

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

**Noninsured Crop Disaster Assistance  
Program for 2001 and Subsequent Years  
1-NAP (Revision 1)**

**Amendment 72**

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



**Amendment Transmittal**

**A Reason for Amendment**

This handbook has been amended to provide subparagraphs 192 D and 193 A that were inadvertently omitted from Amendment 71.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
	4-100.5, 4-100.6	



**192 General Forage Provisions (Continued)****C Eligibility of Leased Private or Federal- and State-Owned Land (Continued)**

COC shall use the following questions and others, as locally warranted, to determine if the lessee has a risk in production of the crop acreage or the lease conveys control of the crop acreage to the lessee. Only 1 condition needs to be met to find a producer eligible.

- Does the lessee pay local property or similar taxes on the leased acreage or improvements made to the leased acreage?
  - If yes, the lessee shall be 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 shall be 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 shall be 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 shall be considered to have control of the crop acreage.
  - If no, see the next question.
- Does the lessee compensate the lessor for use of the crop acreage?
  - If no, the lessee does not have a risk in production of the crop acreage.
  - If yes, is the payment refundable if grazing use of the crop acreage is lost?
    - If yes, the lessee only has a risk in the portion of the crop acreage used and paid for, if any.
    - If no, does the payment entitle the lessee to a vested interest in production of the commodity versus purchasing the commodity?
      - If no, the lessee does not have a risk in production of the crop acreage.
      - If yes, the lessee shall be considered to have a risk in production of the crop acreage.

## 192 General Forage Provisions (Continued)

### D Acreage Eligibility

COC shall, when questions of eligibility exist, consider evidence of:

- the producer's intent to graze or otherwise harvest forage acreage

**Note:** If a producer reports forage acreage as CRP or intended as fallow, that acreage is not eligible for NAP.

- available livestock, water, fencing, etc. for grazing
- available equipment, storage facilities, etc. necessary for mechanical harvest of forage acreage.

## 193 Defining Forage Crops

### A Definitions

In general, NASS defines forage as alfalfa, alfalfa mixtures, and other hay.

The following definitions were developed to better utilize NASS data and shall be used to determine forage types eligible for NAP coverage:

- alfalfa means a stand of either:
  - pure alfalfa
  - a mixture of alfalfa and grasses, legumes, or other forage in which 60 percent or more of the plant population is alfalfa
- alfalfa mixture is alfalfa and grasses, legumes, or other forages in which **less** than 60 percent of the plant population is alfalfa
- other hay is a stand consisting of grasses, legumes, and/or other forages in which **little or no** alfalfa plants exist, including small grain forage, sorghum forage, soybean forage, and perennial peanut forage
- perennial peanut forage is a stand of perennial peanuts intended for forage for animal consumption
- small grain forage is a stand of pure wheat, barley, oats, triticale, or rye intended for forage for animal consumption
- sorghum forage is a stand of sorghum intended for forage for animal consumption
- soybean forage is a stand of soybeans intended for forage for animal consumption.