

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

**Noninsured Crop Disaster Assistance  
Program for 2015 and Subsequent Years  
1-NAP (Revision 2)**

**Amendment 3**

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



**Amendment Transmittal**

**A Reasons for Amendment**

Subparagraph 804 I has been amended to ensure that grazing loss percentages determined by COC are consistent along State borders with similar weather conditions and crop characteristics when the bordering county or area has similar forage types, topography, altitudes, land mix, production capabilities, etc.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
	12-47, 12-48	



## 804 Grazed Forage Provisions (Continued)

## I Establishing Grazing Loss (Continued)

- all independent assessments and/or other alternative collective loss percentage methods for determining grazed forage loss are:
  - documented according to subparagraph J are attached to the COC meeting executive minutes
  - performed by forage specialists, LA's, or others approved by DAFP to be qualified to assess grazed forage loss **not** having a financial interest in the outcome of the assessment or determined collective loss percentage
- the percentage of loss determined by COC, based on 2 independent assessments from forage specialists, or other alternative methods of determining collective loss percentages 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 or other collective loss percentage methods approved and determined appropriate by DAFP
  - thoroughly documenting review of COC determination and 2 independent assessments or other collective loss percentage methods approved and determined appropriate by DAFP in STC meeting minutes
- \*--grazing loss percentages determined by COC are consistent along State borders with similar weather conditions and crop characteristics when the bordering county or area has similar forage types, topography, altitudes, land mix, production capabilities, etc. Differences will be mitigated or justification documented in STC minutes.--\*

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

## 804 Grazed Forage Provisions (Continued)

**J Independent Assessments of Grazed Forage Acreage Conditions or Alternative Methods for Determining Grazed Forage Acreage Conditions**

When there is no similar forage acreage on the same unit or similar units 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 preferred, authorized method for determining a percentage of grazing loss in the area. However, if 2 independent assessments of grazed foraged acreage conditions **cannot** be obtained, other alternative collective loss percentage methods for determining a percentage of loss in the area may be used if approved and determined appropriate by DAFP.

The independent assessments, alternative methods for establishing collective loss percentages, loss percentage established based on the independent assessments and/or approved alternative methods for establishing loss, are applicable to all similarly situated producers. Therefore, neither the independent assessments and/or alternative methods for establishing collective loss percentages, nor the loss percentage established based on the independent assessments or alternative methods for establishing collective loss, are appealable.

FSA has **no** authority to establish a grazing loss by any means other than the options provided in this subparagraph. Accordingly, if there is no similar acreage mechanically harvested forage on the unit or similar units in the area for which an approved yield was calculated to determine loss under NAP, and 2 independent assessments in the area are **not** obtained nor collective loss percentages established based on 1 of the approved alternative methods approved and determined appropriate by DAFP:

- 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 **must** obtain 2 independent assessments of the grazed forage conditions in the area meeting the requirements in this subparagraph, for each crop year, when no similar mechanically harvested acreage for forage on the unit or similar units in the area for which an approved yield has been calculated to determine loss under NAP. If 2 independent assessments **cannot** be obtained, collective loss **must** be determined using an alternative method approved and determined appropriate by DAFP according to this subparagraph.