

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Livestock Disaster Assistance Programs
For 2011 and Subsequent Years
1-LDAP (Revision 1)**

Amendment 23

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 42:

- E has been amended to update the payment rate per head for chicken layers for 2016 for eligible livestock owners
- F has been amended to update the payment rate per head for chicken layers for 2016 for eligible livestock contract growers.

Subparagraphs 410 B and C have been amended, and D has been added to clarify provisions for late-filed CCC-853's.

Subparagraph 411:

- J has been amended to:
 - clarify that the same provisions in 2-CP for NAP for covering irrigated grazing losses should be used under LFP when land is not irrigated in the current production year
 - provide additional guidance for reviewing lease or permit documentation for determining whether a livestock producer has control and risk in grazing land and/or pastureland crop acreage to be more consistent with NAP
 - provide provisions for determining whether a lessee associated to a sublease without a written lease has control and risk in the grazing land and/or pastureland crop acreage using CCC-855
 - clarify and provide that the name on the lease must reflect the name of the applicant requesting benefits on CCC-853 for the leased land
- K has been amended to clarify that acreage enrolled in WRP is not eligible for LFP.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 412 has been amended to clarify the instructions for completing CCC-855 when land is subleased without a written acreage lease or rental agreement with the lessor.

Subparagraph 420 E has been amended to correct the register or approval date before October 1, 2014.

Subparagraph 421 C has been amended to provide the 2016 monthly payment rates per head by covered livestock category.

Subparagraph 441:

- B has been amended to clarify provisions for late-filed CCC-853's, and provide reference for late-filed provisions
- D has been amended to provide that:
 - for 2016 and subsequent calendar years, when DD's conduct reviews for the first five CCC-853's submitted for both qualifying drought and fire conditions in each Service Center before approval, the review of each CCC-853 must:
 - be documented on CCC-770 LFP
 - ensure that payment calculations are correct and payment eligibility is met
 - for 2016 and subsequent years, if weaknesses in LFP administration are found, County Offices may be required to complete CCC-770 LFP for each CCC-853 issued to resolve weakness

Subparagraph 442 A has been amended to clarify when adjustments may need to be made to AU's.

Subparagraph 443 B, Steps 47 and 55 have been amended to provide the 2016 AUD payment rate of \$1.0787.

Paragraph 444 has been added to provide provisions for using CCC-770LFP and provide an example of CCC-770 LFP.

Subparagraph 831:

- A has been amended to provide the 2016 daily payment rates per head by eligible livestock category for ELAP
- G is being amended to provide the 2016 payment rates by eligible livestock category for livestock death losses under ELAP.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 846:

- B has been amended to provide the 2016 payment rates for honeybee colonies and hives
- C has been amended to provide the honeybee colony normal mortality rate for 2016.

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42 Payment Rates, Limitations, and Reductions (Continued)**C 2012 Payment Limitation**

For 2012 and subsequent program 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 \$125,000 per program year total under ELAP, LFP, and LIP 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.

Obtain CCC-902 from the participant, if not on file. Do not make a “person” determination or “actively engaged in farming” determination. Obtain CCC-901 for legal entities to determine individual members of legal entities for direct attribution.

D AGI Provisions

For losses incurred beginning on October 1, 2011, the average AGI limitation provisions in 7 CFR Part 1400 relating to limits on payments for persons or legal entities, excluding joint ventures and general partnerships, with certain levels average adjusted gross income that exceeds \$900,000 will not be eligible for benefits under LIP.

42 Payment Rates, Limitations, and Reductions (Continued)

E Payment Rates for Eligible Livestock for Livestock Owners

LIP provides separate payment rates for eligible livestock owners and eligible contract growers. See subparagraph F 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 CCC, 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	Payment Rate Per Head					
			2011	2012	2013	2014	2015	*--2016
Alpacas			\$280.53	\$262.50	\$267.87	\$270.00	\$270.00	\$270.00
Beef	Adult	Bull	\$971.03	\$1,369.17	\$1,381.63	\$1,590.49	\$1,965.78	\$1,987.89
		Cow	\$746.95	\$1,053.21	\$1,062.79	\$1,223.45	\$1,512.14	\$1,529.14
	Nonadult	Less than 400 pounds	\$336.04	\$460.96	\$454.46	\$553.77	\$716.48	\$757.59
		400 to 799 pounds	\$490.68	\$669.14	\$641.18	\$748.34	\$1,136.61	\$819.65
800 pounds or more		\$766.03	\$972.47	\$967.99	\$1,149.39	\$1,375.41	\$1,120.38	
Buffalo/ Beefalo	Adult	Bull	\$1,232.82	\$1,738.30	\$1,754.12	\$2,019.28	\$2,495.75	\$2,523.82
		Cow	\$657.50	\$927.09	\$935.53	\$1,076.95	\$1,331.07	\$1,346.04
	Nonadult	Less than 400 pounds	\$319.24	\$437.91	\$431.73	\$526.08	\$680.66	\$719.71
		400 to 799 pounds	\$466.15	\$635.68	\$609.12	\$710.92	\$1,079.78	\$778.67
800 pounds or more		\$727.73	\$923.84	\$919.59	\$1,091.92	\$1,306.64	\$1,064.36	
Chickens	Broilers/ Pullets (Regular Size)		\$2.39	\$2.42	\$2.60	\$2.60	\$2.57	\$2.60
	Chicks		\$0.23	\$0.21	\$0.22	\$0.22	\$0.22	\$0.23
	Layers		\$11.42	\$13.63	\$14.49	\$15.14	\$19.61	*--\$3.27--*
	Pullets/ Cornish Hens (Small Size)		\$1.72	\$1.70	\$1.83	\$1.83	\$1.65	\$1.69
	Roasters		\$2.81	\$3.15	\$3.41	\$3.41	\$3.32	\$3.43
Dairy	Adult	Bull	\$997.50	\$1,087.50	\$1,035.00	\$1,080.00	\$1,475.00	\$1,503.75
		Cow	\$997.50	\$1,087.50	\$1,035.00	\$1,080.00	\$1,475.00	\$1,503.75
	Nonadult	Less than 400 pounds	\$249.38	\$271.88	\$258.75	\$270.00	\$368.75	\$375.94
		400 to 799 pounds	\$498.75	\$543.75	\$517.50	\$540.00	\$737.50	\$751.88
800 pounds or more		\$766.03	\$878.37	\$835.96	\$872.31	\$1,191.35	\$1,214.57	
Deer		\$412.50	\$412.50	\$420.93	\$429.53	\$518.11	\$624.96	
Ducks	Ducklings		\$0.61	\$0.66	\$0.66	\$0.66	\$0.67	\$0.67
	Ducks		\$3.82	\$4.15	\$4.12	\$4.12	\$4.19	\$4.21
Elk		\$572.59	\$572.59	\$584.29	\$596.23	\$719.19	\$867.50	
Emus		\$150.00	\$150.00	\$153.07	\$171.34	\$206.67	\$249.29	
Equine		\$637.50	\$637.50	\$650.53	\$728.18	\$878.34	\$1,059.47	
Geese	Goose		\$19.35	\$12.88	\$21.31	\$21.31	\$15.78	\$21.84
	Gosling		\$4.06	\$2.70	\$4.47	\$4.47	\$3.31	\$4.59
Goats	Bucks		\$89.91	\$121.17	\$121.97	\$125.58	\$136.35	\$165.12
	Nannies		\$68.15	\$98.51	\$98.54	\$105.55	\$110.45	\$144.80
	Slaughter Goats/Kids		\$58.89	\$66.72	\$46.72	\$80.25	\$78.58	\$71.05--*

42 Payment Rates, Limitations, and Reductions (Continued)

E Payment Rates for Eligible Livestock for Livestock Owners (Continued)

Kind	Type	Weight Range	Payment Rate Per Head					
			2011	2012	2013	2014	2015	2016
Llamas			\$210.00	\$210.00	\$214.29	\$217.50	\$217.50	\$217.50
Reindeer			\$412.50	\$412.50	\$420.93	\$429.53	\$518.11	\$624.96
Sheep	Ewes		\$117.39	\$175.98	\$104.86	\$119.83	\$136.34	\$120.62
	Lambs		\$126.84	\$143.70	\$100.63	\$172.85	\$169.24	\$153.04
	Rams		\$116.04	\$173.96	\$136.33	\$140.19	\$143.97	\$129.13
Swine	Feeder Pigs	Less than 50 pounds	\$48.12	\$43.90	\$42.60	\$68.76	\$66.15	\$33.30
	Lightweight Barrows/ Gilts	50 to 150 pounds	\$67.73	\$67.73	\$73.93	\$88.70	\$93.93	\$59.91
	Sows/Boars/ Barrows/ Gilts	151 to 450 pounds	\$87.33	\$104.61	\$105.25	\$108.64	\$121.71	\$86.52
	Boars/Sows	450 pounds or more	\$201.03	\$221.80	\$234.38	\$292.11	\$305.48	\$169.81
Turkeys	Poults		\$1.14	\$1.10	\$1.13	\$1.15	\$1.25	\$1.25
	Toms/Fryers/ Roasters		\$12.20	\$14.45	\$13.49	\$13.68	\$14.58	\$15.88

F Payment Rates for Eligible Livestock for Livestock Contract Growers

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

Payment rates for livestock contract growers are based on 75 percent of the national average income loss sustained, as determined by CCC, 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	Payment Rate Per Head					
			2011	2012	2013	2014	2015	2016
Chickens	Broilers/Pullets (Regular Size)		\$0.26	\$0.27	\$0.29	\$0.29	\$0.28	\$0.29
	Layers		\$0.69	\$0.82	\$0.82	\$0.91	\$1.18	*--\$0.20--*
	Pullets/Cornish Hens (Small Size)		\$0.19	\$0.19	\$0.20	\$0.20	\$0.18	\$0.19
	Roasters		\$0.31	\$0.35	\$0.38	\$0.38	\$0.36	\$0.38
Ducks			\$0.42	\$0.46	\$0.45	\$0.45	\$0.46	\$0.46
Geese			\$2.84	\$1.89	\$3.12	\$3.12	\$2.31	\$3.20
Swine	Feeder pigs	Less than 50 pounds	\$5.47	\$4.99	\$4.84	\$7.81	\$7.51	\$3.78
	Lightweight Barrows/ Gilts	50 to 150 pounds	\$10.17	\$11.15	\$11.10	\$13.32	\$14.11	\$9.00
	Sows/Boars/ Barrows/ Gilts	151 to 450 pounds	\$13.11	\$15.71	\$15.81	\$16.32	\$18.28	\$12.99
	Boars/Sows	450 pounds or more	\$82.61	\$91.15	\$96.32	\$120.04	\$125.54	\$69.78
Turkeys	Toms/Fryers/ Roasters		\$3.34	\$1.59	\$1.48	\$1.50	\$1.60	\$1.75

42 Payment Rates, Limitations, and Reductions (Continued)

G Payment Reductions for Livestock Owners

Pub. L. 113-79 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. Other source refers to the amount the participant received for the same or any similar loss from any Federal disaster assistance program.

Section 2 Policy and Procedure

410 Signup Period

A LFP Signup

A general signup period and ending date are **not** applicable for LFP. COC will only announce that producers may make application for LFP benefits in their respective county after the State and County Office are notified by the National Office that the county has a qualifying drought based on the U.S. Drought Monitor severity rating or the County Office receives notification from a Federal Agency of a qualifying fire on rangeland managed by the Federal Agency and eligible livestock producers are prohibited from grazing their normal permitted livestock on the rangeland managed by the Federal Agency because of a qualifying fire.

Note: Producers can receive LFP payments for grazing losses because of drought or fire on rangeland that is managed by a Federal Agency, but **not** both for the same loss.

B 2011-2014 Calendar Year Signup

For eligible grazing losses that occurred **after** September 30, 2011, and **before** January 1, 2015, eligible livestock producers that suffered these grazing losses may begin signing up for LFP in eligible counties beginning April 15, 2014. To apply for payment, eligible livestock producers **must** submit a completed CCC-853 and required supporting documentation to their administrative County Office no later than **January 30, 2015**, to be considered timely filed.

Exception: To apply for payment for 2011 grazing losses that occurred **after** September 30, 2011, and **before** January 1, 2012, eligible livestock producers shall submit a manual CCC-853.

* * *

The livestock producer **must** also provide a copy of their grower contract, if a contract grower, by no later than January 30, 2015.

C 2015 and Subsequent Year Signup

For 2015 and subsequent year calendar year losses, to apply for payment, eligible livestock producers **must** submit a completed CCC-853 and required supporting documentation no later than 30 calendar days after the end of the calendar year in which the grazing loss occurred.

Note: The livestock producer **must** also provide a copy of their grower contract, if a contract grower, by no later than 30 calendar days after the end of the calendar year in which benefits are being requested.

* * *

410 Signup Period (Continued)

***--D Late-Filed Provisions**

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

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

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

--*

411 Eligibility Criteria

A Eligible Grazing Losses Because of Drought

An eligible livestock producer may receive assistance under LFP for grazing losses because of a qualifying drought that occurred **after** September 30, 2011. Grazing losses for the covered livestock **must** occur on land that is:

- native or improved pastureland with permanent vegetative cover
- planted to crops planted specifically for the purpose of providing grazing for covered livestock such as:
 - small grains
 - forage sorghum

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

- physically located in a county that is, during the normal grazing period for the specific type of grazing land or pastureland for the county, rated by the U.S. Drought Monitor as having any of the following:
 - D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the specific type of grazing land or pastureland for the county
 - D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the specific type of grazing land or pastureland for the county
 - D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period (nonconsecutive weeks) for the specific type of grazing land or pastureland for the county or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period for the specific grazing land or pastureland for the county
 - D4 (exceptional drought) intensity in any area of the county for at least 4 weeks during the normal grazing period (nonconsecutive weeks) for the specific type of grazing land or pastureland for the county.

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

411 Eligibility Criteria (Continued)

B Determining Beginning Date of Qualifying Drought

National Office personnel will monitor the U.S. Drought Monitor and will notify applicable State and County Offices on a weekly basis of those counties eligible for LFP because of a qualifying drought. The National Office will determine the beginning date of a qualifying drought by pasture type and will notify applicable State and County Offices of the beginning date of a D2, D3, or D4 drought intensity rating. The National Office will notify State and County Offices of counties eligible for LFP by posting a list of eligible counties, by State, by pasture type, every Thursday at <http://fsaintranet.sc.egov.usda.gov/ffas/farmbill/ccc/> under “LFP Eligible Counties”. COC will use the LFP Eligible Counties Report to determine the beginning date of each qualifying drought to determine the eligibility of covered livestock.

The LFP Eligible Counties Report contains the following columns:

- State
- County
- Program Year
- Pasture Type
- D2 Qualifying Date
- D3a Qualifying Date
- D3b Qualifying Date
- D4a Qualifying Date
- D4b Qualifying Date.

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

The following table explains how to determine the drought intensity level applicable to each pasture type listed on the LFP Eligible Counties Report.

IF a date is present for...	AND there are no dates present for...	THEN the county is eligible for a maximum of...
D2 Qualifying Date	<ul style="list-style-type: none"> • D3a Qualifying Date • D3b Qualifying Date • D4a Qualifying Date • D4b Qualifying Date 	1 month. Note: All or a portion of the county was rated a D2 drought intensity for 8 consecutive weeks during the normal grazing period for the specific type of grazing land. This equates to a drought intensity payment factor of 1.

411 Eligibility Criteria (Continued)

H Eligible Livestock Producers (Continued)

- be an individual or entity that is a:
 - citizen of the U.S.
 - resident alien

Note: Resident alien means “lawful alien”.

 - partnership of citizens of the U.S.
 - 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.

I 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)
- short season small grain crops planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)
- long season small grain crops planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)
- annual ryegrass planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)

***--Note:** Because of the lateness of annual ryegrass being approved as an eligible grazing type, County Offices have the option of paying annual ryegrass grazing losses because of drought that occurred on or after October 1, 2011, and before January 1, 2015, as either improved pasture or annual ryegrass.--*

411 Eligibility Criteria (Continued)

I Eligible Grazing Types (Continued)

- annual crabgrass planted specifically for the purpose of providing grazing for covered livestock (nonirrigated)

***--Note:** Because of the lateness of annual crabgrass being approved as an eligible grazing type, County Offices have the option of paying annual crabgrass grazing losses because of drought that occurred on or after October 1, 2011, and before January 1, 2015, as either improved pasture or annual crabgrass.--*

- forage sorghum crops planted specifically for the purpose of providing grazing for covered livestock (nonirrigated).

J 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 according to 2 CP.--*

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

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

411 Eligibility Criteria (Continued)

J Eligible Grazing Lands (Continued)

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

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

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

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

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

- State land lease and/or State land subleases

Note: Some State land leases may contain the following clause:

“Assignment, Sublease, and Relinquishment Land Lessee will not assign or sublease the leased premises or the improvements on said premises without the prior written consent of lessor and other requirements as required by lessor rule. As provided by law and rule, any lease in good standing may be relinquished to the State on relinquishment, however, therefore the lessee will not be entitled to a refund of rent previously owned and paid”.

- written acreage lease or rental agreement.

COC or CED will review all acreage leases to determine whether:

- the lease conveys control, however limited, to the lessee
- lessee is at risk in the grazing land or pastureland crop acreage for which benefits are being requested for LFP.

Note: All COC or CED determinations must be documented in COC minutes.--*

411 Eligibility Criteria (Continued)

J Eligible Grazing Lands (Continued)

*--The lessee will be considered to have risk in the grazing land and/or pastureland crop acreage under LFP, if COC determines that the lease does either of the following:

- conveys control of the acreage to the lessee, however limited
- indicates the lessee has a risk in the grazing land or pastureland crop acreage for which benefits are being requested for LFP.

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

COC or CED will use the following questions and others, as warranted, to determine whether a lessee has risk in grazing land or pastureland crop acreage or the lease conveys control of the crop acreage to the lessee. Only 1 of the following conditions must be met to find a lessee at risk in the grazing land or pastureland crop acreage for which benefits are being requested for LFP.

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

411 Eligibility Criteria (Continued)

J Eligible Grazing Lands (Continued)

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

411 Eligibility Criteria (Continued)

J Eligible Grazing Lands (Continued)

If written acreage lease or rental agreement was **not** entered into, a copy of CCC-855 **must** be completed and signed by the lessor, according to paragraph 412.

1-CM, subparagraphs 707 and 708 provide guidance for signature authority for representative signatures. The guidance indicates how a person signing in a representative capacity **must** indicate on the document (in this case CCC-855) the title and/or relationship to the person (landlord or landowner at the time of benefit) for whom they are providing the signature.

In situations where the landowner or landlord is now deceased and the spouse of the deceased is now providing the deceased individual's certification on CCC-855 according to 1-CM, paragraphs 707 and 708, this may be considered acceptable by COC without any documentation. See 1-CM, subparagraphs 707 C and 708 A. An heir to the deceased may also sign CCC-855 on behalf of the deceased, if a last will and testament or other acceptable proof of heirship is provided to substantiate the heir's relationship to the deceased.

If the person signing CCC-855 in a representative capacity for the deceased landlord or landowner is someone other than the spouse or heir, follow 1-CM, paragraph 708 and have the representative enter the title and relationship to the deceased (note the capacity they are signing for the deceased) and accompany that certification with either of the documentary evidence options available (before and after April 2, 2009). If users have specific questions on program eligibility, they shall contact their State Office. The State Office shall contact their Program Manager.

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

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

411 Eligibility Criteria (Continued)

J Eligible Grazing Lands (Continued)

*--If a written acreage lease or rental agreement was **not** entered into between the original lessee and lessor, and the grazing land or pastureland is **subleased**, for the lessee associated to the sublease to be considered by COC or CED to have control of the leased acreage or risk in the grazing land and/or pastureland crop acreage for LFP benefits, separate CCC-855's must be completed and signed, according to paragraph 412, by the:

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

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

411 Eligibility Criteria (Continued)

J Eligible Grazing Lands (Continued)

***--Example 1:** Lessee A and Lessor B entered into a verbal agreement on January 1, 2016, for Lessee A to cash lease from Lessor B, Farm 1 in Knox County consisting of 200 acres of native pasture for \$2000 per year for 5 years. Lessee A has also been given the authority to sublease the acreage. The normal grazing period for native grass is January 1 through December 31.

On January 15, 2016, Lessee A subleases Farm 1 to Lessee C for \$2500 for the 2016 calendar year. Lessee C's 10 head of adult beef cattle graze on the 200 acres of native pasture in Knox County beginning on January 16, 2016. On April 5, 2016, Knox County becomes eligible for a 5 month payment on native pasture.

Lessee C provides the Knox County COC CCC-855 completed and signed by Lessor B where Lessor B checked that Farm 1 was cash rented to Lessee A for 5 years beginning January 1, 2016, through December 31, 2021, and the "Other" box on CCC-855 was checked with Lessor B indicating that Lessee A had the authority to sublease Farm 1. Lessee C also provided CCC-855 completed by Lessee A indicating that Lessee A has subleased Farm 1 to Lessee C from January 15, 2016, through December 31, 2016, for cash.

COC reviewed CCC-855's and determined that:

- Lessee A cash leased Farm 1 from Lessor B giving Lessee A control and risk in the 200 acres of native pasture and authority to sublease Farm 1
- Lessee A subleased Farm 1 to Lessee C for cash transferring control and risk for 2016 to Lessee C; therefore, Lessee C is in control and at risk in the 200 acres of native pasture on Farm 1 for 2016.--*

411 Eligibility Criteria (Continued)

J Eligible Grazing Lands (Continued)

***--Example 2:** Lessee A and Lessor B entered into a verbal agreement on January 1, 2016, for Lessee A to lease from Lessor B, Farm 1 in Knox County consisting of 200 acres of native pasture on a \$0.20 per day basis for the 2016 crop year on 20 adult beef cows. Lessee A has also been given the authority to sublease the acreage. The normal grazing period for native grass is January 1 through December 31.

On January 15, 2016, Lessee A subleases Farm 1 to Lessee C for \$2500 for the 2016 calendar year. Lessee C's 10 head of adult beef cattle graze on the 200 acres of native pasture in Knox County beginning on January 16, 2016. On April 5, 2016, Knox County becomes eligible for a 5 month payment on native pasture.

Lessee C provides the Knox County COC CCC-855 completed and signed by Lessor B where Lessor B checked that Farm 1 was rented to Lessee A for the 2016 crop year on a \$0.20 per day basis for 20 adult beef cows with Lessor B indicating that Lessee A had the authority to sublease Farm 1. Lessee C also provided CCC-855 completed by Lessee A, indicating that Lessee A has subleased Farm 1 to Lessee C from January 15, 2016, through December 31, 2016 for cash.

COC reviewed the CCC-855's and determined that:

- Lessee A has an agreement with Lessor B which Lessee A pays \$0.20 per day for 20 adult beef cows on Lessor B's pasture and Lessee A is only paying for the number of days grazed which equates to no grazing loss and Lessee A not being in control or at risk in the 200 acres of native pasture on Farm 1
- Lessee A subleased Farm 1 to Lessee C for cash, but since Lessee A does not have control or risk in Farm 1, Lessee A did not transfer control or risk in Farm 1 to Lessee C; therefore, Lessee C is **not** in control and at risk in the 200 acres of native pasture on Farm 1 for 2016.--*

411 Eligibility Criteria (Continued)

J Eligible Grazing Lands (Continued)

COC or CED shall review all acreage leases, including CCC-855's, to determine whether the livestock producer's contributions are at risk in the grazing land and pastureland for which benefits are being requested under LFP. COC or CED shall document in the COC minutes, that cash-leased grazing land or pastureland meets the eligibility criteria for leased grazing land or pastureland under LFP. In cases where CED determination of risk in the grazing land and pastureland may result in an adverse determination, CED shall obtain concurrence from COC.

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

411 Eligibility Criteria (Continued)

K Ineligible Grazing Land

The following are ineligible types of grazing:

- acreage enrolled in CRP

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

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

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

- *--acreage enrolled in WRP.--*

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

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

411 Eligibility Criteria (Continued)

K Ineligible Grazing Land (Continued)

- seeded small grain forage crops that are either:
 - planted with the specific purpose of harvesting forage or seed
 - planted after the final planting date for the specific kind and type of seeded small grain forage crop intended for grazing.

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 per 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.

412 CCC-855, Emergency Assistance for Livestock, Honey Bees, and Farm Raised Fish Program (ELAP) and Livestock Forage Disaster Program (LFP) Lease Agreement Certification Statement

A Completing CCC-855

Complete CCC-855 according to the following.

Item	Instructions	
1	Enter State in which the leased land is physically located.	
2	Enter physical location county of where the land being leased is located.	
3	Enter program year of the lease.	
4	*--Enter name of operator/tenant (lessee), or lessee associated to sublease, if subleased.	
5	Enter name of landowner/landlord (lessor) or original lessee, if the original lessee is subleasing the land for which the original lessee did not have a written acreage lease or rental agreement with lessor.--*	
6	Enter farm numbers encumbered by the lease agreement.	
7	Enter number of acres leased.	
8	Enter date lease commenced.	
9	Enter date lease expires.	
10	<p>Lessor shall check (✓) appropriate terms of the lease agreement that apply or “Other”, if none of the terms listed apply and then specify specific terms that do apply.</p> <p>*--Notes: Lessor must indicate in this block whether lessee in item 4 is authorized to sublease farms listed in item 6.</p> <p>If land being leased is subleased, original lessee must include in this block the terms and conditions of the sublease.</p>	
11A, 12A, 13A	Lessor, original lessee if land is subleased, or authorized representative shall sign.	
11B, 12B, 13B	IF...	THEN...
	lessor or original lessee is signing someone is signing in a representative capacity for lessor or original lessee	leave blank. enter title or relationship to lessor or original lessee.--*
11C, 12C, 13C	Enter date signatory signs.	

412 CCC-855, Emergency Assistance for Livestock, Honey Bees, and Farm Raised Fish Program (ELAP) and Livestock Forage Disaster Program (LFP) Lease Agreement Certification Statement (Continued)

B Example of Completed CCC-855

This form is available electronically.

CCC-855 (04-15-2014)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. State Montana
EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH PROGRAM (ELAP) AND LIVESTOCK FORAGE DISASTER PROGRAM (LFP) LEASE AGREEMENT CERTIFICATION STATEMENT				2. County Gallatin
				3. Lease Year 2013
<p>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 1416, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to determine eligibility for the emergency assistance for livestock, honey bees, and farm-raised fish program and livestock forage disaster program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for emergency assistance for livestock, honey bees, and farm-raised fish and livestock forage disaster program benefits.</p> <p>This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title 1, Subtitle F – Administration).</p> <p>The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</p>				
LEASE AGREEMENT CERTIFICATION STATEMENT				
4. Operator/Tenant (<i>Lessee</i>) (<i>Print</i>): Producer B				
5. Landowner/Landlord (<i>Lessor</i>) (<i>Print</i>): Landowner C				
6. FSA Farm Number(s) 1200	7. Number of Acres Leased 500	8. Lease Commenced on 05/01/2013	9. Lease Expires on 12/31/2013	
10. Terms of the Lease Agreement (<i>Check the appropriate box</i>): <input type="checkbox"/> Dollar/Acre Rental Arrangement. <input checked="" type="checkbox"/> Cash or Fixed Dollar Amount. <input type="checkbox"/> Share Rent. <input type="checkbox"/> Rate of Gain. <input type="checkbox"/> Cost Per Head, Per Day or Month. <input type="checkbox"/> Animal Unit Month Basis. <input type="checkbox"/> Other, (<i>Specify</i>):				
<p><i>I certify that I entered into a lease agreement with the Operator/Tenant specified in Item 4 beginning on the date specified in Item 8 and ending on the date in Item 9. I certify that the terms of the lease agreement entered in Item 10 are true and correct for the specified farm(s) listed in Item 6 for the period of the lease agreement entered in Items 8 and 9.</i></p>				
11A. Signature of Lessor (By) Landowner C		11B. Title/Relationship of the Individual Signing in a Representative Capacity		11C. Date (MM-DD-YYYY) 04-15-2014
12A. Signature of Lessor (By)		12B. Title/Relationship of the Individual Signing in a Representative Capacity		12C. Date (MM-DD-YYYY)
13A. Signature of Lessor (By)		13B. Title/Relationship of the Individual Signing in a Representative Capacity		13C. Date (MM-DD-YYYY)
<p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-3339 or (800) 845-6136 (in Spanish).</small></p> <p><small>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.</small></p>				

413-419 (Reserved)

4-15-14

1-LDAP (Rev. 1) Amend. 1

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420 Payment Rates, Limitations, and Reductions (Continued)

E Sequestration Reduction

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

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

- amount is applied at the payment entity/producer level
- amount is not attributed to members
- amount is applied to the producer receiving the payment after the payment has been attributed for payment limitation purposes
- amount is reduced from the determined payment amount for the producer as the last step before sending the payment information to NPS
- percentage is determined based on the approval or register date entered according to Part 7 on CCC-853 as shown in the following table.

IF the lesser of the register date or approval date is ...	THEN the sequestration percentage will be..
--September 30, 2014, or before--	0 percent.
October 1, 2014, through September 30, 2015	7.3 percent.
October 1, 2015, through September 30, 2016	6.8 percent.

Note: The sequestration percentages apply regardless of the program year of the payment.

420 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 411 A or fire conditions under subparagraph 411 C, but **not** both for the same loss on the same grazing land or pastureland acres.

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

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

G Multiple Benefits

NAP provides that if a producer is eligible to receive payment under NAP, and benefits under any other program administered by the Secretary for the same crop loss, the producer **must** choose whether to receive the other program benefits or payments under NAP, but shall **not** be eligible under both. This limitation on multiple benefits will **not** apply to LFP for losses that occur on or after October 1, 2011, as specified in 7 CFR Part 1416.

For 2014 and prior years, NAP provided that crop acreage ineligible for NAP assistance includes crop acreage for which individual CAT level coverage is available, including pilot insurance products. An exception applies for the following cases.

- Livestock producers who suffered grazing losses from October 1, 2011, through December 31, 2014, who purchased NAP coverage for grazing and RI-PRF and/or VI-PRF policy on the same acres for the same intended use of “Grazing (GZ)”, still remain eligible to earn LFP payment, PRF indemnity, and NAP payment on the same acres for the same intended use of “Grazing (GZ)”.
- Livestock producers in the States of Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas who suffered 2014 grazing losses on annually planted crops for livestock feed intended for grazing who purchased 2014 NAP coverage on annually planted crops for livestock feed intended for grazing, and 2014 CAT level RI-Annual Forage Insurance Plan from RMA on the same acres for the same intended use of “Grazing (GZ)” are eligible to earn an LFP payment, NAP payment, and indemnity payment, under the 2014 RI-Annual Forage Insurance Plan because of the lateness of the announcement of the RMA pilot product.

421 Drought Payment Calculation (Continued)**B LFP Monthly Payment Rate**

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

- for all covered livestock owned or leased by the eligible livestock producer
- 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 5 monthly payments for the same livestock; that is, the maximum payment a producer can receive under LFP in a calendar year **cannot** exceed 5 times the same covered livestock's feed cost times 60 percent.

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.

421 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					
			2011	2012	2013	2014	2015	*--2016
Beef	Adult	Cows and Bulls	\$34.57	\$51.81	\$57.27	\$52.56	\$40.79	\$32.36
	Nonadult	500 pounds or more	\$25.93	\$38.86	\$42.96	\$39.42	\$30.59	\$24.27
Dairy	Adult	Cows and Bulls	\$89.89	\$134.71	\$148.90	\$136.66	\$106.05	\$84.14
	Nonadult	500 pounds or more	\$25.93	\$38.86	\$42.96	\$39.42	\$30.59	\$24.27
Buffalo/ Beefalo	Adult	Cows and Bulls	\$34.57	\$51.81	\$57.27	\$52.56	\$40.79	\$32.36
	Nonadult	500 pounds or more	\$25.93	\$38.86	\$42.96	\$39.42	\$30.59	\$24.27
Sheep	All		\$8.64	\$12.96	\$14.32	\$13.14	\$10.20	\$8.09
Goats	All		\$8.64	\$12.96	\$14.32	\$13.14	\$10.20	\$8.09
Deer	All		\$8.64	\$12.96	\$14.32	\$13.14	\$10.20	\$8.09
Equine	All		\$25.58	\$38.34	\$42.38	\$38.90	\$30.18	\$23.95
Swine		Less than 45 pounds	\$1.03	\$1.55	\$1.72	\$1.56	\$1.21	\$0.97
		45 to 124 pounds	\$2.41	\$3.63	\$4.01	\$3.67	\$2.85	\$2.27
		125 to 234 pounds	\$4.15	\$6.22	\$6.87	\$6.31	\$4.90	\$3.88
	Sow	235 pounds or more	\$14.18	\$21.24	\$23.48	\$21.56	\$16.73	\$13.27
	Boar	235 pounds or more	\$8.31	\$12.43	\$13.74	\$12.63	\$9.80	\$7.77
Elk		Less than 400 pounds	\$7.61	\$11.40	\$12.60	\$11.58	\$8.98	\$7.12
		400 pounds to 799 pounds	\$14.18	\$21.24	\$23.48	\$21.56	\$16.73	\$13.27
		800 pounds or more	\$18.67	\$27.98	\$30.93	\$28.39	\$22.03	\$17.47
Poultry		Less than 3 pounds	\$0.22	\$0.33	\$0.36	\$0.33	\$0.26	\$0.20
		3 pounds to 7.9 pounds	\$0.44	\$0.65	\$0.72	\$0.66	\$0.51	\$0.41
		8 pounds or more	\$0.99	\$1.48	\$1.64	\$1.50	\$1.17	\$0.93
Reindeer		All	\$7.61	\$11.40	\$12.60	\$11.58	\$8.98	\$7.12
Alpacas		All	\$28.48	\$42.68	\$47.18	\$43.30	\$33.60	\$26.65
Emus		All	\$17.69	\$26.52	\$29.31	\$26.90	\$20.87	\$16.56
Llamas		All	\$12.62	\$18.91	\$20.90	\$19.18	\$14.89	\$11.81--*

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

Example: Participant A has 100 head of adult beef cattle that suffer a 2012 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 for adult beef cattle, times 100 head.

100 head adult beef cattle x \$51.81 (monthly payment rate for adult beef cattle) = \$5,181 (monthly feed cost for adult beef cattle).

441 Acting on CCC-853's (Continued)

B Disapproving CCC-853's (Continued)

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

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

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

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

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

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

- disapprove CCC-853
- notify participant of disapproval
- provide participant applicable appeal rights according to 1-APP
- thoroughly document reason for disapproval in COC minutes, if disapproved by COC.

*--**Note:** See paragraph 410 for late-filed provisions.--*

441 Acting on CCC-853's (Continued)

C Verifying Data With Other Agencies, Organizations, or Facilities

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

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

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

DD's shall review the first five CCC-853's submitted for calendar years October 1, 2011, through calendar year 2014, for both qualifying drought conditions and fire conditions, in each Service Center before approval. The review shall include the following:

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

For 2015 * * * DD's shall review the first five CCC-853's submitted, for both qualifying drought conditions and fire conditions, in each Service Center before approval. The review shall include the following:

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

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

*--For 2016 and subsequent calendar years, DD's shall review the first five CCC-853's submitted, for both qualifying drought conditions and fire conditions, in each Service Center before approval. The review shall include the following:

- ensuring separate CCC-853's are submitted by participant and physical location County Office
- signature requirements, including power of attorney, are met
- no State or County Office developed forms, worksheets, applications, or other documents are being used to obtain or collect the data required from participants
- supporting data required for payment eligibility is properly completed and on file; such as AD-1026, CCC-901, CCC-902, CCC-941, and accurate subsidiary and SCIMS data
- ensuring that payment calculations are correct and payment eligibility is met
- documenting review on CCC-770 LFP.--*

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

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

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

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

- identifies possible weaknesses in the administration of LFP that may be resolved by additional training, clarified procedures, modified software, or for 2016 and subsequent years, require the County Office to complete CCC-770 LFP for each CCC-853 filed before payment is issued--*
- prevents numerous participants from being impacted by erroneous LFP administration
- allows corrections to be made in a timely manner before erroneous payments are issued.

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

A Completing Manual CCC-853 (Continued)

Item	Instruction
28	<p>Enter 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> <p>Note: Adjustments may need to be made to the number of AU's entered *--if the Federal Agency reduces the grazing days under the Federal grazing permit or lease because of drought, and the producer does not pay the Federal Agency because of a temporary non-use of the permit. An adjustment to the AU's need to be made when 1 of the questions in subparagraph 411 J, or other as warranted, are met to determine the lessee has a risk in production of the crop acreage or the lessee has control of the crop acreage. The adjustment, if required, may need to be entered in item 29, if the producer--* provides a copy of the last quarter billing statement from the Federal Agency.</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 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>

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

A Completing Manual CCC-853 (Continued)

Item	Instruction
32	<p>ENTER “rangeland” as the pasture type for all rangeland that is managed by a Federal Agency (that is, BIA, BLM, FS, etc.) that was affected by fire for which the eligible producer is prohibited by the Federal Agency from grazing the normal permitted livestock on the managed rangeland because of fire.</p> <p>Note: Grazing losses on private or State rangelands managed by a Federal Agency because of fire for which an eligible producer is prohibited by the Federal Agency from grazing the normal permitted rangeland because of fire shall also be entered in items 30 through 36.</p>
33	<p>Enter permitted AU’s from the Federal grazing lease agreement.</p>
34	<p>Enter number of permit days grazing is allowed under the Federal lease agreement during the calendar year.</p> <p>Note: The number of permit days grazing is allowed under the Federal lease agreement shall be obtained from the producers grazing permit.</p>
35	<p>Enter number of AU’s the producer is prohibited from grazing on the managed rangeland by the Federal Agency because of fire.</p> <p>Note: There may be entries in item 35 and/or item 36.</p>
36	<p>Enter number of days the producer is prohibited from grazing the normal permitted livestock on the managed rangeland by the Federal Agency because of fire.</p> <p>Note: There may be entries in item 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>

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

B Completing CCC-853-1 (Continued)

Item	Instruction
46	Enter total permitted AUD's by multiplying: <ul style="list-style-type: none"> • item 44, times • item 45, not to exceed 180 calendar days.
47	Enter AUD payment rate. The AUD payment rate for: <ul style="list-style-type: none"> • 2011 is \$1.1523 • 2012 is \$1.7270 • 2013 is \$1.9090 • 2014 is \$1.752 • 2015 is \$1.3596 •*--2016 is \$1.0787.--*
48	National payment factor of 50 percent.
49	Enter calculated maximum payment amount for each specific fire event by multiplying: <ul style="list-style-type: none"> • item 46, times • item 47, times • item 48. Round to the nearest whole dollar.
50	Enter total of all entries in item 49. This is the total maximum calculated payments from Federal leases.

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

B Completing CCC-853-1 (Continued)

Item	Instruction
Part G - Fire - Federally Managed Lands - Calculated Value of Reduced AUD's by Federal Lease	
Note: This Part G calculation shall be completed for each fire event number listed on CCC-853, item 30.	
51	Enter fire event number from CCC-853, item 30.
52	Enter number of AU's the producer is prohibited from grazing on the managed rangeland by the Federal Agency because of fire from CCC-853, item 35. Note: If an entry is entered in CCC-853, item 39, then item 39 shall be used instead of item 35.
53	Enter number of days the producer is prohibited from grazing the normal permitted livestock on the managed rangeland by the Federal Agency because of fire from CCC-853, item 36. Note: If an entry is entered in CCC-853, item 40, then item 40 shall be used instead of item 36.
54	Enter total reduced AUD's for the specific fire event number, which is the result of multiplying: <ul style="list-style-type: none"> • item 52, times • item 53.
55	Enter AUD payment rate. The AUD payment rate for: <ul style="list-style-type: none"> • 2011 is \$1.1523 • 2012 is \$1.7270 • 2013 is \$1.9090 • 2014 is \$1.752 • 2015 is \$1.3596 •*--2016 is \$1.0787.--*
56	National payment factor is 50 percent.
57	Enter calculated value of the reduced AUD's for each specific fire event number by multiplying: <ul style="list-style-type: none"> • item 54, times • item 55, times • item 56. Round to the nearest whole dollar.
58	Enter total of all entries in item 57. This is the total value of reduced AUD's from Federal leases.

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

C Example of CCC-853-1 (Continued)

CCC-853-1 (02-12-15)						Page 4 of 4
PART F – FIRE – FEDERALLY MANAGED LANDS – MAXIMUM CALCULATED PAYMENT BY FEDERAL LEASE						
43. Fire Event Number	44. Permitted Animal Units (AU's)	45. Permit Days (NTE 180 Days)	46. Total Permit Animal Unit Days (AUD's) (Item 44 x 45)	47. AUD Payment Rate	48. Payment Factor	49. Calculated Maximum Payment Amount (Items 46 x 47 x 48)
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
50. Total Maximum Calculated Payment Amounts From Federal Leases (Total of Item 49)						\$
PART G – FIRE – FEDERALLY MANAGED LANDS – CALCULATED VALUE OF REDUCED AUD'S BY FEDERAL LEASE						
51. Fire Event Number	52. Reduced AU's From Permit	53. Reduced Grazing Days From Permit	54. Total Reduced Animal Unit Days (AUD's) (Item 52 x 53)	55. AUD Payment Rate	56. Payment Factor	57. Calculated Value of Reduced AUD's (Items 54 x 55 x 56)
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
58. Total Value of Reduced AUD's From Federal Leases (Total of Item 57)						\$
PART H – FIRE – FEDERALLY MANAGED LANDS – TOTAL NET CALCULATED PAYMENT AMOUNT OF REDUCED AUD'S						
59. Net Calculated Payment Amount of Reduced AUD's (Smaller of Item 50 or Item 58)						\$
PART I – TOTAL NET CALCULATED PAYMENT AMOUNT AFTER REDUCTIONS – DROUGHT AND/OR FIRE						
60. Total Net Calculated Payment Amount Before Reduction (Item 42 + Item 59)						\$
61. Reduction						\$
62. Total Net Calculated Payment Amount (Item 60 minus Item 61)						\$
PART J – CALCULATED PAYMENT AMOUNT AFTER REDUCTION FOR PREVIOUS PAYMENTS ISSUED						
63. Total Prior LFP Payment Amounts.						\$
64. LFP Calculated Payment Amount (Item 62 minus Item 63)						\$
65A. PREPARER SIGNATURE			65B. Title		65C. Date (MM-DD-YYYY)	
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--444 CCC-770 LFP, Livestock Forage Disaster Program (LFP) Checklist*A Introduction**

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

B Program Checklist

CCC-770 LFP:

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

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

C Maintaining CCC-770 LFP

CCC-770 LFP is applicable for each producer, by administrative county, and calendar year, as applicable.

CCC-770 LFP has been designed to assist County Offices in determining eligibility for approving or disapproving producer's CCC-853. CCC-770 LFP will be filed in the producer's LFP folder.

D Retention Period

All CCC-770 LFP's **must** be retained in the producer's LFP folder with CCC-853 according to 25-AS. CCC-770 LFP will be destroyed when CCC-853 is destroyed.--*

--444 CCC-770 LFP, Livestock Forage Disaster Program (LFP) Checklist (Continued)*E County Offices Using CCC-770 LFP**

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

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

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

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

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

Reminder: County Offices **cannot** rely solely on CCC-770 LFP for administering LFP. All program provisions **must** be met, **not** just items on CCC-770 LFP. CCC-770 LFP is a tool to assist with LFP administration and includes the major areas where deficiencies have been identified, but it is **not**, nor is it intended to be, inclusive of all LFP provisions.

F Determining When to Use CCC-770 LFP

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

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

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

*--G Example of CCC-770 LFP

The following is an example of CCC-770 LFP.

<p>This form is available electronically.</p> <p>CCC-770 LFP (06-08-16)</p> <p>U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency</p> <p>LIVESTOCK FORAGE DISASTER PROGRAM (LFP) CHECKLIST</p>					1. Producer Name	2. State Name		
					3. County Office Name	4. Calendar Year		
Office Staff Actions					Handbook or Other Reference	YES	NO	N/A
5. Has the county triggered a loss for the specific pasture type under LFP for a qualifying drought?					1-LDAP (Rev. 1) subparagraph 411B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Did the applicant suffer a grazing loss due to fire on rangeland that is managed by a Federal agency?					1-LDAP (Rev. 1) subparagraphs 411C and 411D	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. If item 6 is "YES", did the applicant provide documentation from the Federal Agency to show the location of the fire, cause of fire, date the fire started, and whether the livestock producer was prohibited from grazing their normal permitted livestock and/or their grazing days were reduced because of the fire?					1-LDAP (Rev. 1) subparagraph 411D	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. If fire was the qualifying disaster condition causing the grazing loss, did the applicant provide the date and location of the qualifying fire in Item 8 of CCC-853?					1-LDAP (Rev. 1) paragraph 442	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Has a separate CCC-853 been filed for each participant by administrative county, by physical location for the land for which a grazing loss is claimed?					1-LDAP (Rev. 1) subparagraph 440A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Did the livestock producer complete, sign, date, and submit CCC-853 by the applicable deadline?					1-LDAP (Rev. 1) subparagraph 410C and paragraph 440	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Has signature authority been verified for all signatures on CCC-853?					1-CM, Part 25	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Does the producer meet the requirements of an eligible livestock producer?					1-LDAP (Rev. 1) subparagraph 411H and paragraph 420	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Did the producer own, lease, purchase, enter into a contract to purchase or was a contract grower of the eligible livestock at any time during the 60 calendar days before the beginning date of the qualifying loss?					1-LDAP (Rev. 1) subparagraph 411E	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Do claimed mitigated livestock meet the definition of mitigated livestock to qualify for payment on the application?						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Are the claimed livestock, livestock that were or would have been grazing in the eligible county during the normal grazing period established for the county?					1-LDAP (Rev. 1) subparagraphs 411E and 411G	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Are claimed livestock on CCC-853 animals that were or would have been in a feedlot on the beginning date of the qualifying loss? <i>Note: If "Yes", these livestock are not eligible.</i>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Were all claimed livestock being maintained for commercial use as part of the producer's farming operation on the beginning date of the qualifying drought or fire?					1-LDAP (Rev. 1) subparagraphs 402A, 411E through 411G	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Do all the livestock claimed on the CCC-853 meet the requirements for being eligible livestock?					1-LDAP (Rev. 1) subparagraphs 411E through 411G	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Did the applicant provide the physical location of livestock in inventory on the beginning date of the qualifying grazing loss condition in Item 9 of CCC-853?					1-LDAP (Rev. 1) paragraph 442	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Did the applicant provide physical location of current livestock inventory in Item 10 of CCC-853?						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Does all land claimed on the CCC-853 meet the requirements of eligible grazing land?					1-LDAP (Rev. 1) paragraph 411	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. For leased land, have all leases/permits and final bills or invoices if applicable, been obtained and provided to the County Office by the applicable deadline so that risk can be determined? <i>Note: Original lease or permit must allow for subleasing if producer is claiming subleased land.</i>					1-LDAP (Rev. 1) subparagraph 411J	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

G Example of CCC-770 LFP (Continued)

Office Staff Actions		Handbook or Other Reference	YES	NO	N/A
23.	If a written lease or rental agreement was not entered into, is CCC-855 on file and completed correctly by the applicable signature authority?	1-LDAP (Rev. 1) subparagraph 411J and paragraph 412	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24.	Has the FSA-578 Report of Acreage been timely filed and signed by the producer according to 2-CP for all grazing land for which a loss is being claimed?	1-LDAP (Rev. 1) subparagraph 411H	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25.	Has the producer's contributions been determined to be at risk in the grazing and pastureland for which benefits are being requested under LFP and documented in COC minutes?	1-LDAP (Rev. 1) subparagraph 411J	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26.	Is the grazing land or pastureland acreage claimed on CCC-853 accurate and does it agree with the producer's grazing land and/or pastureland acreage reported on FSA-578 Report of Acreage?	1-LDAP (Rev. 1) subparagraph 411H	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27.	Has the correct carrying capacity(ies) been entered in Item 24 of CCC-853 for the specific pasture type(s) entered in Item 22 of CCC-853?	1-LDAP (Rev. 1), paragraphs 441 through 443	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28.	If the producer is a multi-county producer, has an adjustment been made to ensure that five monthly payments are not exceeded for the same covered livestock?	1-LDAP (Rev. 1), subparagraph 421F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29.	Is all supporting documentation on file before CCC-853 approval?	1-LDAP (Rev. 1), subparagraph 440E	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30.	Has CCC-853 been signed, dated, and approved by COC, CED, or authorized representative?	1-LDAP (Rev. 1), paragraphs 441 through 442	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31.	Has CCC-853 approval/disapproval been thoroughly documented in COC minutes?	1-LDAP (Rev. 1) subparagraphs 401D and 441B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32.	If CCC-853 is disapproved, or if any COC adjustments have been made, has the producer been notified in writing and provided the applicable appeal rights?	1-LDAP (Rev. 1) subparagraph 441B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33.	Has a second party review been conducted and has CCC-853 been initiated and dated, if applicable?	1-LDAP (Rev. 1) subparagraph 440D	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34.	Remarks				
Certification:					
35A. Signature of Preparer(s)	35B. Date (MM-DD-YYYY)	35C. Signature of Preparer(s)	35D. Date (MM-DD-YYYY)		
36A. I concur/do not concur the above items have been verified and updated accordingly: <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur					
36B. CED Signature for Spot Check				36C. Date (MM-DD-YYYY)	
37A. I concur/do not concur the above items have been verified and updated accordingly: <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur					
37B. STC Designee Signature for Spot Check				37C. Date (MM-DD-YYYY)	
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445-499 (Reserved)

831 Livestock Payment Rates, National Payment Factors, and 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 eligible livestock category.

Kind	Type	Weight Range	Payment Rate Per Head				
			2012	2013	2014	2015	*--2016
Alpacas	All		1.727	1.909	1.752	1.360	\$1.079
Beef	Adult	Cows and Bulls	1.727	1.909	1.752	1.360	\$1.079
	Nonadult	500 pounds or more	1.727	1.909	1.752	1.360	\$1.079
Buffalo/Beefalo	Adult	Cows and Bulls	1.727	1.909	1.752	1.360	\$1.079
	Nonadult	500 pounds or more	1.727	1.909	1.752	1.360	\$1.079
Dairy	Adult	Cows and Bulls	1.727	1.909	1.752	1.360	\$1.079
	Nonadult	500 pounds or more	1.727	1.909	1.752	1.360	\$1.079
Deer	All		1.727	1.909	1.752	1.360	\$1.079
Elk		Less than 400 pounds	1.727	1.909	1.752	1.360	\$1.079
		400 pounds to 799 pounds	1.727	1.909	1.752	1.360	\$1.079
		800 pounds or more	1.727	1.909	1.752	1.360	\$1.079
Emus	All		1.727	1.909	1.752	1.360	\$1.079
Equine	All		1.727	1.909	1.752	1.360	\$1.079
Goats	All		1.727	1.909	1.752	1.360	\$1.079
Llamas	All		1.727	1.909	1.752	1.360	\$1.079
Poultry		Less than 3 pounds	1.727	1.909	1.752	1.360	\$1.079
		3 pounds to 7.9 pounds	1.727	1.909	1.752	1.360	\$1.079
		8 pounds or more	1.727	1.909	1.752	1.360	\$1.079
Reindeer	All		1.727	1.909	1.752	1.360	\$1.079
Sheep	All		1.727	1.909	1.752	1.360	\$1.079
Swine		Less than 45 pounds	1.727	1.909	1.752	1.360	\$1.079
		45 to 124 pounds	1.727	1.909	1.752	1.360	\$1.079
		125 to 234 pounds	1.727	1.909	1.752	1.360	\$1.079
	Sow	235 pounds or more	1.727	1.909	1.752	1.360	\$1.079
	Boar	235 pounds or more	1.727	1.909	1.752	1.360	\$1.079--*

**831 Livestock Payment Rates, National Payment Factors, and Payment Calculations
(Continued)****B National Payment Factor for Livestock Losses**

For an eligible livestock producer, payments for livestock grazing and feed losses, and losses resulting from transporting water and gathering livestock for treatment of cattle tick fever, will be based on a national payment factor of either of the following:

- 60 percent of the calculated payment
- 90 percent of the calculated payment, for producers who meet the definition of beginning farmer or rancher, SDA farmer or rancher, or limited resource farmer or rancher, as defined in paragraph 802.

For an eligible livestock producer, payments for livestock death losses will be based on a national payment factor of either of the following:

- 75 percent of the calculated payment
- 90 percent of the calculated payment, for producers who meet the definition of beginning farmer or rancher, SDA farmer or rancher, or limited resource farmer or rancher, as defined in paragraph 802.

Note: If at the end of the program year the \$20 million funding cap is **not** reached, the Deputy Administrator has the discretion to increase the national payment factor, up to 80 percent, for the program year.

C 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 a national payment factor of 60 to 90 percent, as determined in subparagraph B, of the lesser of:

- the total value of the feed cost for all eligible livestock owned by the eligible livestock producer based on the number of days grazing was lost, **not** to exceed 150 calendar days of daily feed cost for all eligible livestock

831 Livestock Payment Rates, National Payment Factors, and Payment Calculations (Continued)

F Payment Calculations for Livestock Feed Losses (Continued)

Total Feed Losses

\$1,000 (cost of helicopter) + \$5,000 (value of additional livestock feed purchased) = \$6,000 total feed losses for purchasing additional livestock feed above normal and additional feed expenses.

150-Calendar-Day Feed Costs

100 head adult beef cows (number of livestock for which 1,000 bushels of corn was fed and for which the helicopter was hired) x 1.00 (AU Conversion Factor) x 100 percent (participant's share) x \$1.909 (daily payment rate per head) x 150 calendar days = \$28,635 (calculated 150-calendar-day feed cost for Producer B's 100 head of adult beef cows).

Calculated Livestock Feed Payment

\$6,000 (smaller of total feed costs or calculated 150-calendar-day feed costs for Producer B's 100 head adult beef cows) x 90 percent (national payment factor) = \$5,400 calculated livestock feed payment, before a national factor, if applicable.

Note: This example is assuming the producer did **not** suffer a grazing loss.

Example 3: In 2013, Producer C has 100 percent interest in 500 head of adult beef cows that were or would have been grazing 1,000 acres of fire affected pastureland. COC established a carrying capacity of the pasture land affected by fire of 2.5 acres per AU. Producer C purchased 5,000 bushels of corn to feed the 500 head of adult beef cows. The 5,000 bushels of corn to feed 500 head of adult beef cows was lost because of a flood. Producer C did complete CCC-860 as a beginning farmer so Producer C's payment will be calculated based on a 90 percent national payment factor.

Producer C timely filed CCC-851 and provided a copy of the purchase receipt for 5,000 bushels of corn showing a value of \$25,000.

831 Livestock Payment Rates, National Payment Factors, and Payment Calculations (Continued)

F Payment Calculations for Livestock Feed Losses (Continued)

Total Feed Losses

\$25,000 (total feed losses for purchased feed intended to be fed to livestock that were or would have been grazing fire affected pastureland).

150-Calendar-Day Feed Costs

- 1,000 acres of pastureland affected by fire, divided by 2.5 acres per AU = 400 maximum AU's on 1,000 acres
- 400 (maximum AU's) x \$1.909 (daily payment rate per head) x 150 calendar days = \$114,540 (150-calendar-day feed cost for 500 head of adult beef cows that were or would have been grazing fire affected pastureland).

Calculated Livestock Feed Payment

\$25,000 (smaller of total feed cost or calculated 150-calendar-day feed costs for Producer C's 500 head of adult beef cows on fire affected pastureland), before a National factor, if applicable.

G 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 a national payment factor of 75 to 90 percent, as determined in subparagraph B, of a fair market value, as determined by FSA, for the specific livestock category.

The following table provides ELAP per head payment rates, by livestock category, for **eligible livestock owners**.

Kind	Type	Weight Range	2012	2013	2014	2015	*--2016
Alpacas			\$350.00	\$357.15	\$360.00	\$360.00	\$360.00
Beef	Adult	Bull	\$1,825.57	\$1,842.18	\$2,120.65	\$2,621.04	2,650.52
		Cow	\$1,404.28	\$1,417.06	\$1,631.27	\$2,016.19	2,038.85
	Nonadult	Less than 400 pounds	\$614.62	\$605.94	\$738.36	\$955.31	1,010.12
		400 to 799 pounds	\$892.19	\$854.91	\$997.79	\$1,515.48	1,092.87
		800 pounds or more	\$1,296.62	\$1,290.66	\$1,532.52	\$1,833.88	1,493.84--*

**831 Livestock Payment Rates, National Payment Factors, and Payment Calculations
(Continued)**
G Payment Rates for Livestock Death Losses (Continued)

Kind	Type	Weight Range	2012	2013	2014	2015	*--2016
Buffalo/ Beefalo	Adult	Bull	\$2,317.73	\$2,338.82	\$2,692.37	\$3,327.67	\$3,365.09
		Cow	\$1,236.13	\$1,247.37	\$1,435.93	\$1,774.76	\$1,794.72
	Nonadult	Less than 400 pounds	\$583.88	\$575.65	\$701.44	\$907.55	\$959.61
		400 to 799 pounds	\$847.58	\$812.16	\$947.90	\$1,439.71	\$1,038.23
		800 pounds or more	\$1,231.79	\$1,226.12	\$1,455.90	\$1,742.19	\$1,419.15
Chickens	Broilers/Pullets (Regular Size)		\$3.22	\$3.46	\$3.46	\$3.43	\$8.47
	Chicks		\$0.28	\$0.30	\$0.30	\$0.29	\$0.31
	Layers		\$18.17	\$19.32	\$20.18	\$26.15	\$4.36
	Pullets/Cornish Hens (Small Size)		\$2.26	\$2.44	\$2.44	\$2.20	\$2.25
	Roasters		\$4.20	\$4.55	\$4.55	\$4.43	\$4.57
Dairy	Adult	Bull	\$1,450.00	\$1,380.00	\$1,440.00	\$1,966.67	\$2,605.00
		Cow	\$1,450.00	\$1,380.00	\$1,440.00	\$1,966.67	\$2,005.00
	Nonadult	Less than 400 pounds	\$362.50	\$345.00	\$360.00	\$491.67	\$501.25
		400 to 799 pounds	\$725.00	\$690.00	\$720.00	\$983.33	\$1,002.51
		800 pounds or more	\$1,171.15	\$1,114.62	\$1,163.08	\$1,588.47	\$1,619.43
Deer		\$550.00	\$561.24	\$572.71	\$690.81	\$833.28	
Ducks	Ducklings		\$0.89	\$0.88	\$0.88	\$0.89	\$0.89
	Ducks		\$5.54	\$5.49	\$5.49	\$5.59	\$5.61
Elk		\$763.45	\$779.05	\$794.98	\$958.92	\$1,156.67	
Emus		\$200.00	\$204.09	\$228.45	\$275.56	\$332.39	
Equine		\$850.00	\$867.37	\$970.91	\$1,171.12	\$1,412.63	
Geese	Goose		\$17.17	\$28.41	\$28.41	\$21.04	\$29.12
	Gosling		\$3.61	\$5.97	\$5.97	\$4.41	\$6.12
Goats	Bucks		\$161.56	\$162.62	\$167.44	\$181.80	\$220.16
	Nannies		\$131.35	\$131.38	\$140.73	\$147.27	\$193.07
	Slaughter Goats/Kids		\$88.96	\$62.30	\$107.00	\$104.77	\$94.73
Llamas		\$280.00	\$285.72	\$290.00	\$290.00	\$290.00	
Reindeer		\$550.00	\$561.24	\$572.71	\$690.81	\$833.28	
Sheep	Ewes		\$234.63	\$139.82	\$159.77	\$181.79	\$160.83
	Lambs		\$191.60	\$134.18	\$230.46	\$225.65	\$204.05
	Rams		\$231.94	\$181.77	\$186.92	\$191.96	\$172.17
Swine	Feeder Pigs	Less than 50 pounds	\$58.53	\$56.80	\$91.67	\$88.20	\$44.40
	Lightweight Barrows/Gilts	50 to 150 pounds	\$90.30	\$98.57	\$118.26	\$125.24	\$79.88
	Sows/Boars/Barrows/Gilts	151 to 450 pounds	\$139.48	\$140.33	\$144.85	\$162.28	\$115.36
	Boars/Sows	450 pounds or more	\$295.73	\$312.51	\$389.48	\$407.31	\$226.41
Turkeys	Poults		\$1.47	\$1.51	\$1.53	\$1.67	\$1.67
	Toms/Fryers/Roasters		\$19.27	\$17.99	\$18.24	\$19.44	\$21.17--*

831 Livestock Payment Rates, National Payment Factors, and Payment Calculations (Continued)

G Payment Rates for Livestock Death Losses (Continued)

The following table provides the per head payment rates, by livestock category, for eligible contract growers * * * ELAP. Payment rates for livestock contract growers are based on a national payment factor of 75 to 90 percent, as determined in subparagraph B, of the average income loss sustained, as determined by FSA, by the contract grower with respect to the dead livestock.

The following table provides ELAP per head payment rates, by livestock category, for ***--eligible livestock contract owners.--***

Kind	Type	Weight Range	2012	2013	2014	2015	*--2016
Chickens	Broilers/Pullets (Regular Size)		\$0.35	\$0.38	\$0.38	\$0.39	\$0.39
	Layers		\$1.09	\$1.09	\$1.21	\$1.57	\$0.26
	Pullets/Cornish Hens (Small Size)		\$0.25	\$0.27	\$0.27	\$0.24	\$0.25
	Roasters		\$0.46	\$0.50	\$0.50	\$0.48	\$0.51
Ducks			\$0.61	\$0.60	\$0.60	\$0.61	\$0.61
Geese			\$1.89	\$3.12	\$3.12	\$3.08	\$4.27
Swine	Feeder pigs	Less than 50 pounds	\$6.65	\$6.45	\$10.41	\$10.01	\$5.04
	Lightweight Barrows/Gilts	50 to 150 pounds	\$14.87	\$14.80	\$17.76	\$18.81	\$12.00
	Sows/Boars/Barrows/Gilts	151 to 450 pounds	\$20.95	\$21.07	\$21.75	\$24.37	\$17.32
	Boars/Sows	450 pounds or more	\$121.53	\$128.42	\$160.06	\$167.39	\$93.04
Turkeys	Toms/Fryers/Roasters		\$2.12	\$1.98	\$2.01	\$2.13	\$2.33--*

846 Honeybee Payment Calculations and Examples

A National Payment Factor for Honeybee Losses

For an eligible honeybee producer, payments for **honeybee feed losses** will be based on a national payment factor of either of the following:

- 60 percent of the calculated payment
- 90 percent of the calculated payment, for producers who meet the definition of beginning farmer or rancher, SDA farmer or rancher, or limited resource farmer or rancher, as defined in paragraph 802.

For an eligible honeybee producer, payments for **honeybee colony and hive losses** will be based on a national payment factor of either of the following:

- 75 percent of the calculated payment
- 90 percent of the calculated payment, for producers who meet the definition of beginning farmer or rancher, SDA farmer or rancher, or limited resource farmer or rancher, as defined in paragraph 802.

Note: If at the end of the program year the \$20 million funding cap is **not** reached, the Deputy Administrator has the discretion to increase the national payment factor, up to 80 percent, for the program year.

B Payment Rates

The payment rates for honeybee colonies and hives are based on the average fair market values of honeybee colonies and/or hives in the program year in which the loss occurred. FSA has established the following average fair market values for 2012 through 2015 honeybee losses.

Program Year	Honeybee Colonies	Honeybee Hives
2012	\$75	\$210
2013	\$85	\$220
2014	\$80	\$230
2015	\$130	\$240
--2016	\$135	\$240--

846 Honeybee Payment Calculations and Examples (Continued)

C Normal Mortality Rate for Honeybee Colony Losses

ELAP compensates eligible honeybee producers for eligible honeybee colony losses that occur in excess of normal mortality because of an eligible adverse weather or eligible loss condition during the program year. FSA has established the normal mortality rates for honeybee colony losses according to this table.

Program Year	Honeybee Normal Mortality Rate
2012 through 2014	17.5 percent
--2015 and 2016--	15.0 percent

D Payment Calculation for Honeybee Colony Losses

Payments for eligible honeybee producers for honeybee colony losses will be based on the national payment factor, as determined in subparagraph A, of the result of multiplying:

- the result of subtracting:
 - number of honeybee colonies lost during the program year because of an eligible adverse weather or eligible loss condition, minus
 - honeybee loss threshold (beginning inventory adjusted for sales and purchases *--through the last loss event in the program year times the applicable normal--* mortality rate), times
- the average fair market value per honeybee colony.

Example: Producer A files CCC-934 for honeybees lost to CCD on April 2, 2012.

Beginning program year inventory was 100 colonies of bees. Producer provided a receipt for the purchase of 20 additional colonies on March 15, 2012.

Producer A's ending inventory was 70 colonies which equates to 50 colonies lost. Producer A did **not** file CCC-860, therefore compensation would be calculated at 75 percent of the 2012 average fair market value established for honeybee colonies, \$75, for the number of colonies lost in excess of normal mortality of 17.5 percent, calculated as follows.

- 120 colonies (100 beginning inventory, plus 20 additional colonies purchased) x 17.5 percent = 21 colonies (loss threshold)
- 50 colonies, lost on April 2, 2012, because of eligible adverse weather or loss condition, minus 21 colonies, loss threshold = 29 colonies eligible for payment
- 29 colonies x \$75 (2012 average fair market value) x 75 percent payment factor = \$1,631 (calculated payment amount for lost honeybee colonies before applying payment reductions or national factor).

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-36	Assignment of Payment		250, 650, 915
CCC-37	Joint Payment Authorization		250, 650, 915
CCC-257	Schedule of Deposit		1
CCC-526	Payment Eligibility Average Adjusted Gross Income Certification		900
CCC-770 LFP	Livestock Forage Disaster Program (LFP) Checklist	444	441
CCC-851	Emergency Loss Assistance for Livestock Application	889	75, Part 10, 900, 924, 929
CCC-851-1	Emergency Loss Assistance for Livestock Payment Calculation Worksheet	891, 899.24	Part 10
CCC-851-A	Continuation Sheet for Emergency Loss Assistance for Livestock Application	889	
CCC-852	Livestock Indemnity Program Application	76	Text
CCC-853	Livestock Forage Disaster Program Application	442	Parts 6-8
CCC-853-1	Estimated Livestock Forage Disaster Program Payment Calculation Worksheet	443	651
CCC-854	Livestock Indemnity Program Third Party Certification	74	73
CCC-855	Emergency Assistance for Livestock, Honey Bees, and Farm Raised Fish Program (ELAP) and Livestock Forage Disaster Program (LFP) Lease Agreement Certification Statement	412	411, 830, 887
CCC-860	Socially Disadvantaged, Limited Resource and Beginning Farmer or Rancher Certification		Part 10

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

Forms (Continued)

Number	Title	Display Reference	Reference
CCC-901	Members Information 2009 and Subsequent Years		Text
CCC-902	Farm Operating Plan		Text
CCC-931	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		650
CCC-934	Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application	890	Part 10, 924, 929
CCC-934-1	Emergency Loss Assistance for Farm-Raised Fish Losses Payment Calculation Worksheet	890.5, 899.9	Part 10
CCC-934-A	Continuation Sheet for Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application	890	Part 10
CCC-941	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information - Agricultural Act of 2014		73, 75, 250, 440, 441, 887, 888
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		Text
FSA-578	Report of Acreage		Text

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

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviation	Term	Reference
2014 Farm Bill	Agricultural Act of 2014 (Pub. L. 113-79)	400, 800
AU	animal unit	Text, Ex. 16
AUD	animal unit day	422, 443, 654
AUM	animal unit months	Text, Ex. 16
CCD	Colony Collapse Disorder	845, 846, 890
CVV	Cache Valley Virus	802, 816
EHD	Epizootic Hemorrhagic Disease	802, 816, 830
EPCR	LFP Estimated Calculated Payment Report	421
FCIA	Federal Crop Insurance Act	242
IPIA	Improper Payments Information Act of 2002	Text
LBIH	livestock beginning inventory history	77
PRF	Pasture, Rangeland, Forage	420
RI-PRF	Rainfall Index-Pasture, Rangeland, Forage	420
TLBIH	transitional livestock beginning inventory history	77
VI-PRF	Vegetative Index-Pasture, Rangeland, Forage	420
WRP	Wetlands Reserve Program	411

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

Redelegations of Authority

For ELAP:

- COC may delegate authority to CED's to approve only routine CCC-851's or CCC-934's with verifiable supporting documentation
- CED's may delegate authority to PT's to approve CCC-851's or CCC-934's for routine cases.

Important: CED's and PT's shall **not** be delegated authority to:

- disapprove any CCC-851 or CCC-934
- approve any CCC-851 or CCC-934 when reliable records or producer's self-certification are provided as supporting documentation.

For LFP, CED may delegate authority to PT's to approve routine CCC-853's.

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

For LIP, CED may delegate authority to PT's to approve only routine CCC-852's where proof of death is provided.

Important: PT's shall **not** be delegated authority to:

- disapprove any CCC-852
- approve any CCC-852 where third party certification is used as proof of loss.