be used by County Offices to calculate LFP payment amounts for eligible livestock producers until the automated payment process is deployed.

A new FSA-925-1 shall be completed for an eligible livestock producer each time the drought intensity level changes for a county for a specific type of grazing land or a new type of grazing land becomes eligible for LFP that was not previously eligible.

Example 1: In calendar year 2008, County A rated a D2 drought intensity for at least 8 consecutive weeks during the normal grazing period for small grains. FSA-925-1 was completed for Producer A and the producer received a 1-month payment. Later on during the normal grazing period for small grains, County A rated a D3 drought intensity for at least 1 day during the normal grazing period for small grains. Producer A is eligible for an additional 1-month payment for small grains. A new FSA-925-1 needs to be completed to calculate Producer A's payment based on the new D3 drought intensity rating.

Example 2: In calendar year 2008, County A rated a D2 drought intensity for at least 8 consecutive weeks during the normal grazing period for small grains. FSA-925-1 was completed for Producer A and the producer received a 1-month payment. Later on during the year County A rated a D3 drought intensity for at least 1 day during the normal grazing period for native pasture which has a different normal grazing period than small grains. Producer A is eligible to apply for a 2-month payment for native pasture. A new FSA-925-1 needs to be completed to calculate Producer A's payment based on the D3 drought intensity rating for native pasture.

FSA-925-1 is available on the FFAS Employees Form/Publications Online web site at <http://165.221.16.90/dam/ffasforms/forms.html>.--*

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 U.--*

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.

Notes: 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.--*

Reports, Forms, Abbreviations, and Redelegations of Authority

Reports

None

Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification		Text
CCC-257	Schedule of Deposit		1
CCC-502	Farm Operating Plan for Payment Eligibility Review		42, 45, 73, 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, Part 3, 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