

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 84

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 194 A has been amended to add a table clarifying what acreage and production data is used for approved yields when a forage crop is grazed, abandoned, or destroyed.

Subparagraph 194 B has been amended to clarify that appraisals of forage crops are required when the acreage is grazed, abandoned, or destroyed.

Subparagraph 195 D has been amended to clarify that grazed forage:

- losses are collective losses that are determined throughout the grazing period to account for lost production for all natural disasters affecting the grazed forage
- percentage of loss shall not be determined and payments shall not be issued until after the end of the grazing period.

Subparagraph 195 I has been amended to clarify that:

- grazed forage losses are collective losses that are determined throughout the grazing period to account for lost production for all natural disasters affecting the grazed forage
- grazed forage percentage of loss shall not be determined and payments shall not be issued until after the end of the grazing period
- COC's shall obtain 2 independent assessments of the grazed forage conditions in the area meeting the requirements in subparagraph J, for each crop year, when there are no similar mechanically harvested acreage for forage on the farm or similar farms in the area for which an approved yield has been calculated to determine loss.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 195 J has been amended to provide that COC's shall obtain 2 independent assessments of the grazed forage conditions in the area meeting the requirements in this subparagraph, for each crop year, when there are no similar mechanically harvested acreage for forage on the farm or similar farms in the area for which an approved yield has been calculated to determine loss under NAP.

Subparagraph 195 K has been amended to clarify that STC or COC shall not change an area for which 2 independent assessments must be completed after the grazing period has begun.

Subparagraph 271 D has been amended to remove the reference to changing the use of a crop and using zero acres planted yield type.

Subparagraph 401 C has been amended to update the subparagraph reference.

The following subparagraphs have been amended to include the 2014 AUD value.

- 503 C
- 7520E
- 773 E.

Page Control Chart		
TC	Text	Exhibit
	4-103, 4-104 4-104.5, 4-104.6 (add) 4-105, 4-106 4-110.5 through 4-110.10 4-110.13 through 4-110.20 5-39 through 5-60 7-1 through 7-4 8-3, 8-4 10-7, 10-8 10-60.39, 10-60.40	

193 Defining Forage Crops (Continued)

B Determining Forage Crops (Continued)

Example: John Smith produces the following forages for hay:

- alfalfa in which more than 60 percent of the plant population is alfalfa (crop code 0027)
- alfalfa mixture in which plant population is less than 60 percent, but more than 25 percent alfalfa (crop code 0296)
- alfalfa mixture in which less than 25 percent of the plant population is alfalfa (crop code 0296)
- other hay that consists of a mixture of oats and peas (crop code 0296)
- other hay that consists of a stand of pure Bahia grass (crop code 0102)
- other hay that consists of a stand of pure Bermuda grass (crop code 0102).

The following table provides the NAP crop information for John Smith’s forage acreage.

Crop Code	Crop Type	Planting Number	Intended Use	Pay Crop	Pay Type
0296	AGM	01	FG	0296	01
0102	BCM	01	FG	0102	01
0102	BHI	01	FG	0102	01
0296	GMA	01	FG	0296	01
0027	NTS	01	FG	0027	01
0296	OTP	01	FG	0102	01

Crops with the same pay crop and pay types shall be grouped together as 1 crop for NAP purposes. Accordingly, John Smith has the following 3 separate crops for NAP purposes:

- alfalfa
- alfalfa mixture
- other hay.

Notes: NASS does **not** include the mixture of oats and peas as either alfalfa or alfalfa mixture. Therefore, such mixture is considered as other hay for NAP purposes.

--John Smith would be assessed a \$750 NAP service fee because there are 3 separate-- crops.

194 Mechanically Harvested Forage for “Other Than Seed” Provisions

A APH for Mechanically Harvested Forage

COC shall ensure that:

- an approved yield for forage acreage intended to be mechanically harvested for forage is calculated according to Part 5
- all mechanically harvested forage (actual and appraised) from forage acreage intended to be mechanically harvested for forage is accurately recorded on CCC-452
- production from the mechanical harvesting of forage acreage intended to be grazed is **not** counted as “production to count” in the calculation of APH.

***--Example:** Jim intended to mechanically harvest for hay 75 acres of the total 200 acres he has available for forage. The remaining acreage was intended as grazed forage. Because of the abundance of grazed forage, Jim decided to mechanically harvest 1 cutting of hay from the 125 acres intended to be grazed crop. To determine Jim’s production for his mechanically harvested forage for hay, the production from his grazed crop acreage cut for hay **must** be kept separate and shall not be considered “production to count” for calculating his mechanically harvested approved yield for hay.

Notes: If Jim does **not** keep production for his mechanically harvested forage for hay separate from the production from his grazed crop harvested for hay, the total production to count to determine his loss on the 75 acres intended to be mechanically harvested as hay will be the total of the actual harvested production from the 75 acres intended to be mechanically harvested and the 125 acres intended for grazing that was mechanically harvested.

For approved yield purposes, if the production is not kept separate, the “Production” field will be left blank because of unacceptable production records.--*

194 Mechanically Harvested Forage for “Other Than Seed” Provisions (Continued)

A APH for Mechanically Harvested Forage (Continued)

*--Approved yields are established on the intended use of the crop. Use the following table to determine what production value should be entered in the “Approved Yield Actual” field when acreage intended for forage is grazed, abandoned, or destroyed.

Example: For this example, 100 acres of forage was reported on FSA-578.

Was CCC-576 filed for forage?	Was forage appraisal obtained?	Acreage Mechanically Harvested	Acreage Grazed, Abandoned, or Destroyed	Acres Entered for APH	Production Entered for Approved Yield	APH Yield Type
Yes	No	0	100	100	Blank.	“P” or “O”
No						
Yes		40	60			
No						
Yes	Yes	0	100		Appraised production.	“A” or “R”
		40	60		Production off 40 acres plus appraisal off 60 acres.	

Appraisals are **required** on forage crops any time they are grazed, abandoned, or destroyed.

For approved yield purposes, forage acreage **must** have a complete production record of harvested and/or appraised production. Any record that is not complete is deemed unacceptable and will result in an assigned or zero credited yield, as applicable.--*

194 Mechanically Harvested Forage for “Other Than Seed” Provisions (Continued)

B Determining Production of Intended Mechanical Harvest Forage

COC shall:

- determine production of forage acreage intended to be mechanically harvested as forage according to Part 6
- ensure that producers are aware that they must notify their administrative County Office before grazing, abandoning, or destroying forage acreage recorded on FSA-578 as intended to be mechanically harvested as forage
- *--ensure that producers are aware of representative sample area requirements and that an appraisal is required for the forage acreage intended to be mechanically harvested as forage where the acreage is to be grazed **only**, abandoned, or destroyed--*
- ensure that LA’s are available and appraisals are completed timely.

Note: Because forage is unique it is important to remind producers to maintain separate production records on the basis of intended harvest.

C Mechanical Harvesting of Forage Acreage Intended To Be Grazed

COC shall ensure that producers are aware they must:

- keep production records from acreage intended for forage separate from those acres intended for grazing but were actually mechanically harvested as forage
- request a measurement service so FSA can identify and measure the quantity of mechanically harvested production from forage acreage reported to FSA as intended to be grazed.

COC shall ensure that all mechanically harvested forage from forage production acreage intended to be grazed is properly and accurately reported on CCC-576. Do not consider forage production from forage acreage intended to be grazed as “production to count” for APH purposes.

Note: See subparagraphs 327 C and D about commingled harvested production.

194 Mechanically Harvested Forage for “Other Than Seed” Provisions (Continued)

D Producer Responsibilities

Producers are responsible for **all** of the following:

- notifying County Office **before** grazing or abandoning forage acreage reported on FSA-578 as intended to be mechanically harvested
- establishing representative sample areas, according to subparagraph 427 B, when an appraisal of the acreage is required
- informing County Office of location of sample areas within 15 calendar days of placement
- requesting appraisal of sample areas at end of harvest period, but **before** first freeze
- maintaining separate production records for **each** of the following, according to *--subparagraph B--*
 - acreage intended to be mechanically harvested
 - acreage intended to be grazed, but were actually mechanically harvested
- requesting a measurement service to identify and measure the quantity of mechanically harvested production from forage acreage reported as intended to be grazed, according to *--subparagraph C--*
- requesting an AUD adjustment, if applicable, according to subparagraph 195 F, G, or H
- timely filing CCC-576, according to paragraph 401.

195 **Grazed Forage Provisions (Continued)**

C Establishing Warm and Cool Season Forage

If STC elects to designate grazed forage types in a county as “**warm season**” and “**cool season**”, STC shall identify “**warm season**” and “**cool season**” forage by assigning a planting period number to each type as follows:

- “01” for cool season forage
- “02” for warm season forage.

Example: STC has determined to designate grazed forage types in the State as warm and cool season. Two of the forage types in the State are FTA and BHI. STC designated FTA as a cool season forage and BHI as a warm season forage. The following table provides the crop data based on the STC designations with intended uses of forage (FG) and grazed (GZ).

Crop Code	Crop Type	Planting Period Number	Intended Use	Pay Crop	Pay Type
0102	FTA	01	FG	0102	*--001
0102	FTA	01 (cool)	GZ	0102	002
0102	BHI	01	FG	0102	001
0102	BHI	02 (warm)	GZ	0102	002--*

Notes: The same crop type and intended use **cannot** be designated as both warm and cool season. For example, FTA with an intended use of grazing **cannot** be designated as cool season and warm season in the same county; it is either warm season or cool season, but **not** both.

If STC elects to designate grazed forage types as warm and cool season, STC shall determine the period during which the particular seasonal vegetation is generally available for consumption, such as when the type of forage normally comes out of dormancy for grazing purposes.

The length of time of the warm and cool season:

- are **not** required to be equal
- combined shall **not** exceed 12 months.

The coverage period for warm and cool season forage shall correspond to STC-established grazing periods.

Note: Circumstances may warrant differences in time periods between counties; however, STC shall ensure reasonableness and consistency across the State and with adjoining States to the extent practicable.

195 Grazed Forage Provisions (Continued)

D Determining Loss for Forage Intended for Grazing

Alfalfa, alfalfa mixture, and other hay forage acreage certified on FSA-578 as intended to be grazed, shall always be considered grazed acreage for crop definition purposes regardless of actual method of harvest.

--The following table provides how a loss shall be determined at the end of the grazing period for forage acreage reported as intended to be grazed, provided all eligibility requirements-- are met.

Important: COC shall ensure that the producer is aware of their responsibilities provided in subparagraphs 194 D, 194.5 C and D, and the following table.

IF acreage reported as intended as grazed is...	AND the producer...	THEN the loss shall be determined based on...
<p>completely grazed (all acreage is grazed with no mechanical harvesting)</p>	<ul style="list-style-type: none"> • timely files CCC-576, according to paragraph 401 • provides, at the end of the grazing period, production records of forage for similarly mechanically harvested forage acreage on the farm for which an approved yield has been calculated to determine a forage loss <p>Note: If similar acreage of forage on the farm is not available for which an approved yield has been calculated to determine a forage loss, COC shall use similar farms in the area where approved yields have been calculated for forage to determine a forage loss or, if there are no similar farms, use procedure for 2 independent assessments according to subparagraph 195 J.</p>	<p>a percentage of loss of similarly mechanically harvested forage from forage acreage for which an approved yield has been calculated for forage to determine a forage loss or 2 independent assessments according to subparagraphs I and J as determined by COC applied to the expected AUD.</p> <p>Notes: See subparagraph E for calculating expected AUD.</p> <p>*--Grazed forage losses are collective losses determined throughout the grazing period to account for lost production for all natural disasters affecting the grazed forage. Therefore, the percentage of loss shall not be determined and payments shall not be issued for grazed forage until after the end of the grazing period.--*</p>

195 Grazed Forage Provisions (Continued)

D Determining Loss for Forage Intended for Grazing (Continued)

IF acreage reported as intended as grazed is...	AND the producer...	THEN the loss shall be determined based on...
<p>grazed and some or all of the acreage is mechanically harvested as forage (not seed)</p>	<ul style="list-style-type: none"> • timely files CCC-576, according to paragraph 401 • provides, at the end of the grazing period, production records of forage for similarly mechanically harvested forage acreage on the farm for which an approved yield has been calculated to determine a forage loss <p>Notes: If similar acreage of forage on the farm is not available for which an approved yield has been calculated to determine a forage loss, COC shall use similar farms in the area where approved yields have been calculated for forage to determine a forage loss or, if there are no similar farms, use procedure for 2 independent assessments according to subparagraph 195 J.</p> <p>Any production from intended grazed forage acreage that was mechanically harvested as forage must not be commingled with production from intended mechanically harvested forage acreage. A measurement service request shall be made to keep production separate.</p>	<p>a percentage of loss of similarly mechanically harvested forage from forage acreage for which an approved yield has been calculated for forage to determine a forage loss or 2 independent assessments according to subparagraphs I and J as determined by COC applied to the expected AUD.</p> <p>Notes: Forage production from acreage intended as grazed that is commingled with the production of intended mechanically harvested forage acreage shall be considered production to count in determining the loss for the intended mechanically harvested acreage for forage.</p> <p>Forage production from acreage intended as grazed shall not be considered production to count for approved yield purposes.</p> <p>*--Grazed forage losses are collective losses determined throughout the grazing period to account for lost production for all natural disasters affecting the grazed forage. Therefore, the percentage of loss shall not be determined and payments shall not be issued for grazed forage until after the end of the grazing period.--*</p>

195 Grazed Forage Provisions (Continued)

D Determining Loss for Forage Intended for Grazing (Continued)

IF acreage reported as intended as grazed is...	AND the producer...	THEN the loss shall be determined based on...
<p>abandoned or destroyed</p>	<ul style="list-style-type: none"> • timely files CCC-576, according to paragraph 401 • provides, at the end of the grazing period, production records of forage for similarly mechanically harvested forage acreage on the farm for which an approved yield has been calculated to determine a forage loss <p>Notes: If similar acreage of forage on the farm is not available for which an approved yield has been calculated to determine a forage loss, COC shall use similar farms in the area where approved yields have been calculated for forage to determine a forage loss or, if there are no similar farms, use procedure for 2 independent assessments according to subparagraph 195 J.</p> <p>The producer must timely notify FSA if harvest as forage or grazing of the forage acreage occurs after filing CCC-576 because of vegetative rejuvenation.</p>	<p>a percentage of loss of similarly mechanically harvested forage from forage acreage for which an approved yield has been calculated for forage to determine a forage loss or 2 independent assessments according to subparagraphs I and J as determined by COC applied to the expected AUD.</p> <p>*--Note: Grazed forage losses are collective losses determined throughout the grazing period to account for lost production for all natural disasters affecting the grazed forage. Therefore, the percentage of loss shall not be determined and payments shall not be issued for grazed forage until after the end of the grazing period.--*</p>

195 Grazed Forage Provisions (Continued)

D Determining Loss for Forage Intended for Grazing (Continued)

IF acreage reported as intended as grazed is...	AND the producer...	THEN the loss shall be determined based on...
<p>mechanically harvested for forage or seed (no grazing occurs)</p>	<ul style="list-style-type: none"> • timely files CCC-576, according to paragraph 401 • provides, at the end of the grazing period, production records of forage for similarly mechanically harvested forage acreage on the farm for which an approved yield has been calculated to determine a forage loss <p>Notes: If similar acreage of forage on the farm is not available for which an approved yield has been calculated to determine a forage loss, COC shall use similar farms in the area where approved yields have been calculated for forage to determine a forage loss or, if there are no similar farms, use procedure for 2 independent assessments according to subparagraph 195 J.</p> <p>Any production from intended grazed forage acreage that was mechanically harvested as forage or seed must not be commingled with production from intended mechanically harvested forage or seed acreage. A measurement service request shall be made to keep production separate.</p>	<p>a percentage of loss of similarly mechanically harvested forage from forage acreage for which an approved yield has been calculated for forage to determine a forage loss or 2 independent assessments according to subparagraphs I and J as determined by COC applied to the expected AUD.</p> <p>Notes: Forage production from acreage intended as grazed that is commingled with the production of intended mechanically harvested forage or seed acreage shall be considered production to count in determining the loss for mechanically harvested acreage for forage or seed.</p> <p>Forage production from acreage intended as grazed shall not be considered production to count for approved yield purposes.</p> <p>*--Grazed forage losses are collective losses determined throughout the grazing period to account for lost production for all natural disasters affecting the grazed forage. Therefore, the percentage of loss shall not be determined and payments shall not be issued for grazed forage until after the end of the grazing period.--*</p>

195 Grazed Forage Provisions (Continued)

E Calculating Expected AUD

Grazing is the consumption of forage by livestock. It is possible to estimate the amount of forage available for consumption and; therefore, provide coverage for losses of the potential forage for grazing.

A separate expected AUD is calculated for **each** specific crop, type, and practice based on the STC-established carrying capacity for the specific crop, type, and practice.

Note: See paragraph 107.5 for determining carrying capacities.

--To calculate expected AUD for privately owned/leased land, follow these steps.--

Step	Action	Result
1	Determine the producer's acreage by crop, type, and practice with the same carrying capacity and grazing days.	Producer's total unit acreage for the specific crop, type, and practice with the same carrying capacity.
2	Divide the result of step 1 by the STC-established carrying capacity for the applicable acreage. Round to 4 decimal places.	Number of acres per AU needed for the applicable acreage.
3	Multiply the result of step 2 times the number of days in the grazing period.	Expected AUD.

Notes: Expected AUD is calculated on CCC-576C.

*--Expected AUD calculated in this table does **not** include any AUD calculations applicable to State-, Federal-, and BIA-owned land, or AUD adjustments that may--* be applicable according to subparagraphs F, G, and H.

When calculating expected AUD for acreage physically located in a different county, COC shall use the carrying capacity established for the physical location of the acreage.

*--State-, Federal-, and BIA-owned land provides for an allotted number of AU's or AUM's that can be grazed for an established period of time. DAFP has determined that:

- the recommended AU's or AUM's that are stated on the permit shall be used for those NAP units
- NAP benefits will be reduced by the dollar amount the producer does **not** pay in cases of non-use of permit or reduced AUM's on the permit.

Note: If the producer paid for the total permitted animals, no payment reduction is required.--*

195 **Grazed Forage Provisions (Continued)**

H Assigning AUD

Acreage leases, rental agreements, or permits with grazing arrangements, may specify the stocking rate and grazing days for specific acreage. The specified stocking rate and grazing days may **not** be consistent with the STC-established carrying capacity.

On review of the acreage lease, rental agreement, or permit, and a determination that the specified stocking rate or grazing days is **not** consistent with the STC-established carrying capacity, COC shall assign the difference in calculated AUD.

Conversions for different units, such as AUM, may be necessary to properly calculate the assigned production. Use conversion procedures generally accepted by CSREES, NRCS, Forest Service, BLM, and forage specialists.

This procedure applies **only** to a reduction of AUD. See subparagraphs F and G for adjustment to AUD for management and maintenance practices and production.

Examples: The following is applicable to all 3 examples:

- unit acres: 800
- STC-established carry capacity: 10 acres/AU, 290 grazing days
- AUD calculated on the basis of STC-established carrying capacity: 23,200 AUD.

Example	Lease Requirements		Calculations
	Acres/AU's	Days	
1	14	290	800 ÷ 14 x 290 = 16,571 AUD 23,200 - 16,571 = 6,629 Assigned AUD Note difference in acres only .
2	14	250	800 ÷ 14 x 250 = 14,286 AUD *--23,200 - 14,286 = 8,914 Assigned AUD Note difference in both acres and grazing days .
3	10	250	800 ÷ 10 x 250 = 20,000 AUD 23,200 - 20,000 = 3,200 assigned AUD--* Note difference in grazing days only .

195 Grazed Forage Provisions (Continued)

I Establishing Grazing Loss

--COC shall, with STC concurrence, establish the grazing loss percentage after the end of the grazing period on grazed forage acreage according to the following table.--

IF...	THEN the loss shall be determined based on...
<p>the producer has similar forage acreage on the same farm that was mechanically harvested as forage for which an approved yield has been calculated to determine loss under NAP for the acreage mechanically harvested as forage</p> <p>Important: Similar forage acreage means a similar crop, type, and practice with similar soil types, slope, and elevation that was managed in a similar manner and suffered a similar loss.</p> <p>If either of the following apply, the percentage loss of the acreage mechanically harvested as forage on the producer's farm shall not be used as similar acreage:</p> <ul style="list-style-type: none"> • perils that impacted the grazing acres were different than the perils that impacted the acreage mechanically harvested as forage on the producer's farm • disaster conditions that impacted the mechanically harvested acreage improved or worsened after the acreage was mechanically harvested as forage. 	<p>the percentage loss of the similar forage acreage on the producer's farm that was mechanically harvested as forage.</p> <p>*--Note: Grazed forage losses are collective losses determined throughout the grazing period to account for lost production for all natural disasters affecting the grazed forage. Therefore, the percentage of loss shall not be determined and payments shall not be issued for grazed forage until after the end of the grazing period.--*</p>

195 Grazed Forage Provisions (Continued)

I Establishing Grazing Loss (Continued)

IF...	THEN the loss shall be determined based on...
<p>the producer does not have similar forage acreage on the same farm that was mechanically harvested as forage for which an approved yield has been calculated to determine loss under NAP, but there are similar farms in the area that have similar forage acreage that was mechanically harvested as forage for which an approved yield has been calculated to determine loss under NAP</p> <p>Important: Similar forage acreage means a similar crop, type, and practice with similar soil types, slope, and elevation that was managed in a similar manner and suffered a similar loss.</p> <p>If either of the following apply, the percentage loss of the acreage mechanically harvested as forage on similar farms in the area shall not be used as similar acreage:</p> <ul style="list-style-type: none"> • perils that impacted the grazing acres were different that the perils that impacted the acreage mechanically harvested as forage • disaster conditions that impacted the acreage mechanically harvested as forage improved or worsened after the acreage was mechanically harvested as forage. 	<p>the percentage loss of the similar forage acreage from similar farms in the area that was mechanically harvested as forage.</p> <p>*--Note: Grazed forage losses are collective losses determined throughout the grazing period to account for lost production for all natural disasters affecting the grazed forage. Therefore, the percentage of loss shall not be determined and payments shall not be issued for grazed forage until after the end of the grazing period.--*</p>
<p>there is no similar forage acreage on the same farm, or similar farms in the area, that was mechanically harvested as forage for which an approved yield has been calculated to determine loss under NAP for the acreage mechanically harvested as forage</p>	<ul style="list-style-type: none"> • the percentage of loss as determined by 2 independent assessments, according to subparagraph J • STC concurrence with loss determination. <p>*--Note: Grazed forage losses are collective losses determined throughout the grazing period to account for lost production for all natural disasters affecting the grazed forage. Therefore, the percentage of loss shall not be determined and payments shall not be issued for grazed forage until after the end of the grazing period.--*</p>

195 Grazed Forage Provisions (Continued)

I Establishing Grazing Loss (Continued)

COC shall complete determinations of loss for different forage (annual versus perennial, etc.), using similar mechanically harvested losses or independent assessments of forage conditions, after the end of the grazing period when natural disaster events do not consistently impact all forage acreage. Where grazed forage consists of both annual and perennial vegetation and 1 suffers damage apart from the other, COC shall determine loss for the impacted vegetation separately. COC shall determine expected AUD on the basis of the carrying capacity and calculate AUD loss based on determined percentage of loss. COC shall summarize forage losses to determine overall AUD losses.

STC shall ensure that:

- an effective and cooperative working relationship with other Federal and State agencies and institutions is maintained at both the State and county level
- each County Office has access to sources that can provide 2 independent assessments of the grazed forage acreage conditions in the area that meet the requirements in subparagraph J
- 2 independent assessments meeting the requirements of subparagraph J are obtained by COC when there is no similar mechanically harvested acreage for forage on the farm or similar farms in the area for the crop year for which an approved yield has been calculated to determine loss under NAP

Note: COC's shall obtain 2 independent assessments of the grazed forage conditions in the area meeting the requirements in subparagraph J, for each crop year, when there are no similar mechanically harvested acreage for forage on the farm or similar farms in the area for which an approved yield has been calculated to determine loss under NAP.

- all independent assessments are:
 - documented according to subparagraph J and attached to the COC meeting executive minutes
 - performed by forage specialists not having a financial interest in the outcome of the assessment
- the percentage of loss determined by COC, based on 2 independent assessments from forage specialists, accurately reflects the loss of grazing potential in the area by:
 - reviewing COC determination of loss on grazed forage acreage when percent of loss is based on 2 independent assessments
 - thoroughly documenting review of COC determination and 2 independent assessments in STC meeting executive minutes.

195 Grazed Forage Provisions (Continued)

*--I Establishing Grazing Loss (Continued)

If STC:

- concurs with COC determination of percentage of loss on grazed forage acreage, notify COC of review and concurrence

- does **not** concur with COC determination:
 - remand determination to COC
 - clearly identify reasons for non-concurrence
 - instruct COC on how to determine loss percentage.

State Office shall review **all** COC determinations about establishment of grazing losses to ensure that the proper method was used to determine the loss percentage.--*

195 Grazed Forage Provisions (Continued)

J Independent Assessments of Grazed Forage Acreage Conditions

When there is no similar forage acreage on the same farm or similar farms in the area for which an approved yield has been calculated to determine loss under NAP, obtaining 2 independent assessments of the grazed forage acreage conditions is the **only** authorized method for determining a percentage of grazing loss in the area.

Both the independent assessments and the loss percentage established, based on the independent assessments, are applicable to all similarly situated producers. Therefore, neither the independent assessments nor the loss percentage established based on the independent assessments are appealable.

FSA has **no** authority to establish a grazing loss by any means other than the options provided in subparagraph I. Accordingly, if there is no similar acreage mechanically harvested as forage on the farm or similar farms in the area for which an approved yield was calculated to determine loss under NAP, and 2 independent assessments of the grazed forage acreage conditions in the area are **not** obtained:

- FSA will **not** be able to determine a percentage grazing loss in the area
- producers in the area will **not** be eligible for NAP benefits on grazed forage.

***--Important:** COC's shall obtain 2 independent assessments of the grazed forage conditions in the area meeting the requirements in this subparagraph, for each crop year, when there are no similar mechanically harvested acreage for forage on the farm or similar farms in the area for which an approved yield has been calculated to determine loss under NAP.--*

To be acceptable, **each** of the 2 independent assessments:

- **must** be completed by forage specialists having no financial interest in the outcome of the assessment from 1 of the following:
 - Federal, State, or local Government agency, such as NRCS, BLM, CSREES or State Land Departments
 - educational institutions, such as State land grant colleges
 - private organizations

195 Grazed Forage Provisions (Continued)

***--J Independent Assessments of Grazed Forage Acreage Conditions (Continued)**

- should include, at a minimum, both of the following:
 - identification of the assessor, such as name, address, telephone number, and affiliated institution, agency, or company
 - statement or chronological narration of the basis for the assessor's determinations, including statements or chronologies addressing spontaneous or progressive changes in grazing conditions.

Assessments of grazed forage acreage conditions completed by anyone other than a forage specialist **not** having a financial interest in the outcome of the assessment shall **not** be:

- accepted by FSA
- used to determine a percentage of grazing loss in the area.

The following do **not** meet the requirements of an independent assessment for NAP purposes and shall **not** be used to establish a percentage of grazing loss in the area:

- assessments completed by anyone who is **not** a forage specialist
- assessments completed by anyone who has a financial interest in the outcome of the assessment, including anyone who was paid to complete the assessment
- opinions and input from a group of representatives from agencies or institutions that may have some knowledge of the grazing conditions in the area
- assessments that do **not** meet the minimum level of documentation to support the assessment, including attaching assessments to COC executive minutes
- 1 assessor agreeing with the assessment completed by another assessor without conducting their own assessment.--*

195 **Grazed Forage Provisions (Continued)****K Establishing an Area**

When there is no similar mechanically harvested forage acreage on the farm and no similar farms in the area with similar forage acreage that was mechanically harvested as forage for which an approved yield was calculated to determine loss under NAP, the percentage of grazing loss **must** be determined by obtaining 2 independent assessments of the grazed forage acreage conditions in the area.

STC or COC may establish any of the following as an area for which the 2 independent assessments **must** be completed:

- entire county
- any part of a county that can clearly be delineated on a map, such as township boundaries, roads, rivers, or streams

Note: More than 1 part of a county may be established as an area; however, 2 independent assessments **must** be completed for each separate area.

- multiple counties within a State with similar forage types, soil types, topography, stocking rates, etc.

Note: COC authority is limited to those counties for which COC has decision making authority.

*--STC or COC shall **not** change an area for which the 2 independent assessments must be completed after the grazing period has begun.--*

STC or COC shall **not** establish any of the following as an area for which the 2 independent assessments **must** be completed:

- individual producer's farms or portion of their farms
- only the acreage impacted by a natural disaster.

Example 1: Some acreage in a county was burned by fire. STC or COC shall **not** establish the area for which the 2 independent assessments **must** be completed to be the burned acreage **only**.

Example 2: Some acreage in a county was flooded by a rainstorm. STC or COC shall **not** establish the area for which the 2 independent assessments **must** be completed to be the flooded acreage **only**.

Example 3: STC or COC shall **not** establish the area for which the 2 independent assessments **must** be completed to be only the farm or portion of a farm of an individual producer.

271 Continuity (Continued)

D Zero Acres Planted

Continuity is not broken when a producer certifies that zero acres of a crop were planted.

*--When a producer certifies zero crop acreage planted, "0" acres shall be recorded in the unit's APH database period.

Example: The producer's certifying a zero acreage report in 2013 does **not** cause continuity to be broken. The 2013 year is not considered an APH crop year because it is a zero acres planted year.

Year	Acreage Certified	APH Yield
2013	0	"blank"
2012	50	100
2011	50	100
2010	50	100
2009	50	100

Note: Beginning with the 2013 crop year, a zero acreage report is not required when a crop selected on CCC-471 is not planted. The FSA-578 certification statement includes a zero acreage certification for any crop not reported as planted.

Zero acres planted is applicable without regard to NAP coverage.--*

272-281 (Reserved)

Part 7 Notice of Loss**Section 1 CCC-576****401 Reporting Loss****A Overview**

CCC-576 documents:

- a producer's notice of loss or damage to a crop or commodity
- an explanation of what has been or will be done with the crop acreage or commodity
- a record of production
- an application for payment according to paragraph 502.

File and process CCC-576 according to the following:

- 2-CP, paragraph 24 for * * * prevented planted CCC-576's
- *--subparagraph B through G for low yield CCC-576's.

B Filing CCC-576, Part B, Notice of Loss--*

[7 CFR 1437.10] A notice of loss must be provided for:

- prevented planting claims, within 15 calendar days after the final planting date
- low yield claims and allowable value loss, the earlier of the following:
 - 15 calendar days after the damaging weather or disaster occurrence or date damage to *--the specific crop acreage or commodity is apparent to the producer for low yield claims
 - 15 calendar days after the normal harvest date.

An acreage report shall be filed for the total crop acres in CCC-576:

- item 7A for 2012 and prior years
- item 8C and/or 9D, as applicable, for 2013 and subsequent years.--*

Notice of loss must be provided:

- timely
- on CCC-576, Part B

401 Reporting Loss (Continued)

B Filing CCC-576, Part B, Notice of Loss (Continued)

- for each weather-related event or adverse natural occurrence that causes damage to or loss of a specific crop or commodity.

Notes: A separate CCC-576, Part B shall be filed for each weather-related event or adverse natural occurrence that causes damage to or loss of a specific crop or commodity.

For 2012 and prior years, a separate CCC-576, Part B is also required to be filed for each crop, type within a pay crop, and pay type grouping recorded, even when the same weather-related event or adverse natural occurrence affected multiple crops (Exhibit 43).

For 2013 and subsequent years, multiple crops can be entered as part of the same CCC-576, Part B, when the same weather-related event or adverse natural occurrence affected the crops or commodities (Exhibit 44).

C Late-Filed CCC-576, Part B

COC shall receive each CCC-576 and determine whether CCC-576, Part B for the crop or *-commodity has been filed according to subparagraph B. If CCC-576, Part B is determined filed beyond the period identified in subparagraph B, COC shall consider acceptable crops--* or commodities on CCC-576's that are filed at such time to permit:

- verification of the information on CCC-576, Part B by inspecting the specific acreage or crop involved
- COC or an authorized CCC representative the opportunity to determine, based on information obtained by inspection of the specific crop acreage or commodity, etc., that eligible disaster conditions, such as damaging weather or adverse natural occurrence as opposed to other factors, caused the claimed damage or loss.

Crops or commodities on CCC-576 **shall be denied** in each case where CCC-576, Part B is *-submitted beyond the period specified in subparagraph B and at a time that would not--* permit COC or an authorized representative the opportunity to inspect the specific crop acreage or commodity to verify the damage or extent of damage caused by the asserted disaster condition.

Note: The inspection must provide specific information about the damage or extent of damage to the specific crop acreage or commodity and not merely provide information on the existence of the crop acreage or commodity. The inspection must be completed within a reasonable amount of time to give the adjuster the opportunity to determine the percent of loss for that specific acreage or commodity.

401 Reporting Loss (Continued)**C Late-Filed CCC-576, Part B (Continued)**

In no case shall crops or commodities on CCC-576, Part B filed beyond the period *--identified in subparagraph B be determined acceptable unless the criteria in this subparagraph are met. STC's and COC's do **not** have authority to waive the requirement for a field inspection of CCC-576, Part B filed beyond the period identified in subparagraph B. COC--* shall document its findings on each crop or commodity on late-filed CCC-576.

Example: Producer late-filed CCC-576, Part B on January 15, claiming grazing loss because of drought. Snow fell on December 20, before field inspection was performed. In this case, COC cannot approve the late-filed CCC-576, Part B because drought condition cannot be verified by a field visit.

D Processing CCC-576, Part B

CCC-576, Part B shall:

- be completed by the producer or farm operator
- provide sufficient information for COC to determine that the claimed prevented planting or damage to specific crop acreage or commodity was the result of natural disaster as opposed to other circumstance
- **be date-stamped when received by the County Office**

Note: A photocopy of the date-stamped completed CCC-576 shall be given to the producer as evidence of filing.

- be reviewed and acted on by COC or a representative according to subparagraph E.

Note: County Office must publicize to all producers that a notice of loss will only be accepted on CCC-576.

401 Reporting Loss (Continued)**E Review of CCC-576, Part B**

*--COC, or CED if delegated authority exists, shall review each crop acreage or commodity on CCC-576, Part B and determine whether:

- notice of loss has been filed according to subparagraph A or B
- claimed disaster condition or period, in CCC-576, item 9 for 2012 (Exhibit 43), or item 6 for 2013 (Exhibit 44), appears reasonable and meets the definition of “natural disaster”--*
- a field visit is required to verify information on CCC-576 according to subparagraph F
- the producer has requested an appraisal of the damaged crop acreage to be abandoned or put to another use.

Note: COC may delegate authority to CED to act in Part C of CCC-576. This delegation shall be recorded in the COC minutes.

F Field Visits

Field visits need not be performed with each timely filing of CCC-576, Part B. A field visit need only be performed, to the extent practicable, within 5 calendar days of the date CCC-576, Part B is filed if:

•*--there is any question about the specific crop acreage or commodity, or claimed--* disaster condition, including, but not limited to:

- the amount of acreage, or inventory for value loss crops
- whether the claimed loss or prevented planting condition occurred as claimed or whether the loss or damage was the result of natural disaster

502 Application for Payment (Continued)

C Late-Filed CCC-576's (Continued)

COC shall immediately notify the producer in writing that:

- the application was not filed timely
- assistance cannot be paid.

Note: The letter advising any producer that CCC-576 cannot be paid shall include the basis for the determination and a right of reconsideration according to 1-APP. The right of reconsideration is limited to providing facts and evidence that CCC-576 was filed timely.

503 Amount of Assistance

A Amount of NAP Assistance

See paragraph 26 for information on the amount of NAP assistance available for a qualifying loss.

B Average Market Price

STC-approved average market prices shall be used to calculate NAP assistance.

Exception: See subparagraph 183 I for ornamental nursery.

STC shall establish average market prices according to paragraph 108.

C AUD Value

The applicable DAFP-established AUD value in the following table will be used to compute payments for losses of forage intended to be grazed.

Crop Year	AUD Value
2001	\$0.6787
2002	\$0.6599
2003	\$0.5772
2004	\$0.5374
2005	\$0.5304
2006	\$0.5746
2007	\$0.5950
2008	\$0.6359
2009	\$0.7034
2010	\$0.8415
2011	\$1.0095
2012	\$1.1053
2013	\$1.2560
--2014	\$1.4130--

503 Amount of Assistance (Continued)

D Payment Factors

[7 CFR 1437.11] STC-approved payment factors shall be used to calculate NAP assistance. STC shall establish payment factors according to paragraph 109.

When calculating a payment for a unit's qualifying loss, the STC-approved:

- prevented planting payment factor shall be applied to any eligible prevented planted acreage for payment
- unharvested payment factor shall be applied to:
 - crop acreage planted but not harvested
 - any value loss crop's qualifying loss computed for payment

Exceptions: See subparagraph:

- *--182 M for aquaculture--*
- 183 K for ornamental nursery.
- any loss of turfgrass sod
- any loss of honey
- any loss of maple sap when the producer suffers a total loss of harvested production
- blueberry crop acreage:
 - not harvested
 - harvested by an individual or entity whose charge for harvest was based on the amount of blueberry production.

Note: For each CCC-576 involving blueberries, the applicant shall certify:

- whether the producer performed the producer's own harvest of blueberries, or whether blueberry harvest was performed by another individual or entity
- the basis for harvest expenses, such as cents per pound, dollars per acre, etc., if the producer contracted with another individual or entity to have blueberries harvested.

752 Rollover Process (Continued)

B Initial Download Process (Shell Records) (Continued)

--The following NCT data from the current crop year data is rolled to the subsequent crop-- year data for shell records. The status code for a rolled record is "R".

Crop Year Data	
Crop Type	Final Planting Date
Crop Code	Acreage Reporting Date
Practice Code	Normal Harvest Date
Planting Period	Application Closing Date
Intended Use	Graduated Price Code
County Code	

C * * * Rollover

--All current crop year data is rolled to the subsequent year NCT regardless of an approval flag to expedite the crop table process. The following crop data will be included in NCT-- rollover with the option to change the following:

- practice code
- graduated price code
- planting period
- acreage reporting date
- normal harvest date
- final planting date
- application closing date
- prevented factor
- unharvested factor
- historical yield and price data
- acres per animal unit
- grazing days
- unit of measure.

752 Rollover Process (Continued)

D Historical Data

For 2001 NCT, an exception was made to not require historical data to be loaded before approving a crop record. For subsequent years, historical data must be entered in at least 1 year through the most current crop data year before approving the crop record.

Notes: For 2001, 2002, and 2003, NCT data can only be viewed.

For 2004 NCT, price and yield crop data for 1997 through 2002 will be displayed. The 1997 price and yield data will not be accessible to State and County Offices. However, State Offices will be able to update historical data previously loaded in the 2003 NCT for crops 1998 through 2001.

For 2005 NCT, price and yield crop data for 1998 through 2003 will be displayed. The 1998 price and yield data will not be accessible to State and County Offices. However, State Offices will be able to update historical data previously loaded in the 2004 NCT for crops 1999 through 2002. Historic data must be entered in at least crop data year 2003 when no other crop data is available. If historic data was entered in any previous years, historic data for all subsequent years is required.

For 2006 NCT, price and yield crop data for 1999 through 2004 will be displayed. The 1999 price and yield data will not be accessible to State and County Offices. However, State Offices will be able to update historical data previously loaded in the 2005 NCT for crops 2000 through 2003.

Example: Historic data has been entered for 2000; therefore, historic data must be entered for 2001, 2002, and 2003.

E Acres Per Animal Unit/Grazing Days

With the exception of the AUD value and year, the NCT rollover process will consist of all data previously established by STC. For 2001 the AUD value was not defaulted. For 2002 and subsequent years, the NCT rollover process will update the AUD value according to subparagraph 503 C.

Note: The AUD value for:

- 2006 is \$0.5746
- 2007 is \$0.5950
- 2008 is \$0.6359
- 2009 is \$0.7034
- 2010 is \$0.8415
- 2011 is \$1.0095
- 2012 is \$1.1053
- 2013 is \$1.1053
- *--2014 is \$1.4130.--*

773 Rollover Process (Continued)

D Historical Data

Historical data **must** be entered in at least 1 year through the most current crop data year **before** approving the crop record.

For 2009 NCT, price and yield crop data for 2002 through 2007 will be displayed when viewing the record. The 2002 price and yield data is for informational purposes **only** and will not be accessible for modification by State and County Offices. However, State Offices will be able to update historical data previously loaded in the 2008 or prior year NCT for crop years 2006 and earlier. If historic data was entered in any previous years, historic data for all subsequent years is required.

Example: Historic data has been entered for 2004; therefore, historic data **must** be entered for 2005, 2006, and 2007.

E Acres Per AUD

With the exception of the AUD value and year, the NCT rollover process will consist of all data previously established by STC. The NCT rollover process will update the AUD value according to subparagraph 503 C.

Notes: The 2008 AUD value is \$.6359.
 The 2009 AUD value is \$.7034.
 The 2010 AUD value is \$.8415.
 The 2011 AUD value is \$1.0095.
 The 2012 AUD value is \$1.1053.
 The 2013 AUD value is \$1.2560.
 --The 2014 AUD value is \$1.4130.--

774 NCT Process

A Forage Crops

When a producer intends a crop to be mechanically harvested, but the actual use of the crop acreage is completely grazed, the loss calculation for the acreage grazed will be determined using AUD's unless an appraisal is used according to subparagraph 194 F. To ensure that records are available for the proper forage calculation on the application for payment, NCT requires a grazing record to be dataloaded with NAP data **before** a forage crop intended for forage and some forage crops intended for seed can be data loaded with NAP data. Even though some crops, such as alfalfa, may **not** normally be grazed, even in a drought year, State Offices are required to establish the acres per animal unit for the crop.

774 NCT Process (Continued)

A Forage Crops (Continued)

These grazing records **must** be established for each practice; that is, irrigated or nonirrigated.

Example: If there is an irrigated forage record, there **must** be an irrigated grazing record.

***--Notes:** This requirement is for NAP data only, as grazing is not an eligible intended use for SURE. If the loaded record only contains the data elements required for SURE, a forage record may be loaded without an accompanying grazing record.--*

A grazing record will only be required for small grains if the intended use is forage. Intended uses of seed and grain for small grains do **not** require a grazing record to be entered.

--For alfalfa mix, a grazing record with all required NAP data **must** exist **before-- entering a record for seed and forage intended uses.**

B Warm and Cool Season Forage Designations

States that establish warm and cool season grasses can load a grazing record for planting period 02 for warm season grasses and it will match the mechanically harvested forage record (planting period 01) on the crop table. Payment software will process a mechanically harvested forage crop (planting period 01) as long as there is a grazing record regardless of a planting period (could be planting period 01 or 02).

C NCT Options

After selecting a crop year according to subparagraph 771 C and entering eAuthentication information, the following Main Menu will be displayed to show available NCT options respective to the user’s level of authorization.



Note: Specific procedure for each option can be found in:

- paragraph 776 for County Office users
- paragraph 777 for State Office users
- paragraph 778 for National Office users.