

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 33

Approved by: Acting Deputy Administrator, Farm Programs

Bradley Karmen

Amendment Transmittal

A Reasons for Amendment

Subparagraph 411 J has been amended to clarify the exception to eligibility of land enrolled in GRP.

Subparagraph 411 K has been amended to clarify ineligible grazing land and to remove millet as a seeded small grain forage crop. Millet is not a small grain crop under seeded small grain crop definition.

Subparagraph 411 N has been amended to reference 1-CM for guidance on accepting signatures for deceased individuals and dissolved entities.

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

Subparagraphs 423 C and 600 C have been amended to update subparagraph and handbook references.

Subparagraphs 440:

- A through D have been amended for clarity
- E has been amended to clarify that:
 - reports of acreage for the grazing land incurring loss must have been filed by the applicable crops final reporting date or the report of acreage must have been determined acceptable under late-filed provisions
 - FSA-578 intended use must not be revised after the crops' acreage reporting date according to 2-CP.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 441:

- B has been amended to reference:
 - paragraph 2 for unacceptable, incorrect, or false records and certifications
 - paragraph 3 for misrepresentation.
- D has been amended to ensure DD's understand that they must:
 - review the first five CCC-853's submitted, for both qualifying drought and fire conditions
 - document review on CCC-770 LFP for each CCC-853
 - within 10 working days of completing review, must provide a written report to the SED describing the findings.

Subparagraph 442 A, Items 2, 15, and 16 have been amended to correct the examples.

Subparagraph 443 A has been amended to provide clarification for the use of CCC-853-1.

Subparagraph 443 B has been amended to provide the AUD payment rate for 2018.

Subparagraph 654 B has been amended to provide the 2018 LP monthly value of forage.

Subparagraphs 800 A and B has been amended to all the Bipartisan Budget Act of 2018 provisions

Subparagraph 802 A has been amended to:

- add a definitions for adult beefalo bull, adult beefalo cow, and nonadult beefalo
- revised the definition of adult buffalo/bison bull, adult buffalo bison cow, and nonadult buffalo/bison and eligible winter storm.

Subparagraph 816 I has been amended to remove the reference to the \$20 million ELAP funding limitation each FY.

Subparagraph 831 A has been amended to add the 2018 daily payment rate per AU for grazing losses under ELAP.

Subparagraph 831 A has been amended to remove the note referencing the \$20 million ELAP funding limitation each FY.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 831 G has been amended to add to the 2018 payment rates for eligible livestock owners and contract growers for livestock death losses for ELAP.

Subparagraph 846 B has been amended to add the 2018 payment rates for honeybee colonies and hives.

Subparagraph 846 C has been amended to add the 2018 normal mortality rate for honeybee colony losses.

Subparagraph 875 A has been amended to refer to 2012 through 2016 ELAP funding.

Subparagraph 875 B has been added to provide 2017 and subsequent program year funding provisions.

Subparagraph 875 C has been amended to refer to 2012 through 2016 ELAP payment limitation provisions.

Subparagraph 875 D has been added to provide 2017 and subsequent program year's payment limitation provisions.

Subparagraph 901 A has been amended to removed LIP from the payment limitation for 2017 and subsequent program years.

Subparagraph 901 C has been amended to refer to 2012 through 2016 ELAP factors.

Subparagraph 904 A has been amended to refer to 2012 through 2016 ELAP funding.

Subparagraph 904 D has been amended to include ELAP payment factors for 2015 and 2016.

Amendment Transmittal (Continued)

Page Control Chart		
TC	Text	Exhibit
9	6-3, 6-4 6-7 through 6-10 6-11 through 6-30 6-39, 6-40 6-43, 6-44 6-47, 6-48 6-48.5, 6-48.6 6-48-11, 6-48.12 6-49, 6-50 6-50.5, 6-50.6 6-53, 6-54 6-75, 6-76 6-79 through 6-122 6-122.5, 6-122.6 6-123 through 6-126 6-133, 6-134 6-147, 6-148 8-1, 8-2 8-109, 8-110 10-1, 10-2 10-7 through 10-12 10-45, 10-46 10-87, 10-88 10-97 through 10-100 10-137, 10-138 10-205, 10-206 11-3, 11-4 11-4.5, 11-4.6 11-7, 11-8	1, pages 3, 4

Table of Contents (Continued)

Page No.

Part 11 ELAP Payment Provisions

Section 1 General Payment Provisions

900	General Payment Provisions for Web-Based ELAP Payments.....	11-1
901	Payment Limitation.....	11-3
902	Payment Eligibility.....	11-4.6
903	Funds Control.....	11-6
904	2012 Through 2016 Payment Factors	11-7
905	Sequestering ELAP Payments.....	11-9
906-914	(Reserved)	

Section 2 Issuing ELAP Payments

915	Overview.....	11-25
916	Program Year Selection Page	11-27
917	Select Administrative State/County Page	11-28
918	ELAP Main Menu.....	11-29
919	Recording ELAP Payment Data.....	11-30
920	Modifying/Deleting Previously Recorded ELAP Payment Data	11-36
921	Modify/Delete Calculated Payment Web Page.....	11-39
922	Modify Calculated Payment Confirmation Web Page.....	11-41
923	Delete Calculated Payment Confirmation Web Page	11-42
924	Handling Overpayments.....	11-43
925	ELAP Payment Process.....	11-46
926	ELAP Payment Reports	11-48
927	Payment History Report – Detail	11-49
928	General Provisions for Canceling Payments.....	11-52
929	General Provisions for Overpayments	11-53

Exhibits

1	Reports, Forms, Abbreviations, and Redelegations of Authority
2	Definitions of Terms Used in This Handbook
3	Menu and Screen Index
4-7	(Reserved)
8	National Normal Mortality Rate Table
9-10	(Reserved)
11	Sample Letter for Disapproval of Notice of Loss
12-15	(Reseverd)
16	Standard AU Conversion Chart

401 Responsibilities

A STC Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A
--and C, STC's must:--

- direct the administration of LFP
- ensure that FSA State and County Offices follow LFP provisions
- thoroughly document all actions taken in the STC minutes
- handle appeals according to 1-APP
- require reviews be conducted by DD's according to subparagraph 441 D to ensure that County Offices comply with LFP provisions

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

- take oversight actions to ensure that IPIA provisions are met to prevent County Offices from issuing improper payments according to subparagraph 423 E.

401 Responsibilities (Continued)**B SED Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A
--and C, SED's must:--

- ensure that FSA County Offices follow LFP provisions
- handle appeals according to 1-APP
- ensure that DD's conduct reviews according to subparagraph 441 D

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

- ensure that **all** County Offices publicize LFP provisions according to subparagraph D
- immediately notify the National Office Livestock Assistance Program Manager of software problems, incomplete or incorrect procedures, specific problems, or findings
- take oversight actions to ensure that IPIA provisions are met to prevent County Offices from issuing improper payments according to subparagraph 423 E.

C DD Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A
--and C, DD's must:--

- ensure that COC's and CED's follow LFP provisions
- conduct reviews according to subparagraph 441 D, and any additional reviews established by STC's or SED's according to subparagraphs A and B
- provide SED with written report of all reviews according to paragraph 441
- ensure that County Offices publicize LFP provisions according to subparagraph D.

401 Responsibilities (Continued)

E CED Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A
--and C, CED's must:--

- fully comply with all LFP provisions
- ensure that County Office employees fully comply with all LFP provisions
- handle appeals according to 1-APP
- act on completed CCC-853 according to paragraph 441
- ensure that all program and payment eligibility requirements have been met by participants before issuing any payments to ensure that IPIA provisions are met

Note: See subparagraph 423 E for additional information.

- ensure that participants receive complete and accurate program information
- immediately notify SED, through DD, of software problems and incomplete or incorrect procedures
- ensure that general provisions and other important items are publicized according to subparagraph D and copies are retained in the County Office.

401 Responsibilities (Continued)

F PT Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A
--and C, the PT must:--

- fully comply with all LFP provisions
- immediately notify CED of software problems and incomplete or incorrect procedures
- ensure that participants receive complete and accurate program information
- ensure that all program and payment eligibility requirements have been met by participants before issuing any payments to ensure that IPIA provisions are met.

Note: See subparagraph 423 E for additional information.

402 Definitions for LFP

A Definitions

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

Adult beef bull means a male beef bovine animal that was at least 2 years old and used for breeding purposes on or before the beginning date of a qualifying drought or fire.

Adult beef cow means a female beef breed bovine animal that had delivered 1 or more offspring. A first time bred beef heifer shall also be considered an adult beef cow if it was pregnant on or before the beginning date of a qualifying drought or fire.

*--Adult beefalo bull means a male hybrid of beef and bison that was at least 2 years old and used for breeding purposes before it died.

Adult beefalo cow means a female hybrid of beef and bison that had delivered 1 or more offspring before dying. A first-time bred beefalo heifer shall also be considered an adult beefalo cow if it was pregnant on or before the beginning date of a qualifying drought or fire.

Adult buffalo/bison bull means a male animal of those breeds that was at least 2 years old and used for breeding purposes on or before the beginning date of a qualifying drought or fire.

Adult buffalo/bison cow means a female animal of those breeds that had delivered 1 or more offspring. A first time bred buffalo/bison heifer shall also be considered an adult buffalo/bison cow if it was pregnant on or before the beginning date of a qualifying--* drought or fire.

Adult dairy bull means a male dairy breed bovine animal at least 2 years old used primarily for breeding dairy cows on or before the beginning date of a qualifying drought or fire.

Adult dairy cow means a female dairy breed bovine animal used for the purpose of providing milk for human consumption that had delivered one or more offspring. A first time bred dairy heifer shall also be considered an adult dairy cow if it was pregnant on or before the beginning date of a qualifying drought or fire.

Agricultural operation means a farming operation.

Application means CCC-853.

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

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

402 Definitions for LFP (Continued)

A Definitions (Continued)

*--Contract grower, according to the regulations at 7 CFR § 1416.202, will only include producers of livestock **not** in feedlots whose income is dependent on the actual weight gain and survival of the livestock.

Note: The regulations at 7 CFR § 1416.206 (b) provide that contract growers **must** provide copies of grower contracts, if a contract grower, and other supporting documents to the administrative FSA County Office **not** later than 30 calendar days after the end of the calendar year in which the grazing loss occurred.

The following table provides STC’s and COC’s guidance in determining whether written agreements between livestock owners of eligible livestock that set the specific terms, conditions, and obligations of the parties involved about the production of the livestock, constitutes risk to the party providing care for (that is, survival of the livestock) the livestock as contract grower, including risk in the livestock and grazing land/pastureland for which loss is being claimed. When a contract grower is determined eligible for LFP payment according to the following table as a contract grower; the owner of the livestock is **not** eligible.

Determining Contract Grower Risk in Livestock	
Questions 1, 2, and 5 must be “Yes” for the contract grower to be eligible for LFP. Questions 3 and 4 must be “Yes”, if included in the written agreement, for the contract grower to be eligible for LFP.	
Questions About Risk in Livestock	Answer
1 Does the written agreement provide a mortality clause requiring the contract grower to reimburse the owner for a percent or portion of loss of livestock?	<ul style="list-style-type: none"> • If “Yes”, the contract grower is considered at risk in the livestock, but must also meet risk in the production of the grazing land to be eligible. Go to question 2. • If “No”, the contract grower is not considered at risk.
2 Does the contract grower pay or provide for the labor to care for the livestock while they are in the possession of the contract grower?	<ul style="list-style-type: none"> • Yes, the contract grower pays or provides for labor to care for the livestock while they are in the possession of the contract grower. Go to question 3. • No, the owner of livestock pays or provides for labor to care for the livestock while they are in the possession of the contract grower; therefore, the contract grower is not considered at risk.

--*

402 Definitions for LFP (Continued)**A Definitions (Continued)**

Nonadult beef cattle means a beef breed bovine animal that weighed 500 pounds or more on or before the beginning date of a qualifying drought or fire that but that does **not** meet the definition of adult beef cow or bull.

*--Nonadult beefalo means an animal hybrid of beef and bison that weighed 500 pounds or more on or before the beginning date of a qualifying drought or fire, but does not meet the definition of a beefalo cow or bull.

Nonadult buffalo/bison means an animal of those breeds that weighed 500 pounds or more on or before the beginning date of a qualifying drought or fire, but does **not** meet the definition of adult buffalo/bison cow or bull.--*

Nonadult dairy cattle means a bovine animal, of a breed used for the purpose of providing milk for human consumption, that weighed 500 pounds or more on or before the beginning date of a qualifying drought or fire, but that does **not** meet the definition of adult dairy cow or bull.

Normal carrying capacity means, with respect to each type of grazing land or pastureland in a county, the normal carrying capacity that would be expected from the grazing land or pastureland for livestock during the normal grazing period in the county, in the absence of a drought or fire that diminishes the production of the grazing land or pastureland.

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

Owner means 1 who had legal ownership of the livestock for which benefits are being requested during the 60 calendar days before the beginning of a qualifying drought or fire.

Sheep means a domesticated, ruminant mammal of the genus Ovis.

U.S. Drought Monitor is a system for classifying drought severity according to a range of abnormally dry to exceptional drought It is a collaborative effort between Federal and academic partners, produced on a weekly basis, to synthesize multiple indices, outlooks, and drought impacts on a map and in narrative form. This synthesis of indices is reported by the National Mitigation Center at <http://droughtmonitor.unl.edu>.

403-409 (Reserved)

411 Eligibility Criteria (Continued)

D Beginning Date of Qualifying Fire on Federally Managed Land (Continued)

--COC's must submit a request through their State Office to the National Office Livestock-- Assistance Program Manager requesting that the software be made available for accepting LFP applications for fire. The request should include the following information:

- name of county
- calendar year or years software needs to be made available for accepting applications
- documentation from the Federal Agency showing that a qualifying fire occurred, including the following:
 - location of fire
 - cause of fire
 - date fire started
 - whether livestock producers were prohibited from grazing their normal permitted livestock and/or whether their grazing days were reduced because of the fire.

411 Eligibility Criteria (Continued)

E Eligible Covered Livestock

To be eligible considered covered livestock, livestock **must** meet **all** of the following conditions:

- be adult and nonadult beef cows or cattle, adult and nonadult buffalo/ beefalo, adult and nonadult dairy cows or cattle, alpacas, deer, elk, emus, equine, goats, llamas, * * * reindeer or sheep * * *
- be livestock that would normally have been grazing the eligible grazing land or pastureland in the county

- during the normal grazing period for the specific type of grazing land or pastureland for the county

Note: Livestock that would **not** have normally been grazing the land in the eligible county will **not** be eligible to be included in the calculation for determining monthly feed cost. However, if the livestock would normally have been grazing the eligible grazing land but the producer had to move the livestock to another county for grazing, the livestock would be eligible to be included when calculating the monthly feed cost.

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

411 Eligibility Criteria (Continued)

F Ineligible Covered Livestock

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

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

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

- yaks
- ostriches
- *--all beef and dairy cattle, and buffalo/bison and beefalo that weighed less than 500--* pounds on the beginning date of a qualifying drought or fire
- any wild free roaming livestock, including horses and deer
- any animals **not** included in subparagraph D.

411 Eligibility Criteria (Continued)

G Livestock Located in Feed Lots

Livestock that were or would have been physically located in a feedlot on or before the beginning date of a qualifying drought or fire are **not** eligible for LFP. COC shall determine eligibility of livestock placed in a feedlot on a case-by-case basis. This includes, but is **not** limited to, livestock that were physically located in a feedlot:

- on or before the beginning date of a qualifying drought or fire, or placed in a feedlot after the beginning date of a qualifying drought or fire, for the purpose of fattening for slaughter as part of producer's normal operation
- as part of a livestock producer's normal course of business before the livestock reached their normal selling or fattening weight.

Example 1: John Smith owns 500 head of nonadult beef cattle weighing an average of 750 pounds each. Mr. Smith's eligible grazing land is located in County A. County A was rated as having a D3 drought intensity level on the U.S. Drought Monitor for 1 day on January 1, 2012. Mr. Smith placed the 500 head of nonadult beef cattle in Lucky 7 Feedlot, Inc., located in County A, on January 1, 2012, for the purpose of fattening for slaughter. The 500 head of nonadult beef cattle owned by Mr. Smith are **not** eligible for LFP because the adult beef cattle were placed in the feedlot for the purpose of fattening for slaughter as part of his normal operation.

Example 2: Judy Jones owns 750 head of nonadult beef cattle weighing an average of 500 pounds each. Ms. Jones' eligible grazing land is located in County A. County A was rated as having a D2 drought intensity level for 8 consecutive weeks on the U.S. Drought Monitor on March 1, 2012. The normal grazing period for native pasture in County A is May 1 through November 15. Ms. Jones, as part of her normal business operation, placed the 750 head of nonadult beef cattle in Rafter 3 Feedlot, located in County A, on March 20, 2012. The 750 head of nonadult beef cattle owned by Ms. Jones are **not** eligible for LFP because nonadult beef cattle were placed in the feedlot as part of Ms. Jones' normal business operation and **not** because of an eligible qualifying drought or fire.

Note: Eligible livestock placed in a feedlot earlier than normal because of a qualifying drought or fire may be eligible for LFP if all other eligibility requirements are met.

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
- land enrolled in GRP seeded to one of the eligible grazing types in subparagraph J.

***--Exception:** The producer is not eligible for LFP during the time period the GRP conservation plan prohibits grazing during the normal grazing period.--*

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 must 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)

***--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 must 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 must 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 will 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 or forage sorghum crops that are:

- 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 or forage sorghum crops intended for grazing
- planted and reported as full season small grains or forage sorghum crops intended for grazing and the actual use is reported as grain or forage--*

Note: Seeded small grain forage crops include the following:

- barley
- * * *
- oats
- rye
- triticale
- wheat.

•*--acreage reported on FSA-578, with an initial intended use of forage, grain, cover only, left standing, green manure, volunteer or seed and an actual use of grazing--*

- 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.

411 Eligibility Criteria (Continued)

K Ineligible Grazing Land (Continued)

Exception: If a lease (considered a combination lease) provides for a guaranteed amount per month and a share of the crop or crop proceeds, the agreement will be considered a cash lease.

Note: Some grazed forage leases on a cost-per-head-per-month basis are combination leases where the tenant is responsible for expenses, such as fence maintenance and repair, maintenance of property and wells, windmills, stock tanks, and materials and labor to rebuild handling facilities, and conducting controlled burns or mechanical control of cedar trees and other shrubs, etc., which is tantamount to a guaranteed amount of lease. The risk of the expenses under leases of this type, whether actually incurred or not, is the same as a guaranteed minimum and the arrangement is viewed as a cash lease, whether or not the lease also provides for a share to the landlord or not.

Example: Owner B has an agreement with Producer A under which Owner B pays \$10 per month for 100 yearlings to graze on Producer A's pasture. Owner B also is responsible for expenses related to maintenance and repair of the fences, maintenance of water wells, windmills, and materials and labor to rebuild handling facilities. Owner B has had this type of agreement with Producer A for over 10 years. Because this is a cost-per-head-per-month lease that is a combination lease where Owner B is responsible for expenses tantamount to a guaranteed amount of lease, then this type of lease is considered a cash lease.

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

L Establishing Grazing Loss Percentages

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

411 Eligibility Criteria (Continued)

N Deceased Individuals and Dissolved Entities

* * *

--Follow 1-CM for guidance on accepting signatures for deceased individuals and dissolved entities.--

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	2017	*--2018
Beef	Adult	Cows and Bulls	\$34.57	\$51.81	\$57.27	\$52.56	\$40.79	\$32.36	\$30.00	\$28.07
	Nonadult	500 pounds or more	\$25.93	\$38.86	\$42.96	\$39.42	\$30.59	\$24.27	\$22.50	\$21.05
Dairy	Adult	Cows and Bulls	\$89.89	\$134.71	\$148.90	\$136.66	\$106.05	\$84.14	\$78.00	\$72.98
	Nonadult	500 pounds or more	\$25.93	\$38.86	\$42.96	\$39.42	\$30.59	\$24.27	\$22.50	\$21.05
*--Beefalo	Adult	Cows and Bulls							\$30.00	\$28.07
	Nonadult	500 pounds or more							\$22.50	\$21.05
Buffalo/ Bison--*	Adult	Cows and Bulls	\$34.57	\$51.81	\$57.27	\$52.56	\$40.79	\$32.36	\$30.00	\$28.07
	Nonadult	500 pounds or more	\$25.93	\$38.86	\$42.96	\$39.42	\$30.59	\$24.27	\$22.50	\$21.05
Sheep	All		\$8.64	\$12.96	\$14.32	\$13.14	\$10.20	\$8.09	\$7.50	\$7.02
Goats	All		\$8.64	\$12.96	\$14.32	\$13.14	\$10.20	\$8.09	\$7.50	\$7.02
Deer	All		\$8.64	\$12.96	\$14.32	\$13.14	\$10.20	\$8.09	\$7.50	\$7.02
Equine	All		\$25.58	\$38.34	\$42.38	\$38.90	\$30.18	\$23.95	\$22.20	\$20.77
Elk		Less than 400 pounds	\$7.61	\$11.40	\$12.60	\$11.58	\$8.98	\$7.12	\$6.60	\$6.18
		400 pounds to 799 pounds	\$14.18	\$21.24	\$23.48	\$21.56	\$16.73	\$13.27	\$12.30	\$11.51
		800 pounds or more	\$18.67	\$27.98	\$30.93	\$28.39	\$22.03	\$17.47	\$16.20	\$15.16
Reindeer	All		\$7.61	\$11.40	\$12.60	\$11.58	\$8.98	\$7.12	\$6.60	\$6.18
Alpacas	All		\$28.48	\$42.68	\$47.18	\$43.30	\$33.60	\$26.65	\$24.71	\$23.12
Emus	All		\$17.69	\$26.52	\$29.31	\$26.90	\$20.87	\$16.56	\$15.36	\$14.37
Llamas	All		\$12.62	\$18.91	\$20.90	\$19.18	\$14.89	\$11.81	\$10.95	\$10.25--*

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).

422 Drought Fire Payment Calculation

A Payment Calculation Under Fire

An eligible livestock producer will be eligible to receive compensation for grazing losses because of fire on Federally managed lands. The payment begins on the first day the permitted livestock are prohibited from grazing the eligible rangeland and ending on the earlier of the last day of the Federal lease of the eligible livestock producer or the day that would make the period a 180 calendar day period. The payment rate is 50 percent of the monthly feed cost for the number of days the producer is prohibited from grazing the managed rangeland because of a qualifying fire, **not** to exceed 180 calendar days.

A producer’s payment for losses suffered because of a qualifying fire on Federally managed rangeland for which the producer is prohibited from grazing the normal permitted livestock is calculated according to the following.

Step	Action
1	<p>Calculate the total maximum payment according to the following for a 2012 loss.</p> <p>Permitted AU’s x normal permitted grazing days (not to exceed 180 calendar days) x daily AUD payment rate x 50 percent (statutory factor) = maximum payment amount.</p> <p>Example: 100 (permitted AU’s) x 180 calendar days (normal permitted grazing days) x \$1.7270 (daily AUD rate) x 50 percent = \$15,543 (maximum payment amount)</p>
2	<p>Calculate the value of the reduced grazing (reduced AU’s and grazing days) because of the fire according to the following.</p> <p>Reduced AU’s x Reduced Grazing Days x daily AUD payment rate x 50 percent = value of reduction because of fire.</p> <p>Example: 75 (reduced AU’s) x 110 (reduced grazing days) x \$1.7270 (daily AUD rate) = x 50 percent = \$7,124.</p>
3	<p>Issue payment to producer based on the smaller of step 1 or step 2.</p> <p>Example: Smaller of step 1 or step 2 is step 2; therefore, the producers calculated payment, because of a qualifying fire is \$7,124.</p> <p>Note: The payment the producer receives cannot exceed the maximum payment amount.</p>

423 General Payment Information

A Assignments and Offsets

*--For LFP, County Offices will:

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

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

LFP payments for CCC-853's involving deceased individuals, closed estates, or dissolved entities shall be made according to the following, provided all other eligibility requirements are met.

*--

IF the participant is an...	AND CCC-853 is signed by an authorized representative of the...	THEN payments will be issued...
individual who died before CCC-853 was filed	deceased according to 1-CM	to any of the following, as applicable, using TIN of the participant: <ul style="list-style-type: none"> • the deceased individual • the individual's estate • the heirs, based on OGC determination, according to 1-CM, Part 26.
estate that closed before CCC-853 was filed	estate according to 1-CM	
entity that dissolved before CCC-853 was filed	dissolved entity according to 1-CM	using the ID number of the participant.
individual who dies, is declared incompetent, or is missing after filing CCC-853		to eligible payees executing FSA-325 according to 1-CM, paragraph 779.

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

423 General Payment Information (Continued)**C Subsequent Years Payment Eligibility Requirements**

A participant **must** meet all the following for 2011 and subsequent calendar year losses before a payment shall be issued:

- current CCC-902 on file for the participant on CCC-853
- CCC-901 on file for legal entities according to 5-PL
- AD-1026 on file according to 6-CP
- **not** be in violation of fraud provisions, including FCIC fraud provisions, according to 1-CM and 3-PL (Rev. 1)
- compliance with:
 - average AGI provisions according to 5-PL
 - controlled substance provisions according to 1-CM.

Note: See:

- subparagraphs 400 F and G for more information about CCC-901 and CCC-902
- subparagraph D for more information about AD-1026.

County Offices will record determinations for the applicable criteria in the web-based eligibility system according to 5-PL.--*

423 General Payment Information (Continued)**D Conservation Compliance Provisions**

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

If AD-1026 applicable for the year for which LFP benefits are requested is:

- already on file for the participant, and affiliates, if applicable, it is **not** necessary to obtain a new AD-1026 for LFP
- **not** on file for the participant, and affiliates, if applicable, County Office will obtain a completed AD-1026 applicable to the year for which LFP benefits are requested.

If a new AD-1026 is required to be filed, payments may be issued to eligible participants upon signing in AD-1026, item 12. It is **not** necessary to withhold payments pending NRCS HEL or WC determinations. The continuous certification statement on AD-1026 requires participants to refund program payments if an NRCS determination results in the discovery of a HELC/WC violation.

E Prevention of Improper Payments

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

F Definition of Improper Payment

Improper payment, as defined by OMB, means any payment that should **not** have been issued or was issued in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirement.

424-439 (Reserved)

Section 4 Applying for Benefits

440 Applying for Benefits

A CCC-853 Process

To apply for LFP, the participant that suffered eligible grazing losses because of a qualifying drought or fire:

- **after** September 30, 2011, and **before** January 1, 2015, **must** submit a completed CCC-853 and required supporting documentation to **their administrative County Office no later than** January 30, 2015
- during 2015 and later calendar years, **must** submit a completed application for payment and required supporting documentation to the administrative County Office no later than 30 calendar days after the end of the calendar year in which the grazing loss occurred.

Note: If the 30th calendar day after the end of the calendar year in which the grazing loss occurred falls on a day the County Office is not open for business during normal work hours, then a completed CCC-853 and required supporting documentation must be submitted to the administrative County Office no later than the next workday.

* * *

Producers who suffer grazing losses because of additional grazing types being affected by drought or fire during the calendar year may file multiple CCC-853's for payment. Other documentation is required for a complete CCC-853.

Complete CCC-853 in the web-based software according to Part 7.

* * *

***--State and County Offices must not develop, design, or use any forms, worksheets,--* applications, or other documents to obtain or collect the data required from participants to complete CCC-853.**

CCC-853's for LFP will be based on the following:

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

440 Applying for Benefits (Continued)

A CCC-853 Process (Continued)

If at any point the administrative county (physical location county), calendar year, or participant is different, a separate CCC-853 **must** be filed.

--CCC-853's must be filed by eligible livestock producers in their administrative County--
Office. The administrative County Office is the County Office designated by FSA to:

- handle official records
- issue payment to eligible livestock producers
- make determinations.

An eligible livestock producer's administrative County Office is generally the County Office where the eligible livestock producer's farm records are maintained. FSA does have provisions in 2-CM and 3-CM that will allow farms to be transferred to other counties; therefore, some farms may be administratively located in a county where the farm is **not** physically located.

LFP applications will be filed in the participant's administrative county by physical county location.

When a participant has a percentage share interest in a livestock operation with an associated participant that is physically located in the same county in the same calendar year, the total ***--eligible livestock for each participant must be listed on separate CCC-853's based on each--*** participant's share in the livestock operation

Example: Jane Jones has livestock interests in Castro County in calendar year 2012, and certified grazing losses because of a qualifying drought. Jane Jones is a 50-50 share owner with Bill Green of 100 adult beef cows in Castro County. Jane Jones and Bill Green, as individuals, each have a 50 percent interest in 100 head of beef cattle.

The following two CCC-853's would be filed in Castro County, Texas for calendar year 2012, assuming all participants file CCC-853 for the eligible livestock, and none of the participants have any other livestock interests.

- One CCC-853 for Jane Jones that includes 100 head of beef cows from the operation shared with Bill Green with a share of 50 percent.
- One CCC-853 for Bill Green for 100 head of beef cattle from the operation he shares with Jane Jones with a share of 50 percent.

440 Applying for Benefits (Continued)**A CCC-853 Process (Continued)**

When, in the same calendar year, a participant has a percentage share interest with different associated producers in multiple livestock operations that are physically located in the same county, the eligible livestock for each participant must be listed separately on CCC-853's based on each participant's share.

Example: Sammy Smith has the following livestock interests in Motley County, Texas and suffered grazing losses for calendar year 2012.

- 50-50 owner share of an eligible beef cow herd with Bill Brown. Sammy Smith and Bill Brown, as individuals, each have a 50 percent interest in 100 head of beef cows
- 75-25 owner share of a beef cow herd with Martha Green. Sammy Smith and Martha Green jointly own the beef cows as individuals on 75-25 percent share interest in 200 head of beef cows
- 25-50-25 owner share of a beef cow herd with Bob Black and Mike White. Sammy Smith, Bob Black, and Mike White have a 25-50-25 percent interest, respectively, in 300 head of beef cows.

440 Applying for Benefits (Continued)**A CCC-853 Process (Continued)**

The following five CCC-853's would be filed in Motley County, Texas, the administrative county for calendar year 2012, assuming all participants file CCC-853 for the eligible livestock, and none of the participants have any other livestock interests.

- one CCC-853 for Sammy Smith that includes **all** of the following:
 - 100 eligible adult beef cows from the operation he shares with Bill Brown with a share of 50 percent
 - 200 eligible adult beef cows from the operation he shares with Martha Green with a share of 75 percent
 - 300 eligible adult beef cows from the operation he shares with Bob Black and Mike White with a share of 25 percent.
- One CCC-853 for Bill Brown that includes 100 eligible adult beef cows from the operation he shares with Sammy Smith with a share of 50 percent.
- One CCC-853 for Martha Green that includes 200 eligible adult beef cows from the operation she shares with Sammy Smith with a share of 25 percent.
- One CCC-853 for Bob Black that includes 300 eligible adult beef cows from the operation he shares with Sammy Smith and Mike White with a 50 percent share.
- One CCC-853 for Mike White that includes 300 eligible adult beef cows from the operation he shares with Sammy Smith and Bob Black with a 25 percent share.

440 Applying for Benefits (Continued)**B Signing and Certifying CCC-853**

When signing CCC-853, item 42A, the participant is:

- applying for LFP benefits for the participant listed on CCC-853, item 6
- certifying **all** of the following:
 - information provided on CCC-853 is true and correct
 - livestock claimed on CCC-853 are eligible livestock according to subparagraph 411 E
 - all supporting documentation provided are true and correct copies of the transaction reported
 - that an eligible grazing loss occurred because of a qualifying drought or fire on Federally managed grazing land for which the producer was prohibited from grazing the normal permitted livestock on the Federally managed rangeland
 - physical location and date of qualifying fire condition, if applicable
 - the physical location of the:
 - claimed livestock on the beginning date of the qualifying grazing loss condition
 - participant's current livestock inventory
 - the names of all other producers that have an interest in the claimed livestock, including their share
- authorizing FSA officials to:
 - enter upon, inspect, and verify all applicable livestock and acreage in which the participant has an interest for the purpose of confirming the accuracy of the information provided
 - review, verify, and authenticate all information provided on CCC-853 and supporting documents
 - contact other agencies, organizations, or facilities to verify data provided by an participant from such agencies, organizations, or facilities

440 Applying for Benefits (Continued)

B Signing and Certifying CCC-853 (Continued)

- acknowledging that:
 - failure to provide information requested by FSA is cause for disapproval of CCC-853
 - providing a false certification to FSA is cause for disapproval of CCC-853, and is punishable by imprisonment, fines, and other penalties.

Note: Participants who receive assistance **must** keep records and supporting documentation for 3 years following the end of the year in which CCC-853 for payment was filed.

C Signature Requirements

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

- January 30, 2015, applications for payment for grazing losses that occurred **after** September 30, 2011, and **before** January 1, 2015
- 30 calendar days after the end of the calendar year in which the grazing loss occurred for 2015 and subsequent calendar year applications for payment.

Note: If the 30th calendar day after the end of the calendar year in which the grazing loss occurred falls on a day the County Office is not open for business during normal work hours, then all participants' signatures on CCC-853 must be received no later than the next work day.

STC or COC do **not** have authority to approve late-filed CCC-853.

See 1-CM for signature requirements.

***--Important:** See 1-CM for signature requirements for general partnerships. County Offices shall see 1-CM for signature requirements for general partnerships.

Note: All participants' signatures must be obtained on both manual and automated CCC-853's, if applicable.--*

* * *

440 Applying for Benefits (Continued)

D Printing and Reviewing CCC-853

--After all information is entered into the automated system, County Offices will:--

- print an automated CCC-853
- if a manual CCC-853 was submitted:
 - attach the manual CCC-853 to the automated CCC-853
- conduct a second party review of all data on the automated CCC-853 to ensure that
*--all data is loaded correctly.

Important: The individual conducting the second party review must:--*

- **not** be the same individual who entered the data into the automated system
- initial and date automated CCC-853 to indicate second party review has been completed.

Note: Manual CCC-853's shall only be taken if the automated system is **not** operational or available at the time of application. DD shall conduct second party reviews for all manual CCC-853's to ensure that manual CCC-853's are loaded in the automated system within 5 workdays from the date the participant signs.

* * *

E Supporting Documents

All supporting documents **must** be completed by the participant and on file in the County Office before CCC-853 may be approved.

440 Applying for Benefits (Continued)

E Supporting Documents (Continued)

For losses occurring **after** September 30, 2011, and **before** January 1, 2015, the participant **must** have provided the following to the County Office by no later than **January 30, 2015**:

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

***--Notes:** FSA-578, intended use must **not** be revised according to 2-CP.--*

For 2011 through 2014:

- late-filed FSA-578's will be accepted without requiring the producer to pay a late-filed fee
- physical evidence inspections will be waived for native and improved pastures, and annually planted forages
- evidence of disposition is **not required** according to 2-CP, subparagraph 21 F
- all other requirements for late-filed FSA-578's **must** be met according to 2-CP.
- evidence that grazing land is owned or leased.

For 2015 and subsequent year calendar year losses, the participant **must** provide the following supporting documentation to the County Office by no later than 30 calendar days after the end of the calendar year for which benefits are requested:

- *--**report of acreage for the grazing land incurring losses filed by the applicable crops final reporting date or the report of acreage is determined acceptable under late-filed provisions according to 2-CP

Note: FSA-578, intended use must **not** be revised after the crops acreage reporting date according to 2-CP.--*

- evidence that grazing land is owned or leased.

Note: If the 30th calendar day after the end of the calendar year for which benefits are requested falls on a day the County Office is not open for business during normal work hours, then all participants must provide the following supporting documentation to the County Office no later than the next work day:

- *--**report of acreage for grazing land incurring loss that was filed by the applicable crop's final reporting date or the report of acreage is determined acceptable under late-filed provisions according to 2-CP

Note: FSA-578 intended use shall not be revised after the crop's acreage reporting date.--*

- evidence that grazing land is owned or leased.

440 Applying for Benefits (Continued)**E Supporting Documents (Continued)**

Additional supporting documents including, but **not** limited to, the following **must** be completed by the participant and be on file in the County Office before CCC-853 can be approved:

- AD-1026, applicable for grazing loss occurring **after** September 30, 2011, and subsequent years
- CCC-901, if applicable according to 5-PL, for applicable grazing loss occurring **after** September 30, 2011, and subsequent years
- CCC-902, for applicable grazing loss occurring **after** September 30, 2011, and subsequent calendar years
- CCC-941, or other acceptable document according to 5-PL to determine compliance with average AGI provisions
- copy of contract grower contracts
- evidence that participant is prohibited by the Federal Agency from grazing the normal permitted livestock on the managed rangeland because of a fire.

441 Acting on CCC-853's**A Approving CCC-853's**

COC or CED **must** act on **all** completed and signed CCC-853's submitted.

Important: DD review of initial CCC-853's **must** be completed according to subparagraph D before CCC-853's may be approved or disapproved.

--CCC-853 must be approved or disapproved as certified by the participant. When more than 1 type of livestock is claimed, CCC-853 must 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.

441 Acting on CCC-853's (Continued)

A Approving CCC-853's (Continued)

Before approving CCC-853, COC or CED **must**:

- ensure that **all** program eligibility requirements are met
- be satisfied with **all** the following:
 - livestock claimed are eligible livestock according to subparagraph 411 E
 - all forage information entered on the application meets eligibility requirements according to paragraph 411
 - participant is an eligible livestock producer according to subparagraph 411 H
 - reasonableness of the number and type of livestock claimed
 - all signature requirements are met.

Note: See subparagraph B when:

- COC or CED questions any data provided by participant
- disapproving CCC-853.

B Disapproving CCC-853's

COC or CED **must** act on all completed and signed CCC-853's submitted.

* * *

Important: DD review of initial CCC-853's **must** be completed according to subparagraph D before CCC-853's may be approved or disapproved.

441 Acting on CCC-853's (Continued)

B Disapproving CCC-853's (Continued)

--CCC-853 must be approved or disapproved as certified by the participant. When more than 1 type of livestock is claimed, CCC-853 must 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 must 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 will **not** require tax records; however, participant may voluntarily provide tax records.

If all program eligibility requirements are **not** met or 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 * * *.

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

See paragraph 2 for unacceptable, incorrect, or false records and certifications.

See paragraph 3 for misrepresentation.--*

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 must 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 must 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 will ensure 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 must review the first five CCC-853's submitted, for both qualifying drought conditions and fire conditions, in each Service Center before approval. The review will ensure 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 must review the first five CCC-853's submitted, for both qualifying drought conditions and fire conditions, in each Service Center before approval. The review will ensure 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
- * * * payment calculations are correct and payment eligibility is met

* * *

*--**Note:** DD's must document review on CCC-770 LFP for each CCC-853.--*

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 must 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

A Completing Manual CCC-853

Complete CCC-853 according to the following.

Item	Instruction
1	Enter State and county code for the physical location of the county in which the loss occurred.
2	<p>Enter calendar year the loss of grazing occurred.</p> <p>*--Note: If pasture type is a short season small grains for grazing crop, enter the calendar year as the calendar year when the normal grazing period for the short season small grains ends.</p> <p>Example: The producer claims to have suffered a grazing loss for wheat (short season small grains) reported as intended for grazing. The normal grazing period for wheat (short season small grains) is October 1, 2017, through March 1, 2018. The calendar year the producer would file an application for payment would be 2018.--*</p>
3	Enter County Office name for the physical County Office location where the participant's loss occurred.
4	Enter date of application.
5	<p>Enter application number.</p> <p>Note: This is an automated system-assigned number.</p>
Part A - Producer Information	
6	Enter producer's name and address.
Part B - Disaster Information	
7	<p>Check (✓) appropriate box or boxes to indicate the type of qualifying disaster conditions causing the grazing loss. Indicate whether the grazing loss is a result of drought, fire, or both. If:</p> <ul style="list-style-type: none"> • fire is checked, go to item 8 • drought is checked, go to item 9. <p>Note: A producer cannot receive assistance for grazing losses because of drought and fire on the same acres.</p>
8	<p>Enter date and location of the qualifying fire conditions that occurred on Federal managed rangelands only, for which the producer is prohibited by the Federal Agency from grazing the normal permitted livestock covered by the Federal lease. Leave item 8 blank if fire was not selected as a qualifying grazing loss condition in item 7.</p> <p>Each date and location of a qualifying fire condition will be sequentially numbered, starting with 1. This will be used to identify the fire event numbers, by occurrence in Part D, item 30.</p>

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

A Completing Manual CCC-853 (Continued)

Item	Instruction
Part C - Livestock Information	
9	<p>Enter physical location of the covered livestock on the beginning date of the qualifying grazing loss condition in item 7. Include the name of the county where the grazing loss occurred.</p> <p>Example: Livestock located in Knox County, TX, Farm 1234. Grazing loss occurred in Knox County, TX, Farm 1234.</p>
10	<p>Enter current physical location of covered livestock in inventory.</p> <p>Example: Knox County, TX, Farm 1234.</p>
11	<p>Enter associated producers who had an ownership share, contract grower share, or cash-lease share of any of the eligible covered livestock in item 13 during the 60 calendar days before the beginning date of the applicable qualifying grazing loss conditions in item 7 and indicate their share. If application is solely for a fire condition, go to item 30.</p>
12	<p>Enter sequential corresponding number to be associated to each livestock kind, type, and weight range to be entered in item 13 will be assigned by the automated system.</p> <p>Example: Item 12 Item 13</p> <p style="padding-left: 40px;">1 Adult Beef Cows</p> <p style="padding-left: 40px;">2 Nonadult Beef Cattle > 500 lbs.</p> <p style="padding-left: 40px;">3 Sheep</p> <p>Note: An entry is only required in this field for those livestock that are or would have been grazing the drought affected pasture or grazing land.</p>
13	<p>Enter covered livestock by kind, type, and weight range that were owned/leased by the producer or that the producer was a contract grower of during the 60 calendar days before the beginning date of the applicable qualifying grazing loss conditions in item 7.</p> <p>Note: Livestock kind, type, and weight range can be obtained from the local FSA office or LFP Fact Sheet available at http://disaster.fsa.usda.gov.</p>
14	<p>Enter number of covered livestock owned/leased by the producer or that the producer was a contract grower of that was in inventory 60 calendar days before the beginning date of the applicable qualifying grazing loss conditions in item 7.</p>

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

A Completing Manual CCC-853 (Continued)

Item	Instruction
15	<p>Enter number of covered livestock that were sold or otherwise disposed of because of a qualifying drought condition during the current production year.</p> <p>Note: The current production year is defined as the calendar year in which the grazing loss occurred for which benefits are being requested.</p> <p>Example: The normal grazing period for the specific type of grazing land (native *-pasture) is May 1 through October 1, 2017. The D2 designation occurred on August 15, 2017. The qualifying 8 consecutive week drought condition occurred August 15, 2017. The producer sold 48 head of livestock on July 17, 2017, because of drought conditions. The 48-* head of livestock were sold within the current calendar year, because of the qualifying drought condition, would be considered mitigated livestock in the current production year. The 48 head of livestock would be entered in item 15.</p>

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

A Completing Manual CCC-853 (Continued)

Item	Instruction
16	<p>Enter number of mitigated livestock that were sold because of drought in either 1 or both of the prior production years.</p> <p>Example: The county's grazing period for native pasture is May 15 through *--November 1, 2017. The D2 designation occurred on August 15, 2017. The beginning date of the qualifying 8 consecutive week drought condition began on August 15, 2017. The producer sold 75 head of livestock on February 1, 2015, because of a qualifying drought in 2015 and sold 20 head of livestock on April 1, 2016, because of a qualifying drought condition in 2016. The 95 head of livestock were sold in both--* of the prior production years because of qualifying drought conditions in those years and would be considered mitigated livestock in the 2 prior production years and would be entered in item 16.</p>
17	<p>Enter producer's ownership, cash lease, or contract grower share in the livestock entered in item 14, 15, or 16 on the beginning date of the applicable grazing loss events for which a grazing loss was suffered.</p>
18	<p>COC shall enter the adjusted current year inventory, if applicable.</p> <p>Note: An entry is only required when COC determines a current year inventory different than the current year inventory certified to by the producer.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 18.</p>
19	<p>COC shall enter the adjusted current year mitigated, if applicable.</p> <p>Note: An entry is only required when COC determines a current year mitigated different than the current year mitigated certified to by the producer.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 19.</p>
20	<p>COC shall enter the adjusted prior years mitigated, if applicable.</p> <p>Note: An entry is only required when COC determines different prior years mitigated than the prior years mitigated certified to by the producer.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 20.</p>

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

B Scenario for Completed Example of CCC-853 (Continued)

*--

CCC-853 (04-15-2014)							Page 2 of 2			
PART E – FORAGE INFORMATION FIRE							COC USE ONLY			
30. Fire Event Number	31. Pasture Number	32. Pasture Type - Federal Managed Lands (Fire Affected)	33. Permitted AU's	34. Permit Days	35. Reduced AU's	36. Reduced Grazing Days	37. Adjusted Permitted AU's	38. Adjusted Permit Days	39. Adjusted Reduced AU's	40. Adjusted Reduced Grazing Days
41. Other payments received for loss \$										
PART F – PRODUCER CERTIFICATION										
<p>Payments under the Livestock Forage Disaster Program will be made to eligible livestock producers that have suffered livestock grazing losses on land that is native or improved pastureland with permanent vegetative cover or is land planted to a crop planted specifically for grazing for covered livestock due to a qualifying drought condition during the normal grazing period for the county. Payments under the Livestock Forage Disaster Program will also be made to eligible livestock producers that have suffered grazing losses on rangeland managed by a Federal agency if the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a qualifying fire condition. Each producer must file a separate form CCC-853 to be eligible to receive program benefits. By signing this application, the producer:</p> <ol style="list-style-type: none"> Agrees to provide CCC any documentation it requires to determine eligibility that verifies and supports all information provided, including the producer's certification, and understands the application may be disapproved if they fail to provide any information requested by CCC; Authorizes CCC, at any time, with or without their presence, to enter upon, inspect and verify all livestock and acres in which they have an interest; Agrees to comply with, and acknowledges they are subject to, all the regulations governing the program and understands that instructions and assistance are available for completing this form; Authorizes CCC to obtain from third parties, such as, but not limited to, other government agencies, individuals, auction barns, contractors, or processors, feed cooperatives, feed supply companies and rendering services, any records or other evidence that substantiates the information provided on this application or any supporting documentation provided. <p>I certify that:</p> <ol style="list-style-type: none"> If applying as an individual, that I am a citizen of the United States or a resident alien; if applying as a partnership, the members of the partnership are citizens of the United States; or if applying as a corporation, limited liability corporation, or other farm organizational structure, the entity is organized under State law. If applying as a Native American tribe, the tribe is organized according to the Indian Self-Determination and Education Assistance Act; if applying as any Native American organization or entity, the Native American organization or entity is chartered under the Indian Reorganization Act; if applying as a Native American economic enterprise, the Native American economic enterprise was established under the Indian Financing Act of 1974. During the 60 days prior to the beginning date of the qualifying drought and/or fire condition in Item 7, I owned, leased, purchased, entered into a contract to purchase, or was a contract grower of the livestock entered in Item 13 on this application, and/or I sold or otherwise disposed of the livestock entered in Items 15 and/or Item 16 on this application due to a qualifying drought condition(s) during the current production year or 1 or both of the 2 production years immediately preceding the current production year, and I physically maintained control of all such livestock on that date; All livestock for which information is entered on this application meet all eligibility criteria provided in 7 CFR Part 1416 Subpart C, including being maintained by me for commercial use as part of my farming operation, and are livestock that would normally have been grazing the eligible grazing land or pastureland in the county: <ul style="list-style-type: none"> during the normal grazing period for the specific type of grazing land or pastureland entered in Item 22 and/or Item 27 for the county in Item 10 during the time period that the qualifying drought occurred; or when the Federal agency excluded the eligible livestock producer from using the managed rangeland listed in Item 31 for grazing due to a fire. All forage information entered on this application meets all eligibility criteria provided in 7 CFR Part 1416 Subpart C; All information on this application and all supporting documents provided are true and correct; Within the county provided in Item 10 and as a direct result of the qualifying grazing loss condition(s) listed in Item 7, I have suffered a grazing loss for the livestock entered on this application in Item 13; and All livestock checked as mitigated in Item 15 and/or Item 16, were sold as a direct result of a drought condition(s) during the current production year or 1 or both of the 2 production years immediately preceding the current production year. All benefits received under any other Federal disaster payment program for the same grazing losses and loss year have been reported on this application in Item 41. I understand that this application may be disapproved if information or evidence provided is false or in error, and that other sanctions or penalties could apply. 										
42A. Signature (By) Luther Hill			42B. Title/Relationship of the individual signing in the Representative Capacity				42C. Date (MM-DD-YYYY) 5/23/2014			
PART G - COUNTY COMMITTEE DETERMINATION										
43. COC or Designee Signature						44. Date (MM-DD-YYYY)		45. Determination		
								<input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED		
<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) 877-8339 or (800) 945-6136 (in Spanish).</small>										
<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>										

*--

443 CCC-853-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet**A Using CCC-853-1**

CCC-853-1 may be used as a tool by County Offices to calculate LFP payment amounts for eligible livestock producers. CCC-853-1 is not a required form.

If CCC-853-1 is used as a tool by County Office's to calculate LFP payment amounts for eligible livestock producers, a new CCC-853-1 **must** be completed for an eligible livestock producer each time the drought intensity level changes for a county for a specific type of grazing land or a new type of grazing land becomes eligible for LFP that was **not** previously eligible.

Example 1: In calendar year 2013, County A rated a D2 drought intensity for at least 8 consecutive weeks during the normal grazing period for short season small grains. CCC-853-1 was completed for Producer A and the producer received a 1-month payment. Later on during the normal grazing period for short season small grains, County A rated a D3 drought intensity for at least 1 day during the normal grazing period for short season small grains. Producer A is eligible for an additional 1-month payment for short season small grains. A new CCC-853-1 needs to be completed to calculate Producer A's payment based on the new D3 drought intensity rating.

Example 2: In calendar year 2013, County A rated a D2 drought intensity for at least 8 consecutive weeks during the normal grazing period for long season small grains. CCC-853-1 was completed for Producer A and the producer received a 1-month payment. Later on during the year County A rated a D3 drought intensity for at least 1 day during the normal grazing period for native pasture which has a different normal grazing period than long season small grains. Producer A is eligible to apply for a 2-month payment for native pasture. A new CCC-853-1 needs to be completed to calculate Producer A's payment based on a D2 drought intensity rating for long season small grains the D3 drought intensity rating for native pasture.

CCC-853-1 is available on the FFAS Employees Form/Publications Online Website at <http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>.

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 • 2017 is \$1.0000 • *--2018 is \$0.9357.--*
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 • 2017 is \$1.0000 • *--2018 is \$0.9357.--*
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.

Part 8 LFP Payment Provisions

Section 1 General Payment Provisions

600 LFP General Payment Information

A Assignments and Offsets

--For LFP, County Offices will:--

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

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

LFP payments for CCC-853's involving deceased individuals, closed estates, or dissolved entities shall be made according to the following, provided all other eligibility requirements are met.

*--

IF the participant is an...	AND CCC-853 is signed by an authorized representative of the...	THEN payments will be issued...
individual who died before CCC-853 was filed	deceased according to 1-CM	to any of the following, as applicable, using the ID number of the participant the: <ul style="list-style-type: none"> • deceased individual • individual's estate • heirs, based on OGC determination, according to 1-CM, Part 26.
estate that closed before CCC-853 was filed	estate according to 1-CM	
entity that dissolved before CCC-853 was filed	dissolved entity according to 1-CM	using the ID number of the participant.
individual who dies, is declared incompetent, or is missing after filing CCC-853		to eligible payees executing FSA-325 according to 1-CM, paragraph 779.

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

600 General Payment Information (Continued)**C LFP Payment Eligibility Requirements**

A participant **must** meet all the following before a payment shall be issued:

- CCC-901 on file for legal entities according to 5-PL
- AD-1026 on file according to 6-CP
- **not** be in violation of fraud provisions, including FCIC fraud provisions, according to 1-CM and 3-PL (Rev. 1)
- compliance with:
 - average AGI provisions according to 5-PL
 - controlled substance provisions according to 1-CM.

Note: See:

- *--subparagraphs 400 F and G for more information about CCC-901 and CCC-902
- subparagraph D for more information about AD-1026.

County Offices will record determinations for the applicable criteria in the web-based eligibility system according to 5-PL (Rev. 1).--*

654 LFP Estimated Calculated Payment Report (Continued)

B LFP Estimated Calculated Payment Report Description (Continued)

Field	Description	CCC-853, Item
Part B - Livestock Information - Drought - Mitigated Livestock From Prior Years		
Livestock Number	Corresponding number assigned to each livestock kind, type, and weight range.	12
Livestock Kind Type and Weight Range	Kind, type, and weight range of livestock.	13
Number of Livestock	Number of Prior Years Mitigated Livestock.	16 or 20
Share	Producer's share in the livestock for the applicable livestock kind, type, and weight range.	17
Payment Rate	Payment rate for the applicable livestock kind, type, and weight range.	
Mitigated Partial Compensation Factor	80 percent.	
Livestock Monthly Feed Cost	Livestock Monthly Feed Cost for the livestock kind, type, and weight range is determined by multiplying the following: <ul style="list-style-type: none"> • Number of Livestock, times • Share, times • Mitigated Partial Compensation Factor, times • Payment Rate. 	
Total Livestock Monthly Feed Cost - Prior Year Mitigated Livestock	Total of all Livestock Monthly Feed Costs in Part B.	

654 LFP Estimated Calculated Payment Report (Continued)

B LFP Estimated Calculated Payment Report Description (Continued)

Field	Description	CCC-853, Item
Part C - Forage Information - Drought - Owned or Cashed Leased Land		
Livestock Number	Corresponding number assigned to each livestock kind, type, and weight range.	21
Pasture Type	Pasture type the livestock kind, type, and weight range is associated to.	22
Acres	Acres associated to the Pasture Type.	23 or 25
Carrying Capacity	Carrying capacity for the Pasture Type.	24
Maximum AU's	Maximum AU's are determined by dividing the following: <ul style="list-style-type: none"> • Acres, divided by • Carrying Capacity. 	
Monthly Value of Forage	Established monthly value of forage for the applicable calendar year as follows: <ul style="list-style-type: none"> • \$34.57 for 2011 • \$51.81 for 2012 • \$57.27 for 2013 • \$52.56 for 2014 • \$40.79 for 2015 • \$32.36 for 2016 • \$30.00 for 2017 • *--\$28.07 for 2018.--* 	
Carrying Capacity Monthly Feed Cost	Carrying Capacity Monthly Feed Cost is determined by multiplying the following: <ul style="list-style-type: none"> • Maximum AU's, times • Monthly Value of Forage. 	
Part D - Forage Information - Drought - AUM or Animal Unit Leases		
Livestock Number	Corresponding number assigned to each livestock kind, type, and weight range.	26
Pasture Type	Pasture type the livestock kind, type, and weight range is associated to.	27
Animal Units	Animal units allowed by the Pasture Type.	28 or 29

Part 10 ELAP

Section 1 Basic ELAP Information

800 General Information

A Purpose

This part provides instructions for administering ELAP.

ELAP provides emergency assistance to eligible producers of livestock, honeybees, and farm-raised fish that have losses because of disease, adverse weather, or other conditions, including losses because of blizzards and wildfires, as determined by the Secretary. ELAP assistance is for losses **not** covered under other Supplemental Agricultural Disaster Assistance Programs established by the 2014 Farm Bill, specifically, LFP and LIP. Eligible losses **must** have occurred:

- on or after October 1, 2011
- in the same program year for which benefits are being requested.

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

*--The BBA, enacted February 9, 2018, amended certain provisions related to ELAP effective with the 2017 program year. Those amendments included:

- removing the \$20 million funding cap for the 2017 and subsequent program years
- removing LIP from the combined ELAP, LFP, and LIP maximum per person and legal entity payment limitation for the 2017 and subsequent program years.--*

B Source of Authority

--ELAP will be administered using funds from CCC established under the 2014 Farm Bill and amended by BBA.--

The regulations for ELAP are provided in 7 CFR Part 1416, Subparts A and B.

C Public Information

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

D Modifying Provisions

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

800 General Information (Continued)**E Forms**

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

Any document that collects data from a participant, regardless of whether the participant's signature is required:

- is subject to the Privacy Act and information collection procedures
- requires clearance by the following offices:
 - National Office program area
 - MSD, Forms and Graphics Section
 - OMB.

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

- livestock losses (CCC-851)
- honeybee and farm-raised fish losses (CCC-934).

F Related Handbooks

See Part 1 for handbooks related to ELAP.

801 Responsibilities (Continued)**F PT Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and B, PT's shall:

- fully comply with all ELAP provisions
- immediately notify CED of software problems and incomplete or incorrect procedures
- ensure that participants receive complete and accurate program information
- ensure that all program and payment eligibility requirements have been met by participants before issuing any payments to ensure that IPIA provisions are met.

Note: See subparagraph 876 E for additional information.

802 Definitions for ELAP**A Definitions**

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

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

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

*--Adult beefalo bull means a male hybrid of beef and bison that was used for breeding purposes and was at least 2 years old before the beginning date of eligible adverse weather or eligible loss condition.

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

Adult buffalo/bison bull means a male animal of those breeds that was used for breeding purposes and was at least 2 years old before the beginning date of the eligible adverse weather or eligible loss condition. In North America, many bison are commonly referred to as buffalo.

Adult buffalo/bison cow means a female animal of those breeds that had delivered 1 or more offspring before the beginning date of the eligible adverse weather or eligible loss condition. A first-time bred buffalo or bison heifer shall also be considered an adult buffalo/bison cow if it was pregnant by the beginning date of the eligible adverse weather or eligible loss condition. In North America, many bison are commonly referred to as buffalo.--*

802 Definitions for ELAP (Continued)

A Definitions (Continued)

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

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

Agricultural operation means a farming operation.

Application means CCC form used to apply for either the emergency loss assistance for livestock or emergency loss assistance for honeybees or farm-raised fish.

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

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

Beginning farmer or rancher means a person or legal entity, including all members, shareholders, partners, beneficiaries, etc., (as fits the circumstances) of an entity, who for a program year both:

- (1) Has **not** operated a farm or ranch in the previous consecutive 10 years, and
- (2) Will have or has had for the relevant period materially and substantially participated in the operation of a farm or ranch.

For legal entities to be considered a Beginning Farmer or Rancher, the requirements above **must** be met by all members. In addition, all members **must** be related by blood or marriage.

-Blue tongue means a noncontagious, insect-borne, viral disease of ruminants transmitted by biting insects called midges.--

Buck means a male goat.

802 Definitions for ELAP (Continued)

A Definitions (Continued)

Cache Valley Virus (CVV) means a mosquito-borne infection by an RNA virus of the Bunyaviridae family that affects flocks of sheep, especially the U.S. Midwest.

Cattle tick fever means a severe and often fatal disease that destroys red blood cells of cattle, commonly known as Texas or cattle fever, which is spread by *Rhipicephalus (Boophilus) annulatus*, and the southern cattle tick, *R. (Boophilus) microplus*.

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

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

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

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

Deputy Administrator or DAFP means the USDA, FSA, Deputy Administrator for Farm Programs, or designee.

Eligible adverse weather means, as determined by the Deputy Administrator, an extreme or abnormal damaging weather event that is **not** expected to occur during the loss period, which results in eligible losses. The eligible adverse weather would have resulted in agricultural losses **not** covered by other programs for which the Deputy Administrator determines financial assistance should be provided to producers. Adverse weather may include, but is **not** limited to, blizzard, winter storms, and wildfires. Specific eligible adverse weather may vary based on the type of loss. Identification of eligible adverse weather will include locations (National, State, or county-level) and start and end dates.

Eligible drought means that any area of the county has been rated by the U.S. Drought Monitor as having a D3 (extreme drought) intensity:

- (1) At any time during the program year, for additional honeybee feed loss; or
- *--(2) That directly impact water availability at any time during the normal grazing period--* (for example, snow pack that feeds streams and springs), as determined by the Deputy Administrator or designee, for losses resulting from transporting water to livestock.

Eligible extreme cold means, for honeybee colony losses, the temperature **must** be 14 degrees Fahrenheit or less for at least 7 consecutive days during the program year in which the loss is claimed.

802 Definitions for ELAP (Continued)

A Definitions (Continued)

Eligible grazing land means land that is native or improved pastureland with permanent vegetative cover or land planted to a crop planted specifically for the purpose of providing grazing for eligible livestock.

Eligible loss condition means a condition that would have resulted in agricultural losses **not** covered by other programs in this part for which the Deputy Administrator determines financial assistance needs to be provided to producers. Specific eligible loss conditions include, but are **not** limited to, disease (including cattle tick fever), insect infestation and colony collapse disorder. Identification of eligible loss conditions will include locations (National, State, or county-level) and start and end dates.

Eligible sustained cold means, for honeybee colony losses, the temperature **must** be 23 degrees Fahrenheit or less for at least 40 consecutive days during the program year in which the loss is claimed.

-Eligible winter storm means, for an eligible adverse weather event, an event that lasts in duration for at least 3 consecutive days and includes a combination of high winds, freezing rain or sleet, heavy snowfall, and extremely cold temperatures. For a determination of winter storm, the wind, precipitation, and extremely cold temperatures must all occur within the 3-day period with wind and extremely cold temperatures occurring in each of the 3 days.--

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

Ewe means a female sheep.

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

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

FSA means the Farm Service Agency.

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

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

Grazing loss means the value, as calculated in subparagraph 831 C, D, or E, of eligible grazing lost because of an eligible adverse weather or eligible loss condition based on the number of days that the eligible livestock were **not** able to graze the eligible grazing land during the normal grazing period.

EHD means a disease of white-tailed deer caused by an infection of a virus from the genus *Orbivirus*.

802 Definitions for ELAP (Continued)**A Definitions (Continued)**

Kid means a goat less than 1 year old.

Lamb means a sheep less than 1 year old.

Limited resource farmer or rancher means a producer who is both:

(1) A producer whose direct or indirect gross farm sales do **not** exceed \$176,800 (2014 program year) in each of the 2 calendar years that preceded the most immediately preceding complete taxable year before the relevant program year, (for example, for the 2014 program year, the 2 years would be 2012 and 2011), adjusted upwards in later years for any general inflation, and

(2) A producer whose total household income was at or below the national poverty level for a family of 4 in each of the same 2 previous years referenced in paragraph (1) of this definition. (Limited resource farmer or rancher status can be determined using a web site available through the Limited Resource Farmer and Rancher Online Self Determination Tool through National Resource and Conservation Service at <http://www.lrfstool.sc.egov.usda.gov/tool.aspx>.)

For legal entities requesting to be considered Limited Resource Farmer or Rancher, the sum of gross sales and household income **must** be considered for all members.

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

Loss period means the period of time the loss occurs for the adverse weather event the producer is claiming caused the loss.

Nanny means a female goat.

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

802 Definitions for ELAP (Continued)

A Definitions (Continued)

*--Nonadult beefalo means a male hybrid of beef and bison that does not meet the definition of adult beefalo cow or bull. Nonadult beefalo are further delineated by weight categories of either less than 400 pounds or 400 pounds or more at the time of death.

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

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

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

Normal mortality means the numerical amount, computed by a percentage of expected livestock, honeybee colony and farm-raised fish deaths, by category, that normally occur during a program year for a producer, as established for the area by STC for livestock and farm-raised fish, and as established nationwide by the Deputy Administrator for honeybee colonies.

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

Program year means from October 1 through September 30 of the fiscal year in which the loss occurred.

Ram means a male sheep.

Reliable record means any non-verifiable record available that reasonably supports the eligible loss, as determined acceptable by COC.

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

816 Eligibility Criteria (Continued)

H Eligible Loss Condition for Losses Resulting From Transporting Water

For 2014 and subsequent program years, a loss resulting from the additional cost of transporting water to eligible livestock **must** be because of an eligible drought, that means all of the following:

- any area of the county has been rated by the U.S. Drought Monitor as having a D3 (extreme drought) intensity
- directly impacts water availability during the normal grazing period (for example, snow pack that feeds streams and springs), as determined by the Deputy Administrator or designee, for losses resulting from transporting water to livestock.

I Eligible Loss Conditions for Livestock Death Losses

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

DAFP has determined that **not** all diseases are considered eligible under ELAP.

* * *DAFP has determined that both of the following criteria must be met to consider a disease eligible for livestock death losses under ELAP:

- is caused and/or transmitted by vectors
- vaccination or acceptable management practices are not available, whether or not they were or were not implemented.

Example: Cattle can be vaccinated to prevent anaplasmosis, pneumonia, infectious bovine rhinotracheitis, and parainfluenza. Vaccination is an acceptable management practice to prevent anaplasmosis, pneumonia, infectious bovine rhinotracheitis, and parainfluenza in cattle, and these diseases are not caused or transmitted by vectors and are not eligible causes of loss under ELAP. Even if vaccination is done to prevent these diseases, and the livestock nonetheless dies from 1 of these diseases, the disease is still not an eligible loss condition under ELAP.

Note: STC shall consider these criteria when requesting that DAFP add a specific disease as an eligible loss condition for livestock death losses under ELAP.

DAFP may add additional eligible loss conditions for livestock death losses based on a recommendation from STC.

816 Eligibility Criteria (Continued)

I Eligible Loss Conditions for Livestock Death Losses (Continued)

Blue tongue and EHD are considered eligible loss conditions for white-tailed deer death losses only.

For 2015 and subsequent program years, CVV is considered an eligible loss condition for sheep death losses **only**.

Note: To be considered eligible for CVV, the eligibility criteria in subparagraph 830 C for newborn * * * animals **must** be met. Therefore, sheep that died because of CVV before reaching full-term or near full-term would **not** be eligible for death losses under ELAP. In addition, sheep that would **not** have survived under normal conditions, without CVV, do **not** qualify for ELAP death loss benefits.

To date, DAFP has determined that the following diseases are **not** considered an eligible loss condition under ELAP:

- Anaplasma Marginale
- Mannheimia Haemolytica
- Mycoplasma Bovis
- Bovine Respiratory Disease
- Malignant Catarrhal Fever
- Bovine Leukosis Virus
- Pregnancy Toxemia
- Pneumonia
- Infectious Bovine Rhinotracheitis
- Parainfluenza.

J Eligible Adverse Weather or Eligible Loss Conditions for Honeybee Feed Losses

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

- earthquake
- floods
- hurricanes
- lightning
- tidal surge
- tornado
- volcanic eruption
- wildfires.

DAFP may add additional eligible cause of losses for honeybee feed losses based on a recommendation from STC.

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 AU 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 AU for all eligible livestock kind/type for each program year.

- 2012 - \$1.727
- 2013 - \$1.909
- 2014 - \$1.752
- 2015 - \$1.360
- 2016 - \$1.079
- 2017 - \$1.000
- *--2018 - \$0.942.--*

**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.

* * *

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	2017	*--2018
Alpacas			\$350.00	\$357.15	\$360.00	\$360.00	\$360.00	\$360.00	\$360.00
Beef	Adult	Bull	\$1,825.57	\$1,842.18	\$2,120.65	\$2,621.04	\$2,650.52	\$1,800.45	\$1705.43
		Cow	\$1,404.28	\$1,417.06	\$1,631.27	\$2,016.19	\$2,038.85	\$1,384.97	\$1311.87
	Nonadult	Less than 400 pounds	\$614.62	\$605.94	\$738.36	\$955.31	\$1,010.12	\$628.29	\$625.23
		400 to 799 pounds	\$892.19	\$854.91	\$997.79	\$1,515.48	\$1,092.87	\$852.72	\$871.38
800 pounds or more		\$1,296.62	\$1,290.66	\$1,532.52	\$1,833.88	\$1,493.84	\$1,334.83	\$1348.07--*	

**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	2017	*--2018
*** Beefalo	Adult	Bull	\$2,317.73	\$2,338.82	\$2,692.37	\$3,327.67	\$3,365.09	\$2,285.85	\$2146.04
		Cow	\$1,236.13	\$1,247.37	\$1,435.93	\$1,774.76	\$1,794.72	\$1,219.12	\$1715.22
	Nonadult	Less than 400 pounds	\$583.88	\$575.65	\$701.44	\$907.55	\$959.61	\$596.88	\$1003.69
		400 to 799 pounds	\$847.58	\$812.16	\$947.90	\$1,439.71	\$1,038.23	\$810.08	\$1280.38
		800 pounds or more	\$1,231.79	\$1,226.12	\$1,455.90	\$1,742.19	\$1,419.15	\$1,268.08	\$1830.27
*--Buffalo/ Bison	Nonadult	Less than 400 pounds							\$1634.46
		400 pounds or more							\$1902.04
		Over 800 pounds							\$2633.94
	Adult	Bull							\$2880.40
		Cow--*							\$2387.49
Chickens	Broilers/Pullets (Regular Size)	4.26-6.25 pounds	\$3.22	\$3.46	\$3.46	\$3.43	\$8.47	\$3.13	\$3.60
	Chicks		\$0.28	\$0.30	\$0.30	\$0.29	\$0.31	\$0.32	\$0.36
	Layers		\$18.17	\$19.32	\$20.18	\$26.15	\$4.36	\$4.02	\$4.50
	Pullets/Cornish Hens (Small Size)	Less than 4.26 pounds	\$2.26	\$2.44	\$2.44	\$2.20	\$2.25	\$2.13	\$2.46
	Roasters	6.26-7.75 pounds	\$4.20	\$4.55	\$4.55	\$4.43	\$4.57	\$3.99	\$4.59
	Super Roasters	7.76 pounds or more						\$5.24	\$6.03
Dairy	Adult	Bull	\$1,450.00	\$1,380.00	\$1,440.00	\$1,966.67	\$2,605.00	\$1,805.00	\$1622.50
		Cow	\$1,450.00	\$1,380.00	\$1,440.00	\$1,966.67	\$2,005.00	\$1,805.00	\$1622.50
	Nonadult	Less than 400 pounds	\$362.50	\$345.00	\$360.00	\$491.67	\$501.25	\$451.25	\$405.63
		400 to 799 pounds	\$725.00	\$690.00	\$720.00	\$983.33	\$1,002.51	\$902.51	\$811.25
		800 pounds or more	\$1,171.15	\$1,114.62	\$1,163.08	\$1,588.47	\$1,619.43	\$1,457.88	\$1310.48
Deer		\$550.00	\$561.24	\$572.71	\$690.81	\$833.28	\$594.25	\$548.21	
Ducks	Ducklings		\$0.89	\$0.88	\$0.88	\$0.89	\$0.89	\$0.92	\$0.94
	Ducks		\$5.54	\$5.49	\$5.49	\$5.59	\$5.61	\$5.75	\$5.86
Elk		\$763.45	\$779.05	\$794.98	\$958.92	\$1,156.67	\$824.88	\$760.97	
Emus		\$200.00	\$204.09	\$228.45	\$275.56	\$332.39	\$237.04	\$218.67	
Equine		\$850.00	\$867.37	\$970.91	\$1,171.12	\$1,412.63	\$1,007.43	\$929.37	
Geese	Goose		\$17.17	\$28.41	\$28.41	\$21.04	\$29.12	\$32.44	\$32.12
	Gosling		\$3.61	\$5.97	\$5.97	\$4.41	\$6.12	\$6.81	\$6.75
Goats	Bucks		\$161.56	\$162.62	\$167.44	\$181.80	\$220.16	\$276.25	\$275.75
	Nannies		\$131.35	\$131.38	\$140.73	\$147.27	\$193.07	\$305.00	\$195.22
	Slaughter Goats/Kids		\$88.96	\$62.30	\$107.00	\$104.77	\$94.73	\$87.03	\$85.96
Llamas		\$280.00	\$285.72	\$290.00	\$290.00	\$290.00	\$290.00	\$290.00	
Reindeer		\$550.00	\$561.24	\$572.71	\$690.81	\$833.28	\$594.25	\$548.21	
Sheep	Ewes		\$234.63	\$139.82	\$159.77	\$181.79	\$160.83	\$162.49	\$161.42
	Lambs		\$191.60	\$134.18	\$230.46	\$225.65	\$204.05	\$187.43	\$185.15
	Rams		\$231.94	\$181.77	\$186.92	\$191.96	\$172.17	\$159.97	\$155.56--*

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	2017	*--2018
Swine	Feeder Pigs	Less than 50 pounds	\$58.53	\$56.80	\$91.67	\$88.20	\$44.40	\$45.87	\$55.96
	Lightweight Barrows/ Gilts	50 to 150 pounds	\$90.30	\$98.57	\$118.26	\$125.24	\$79.88	\$76.01	\$86.85
	Sows/Boars/ Barrows/ Gilts	151 to 450 pounds	\$139.48	\$140.33	\$144.85	\$162.28	\$115.36	\$106.16	\$117.73
	Boars/Sows	450 pounds or more	\$295.73	\$312.51	\$389.48	\$407.31	\$226.41	\$230.01	\$250.85
Turkeys	Poults		\$1.47	\$1.51	\$1.53	\$1.67	\$1.67	\$1.67	\$1.67
	Toms/Fryers/ Roasters		\$19.27	\$17.99	\$18.24	\$19.44	\$21.17	\$21.17	\$19.62--*

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	2017	*--2018
Chickens	Broilers/Pullets (Regular Size)	4.26-6.25 pounds	\$0.35	\$0.38	\$0.38	\$0.39	\$0.39	\$0.35	\$0.40
	Chicks							\$0.32	\$0.36
	Layers		\$1.09	\$1.09	\$1.21	\$1.57	\$0.26	\$0.25	\$0.27
	Pullets/ Cornish Hens (Small Size)	Less than 4.26 pounds	\$0.25	\$0.27	\$0.27	\$0.24	\$0.25	\$0.24	\$0.27
	Roasters	6.26-7.75 pounds	\$0.46	\$0.50	\$0.50	\$0.48	\$0.51	\$0.44	\$0.50
	Super Roasters	7.76 pounds or more						\$0.57	\$0.66
Ducks	Ducks		\$0.61	\$0.60	\$0.60	\$0.61	\$0.61	\$0.63	\$0.64
	Ducklings							\$0.63	\$0.64
Geese			\$1.89	\$3.12	\$3.12	\$3.08	\$4.27	\$4.76	\$3.53
Swine	Feeder pigs	Less than 50 pounds	\$6.65	\$6.45	\$10.41	\$10.01	\$5.04	\$5.21	\$6.36
	Lightweight Barrows/Gilts	50 to 150 pounds	\$14.87	\$14.80	\$17.76	\$18.81	\$12.00	\$11.41	\$13.04
	Sows/Boars/ Barrows/Gilts	151 to 450 pounds	\$20.95	\$21.07	\$21.75	\$24.37	\$17.32	\$15.95	\$17.68
	Boars/Sows	450 pounds or more	\$121.53	\$128.42	\$160.06	\$167.39	\$93.04	\$94.52	\$103.99
Turkeys	Toms/Fryers/ Roasters		\$2.12	\$1.98	\$2.01	\$2.13	\$2.33	\$2.33	\$2.16
	--Poults--								\$0.18--*

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.

* * *

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
2017	\$140	\$258
--2018	\$140	\$258--

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 through 2017	15.0 percent
2018	TBD--*

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).

Section 6 Payment Limitations and Reductions

875 Payment Rates, Limitations, and Reductions

*--A 2012 Through 2016 Program Year Funding

For 2012 through 2016 ELAP the Secretary is authorized to use up to \$20,000,000 per--* program year from CCC to provide emergency relief to eligible producers of livestock, honeybees, and farm-raised fish to aid in the reduction of losses because of disease, adverse weather, or other conditions, as determined by the Secretary that are **not** covered under LIP and LFP.

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

*--B 2017 and Subsequent Program Years Funding

The BBA removed the \$20 million funding cap effective for 2017 and subsequent program years. Therefore, for 2017 and subsequent program years, ELAP payments will not be subject to a national payment factor. Payments will be made throughout the program year as applications are approved.

C 2012 Through 2016 Program Years Payment Limitation

For 2012 through 2016 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.

CCC-901 will be required for legal entities to determine members of legal entities for direct attribution purposes.

Note: Direct attribution provisions in 5-PL apply for 2012 and subsequent program years.

*--D 2017 and Subsequent Program Year Payment Limitation

The BBA removed LIP from the combined ELAP, LFP, and LIP maximum per person and legal entity payment limitation for 2017 and subsequent years. Therefore, for 2017 and subsequent years, no person or legal entity, excluding a joint venture or general partnership, as determined by the rules in 7 CFR Part 1400, may receive, directly or indirectly, more than \$125,000 per program year total under ELAP and LFP combined. All other provisions in subparagraph C apply for 2017 and subsequent program years.--*

875 Payment Rates, Limitations, and Reductions (Continued)**E 2012 and Subsequent Years AGI Provisions**

For 2012 and subsequent program years, the average AGI limitation provisions in 7 CFR Part 1400 about persons or legal entities, excluding joint ventures and general partnerships, with an average adjusted gross income as defined in 7 CFR 1400, Subpart E, that exceeds \$900,000 will **not** be eligible for benefits under ELAP.

Note: The AGI provisions of 5-PL are applicable for 2012 and subsequent program years.

F Payment Reductions

The amount of payment for which a contract grower or eligible participant of livestock, honeybees, or farm-raised fish may receive under ELAP shall be reduced by any amount received by the participant or contract grower for the same or similar loss under LFP or LIP.

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 ELAP for losses that occur on or after October 1, 2011.

876 General Payment Information**A Assignments and Offsets**

For ELAP, County Offices shall:

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

900 General Payment Provisions for Web-Based ELAP Payments (Continued)**H Payment Due Date (Continued)**

If the payment is **not** issued within 30 calendar days after the later of the dates in this subparagraph, then prompt payment interest is payable to the producer. County Offices shall:

- manually determine the payment due date based on the factors identified in this subparagraph
- follow the provisions of 61-FI for issuing the interest payment.

901 Payment Limitation**A Payment Limitation Amount**

The payment limitation for ELAP is \$125,000 per program year. The \$125,000 program year payment limitation is shared with the following programs for:

- 2011 program year:
 - LFP
 - LIP
 - SURE
- *--2012 through 2016 program years:
 - LFP
 - LIP
- 2017 and subsequent program years:
 - LFP.--*

B Effect of AGI on Payment Limitation for Entities

If a member of an entity is **not** eligible because of average AGI provisions, the payment limitation for the entity is reduced by the ineligible member's ownership share in the operation.

Example: ABC Corporation has 2 members, each with a 50 percent share. Member 1 does **not** meet average AGI provisions. The corporation has a \$100,000 payment limitation, but since Member 1 does **not** meet average AGI provisions, the payment limitation for the corporation is reduced by 50 percent and the maximum payment that can be issued to the corporation is \$50,000.

Note: Other payment eligibility provisions, such as conservation compliance, fraud, etc., do **not** affect the payment limitation for the entity because average AGI is the **only** payment eligibility that is checked for members of entities.

901 Payment Limitation (Continued)

***--C How a 2012 Through 2016 ELAP Factor Affects Payment Limitation**

For 2012 through 2016 ELAP, because ELAP has a set amount of funding, the payment--* amount may be factored when the predetermined gross total amount of ELAP payments for a program year exceeds the total funding amount. Applying a factor to the payment amount ensures that ELAP payments do not exceed the funding for ELAP.

If a factor applies to the ELAP payment, then that same factor will be applied to the payment limitation amount for the producer and/or member.

--For 2012 through 2016 ELAP, although ELAP, LFP, and LIP payments share the -- \$125,000-payment limitation amount, the factor for ELAP is **not** applied to the payments or shared payment limitation for LFP and LIP.

--For 2012 through 2016 program years, as a result of ELAP payments and payment-- limitation being factored, the available payment limitation determinations for ELAP, LFP, and LIP will function according to the following table.

IF payment being processed is for...	THEN the starting payment limitation is...	Determining Available Payment Limitation	
LFP or LIP	\$125,000.	Determine the available payment limitation for LFP and LIP by subtracting all prior ELAP, LFP, and LIP payments from the starting payment limitation amount.	
		IF... there is a remaining payment limitation amount	THEN the... LFP or LIP payment can be issued, not to exceed the remaining payment limitation amount.
		the total prior payments are \$125,000	producer cannot receive the LFP or LIP payment.

--*

901 Payment Limitation (Continued)

--C How a 2012 Through 2016 ELAP Factor Affects Payment Limitation (Continued)--

IF payment being processed is for...	THEN the starting payment limitation is...	Determining Available Payment Limitation	
ELAP	the result of \$125,000 times the ELAP factor.	Step	Action
		1	Total all prior ELAP, LFP, and LIP payments.
		IF the total prior payments are...	THEN...
		\$125,000	the producer cannot receive an ELAP payment.
		less than \$125,000	proceed to step 2.
		2	Total prior ELAP payments.
		IF the total prior payments...	THEN...
		equal the starting ELAP payment limitation amount	the producer cannot receive an ELAP payment.
		already issued are less than the starting ELAP payment limitation amount	proceed to step 3.
		3	Determine the available payment limitation balance for ELAP, LFP, and LIP by subtracting: <ul style="list-style-type: none"> • \$125,000, minus • accumulated prior payments for ELAP, LFP, and LIP.
		4	Determine the available balance for ELAP by subtracting: <ul style="list-style-type: none"> • starting ELAP payment limitation amount, minus • prior ELAP payments.
		5	Available ELAP payment limitation balance for the producer or member is the lesser of the result of step 3 or 4.
6	Producer can be paid the lesser of: <ul style="list-style-type: none"> • amount of payment being processed, or • result of step 5. 		

902 Payment Eligibility

A Determining Payment Eligibility

The payment process reads the web-based eligibility system for the applicable year to determine whether a producer or member of a joint operation is eligible to be paid. If the producer or member is ineligible to be paid, then the individual or entity will be listed on the Nonpayment Report with the applicable message. Eligibility values must be updated before the producer or member can be paid.

B Eligibility Values

The following identifies web-based eligibility determinations applicable to ELAP and how the system will use the web-based subsidiary eligibility data for payment processing.

Eligibility Determination	Value	Eligible for ELAP Payment
AD-1026	Certified	Yes
	Not Filed	No
	Good Faith Determination	Yes
	COC Exemption	Yes
	Awaiting Affiliate Certification	No
	Affiliate Violation	No
AGI - 2014 Farm Bill Note: Applicable for 2012 and subsequent years.	Compliant	Yes
	Compliant- Producer	Yes
	Compliant - SED	Yes
	Exempt	Yes
	Failed Verification	No
	Not Compliant	No
	Not Filed	No
	Not Met - Producer	No
	Not Met - SED	No

***--904 2012 Through 2016 Payment Factors**

A 2012 Through 2016 ELAP Payment Factor

For 2012 through 2016 program years, ELAP funding is authorized up to \$20 million in a FY to provide emergency assistance to eligible producers for livestock, honeybees, and farm-raised fish losses. As a result of the funding limitation, a payment factor will be applied to 2012 through 2016 ELAP payments when the total potential payments exceed the--* \$20 million in funding.

B How the Payment Factor Applies to ELAP Payments

After the payment amount for the producer is entered in the ELAP Payment System, the payment factor, if applicable for that program year, is applied to the payment. The resulting payment amount continues in the payment process when determining if the producer meets eligibility provisions and when determining available payment limitation.

Note: The difference between the payment amount that was entered in the ELAP Payment System and the resulting payment amount after the payment factor is applied will display as a payment factor reduction amount on the Payment History Report. The payment factor amount will not be displayed on any other Common Payment Reports.

C How the Payment Factor Applies to Payment Limitation

If a payment factor has been determined for a program year that same payment factor is also applied to payment limitation for the individual, entity, or member of the entity. The payment limitation amount is multiplied times the payment factor and the result is a revised payment limitation amount.

D ELAP Payment Factors

The following table provides ELAP payment factors.

Program Year	ELAP Payment Factor
2012	0.90589961
2013	0.68454492
2014	0.66000000
*--2015	0.6458714
2016	0.5309764--*

--A national payment factor will not be applied to 2017 and subsequent program year payments.--

--904 2012 Through 2016 Payment Factors (Continued)--

E Common Payment Reports and Payment Factors

If a payment factor applies for the program year, the disclaimers on the various Common Payment Reports will have additional wording and the payment amounts on the Common Payment Reports will be after the payment factor was applied. See 9-CM for additional information on the Common Payment Reports.

The table below provides specific information about each report.

Report	Payment Factor Reduction Displayed on Report	Name of Payment Field	Amount Displayed Before or After Payment Factor Applied
Estimated Calculated Payment Report			
Submitted Payments Report	Not Applicable Note: Payment Reduced will be “Yes” only if reductions other than payment factor and/or sequestration apply.	Amount Submitted	After
Submitted Overpayments Report	Not Applicable	Amount Submitted	Not Applicable
Pending Overpayment Report	Not Applicable	Overpayment Amount	Not Applicable
Nonpayment/Reduction Report	No	Accumulated Amount	After
Insufficient Funds Report	Not Applicable	Calculated Payment Amount	After
Payments Computed to Zero Report	Not Applicable	Not Applicable	Not Applicable
Payment History Report - Summary	Yes	Net Payment	After
Payment History Report - Detail	Yes	Net Payment	After

Note: Not applicable is listed in the table because the associated reports do **not** list reduction amounts.

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
BBA	Bipartisan Budget Act of 2018	800, 875
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	23, 46
PRF	Pasture, Rangeland, Forage	420
RI-PRF	Rainfall Index-Pasture, Rangeland, Forage	420
TLBIH	transitional livestock beginning inventory history	46
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 LIP, COC may delegate authority to CED to approve only routine CCC-852's where proof of death is provided.

Important: CED shall **not** be delegated authority to:

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