

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

Livestock Disaster Assistance Programs
1-LDAP

Amendment 5

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Background

Subparagraph 41 A has been amended to provide:

- disease that is preventable by implementing and following acceptable management practices, such as vaccinations, shall not be considered an eligible cause of livestock death loss under LIP
- a list of eligible adverse weather events for LIP.

Subparagraph 73 E has been amended to provide that participants must also provide verifiable documentation of livestock deaths that the participant claimed died because of normal mortality on FSA-914.

Subparagraph 73 F has been amended to provide that if adequate verifiable proof of death records documentation is not available, including proof of death for normal mortality, the participant may provide reliable records in conjunction with verifiable beginning and ending inventory records, as proof of death for normal mortality.

Subparagraph 73 G has been amended to provide that the participant may use third party certification to provide proof of death of normal mortality if verifiable or reliable records as proof of death are not available according to subparagraphs 73 E or F using FSA-926.

Subparagraph 76 A has been amended to clarify that:

- the entry in item 17 should be the number of livestock that died because of normal mortality before, on, or after the date of the first adverse weather event referenced in item 12
- the producer shall provide documentation to the County Office to support livestock deaths that occur because of normal mortality.

Amendment Transmittal (Continued)

A Background (Continued)

Subparagraph 171 E has been amended to provide that the livestock had to 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.

Subparagraph 171 N has been amended to provide 2008 equitable relief provisions.

Subparagraph 171 O has been amended to provide equitable relief provisions for 2009 and subsequent years.

Subparagraph 202 A has been amended to clarify that AU's for each specific animal type are to be converted to an AU equivalent according to Exhibit 16.

Paragraph 203 has been added to provide procedure for FSA-925-1's.

Exhibit 13 has been added to provide procedure for preventing improper payment under LFP that includes using CCC-770 ELIG 2002's, CCC-770 ELIG 2008's, and FSA-770 LFP's.

Page Control Chart		
TC	Text	Exhibit
1-4	1-1 2-33 through 2-38 2-79 through 2-86 2-107, 2-108 4-35, 4-36 4-43, 4-44 4-44.5 through 4-44.8 (add) 4-45 through 4-70 4-77, 4-78 4-81 through 4-110 4-115 through 4-118 4-129, 4-130 4-133 4-134 (add) 4-135 through 4-148 (add) 4-149 (add)	1, pages 1, 2 13, pages 1-4 (add) 16, page 1

Table of Contents

Page No.

Part 1 Basic Information

1	Handbook Purpose and Coverage.....	1-1
2-20	(Reserved)	

Part 2 LIP

Section 1 Basic LIP Provisions

21	General Information.....	2-1
22	Responsibilities.....	2-2
23	Definitions for LIP.....	2-9
24-39	(Reserved)	

Section 2 Policy and Procedure

40	Signup Period.....	2-31
41	Eligibility Criteria.....	2-33
42	Payment Rates, Limitations, and Reductions	2-44
43	General Payment Information.....	2-50
4-70	(Reserved)	
71	Applying for Benefits	2-71
72	Notice of Loss	2-72
73	Application for Payment.....	2-73
74	FSA-926, Livestock Indemnity Program Third Party Certification	2-87
75	Acting on FSA-914.....	2-94
76	FSA-914, Livestock Indemnity Program Application.....	2-100
77	FSA-915, Estimated Livestock Indemnity Program (LIP) Lost Calculation Worksheet.....	2-112
78-90	(Reserved)	

Part 3 (Reserved)

91-159 (Reserved)

Table of Contents

Page No.

Part 4 LFP

Section 1 Basic LFP Information

160	General Information.....	4-1
161	Responsibilities.....	4-2
161	Definitions for LFP.....	4-8
163-169	(Reserved)	

Section 2 Policy and Procedure

170	Signup Period.....	4-31
171	Eligibility.....	4-32
172-180	(Reserved)	

Section 3 Payment Rates, Limitations, and Reductions

181	Payment Rates, Limitations, and Reductions.....	4-71
182	Drought Payment Calculation.....	4-74
183	Drought Fire Payment Calculation.....	4-77
184	General Payment Information.....	4-78
185-199	(Reserved)	

Section 4 Applying for Benefits

200	Applying for Benefits.....	4-111
201	Acting on FSA-925.....	4-119
202	FSA-925, Livestock Forage Disaster Program Application.....	4-123
203	FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet.....	4-134
204-230	(Reserved)	

Table of Contents

Page No.

Part 5 ELAP

Section 1 Basic ELAP Information

231	General Information.....	5-1
232	Responsibilities.....	5-3
233	Definitions for ELAP.....	5-8
234-240	(Reserved)	

Section 2 Policy and Procedure

241	Signup Period.....	5-21
242	Eligibility Criteria.....	5-23
243-250	(Reserved)	

Section 3 Livestock Eligibility Criteria

251	Livestock Eligibility.....	5-57
252	Livestock Payment Rates, Payment Calculations.....	5-66
253-260	(Reserved)	

Section 4 Honey Bee Eligibility Criteria

261	Honey Bee Eligibility.....	5-101
262-270	(Reserved)	

Section 5 Farm-Raised Fish Eligibility Criteria

271	Farm-Raised Fish.....	5-131
272-280	(Reserved)	

Section 6 Payment Limitation and Reductions

281	Payment Rates, Limitations, and Reductions.....	5-159
282	General Payment Information.....	5-161
283-293	(Reserved)	
294	Applying for Benefits.....	5-195
295	Notice of Loss.....	5-196

Table of Contents

Page No.

Part 5 ELAP (Continued)

Section 6 Payment Limitation and Reductions (Continued)

296	Application for Payment.....	5-197
297	Acting on FSA-918 or FSA-930.....	5-203
298	FSA-918, Emergency Loss Assistance for Livestock Application.....	5-207
299	FSA-930, Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application.....	5-222

Exhibits

1	Reports, Forms, Abbreviations, and Redelegations of Authority
2	Definitions of Terms Used in This Handbook
3-6	(Reserved)
7	Producer Notification of Spot Checks of LIP
8	National Normal Mortality Rate Table
9	FSA-770 LIP, Livestock Indemnity Program Checklist
10-12	(Reserved)
13	FSA-770 LFP, Livestock Forage Disaster Program Checklist
14, 15	(Reserved)
16	Standard AU Conversion Chart

Part 1 Basic Information

1 Handbook Purpose and Coverage

A Handbook Purpose

This handbook has been issued to provide procedure for livestock programs implemented by DAFP, through PECD.

B Related Handbooks

Handbooks related to programs provided in this handbook include the following:

- 1-APP for appeals
- 1-CM for signatures, power-of-attorney, and name and address files
- *--2-CP for filing and revising acreage reports--*
- 6-CP for conservation compliance
- 7-CP for finality rule provisions
- 1-FI for direct deposits
- 3-FI for deleting incorrect program codes on automated CCC-257's
- 58-FI for claims and withholdings
- 61-FI for prompt payment information
- 63-FI for assignments and joint payments
- 64-FI for establishing and reporting claims in the Automated Claims System
- 67-FI for establishing and reporting debts in CRS
- 2-INFO for providing information to the public
- 1-PL for "person" and average AGI provisions for 2008
- 2-PL for updating subsidiary information in the System 36
- 3-PL for updating subsidiary information in the web-based system
- 4-PL for "direct attribution" and average AGI provisions for 2009 and subsequent years.

C Sources of Authority

This handbook provides procedure for multiple livestock programs. The programs are separated by part in this handbook. See the applicable part for the source of authority and regulations for a specific program.

2-20 (Reserved)

41 Eligibility Criteria

A Eligible Adverse Weather Event

To be considered eligible to receive benefits under LIP, livestock **must** have died in excess of normal mortality as a direct result of an eligible adverse weather event as follows:

- on or after January 1, 2008, and before October 1, 2011
- no later than 60 calendar days from the ending date of the applicable eligible adverse weather event
- in the calendar year for which benefits are being requested.

Exception: Drought is **not** an eligible adverse weather event **except** when associated with anthrax, a condition that occurs because of drought and results in the death of eligible livestock.

State Offices are responsible for establishing eligibility criteria for livestock deaths because of extreme heat and extreme cold. STC shall ensure that COC thoroughly documents each case to ensure that:

- in fact the cause of loss was because of extreme heat or extreme cold
- management decisions were not the cause of loss
- the extreme heat or extreme cold was such an abnormality that it could reasonably cause the deaths.

Livestock deaths because of insufficient or contaminated water or feed during a drought are considered to be the result of management decisions and are not eligible for LIP.

Exception: Drought is **not** an eligible adverse weather event **except** when associated with anthrax, a condition that occurs because of drought and results in the death of eligible livestock.

41 Eligibility Criteria (Continued)**A Eligible Adverse Weather Event (Continued)**

Participants that apply for livestock deaths that are caused by disease are required to provide documentation to support how disease was accelerated or exacerbated by an eligible adverse weather event before COC approves the LIP application. Diseases that can be prevented by implementing and following acceptable management practices, such as vaccination, shall not be considered an eligible cause of livestock death loss under LIP.

Notes: Livestock losses that are not weather related are not eligible for LIP.

Blackleg is a highly fatal disease of young cattle caused by, for example, the spore-forming, rod-shaped, gas-producing bacteria *Clostridium chauvoei*. Blackleg is almost entirely preventable by vaccination; therefore, blackleg is **not** an eligible cause of livestock death loss under LIP.

The eligible adverse weather events have been further defined to include anthrax, blizzards, disease, if accelerated or exacerbated by another eligible adverse weather event, earthquake, extreme cold, extreme heat, floods, hail, hurricanes, lightning, tornado, tropical storm, typhoon, wild fire, and winter storm.

B Eligible Livestock for Owners

To be eligible livestock for owners under LIP, the livestock must meet all of the following:

- been owned by an eligible livestock owner on the day the livestock died
- been maintained for commercial use as part of a farming operation on the day the livestock died
- died as a direct result of an eligible adverse weather event:
 - on or after January 1, 2008, but before October 1, 2011, and
 - no later than 60 calendar days from the ending date of the applicable eligible adverse weather event, but before October 1, 2011, and
 - in the calendar year for which benefits are being requested
- before dying, not have been produced or maintained for reasons other than commercial use as part of a farming operation, such as but not limited to, recreational purposes, pleasure, hunting, roping, pets, or for show

41 Eligibility Criteria (Continued)**B Eligible Livestock for Owners (Continued)**

- been 1 of the following, as defined in paragraph 23:
 - adult or nonadult beef cattle
 - adult or nonadult beefalo
 - adult or nonadult buffalo
 - adult or nonadult dairy cattle
 - elk
 - alpacas
 - deer
 - emus
 - equine animals
 - goats
 - llamas
 - poultry, including egg-producing poultry
 - reindeer
 - sheep
 - swine

Important: If an animal was pregnant at the time of death, only the pregnant animal that died is eligible for payment under LIP. The unborn animal is **not** considered eligible livestock under LIP.

See paragraph:

- 23 for definitions of eligible livestock, commercial use, and farming operation
- 42 for further delineation of eligible livestock by payment rate.

C Eligibility for Newborn or Stillborn Animals

Animals that were born at a normal full-term or near full-term shall qualify for LIP if both of the following apply:

- the death was the direct cause of the eligible adverse weather event
- the birth produced a fully developed carcass that normally would have survived under normal weather conditions.

Note: Animals that died before they reached full-term or near full-term and would not normally survive under normal conditions do not qualify for LIP benefits.

41 Eligibility Criteria (Continued)

D Eligible Livestock for Contract Growers

To be eligible livestock for contract growers under LIP, the livestock must meet all of the following:

- been in the possession of an eligible contract grower on the day the livestock died
- been maintained for commercial use as part of a farming operation on the day the livestock died
- ***--Note:** Food, Conservation, and Energy Act of 2008, Section 901(c) limits payments to eligible producers **on farms** that have incurred livestock death losses in excess of normal mortality.--*
- died because of an eligible adverse weather event:
 - on or after January 1, 2008, but before October 1, 2011, and
 - no later than 60 calendar days from the ending date of the applicable eligible adverse weather event, but before October 1, 2011, and
 - in the calendar year benefits are being requested
- been 1 of the following, as defined in paragraph 23:
 - poultry, including egg-producing poultry
 - swine.

See paragraph:

- 23 for definitions of eligible livestock, commercial use, and farming operation
- 42 for further delineation of eligible livestock by payment rate.

Note: The contract grower **shall** provide a copy of the grower contract to the administrative FSA County Office to prove that the participant had possession of the livestock on the day the livestock died.

41 Eligibility Criteria (Continued)

E Ineligible Livestock

Animals **not** eligible for LIP include, but are not limited to, the following:

- livestock produced or maintained for reasons other than commercial use as part of a farming operation, including, but not limited to, recreational purposes, such as:
 - consumption by owner
 - hunting
 - pets
 - pleasure
 - roping
 - show

Example 1: Sam Smith owns 5 horses, 2 beef steers, and 3 goats. Mr. Smith maintains the horses for pleasure riding and fox hunting, and maintains the goats as pets for his children. He maintains the beef steers to be consumed by his family. Accordingly, Mr. Smith does not maintain any of the livestock for commercial use as part of a farming operation. All of the animals died because of a blizzard, an eligible adverse weather event.

Because none of Mr. Smith's livestock is maintained for commercial use as part of a farming operation, the animals are **not** eligible livestock for LIP purposes.

Example 2: Joe Johnson owns 5 horses which he uses to pull hansom cabs in the tourist district of the local city. The hansom cabs are Mr. Johnson's business activity he engages in as a means of livelihood for profit.

However, because the horses are not maintained as part of a farming operation, they are not eligible livestock for LIP purposes.

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, including the bucks that are sold to hunting preserves, as a means of livelihood for profit; therefore, the deer are maintained for commercial use. However, they also must be maintained as part of a farming operation.

The County Office must determine whether Mrs. Black's deer business, including the bucks, 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.

41 Eligibility Criteria (Continued)

E Ineligible Livestock (Continued)

Example 4: Juan Ortega, President of ABC Bank, owns 50 percent interest in a pen of 100 head of nonadult beef cattle weighing more than 900 pounds located in Caprock Feeders Feedlot. The livestock are being fattened in the feedlot for commercial use; however, Mr. Ortega does not have interest in a farming operation.

Because none of Mr. Ortega's cattle are maintained as part of a farming operation, the animals are **not** eligible livestock for LIP purposes.

Example 5: Cactus Feeders Feedlot owns 100 percent interest in multiple pens of nonadult beef cattle weighing more than 900 pounds located in Cactus Feeders Feedlot. Cactus Feeders Feedlot is fattening the cattle in the feedlot for commercial use; however, Cactus Feeders Feedlot does not have an interest in a farming operation.

Because none of Cactus Feeders Feedlot cattle are maintained as part of a farming operation, the animals are **not** eligible livestock for LIP purposes.

- catfish
- crawfish
- ostriches
- pheasants
- quail
- stillborn livestock, except as provided in subparagraph C
- unborn livestock

Example: A pregnant adult beef cow died before the birth of the calf. Only the pregnant cow may be considered eligible for payment. The unborn calf is **not** eligible livestock.

- yaks
- any wild free roaming livestock, including equine and deer
- *--any animals not included in subparagraphs A, B, C, or D.--*

73 Application for Payment (Continued)

D Printing and Reviewing Automated FSA-914 (Continued)

Important: The individual conducting the second party review shall not be the same individual who entered the data into the automated system.

E Proof of Death

When FSA-914 is submitted, participants must provide **verifiable** documentation of ~~livestock deaths claimed on FSA-914, including livestock that the participant claims died because of normal mortality.~~ Adequate documentation must be provided that proves the death of eligible livestock occurred as a direct result of an eligible adverse weather event in the calendar year for which benefits are being requested, including deaths because of normal mortality.~~--*~~

The documentation must provide sufficient data that identifies the quantity and the livestock kind/type and weight range. Documents providing verifiable evidence may include, but are not limited to, any or a combination of the following:

- rendering truck receipts or certificates
- FEMA records
- National Guard records
- veterinary records
- records assembled for tax purposes
- private insurance documents
- written contracts
- bank or other loan documents
- purchase records
- productions records
- property tax records.

Note: In addition, livestock contract growers must provide a copy of their grower contract.

73 Application for Payment (Continued)

F Producer Records

-If adequate verifiable proof of death records documentation is not available, including proof of death for normal mortality, the participant may provide reliable records, in conjunction-- with verifiable beginning and ending inventory records, as proof of death.

See subparagraph H for verifiable documentation of inventory.

Reliable records may include, but are not limited to:

- contemporaneous producer records existing at the time of the event
- pictures with a date
- brand inspection records
- dairy herd improvement records
- other similar reliable documents.

73 Application for Payment (Continued)

G Third Party Certifications

--If a participant is unable to provide verifiable or reliable records as proof of death, including proof of death for normal mortality, according to subparagraphs E or F, the participant-- may use a third party certification as proof of death.

County Office and COC general knowledge of adverse weather in the area is **not** acceptable as third party certification under any circumstance.

*--CED shall provide a written monthly report to DD indicating the number of third party certifications reviewed and approved/disapproved.

Third party certification of livestock deaths, including livestock deaths because of normal mortality, may be accepted **only when all** of the following are met:--*

- livestock owner or contract grower, as applicable:
 - completes FSA-926 according to paragraph 74 and certifies to **all** of the following:
 - no other form of proof of death is available
 - number of livestock, by category, in inventory when the deaths occurred
 - physical location of livestock, by category, in inventory when the deaths occurred
 - provides verifiable documentation that supports the reasonableness of the number of livestock in inventory when the deaths occurred, as certified by participant according to subparagraph H

Important: See subparagraph H for verifiable documentation of inventory.

- third party completes and certifies on FSA-926 according to paragraph 74 to **all** of the following:
 - specific details about how the third party has knowledge of the animal deaths
 - the affiliation of the third party

Note: The third party must be an independent source who is **not affiliated** with the farming operation such as a hired hand and is not a “family member” defined as a person whom a member in the farming operation or their spouse is related as lineal ancestor, lineal descendant, sibling, or spouse.

- telephone number and address of the third party

73 Application for Payment (Continued)

G Third Party Certifications (Continued)

- number and kind/type and weight range of participant's livestock that died because of the eligible adverse weather event
- any other details necessary for COC and DD to determine that the certification is acceptable.

COC reviews the participant's and third party's certification on FSA-926 and determines all of the following:

- documents provided as evidence of livestock inventory are acceptable
- livestock inventory is reasonable based on documents provided
- claimed losses are reasonable
- third party is a reliable source in a position to have knowledge of loss
- certifications of participant and third party meet all requirements.

Important: COC shall approve or disapprove the participant and third party certifications when review is complete, and document review in the COC minutes.

Example: Jane Doe completes FSA-914 certifying 15 head of adult beef cows and 25 nonadult beef cattle under 400 pounds died because of adverse weather.

Mrs. Doe completes FSA-926 indicating she has no proof of death of the cows and calves because they all drowned when a flash flood covered parts of their pastures, and none of the carcasses were ever located.

Mrs. Doe signs and dates FSA-926 indicating no proof of death is available because the livestock claimed on FSA-914 drowned, and no carcasses were ever located. She also certifies on FSA-926 that when the flash flood occurred she had 200 head of adult beef cows and 180 head of nonadult beef cattle under 400 pounds in the pasture where the deaths occurred. As evidence of the beginning inventory, Mrs. Doe submits copies of bank loan documents for the purchase of 180 beef cows, purchase receipts for a total of 193 beef cows, and veterinary records indicating she had 185 beef calves wormed in July 2008. Mrs. Doe certifies on FSA-926 that she cannot locate the purchase receipts for the remaining 7 head of beef cows; however, she purchased them at the local county livestock auction in May 2007. Mrs. Doe certifies on FSA-926 that all the beef cows and calves in inventory when the animals drowned were physically located in fields 5, 6, and 7 on tract 1093 of FSN 458 in Jefferson County.

Mike Green, Mrs. Doe's neighbor, completes FSA-926 certifying that he has knowledge of the livestock deaths claimed by Mrs. Doe because his cattle are located in the pasture adjacent to Mrs. Does', and he witnessed the flash flood cover the area, and cattle being drowned before they could be safely rescued. After reviewing FSA-914, Mr. Green certifies on FSA-926 that he believes the information provided on FSA-914 is true and correct.

73 Application for Payment (Continued)

G Third Party Certifications (Continued)

COC reviews Mrs. Doe's FSA-914, and FSA-926 provided by Mrs. Doe and Mr. Green, and the documents provided by Mrs. Doe to support the beginning inventory numbers. Based on the information provided, COC requests Mrs. Doe contact the local livestock auction company where the beef cows were purchased and request a copy of the purchase report or receipts.

After obtaining a purchase report from the local auction company indicating Mrs. Doe did purchase 7 beef cows in May 2007, COC determines the evidence of livestock inventory at time of the livestock deaths, and claimed livestock deaths are reasonable based on the information provided on FSA-926 and according to subparagraph H.

COC signs, dates, and approves FSA-926 provided by Mrs. Doe and Mr. Green, and documents the review in the COC minutes during the meeting in which Mrs. Doe's FSA-914 is approved by COC.

73 Application for Payment (Continued)

H Proof and Reasonableness of Livestock Inventory

Livestock owners and livestock contract growers that cannot provide verifiable *--documentation of proof of death, including proof of death because of normal mortality,--* according to subparagraph E must provide verifiable documentation of their livestock inventory when the deaths occurred according to this subparagraph.

Documents that may provide verifiable evidence of livestock inventory include, but are **not** limited to, any or a combination of the following:

- veterinary records
- canceled check documentation
- balance sheets
- inventory records used for tax purposes
- loan records
- bank statements
- farm credit balance sheets
- property tax records
- brand inspection records
- sales and purchase receipts
- private insurance documents
- chattel inspections.

Important: Previous FSA or FSA livestock program documents that were subject to spot check, such as 2005-2007 LCP:

- may provide the number of certain animal types that may be used as a starting point for determining the livestock inventory when the deaths occurred
- shall **not** be used as the **only** source of evidence of livestock inventory.

73 Application for Payment (Continued)

H Proof and Reasonableness of Livestock Inventory (Continued)

Example: John Brown certified to 125 head of adult beef cows on his FSA-approved 2007 LCP application. The 125 head of adult beef cows certified on the 2007 LCP application may be used in combination with purchase and sales reports, birth and death records, and other verifiable documents providing evidence of beef cattle for Mr. Brown to determine the beef cattle inventory when the deaths occurred. However, the 2007 LCP application data by itself is **not** sufficient evidence of livestock inventory when the deaths occurred in 2009.

Note: None of the documents listed in this subparagraph, by themselves, may be sufficient evidence to determine the reasonableness of the number of livestock in inventory when the deaths occurred. COC's shall ensure that the documents submitted by participants provide verifiable evidence that supports the reasonableness of the number of livestock inventory when the deaths occurred, as certified by the participant.

COC's shall determine the reasonableness of the livestock inventory and claimed losses using the following guidelines, when appropriate, for calving, farrowing, and kidding:

- 90 percent calving rate
- 103 to 105 percent for sheep
- 150 to 180 percent kidding rate
- 8.5 pigs per litter farrowing rate.

Example: A participant reports a livestock inventory of 150 beef cows, 5 beef bulls, and 155 beef calves when the deaths occurred. The normal calving rate would yield 135 (150 times 90 percent) calves. Based on the normal calving rate, 155 calves for 150 cows does not appear reasonable. COC should question the livestock inventory if it is not supported by verifiable documentation.

73 Application for Payment (Continued)**I Supporting Documents**

All supporting documents must be completed by the participant and on file in the County Office:

- no later than 30 calendar days after the end of the calendar year for which benefits are requested
- before FSA-914 may be approved.

Supporting documents include, but may not be limited to, the following:

- CCC-901 applicable for 2009 and subsequent years
- AD-1026 applicable for 2008, 2009, 2010, 2011
- CCC-526 or other acceptable document according to 1-PL to determine compliance with average AGI provisions for 2008
- CCC-926 or other acceptable document according to 4-PL to determine compliance with average AGI provisions for 2009 and subsequent years
- proof of death documentation
- copy of contract growers contracts
- *--proof of normal mortality documentation.--*

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item	Instruction
16	<p>Enter the number of head of livestock by kind/type and weight range that died because of the adverse weather event referenced in item 12.</p> <p>An entry in this field is always required when there is a loss in a particular kind, type, and weight range of livestock.</p> <p>Notes: Livestock must have died on or after January 1, 2008, and before October 1, 2011, but no later than 60 calendar days from the ending date of the adverse weather events in item 7. The livestock must have also died during the calendar year for which benefits are being requested.</p> <p>If a producer does not have a 100 percent ownership or contract grower share interest in a particular kind/type and weight range of livestock that was lost because of an eligible adverse weather event, the livestock for which the producer does not have a 100 percent ownership or contract grower share shall be prorated based on the producer's percent share interest.</p> <p>Example 1: Producer A has a 100 percent ownership share in 200 head of adult beef cows located on farm 1 and a 50 percent ownership share in 200 head of adult beef cows located on farm 2.</p> <p>10 adult beef cows are lost because of an eligible adverse weather event on farm 1 and 10 adult beef cows are lost because of the same eligible adverse weather event on farm 2. Determine the number of eligible livestock to be entered as lost in item 16 for Producer A according to the following:</p> <p>10 head lost x 100 percent share = 10 head 10 head lost x 50 percent share = 5 head</p> <p>10 head lost + 5 head lost = 15 head (number of adult beef cows lost to enter for Producer A in item 16).</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item	Instruction
17	<p>*--Enter the number of livestock that died because of normal mortality before, on, or after the date of the first adverse weather event referenced in item 12.</p> <p>Note: The producer shall provide documentation to the County Office to support livestock deaths because of normal mortality.--*</p> <p>Example: Producer A has a 100 percent ownership interest in 100 head of adult beef cows that are lost because of a hurricane. The producer had not previously incurred a loss of adult beef cows in inventory for this particular kind/type and weight range of livestock because of an eligible adverse weather event. On October 11, 2009, Producer A enters “100” in item 15 and “10” in item 16. No entry would be made in item 17 because this is the first loss for this kind/type and weight range of livestock for which a loss in normal mortality has not occurred on or after the date of the first adverse weather event.</p> <p>On October 15, 2009, Producer A loses 2 adult beef cows to normal mortality. Producer A revises FSA-914 by entering “2” in item 17 and provides documentation to the County Office to support livestock deaths because of normal mortality.</p>
18	<p>COC shall enter the adjusted inventory, if applicable.</p> <p>Notes: An entry is only required when COC determines an inventory different than the 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 number of livestock lost because of an eligible adverse weather event, if applicable.</p> <p>Notes: An entry is only required when COC determines the number of eligible livestock lost because of an eligible adverse weather event is different than the number of livestock certified to by the producer as lost because of the eligible adverse weather event.</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 number of livestock lost because of normal mortality, if applicable.</p> <p>Notes: An entry is only required when COC determines the number of livestock lost because of normal mortality is different than the number of livestock certified to by the producer as lost because of normal mortality.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 20.</p>

171 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 cattle, adult and nonadult buffalo/ beefalo, adult and nonadult dairy cattle, alpacas, deer, elk, emus, equine, goats, llamas, poultry, reindeer, sheep, or swine
- 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 anytime 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 proceeding the current production year

--171 Eligibility Criteria (Continued)*E Eligible Covered Livestock (Continued)**

- 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
- not have been livestock that were or would have been in a feedlot, on the beginning date of the qualifying drought or fire, as part of the normal business operation of the producer.

Important: Mitigated livestock are livestock that were sold or otherwise disposed of because of a qualifying drought during the current production year, or were sold or otherwise disposed of because of a qualifying drought in 1 or both of the 2 production years immediately preceding the current production year. Mitigated livestock are still eligible livestock for LFP, if the livestock meet the requirement of this subparagraph and the definitions in paragraph 162.

Proof of sale of livestock shall be required if selected for spot check.

Example: John Smith normally maintains 100 head of adult beef cows in his commercial ranching operation. The adult beef cows normally graze native pasture during the normal grazing period in Matagorda County, Texas which is January 1 through December 31. On September 23, 2008, the county was rated a D2 on the U.S. Drought Monitor for 8 consecutive weeks. Mr. Smith sold 15 head of the adult beef cows because of the drought conditions on July 10, 2008. The 15 cows sold are eligible mitigated livestock for LFP provided all other eligibility requirements are met. Proof of sale documents shall be provided by Mr. Smith if Mr. Smith's FSA-925 for payment is selected for spot check.--*

--171 Eligibility Criteria (Continued)*K Producers With RMA PFR-RI Pilot Program Coverage**

The PRF-RI pilot program policy, offered in only selected States and counties, only covers losses because of drought. Because PRF-RI does not cover all perils, NAP has to be made available to producers on the same acres covered by the PRF-RI policy to provide coverage for losses resulting from other eligible NAP conditions, such as flood, fire, and freeze.

A producer that obtains PRF-RI on their grazing lands, some or all acres, to cover drought, and NAP coverage on the same acres to cover all other perils will be ineligible for a NAP payment if the producer receives an PRF indemnity payment.

For calendar year 2008, if a producer purchased a PRF-RI policy on some, but not all of their grazing land acres, the producer would be eligible to pay the “buy-in” fee for NAP to make the grazing land acres not included under the PRF-RI policy in the unit eligible for LFP.

Example: PRF-RI coverage is available in the county in 2008. Producer reports 1000 acres native grass intended for grazing. Producer has 500 acres of native grass intended for grazing covered under PRF-RI. NAP coverage was not purchased to cover the other perils in 2008. Because NAP coverage was available for the other perils, the producer can pay the “buy-in” fee to make the remaining 500 acres of native grass intended for grazing that was not included under the PRF-RI policy eligible for LFP.

L Waiver for Calendar Year 2008 only for LFP

Producers are eligible for LFP only if either crop insurance or NAP coverage has been obtained for the grazing land incurring losses for which assistance is being requested.

The 2008 Farm Bill was enacted June 18, 2008. Sales closing dates for CAT and application closing deadlines for NAP for the 2008 crop year for all insurable and noninsurable grazing land had passed. A waiver was authorized to allow producers to pay a buy-in fee, or receive a waiver, by September 16, 2008, for grazing land for which the producer did not obtain crop insurance or NAP coverage for 2008.--*

171 Eligibility Criteria (Continued)

M Waiver of Buy-In for Socially Disadvantaged, Limited Resource, or Beginning Farmers or Ranchers

Producers who meet the requirements of a socially disadvantaged, limited resource, or beginning farmer or rancher do **not** have to meet RMPR and are not required to pay the buy-in fee for 2008 and subsequent years.

The waiver for socially disadvantaged, limited resource, or beginning farmer or rancher provides that producers who are socially disadvantaged, limited resource, or beginning farmers or ranchers do not have to meet RMPR and, therefore, are not required to pay the buy-in fee.

In the case of an eligible livestock producer that is a socially disadvantaged farmer or rancher or limited resource or beginning farmer or rancher, the Secretary may:

- waive the requirement to purchase a policy or plan of insurance or obtain coverage under the noninsured crop disaster assistance program
- provide disaster assistance under this subpart at a level that the Secretary determines to be equitable and appropriate.

--N 2008 Equitable Relief--

The Secretary may, on a case-by-case basis, provide equitable relief to an eligible livestock producer that is otherwise ineligible or unintentionally fails to meet RMPR for the grazing land incurring the loss.

In the case of an eligible livestock producer that suffered losses on grazing land during the 2008 calendar year, the Secretary will take special consideration to provide equitable relief in cases in which the eligible livestock producer failed to meet RMPR because of the enactment of this title after the closing date of the sales periods for crop insurance under the Federal *--Crop Insurance Act, and the noninsured crop disaster assistance program and the livestock producer made a good faith effort to comply.

Note: See 7-CP, paragraph 63 to determine whether a producer made a good faith effort to comply.--*

171 Eligibility Criteria (Continued)

***--N 2008 Equitable Relief (Continued)**

Equitable relief shall not be granted to producers in instances of:

- scheme or device
- intentional decision made to not insure a covered crop under policy or plan of insurance or under NAP
- lack of good faith in reporting acreage
- sanctions placed on the producer by RMA or FSA
- the producer was prohibited from insuring acreage because the producer did not timely pay the crop insurance premiums in a prior year
- violations of HEL and WC provisions
- violations of controlled substance provisions.

Equitable relief requests must be initiated by the participant.

Producers granted relief for **not** meeting 2008 RMPR must pay an administrative fee in an amount of \$100 per crop.

Note: The administrative fee is \$100 per crop, but not more than either of the following:

- \$300 per producer per administrative county
- \$900 total per producer for all counties less any previously paid fees for NAP.

Producers must visit their administrative county to pay the appropriate administrative fees and complete CCC-752 and/or CCC-753. County Offices shall complete CCC-257 according to 3-FI, using the collection program code "08NAPRELIEF" or "08CATRELIEF".--*

171 Eligibility Criteria (Continued)***--N 2008 Equitable Relief (Continued)**

STC shall:

- review each request for equitable relief and clearly document in the STC minutes the justification for granting or denying equitable relief
- include the following information in the STC minutes when granting or denying equitable relief:
 - producer's name
 - program year
 - program
 - action taken by the producer.

COC shall:

- review each equitable relief request and clearly document the justification for recommending equitable relief, along with all supporting documentation to STC
- document the justification for recommending equitable relief in the COC minutes according to 7-CP, subparagraph 82 C before submitting equitable relief cases to STC.

O 2009 and Subsequent Years Equitable Relief

The Secretary may, on a case-by-case basis, provide equitable to an eligible livestock producer that is otherwise ineligible or unintentionally fails to meet RMPR for the grazing land incurring loss.

Equitable relief shall not be granted to producers in instances of:

- scheme or device
- intentional decision made to not insure a covered crop under policy or plan of insurance under NAP
- sanctions placed on the producer by RMA or FSA
- violations of HEL and WC provisions
- violations of controlled substance provisions.

Equitable relief requests must be initiated by the participant.--*

171 Eligibility Criteria (Continued)

***--O 2009 and Subsequent Years Equitable Relief (Continued)**

STC shall:

- review each request for equitable relief and clearly document in the STC minutes the justification for granting or denying equitable relief
- include the following information in the STC minutes when granting or denying equitable relief:
 - producer's name
 - program year
 - program
 - action taken by the producer.

COC shall:

- review each equitable relief request and clearly document the justification for recommending equitable relief, along with all supporting documentation to STC
- document the justification for recommending equitable relief in the COC minutes according to 7-CP, subparagraph 82 C before submitting equitable relief cases to STC.--*

171 Eligibility Criteria (Continued)

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

Q 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.

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

Livestock producers are responsible for providing documentation to COC such as, but not limited to, written leases to show that their contributions are at risk in the pastureland and grazing land for which benefits are being requested under LFP. COC shall review and document in the COC minutes that pastureland or grazing land that is cash leased meets the eligibility criteria for leased pastureland or grazing land under LFP.

171 Eligibility Criteria (Continued)

R Ineligible Grazing Land

The following are ineligible types of grazing:

- acreage enrolled in CRP
- irrigated pastures or crops
- acreage intended for grain, such as corn, where the stocks or aftermath is grazed
- seeded small grain forage crops that are planted with the specific purpose of harvesting forage or seed

Note: Seeded small grain forage crops include the following:

- barley
 - millet
 - oats
 - rye
 - triticale
 - wheat.
- grazing land that is leased under any of the following conditions:
 - basis of weight gain
 - cost per head, per day or 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.

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

S 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 that STC or COC establish a minimum or maximum amount of loss to be eligible for LFP; therefore, STC and COC shall **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.

171 Eligibility Criteria (Continued)

T Establishing Normal Grazing Periods for LFP

LFP provides payments to eligible livestock producers that have suffered livestock grazing losses because of a qualifying drought during the normal grazing period for the county. The qualifying drought must have occurred on or after January 1, 2008, but before October 1, 2011.

For drought, the losses must have occurred:

- on land that is native or improved pastureland with permanent vegetative cover or is planted to a crop planted specifically for grazing for covered livestock
- because of a qualifying drought during the normal grazing period for the specific type of pastureland or grazing land in the county during the calendar year.

STC’s shall establish normal grazing periods for each of the grazing types listed in subparagraph I for each county in their State. Only 1 grazing period per pasture or grazing crop type shall be established per county. The normal grazing period established for each pasture or grazing crop type shall be consistent with those established for **NAP** purposes.

Example: <u>Pasture Type</u>	<u>Start Date</u>	<u>End Date</u>
Forage Sorghum	June 20	October 20
Improved Pasture	August 1	October 31
Native Pasture	March 1	October 31
Small Grains	October 15	May 15

Exception: Two grazing periods for small grains may be established in each applicable county in those States where producers purchase NAP coverage for small grains grazing and the producer subsequently harvests the small grains for grain; however, the normal grazing period for full season grazing shall be entered into the LFP Normal Grazing Period Table.

Example 1: In County A, producers plant small grains with the intent to graze the small grains for the full growing season. The normal grazing period for full season small grains grazing in County A is October 15, 2007, through June 1, 2008. The normal grazing period for full season small grains would be established as follows.

<u>Pasture Type</u>	<u>Start Date</u>	<u>End Date</u>
Small grains (full season)	October 15	June 1

171 Eligibility Criteria (Continued)

T Establishing Normal Grazing Periods for LFP (Continued)

Example 2: In County A, producers also plant small grains with the intent of grazing the small grains until the normal livestock pull off date of March 1, and then subsequently harvest the small grains for grain. The normal grazing period for small grains grazing in County A that are subsequently harvested for grain is October 15, 2007, through March 1, 2008. The normal grazing period for small grains intended for grazing that are subsequently harvested for grain would be established as follows.

<u>Pasture Type</u>	<u>Start Date</u>	<u>End Date</u>
Small grains	October 15	March 1

STC's shall ensure that normal grazing periods are:

- established for all pasture or grazing crop types listed in subparagraph I as soon as possible
- loaded into the LFP Normal Grazing Period Table.

U Deceased Individuals and Dissolved Entities

Authority to sign contracts, applications, and other documents on behalf of an eligible participant who is now a deceased individual or a dissolved entity may vary according to State law. Payments may be made for eligible grazing losses suffered by an eligible livestock producer who is now a deceased individual or is a dissolved entity if a representative, who currently has authority to enter into a contract, on behalf of the participant, signs FSA-925.

Important: Proof of authority to sign for the eligible deceased individual or dissolved entity **must** be on file in the County Office before the representative is allowed to sign FSA-925 for the participant. Proof of authority includes any of the following:

- court order
- document approved by the OGC Regional Attorney
- letter from Secretary of State.

171 Eligibility Criteria (Continued)**U Deceased Individuals and Dissolved Entities (Continued)**

FSA-325 is:

- only used when it is requested 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 declared incompetent program participant
- not applicable for determining who may file a program application for a deceased, incompetent, or missing individual.

State Office shall consult with the OGC Regional Attorney on the following types of cases:

- documentation submitted does **not** clearly establish authority to enter into a contract or application on behalf of the deceased individual, closed estate, or dissolved entity
- application from and request for issuing payments to heirs of a deceased individual without documentation provided that the heir establishes authority to enter into a contract or application on behalf of the deceased individual.

If a participant is now a dissolved general partnership or joint venture, all members of the general partnership or joint venture at the time of dissolution, or their duly authorized representatives **must** sign FSA-925.

Note: Only one FSA-925 will be submitted for payment for the general partnership or joint venture; however, all members **must** sign FSA-925.

See paragraph 184 for making payments to deceased individuals, closed estates, and dissolved entities.

172-180 (Reserved)

***--183 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.</p> <p>Permitted AU’s x normal permitted grazing days (NTE 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 \$.9985 (daily AUD rate) x 50 percent = \$8,987 (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 \$.9985 (daily AUD rate) = \$4119 (value of reduced grazing)</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 \$4,119.</p> <p>Note: The payment the producer receives cannot exceed the maximum payment amount.</p>

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184 General Payment Information

A Assignments and Offsets

For LFP, County Offices shall:

- 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 FSA-925’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 FSA-925 is signed by an authorized representative of the...	THEN payments shall be issued...
individual who died before FSA-925 was filed	deceased according to subparagraph 171 U	to any of the following, as applicable, using the ID number 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 FSA-925 was filed	estate according to subparagraph 171 U	
entity that dissolved before FSA-925 was filed	dissolved entity according to subparagraph 171 U	using the ID number of the participant.
individual who dies, is declared incompetent, or is missing after filing FSA-925		to eligible payees executing FSA-325 according to 1-CM, paragraph 779.

Note: FSA-325 is only used when it is requested 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.

--184 General Payment Information (Continued)*E 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 shall 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.

F Prevention of Improper Payments

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

***--Note:** See Exhibit 13 for additional information about FSA-770 LFP.--*

G Definition of Improper Payment

OMB defines an improper payment as any payment that should **not** have been issued or was issued in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirement.--*

185-199 (Reserved)

200 Applying for Benefits (Continued)

B Signing and Certifying FSA-925

When signing FSA-925, item 42A, the participant is:

- applying for LFP benefits for the participant listed on FSA-925, item 6
- certifying **all** of the following:
 - information provided on FSA-925 is true and correct
 - livestock claimed on FSA-925 are eligible livestock according to subparagraph 171 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
 - risk management purchase requirement have been met or a waiver of the risk management purchase requirement was waived has been approved
- 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 FSA-925 and supporting documents
 - contact other agencies, organizations, or facilities to verify data provided by an participant from such agencies, organizations, or facilities

--200 Applying for Benefits (Continued)*B Signing and Certifying FSA-925 (Continued)**

- acknowledging that:
 - failure to provide information requested by FSA is cause for disapproval of FSA-925
 - providing a false certification to FSA is cause for disapproval of FSA-925, 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 FSA-925 for payment was filed.

C Signature Requirements

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

- December 10, 2009, for 2008 calendar year applications for payment
- 30 calendar days after the end of the calendar year in which the grazing loss occurred for 2009 and subsequent calendar year applications for payment.

STC or COC do **not** have authority to approve late-filed FSA-925.

See 1-CM for signature requirements.

Important: 1-CM, Part 25 provides signature requirements for general partnerships. County Offices shall see 1-CM for signature requirements for general partnerships.

Note: General partnerships must have a permanent tax ID number to receive any FSA payment. FSA payments shall not be issued to the individual members of a general partnership.

FSA payments may be issued to:

- a joint venture with a permanent tax ID number
- the individual members of a joint venture, using the individual member's ID numbers, when the joint venture does not have a permanent tax ID number.--*

***--200 Applying for Benefits (Continued)**

D Printing and Reviewing FSA-925

Once the automated system becomes available, all manual FSA-925's shall be loaded into the automated system. After all information is entered into the automated system, County Offices shall:

- print an automated FSA-925
- if a manual FSA-925 was submitted:
 - attach the manual FSA-925 to the automated FSA-925
 - conduct a second party review of all data on the automated FSA-925 to ensure that all data is the same on both the manual and automated FSA-925.

Important: The individual conducting the second party review shall not be the same individual who entered the data into the automated system.--*

200 Applying for Benefits (Continued)

F Supporting Documents

All supporting documents **must** be completed by the participant and on file in the County Office:

- no later than 30 calendar days after the end of the calendar year for which the grazing loss occurred
- before FSA-925 may be approved.

Supporting documents include, but are not limited to, the following:

- CCC-502, applicable for 2008 calendar year
- CCC-901, applicable for 2009 and subsequent years
- AD-1026, applicable for 2008, 2009, 2010, and 2011
- CCC-526 or other acceptable document according to 1-PL to determine compliance with average AGI provisions for 2008
- CCC-926, or other acceptable document according to 4-PL to determine compliance with average AGI provisions for 2009 and subsequent years
- copy of contract grower contracts
- *--report of acreage for the grazing land incurring losses according to 2-CP

Note: FSA-578, item 17 shall **not** be revised according to 2-CP.--*

- evidence that grazing land is owned or leased
- evidence of meeting risk management purchase requirement or an approved waiver.

202 FSA-925, Livestock Forage Disaster Program Application (Continued)

A Completing Manual FSA-925 (Continued)

Item	Instruction
27	<p>Enter all pasture types for AUM or AU leased land normally used in the operation to support eligible covered livestock during the applicable drought grazing loss condition for the livestock number(s) entered in item 26.</p> <p>Pasture types include the following:</p> <ul style="list-style-type: none"> • native • improved • forage sorghum • small grains. <p>Note: Only enter pasture types for privately leased, Federal, or State land that provide for an allotted number of AU's or AUM's that can be grazed for an established period of time. Pasture types for Federal and State leases expressed in acres and not AU's or AUM's for an established period of time shall be entered in item 22.</p>
28	<p>Enter the number of AU's allowed by the pasture type entered in item 27.</p> <p>Example 1: Grazing Permit allows the producer to graze 150 AU's from September 1 through December 31 for a total of 600 AUM's. The number of AU's to enter in item 27 would be 150 AU's.</p> <p>Example 2: Grazing Permit allows the producer to graze 500 AUM's for a 5-month grazing period. The total number of AU's entered in item 27 would be 100 AU's. 500 AUM's/5 months = 100 AU's.</p> <p>*--Important: Ensure that AU's for each specific animal type are converted to an AU equivalent. See Exhibit 16.</p> <p>Example: 100 sheep x .25 AU's = 25 AU's.--*</p>
29	<p>COC shall enter the adjusted AU's, if applicable.</p> <p>Note: An entry is only required when COC determines AU's different than the AU's certified to by the producer in item 28.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 29.</p>
30	<p>Enter the fire event number that corresponds to the fire event number listed in item 8.</p>
31	<p>Manually assign a pasture number to each fire event.</p> <p>Note: Multiple fire events may be associated to the same pasture number.</p>

*--202 FSA-925, Livestock Forage Disaster Program Application (Continued)

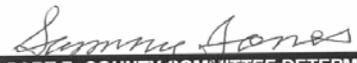
A Completing Manual FSA-925 (Continued)

Item	Instruction
32	<p>ENTER “rangeland” as the pasture type for all rangeland that is managed by a Federal agency (i.e.: BIA, BLM, FS, etc.) that was affected by fire for which the eligible producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland because of fire.</p> <p>Note: Grazing losses on private or State rangelands managed by a Federal agency because of fire for which an eligible producer is prohibited by the Federal agency from grazing the normal permitted rangeland because of fire shall also be entered in items 30 through 36.</p>
33	<p>Enter the permitted AU’s from the Federal grazing lease agreement.</p>
34	<p>Enter the number of permit days grazing is allowed under the Federal lease agreement during the calendar year.</p> <p>Note: The number of permit days grazing is allowed under the Federal lease agreement shall be obtained from the producers grazing permit.</p>
35	<p>Enter the number of AU’s the producer is prohibited from grazing on the managed rangeland by the Federal Agency because of fire.</p> <p>Note: There may be entries in item 35 and/or item 36.</p>
36	<p>Enter the number of days the producer is prohibited from grazing the normal permitted livestock on the managed rangeland by the Federal Agency because of fire.</p> <p>Note: There may be entries in item 35 and/or item 36.</p>
37	<p>COC shall enter the adjusted permitted AU’s, if applicable.</p> <p>Note: An entry is only required when COC determines permitted AU’s different than the permitted AU’s certified to by the producer in item 33.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 37.</p>
38	<p>COC shall enter the adjusted permit days, if applicable.</p> <p>Note: An entry is only required when COC determines permit days different than the permit days certified to by the producer in item 34.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 38.</p>

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202 FSA-925, Livestock Forage Disaster Program Application (Continued)

B Example of FSA-925 (Continued)

FSA-925 (09-11-09)							Page 2 of 2			
PART D- FORAGE INFORMATION FIRE (Continued)							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 \$ 0										
PART E - 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 FSA-925 to be eligible to receive program benefits. By signing this application, the producer:</p> <ol style="list-style-type: none"> Agrees to provide FSA 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 FSA; Authorizes FSA, 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 FSA 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 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 two 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 760 Subpart D, 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 on the beginning date: <ul style="list-style-type: none"> of the qualifying drought condition 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; or 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 760 Subpart D; 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 one or both of the two 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 to be eligible for this program, I must have obtained with respect to those grazing lands incurring losses for which assistance is being requested, a policy or plan of insurance for the forage crop under FCIA or filed the required paperwork and paid the administrative fee by the applicable State filing deadline for NAP coverage for that grazing land, or have been approved for a waiver to meet the Risk Management Purchase Requirements. 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)			42B. Title/Relationship of the individual signing in the Representative Capacity				42C. Date (MM-DD-YYYY)			
							09/14/2009			
PART F- COUNTY COMMITTEE DETERMINATION										
43. COC or Designee Signature					44. Date (MM-DD-YYYY)		45. Determination <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED			
<p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).</small></p> <p><small>To file a complaint of Discrimination, write to USDA, Director, Office of Adjudication and Compliance, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 845-6136 (Spanish) or (800) 877-8339 (TDD) or (866) 377-8642 (Federal-relay). USDA is an equal opportunity provider and employer.</small></p>										

--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet*A Using FSA-925-1**

FSA-925-1 shall be used by County Offices to calculate LFP payment amounts for eligible livestock producers until the automated payment process is deployed.

A new FSA-925-1 shall 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 2008, County A rated a D2 drought intensity for at least 8 consecutive weeks during the normal grazing period for small grains. FSA-925-1 was completed for Producer A and the producer received a 1-month payment. Later on during the normal grazing period for small grains, County A rated a D3 drought intensity for at least 1 day during the normal grazing period for small grains. Producer A is eligible for an additional 1-month payment for small grains. A new FSA-925-1 needs to be completed to calculate Producer A's payment based on the new D3 drought intensity rating.

Example 2: In calendar year 2008, County A rated a D2 drought intensity for at least 8 consecutive weeks during the normal grazing period for small grains. FSA-925-1 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 small grains. Producer A is eligible to apply for a 2-month payment for native pasture. A new FSA-925-1 needs to be completed to calculate Producer A's payment based on the D3 drought intensity rating for native pasture.

FSA-925-1 is available on the FFAS Employees Form/Publications Online web site at <http://165.221.16.90/dam/ffasforms/forms.html>.--*

***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1

FSA-925-1 shall be completed according to the following.

Item	Instruction
1	Enter State and county code. Note: This is the physical location of the county in which the loss occurred.
2	Enter the participant's name.
3	Enter the calendar year the loss of grazing occurred. Note: If the pasture type is a small grains for grazing crop, enter the calendar year of when the normal grazing period for the small grains ends. Example: The participant claims to have suffered a grazing loss for wheat reported as intended for grazing. The normal grazing period for wheat is October 1, 2008, to March 1, 2009. The calendar year the participant's loss occurred would be 2009.
4	Check (✓) the appropriate box or boxes to indicate the type of qualifying disaster condition(s) causing the grazing loss. Indicate whether the grazing loss is a result of drought, fire, or both. Notes: The National Office will notify State and County Offices when their county becomes eligible for LFP and whether the county's drought intensity level is rated a D2, D3, or D4 according to the U.S. Drought Monitor. Fire is only applicable to Federally managed grazing lands for which the participant is prohibited from grazing the normal permitted livestock because of fire. A producer cannot receive assistance for grazing losses because of drought and fire on the same acres.
Part A – Livestock Information – Drought – Current Year Inventory and Current Year Mitigated	
5	Enter the corresponding number or alpha-numeric number assigned to the livestock kind/type and weight range from FSA-925, item 12.
6	Enter the applicable livestock kind/type and weight range from FSA-925, item 13.
7	Enter the number of livestock from FSA-925 (item 14 plus item 15). Notes: If an entry is entered in FSA-925, item 18, then item 18 shall be used in performing the calculation for the specific livestock kind/type and weight range instead of item 14. If an entry is entered in FSA-925, item 19, then item 19 shall be used in performing the calculation for the specific livestock kind/type and weight range instead of item 15.

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
8	Enter the participant’s ownership share, contract grower share, or cash lease share from FSA-925, item 17.
9	Enter the payment rate per head for the applicable livestock kind/type and weight range.
10	Enter the livestock monthly feed cost calculated by multiplying: <ul style="list-style-type: none"> • item 7, times • item 8, times • item 9. The result should be rounded to the nearest whole dollar.
Part B – Livestock Information – Drought – Mitigated Livestock From Prior Years	
11	Enter the corresponding number or alpha-numeric number assigned to the livestock kind/type and weight range from FSA-925, item 12.
12	Enter the applicable livestock kind/type and weight range from FSA-925, item 13.
13	Enter the number of livestock by kind/type and weight range that were mitigated in 1 or both of the 2 previous production years because of drought from FSA-925, item 16. <p>Note: If an entry is entered in FSA-925, item 20, then item 20 for the specific livestock kind/type and weight range shall be used instead of item 16.</p>
14	Enter the participant’s ownership share, contract grower share, or cash lease share from FSA-925, item 17.
15	Enter the payment rate per head for the applicable livestock kind/type and weight range.
16	Partial compensation factor of 80 percent for prior year mitigated livestock.
17	Enter the livestock monthly feed cost calculated by multiplying: <ul style="list-style-type: none"> • item 13, times • item 14, times • item 15, times • item 16. The result should be rounded to the nearest whole dollars.

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
Part C – Forage Information – Drought – Owned or Cash Leased Land	
18	For owned or cash leased land, enter the numeric or alpha-numeric number from FSA-925, item 12 for each livestock kind/type and weight range that are grazing or would have been grazing the specific pasture type in FSA-925, item 22.
19	<p>Enter all pasture types for owned or cash leased land normally used in the operation to support eligible covered livestock during the specific qualifying drought condition from FSA-925, item 22.</p> <p>Notes: Eligible pasture types will be 1 of the following:</p> <ul style="list-style-type: none"> • native pasture • improved pasture • forage sorghum planted specifically for grazing • small grains planted specifically for grazing. <p>Only enter pasture types for Federal or State land if the agreement is by the acre and does not provide for an allotted number of AU’s or AUM’s that can be grazed for an established period of time.</p>

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Description of Entry
20	<p>Enter number of acres, by pasture type, from FSA-925, item 23, normally used in the operation to support eligible covered livestock during the qualifying drought condition for privately owned/cashed leased land.</p> <p>If multiple participants are using the same pasture acres during the qualifying drought period, the acres must be prorated.</p> <p>Example 1: Participant A has 200 head of eligible livestock and Participant B has 75 head, a total of 275 head grazing the same 500 pasture acres.</p> <p>Calculate prorated acres according to the following.</p> <p style="padding-left: 40px;">Participant A: $200 \text{ head} / 275 \text{ head} = .7273$ Participant B: $75 \text{ head} / 275 \text{ head} = .2727$</p> <p style="padding-left: 40px;">$.7273 \times 500 \text{ acres} = 363.7 \text{ total acres for Participant A.}$ $.2727 \times 500 \text{ acres} = 136.3 \text{ total acres for Participant B.}$</p> <p>Example 2: Participant A and Participant B have a 50-50 owner share in 200 head of eligible livestock. The 200 head of eligible livestock graze 500 acres of native pasture.</p> <p>Calculate prorated acres according to the following.</p> <p style="padding-left: 40px;">Participant A: $200 \text{ head} / 275 \text{ head} = .7273$ Participant B: $75 \text{ head} / 275 \text{ head} = .2727$</p> <p style="padding-left: 40px;">$.5000 \times 500 \text{ acres} = 250.0 \text{ total acres for Participant A.}$ $.5000 \times 500 \text{ acres} = 250.0 \text{ total acres for Participant B.}$</p> <p>Notes: If an entry is entered in FSA-925, item 25, then item 25 for the specific pasture type shall be used instead of item 23.</p> <p>Only enter pasture types for Federal or State land if the agreement is by the acre and does not provide for an allotted number of AU's or AUM's that can be grazed for an established period of time.</p>
21	<p>Enter the carrying capacity or acres/AU for the applicable type of pasture type from FSA-925, item 24.</p> <p>Note: This entry will be the STC/COC-approved carrying capacity for the specific type of pasture in item 19 as established under NAP.</p>

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
22	Enter MAU's by dividing acres in item 20 by acre/AU in item 21. Round the result to 2 decimal places. Example: 2000 acres/30.0 acre/AU = 66.67 AU's.
23	Enter the established monthly value of forage for the applicable calendar year. The monthly value of forage has been established at: <ul style="list-style-type: none"> • \$29.96 for 2008 • \$40.04 for 2009.
24	Enter the carrying capacity monthly feed cost calculated by multiplying item 22 times item 23. Round to the nearest whole dollar.
Part D – Forage Information – Drought – AUM or Animal Unit Lease Land	
25	For land leased on an AUM or AU basis, enter the numeric or alpha-numeric number from FSA-925, item 12 for each livestock kind/type and weight range that are grazing or would have been grazing the specific pasture type in FSA-925, item 27.
26	Enter all pasture types leased on an AUM/AU basis normally used in the operation to support eligible covered livestock during the qualifying drought condition from FSA-925, item 27. Notes: Eligible pasture types will be 1 of the following: <ul style="list-style-type: none"> • native pasture • improved pasture • forage sorghum planted specifically for grazing • small grains planted specifically for grazing. <p>Only enter pasture types for Federal or State land that provide for an allotted number of AU's or AUM's that can be grazed for an established period of time. Pasture types for Federal or State leases expressed in acres and not AU's or AUM's for an established period of time shall be entered in item 22.</p>

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
27	<p>Enter the animal units from FSA-925, item 28.</p> <p>Notes: If an entry is entered in FSA-925, item 29, then item 29 shall be used instead of item 28.</p> <p>Federal permits and some private/State land leases provide for an allotted number of AU's or AUM's that can be grazed for an established period of time. Examples will be listed on the Federal grazing permits or can be calculated by dividing the AUM's by the number of months grazed.</p> <p>Example: Federal permit allows grazing 1100 AUM's for 5 months.</p> <p style="text-align: center;">1100 AUM's/5 months = 220 AU's</p> <p>Ensure that AU's for each specific animal type are converted to an AU equivalent. See Exhibit 16.</p> <p>Example: 100 sheep AU's x .25 AU's = 25 AU's.</p>
28	<p>Enter the established monthly value of forage for the applicable calendar year. The monthly value of forage has been established at:</p> <ul style="list-style-type: none"> • \$29.96 for 2008 • \$40.04 for 2009.
29	<p>Enter the carrying capacity monthly feed cost calculated by multiplying item 27 times item 28. Round to the nearest whole dollar.</p>

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
Part E – Net Payment Calculation for Drought by Pasture Type	
30	<p>Enter the sum of the livestock monthly feed costs (items 10 plus item 17) for all the livestock that were or would have been grazing the specific pasture type listed in item 19 and/or item 26.</p> <p>Example: In calendar year 2008, County A rated a D2 for at least 8 consecutive weeks during the normal grazing period for native pasture. 100 beef adult cows and 100 beef nonadult cattle weighing more than 500 pounds were grazing the native pasture during the normal grazing period. The livestock monthly feed costs for each of the specific kind/type and weight range of livestock grazing the native pasture listed in item 10 while the county was rated a D2 for 8 consecutive weeks is calculated as follows.</p> <p style="padding-left: 40px;">100 adult beef cows x 100 percent producer share x \$29.96 payment rate per head = \$2,996 (item 10)</p> <p style="padding-left: 40px;">100 nonadult beef cattle weight 500 pounds or more x 100 percent producer share x \$22.47 payment rate per head = \$2,247 (item 20).</p> <p style="padding-left: 40px;">Sum the livestock monthly feed costs for the adult beef cows and the nonadult beef cows weighing 500 pounds or more in item 10 to determine total livestock monthly feed costs for all livestock grazing the native pasture to be entered in item 30 as follows.</p> <p style="padding-left: 40px;">$\\$2,996 + \\$2,247 = \\$5,243$ (sum of livestock monthly feed cost).</p>
31	<p>Enter the sum of the entries in item 24 plus item 29 for the specific pasture type being grazed or that would have been grazed by the specific livestock in item 6 or item 12.</p> <p>Example: In calendar year 2008, County A rated a D2 for at least 8 consecutive weeks during the normal grazing period for native pasture. Beef adult cows and beef nonadult cattle weighing 500 pounds or more were grazing a 1,000 acre native pasture with a carrying capacity of 10.0 acre/AU and another native pasture of 1,000 acres with a carrying capacity of 5.0 acre/AU. The carrying capacity monthly feed cost for each of the specific pasture types listed in item 24 while the county was rated a D2 for 8 consecutive weeks is calculated as follows.</p> <p style="padding-left: 40px;">$(1,000 \text{ acres native pasture}/10.0 \text{ acre/AU}) \times \\$29.96 \text{ monthly value of forage} = \\$2,996 \text{ carrying capacity monthly feed cost}$</p> <p style="padding-left: 40px;">$(1,000 \text{ acres native pasture}/5.0 \text{ acre/AU}) \times \\$29.96 \text{ monthly value of forage} = \\$5,992 \text{ carrying capacity monthly feed cost}$</p> <p style="padding-left: 40px;">Sum the carrying capacity monthly feed costs in item 24 for all of the native pasture for which the adult beef cows and nonadult beef cattle were grazing to be entered in item 31 as follows.</p> <p style="padding-left: 40px;">$\\$2,996 + \\$ 5,992 = \\$8,988$ (sum of carrying capacity monthly feed cost).</p>

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
32	<p>Enter the smaller of the total value of either:</p> <ul style="list-style-type: none"> • item 30 • item 31. <p>Example: Item 30 = \$5,243 Item 31 = \$8,988</p> <p style="text-align: center;">Smaller amount is item 30, \$5,243.</p>
33	<p>Enter national payment factor of 60 percent.</p>
34	<p>Enter the calculated monthly payment rate by multiplying:</p> <ul style="list-style-type: none"> • item 32, times • item 33. <p>Round to the nearest whole dollar.</p> <p>Example: \$5,243 (item 32) x 60 percent = \$3,146.</p>
35	<p>Select the appropriate drought monitor intensity for the specific pasture type listed in item 19 and/or item 26. State and County Offices will be notified by the National Office whenever a county reaches the applicable D2, D3, or D4 intensity rating in any portion of the county for the required time period.</p> <p>Example: County A rated a D2 drought intensity for 8 consecutive weeks for native pasture. The box under “native pasture” for “x 1” is selected.</p>
36	<p>Enter calculated payment amount by multiplying:</p> <ul style="list-style-type: none"> • item 34, times • item 35. <p>Example: \$3,146 (item 34) x 1 (drought intensity factory for native pasture) = \$3,146 calculated payment amount.</p> <p>Note: The calculated payment amount for a:</p> <ul style="list-style-type: none"> • D2 drought intensity rating for 8 consecutive weeks during the normal grazing period for a specific type of grazing will equal item 34 x 1 • D3 drought intensity rating at any time during the normal grazing period for a specific type of grazing will equal item 34 x 2 • D3 drought intensity rating for any 4 week period during the normal grazing period for a specific type of grazing, or a D4 drought intensity rating at any time during the normal grazing period for a specific type of grazing will equal item 34 x 3.

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
37	<p>Enter the maximum payment amount for the specific livestock grazing the specific type of grazing land by multiplying the entry in item 30 x 3 months x 60 percent.</p> <p>Example: \$5,243 (item 30) x 3 months x 60 percent = \$9,437.</p>
38	<p>If no previous livestock monthly feed costs have been taken into consideration during a payment calculation for this pasture type or another pasture type for the livestock listed in item 6 and/or item 12, manually ENTER "0".</p> <p>If a previous livestock monthly feed cost has been taken into consideration during a previous payment calculation for this pasture type or another pasture type for the livestock listed in item 6 and/or item 12, a manual entry of the livestock monthly feed cost for the livestock in item 6 and/or item 12 that was previously taken into consideration during the previous payment calculation for this pasture type or another pasture type for the livestock in item 10 and/or item 17 times the number of months previously calculated times 60 percent is required.</p> <p>Example: An LFP payment was previously calculated for Producer A on small grains based on a D2 drought intensity rating for 100 head of adult beef cattle equal to a 1-month payment. The county now has a D3 drought intensity rating for 1 day. The small grain normal grazing period has ended. The same 100 head of adult beef cattle are grazing improved pasture and Producer A is eligible for a 2-month payment on the improved pasture.</p> <p>Since the same 100 head of adult beef cattle grazing the improved pasture also grazed the small grains, the previous calculated livestock monthly feed cost for small grains for the 100 head of adult beef cattle taken into consideration when performing the payment calculation for small grains will need to be determined and entered in item 38 for improved pasture as follows.</p> <p style="padding-left: 40px;">\$2,996 (livestock monthly feed cost previously taken into consideration for 100 head of adult beef cattle from FSA-925-1, item 10) for small grains x 1 (number of months previously calculated) x 60 percent = \$1,798 (amount to be subtracted from item 36 to ensure that same livestock are not paid more than 3 times livestock monthly feed cost in the same calendar year).</p>
39	<p>Subtract item 38 from item 36.</p> <p>Example: \$3,146 (item 36) - \$0 = \$3,146</p>
40	<p>Enter the smaller of item 37 or item 39. This is the net calculated payment amount before any payment reductions.</p> <p>Example: Item 37 equals \$9,437. Item 39 equals \$3,146.</p> <p style="padding-left: 40px;">Smaller amount is item 39, ENTER "\$3,146".</p>
41	<p>Enter amount of compensation received from other disaster assistance programs for the same grazing losses from FSA-925, item 41.</p>

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
42	Subtract item 41 from item 40 to obtain the net calculated payment amount for drought for the specific type of pasture.
Part F – Fire – Federally Managed Lands – Maximum Calculated Payment by Federal Lease	
43	Enter the fire event number from FSA-925, item 30.
44	<p>Enter the participant’s permitted AU’s from FSA-925, item 33 for the specific fire event number.</p> <p>Notes: If an entry is entered in FSA-925, item 37, then item 37 shall be used instead of item 33.</p> <p>The permitted AU’s will be listed on the producer’s Federal grazing lease. If AUM’s are listed on the lease, AU’s can be calculated by dividing the AUM’s by the number of months in the grazing lease.</p> <p>Example: Federal permit allows grazing 500 AUM’s for 5 months.</p> <p style="text-align: center;">$500 \text{ AUM's} / 5 \text{ months} = 100 \text{ AU's}$</p> <p>Ensure that AU’s for each specific animal type is converted to an AU equivalent. See Exhibit 16.</p> <p>Example: 100 sheep AU’s x .25 AU’s = 25 AU’s</p>
45	<p>Enter the permitted grazing days from FSA-925, item 34, not to exceed 180 calendar days per calendar year. The permitted grazing days will be listed on the Federal grazing permit. The statute limits the grazing days to a maximum of 180 calendar days.</p> <p>Note: If an entry is entered in FSA-925, item 38, then item 38 shall be used instead of item 34.</p>
46	<p>Enter the total permitted AUD’s by multiplying:</p> <ul style="list-style-type: none"> • item 44, times • item 45, not to exceed 180 calendar days.
47	<p>Enter the AUD payment rate. The AUD payment rate for:</p> <ul style="list-style-type: none"> • 2008 is \$.9985 • 2009 is \$1.3345.
48	National payment factor of 50 percent.
49	<p>Enter the calculated maximum payment amount for each specific fire event by multiplying:</p> <ul style="list-style-type: none"> • item 46, times • item 47, times • item 48. <p>Round to the nearest whole dollar.</p>

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
50	Enter the total of all entries in item 49. This is the total maximum calculated payment amounts from Federal leases.
51	Enter the fire event number from FSA-925, item 30.
52	Enter the number of AU's the producer is prohibited from grazing on the managed rangeland by the Federal agency because of fire from FSA-925, item 35. Note: If an entry is entered in FSA-925, item 39, then item 39 shall be used instead of item 35.
53	Enter the 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 FSA-925, item 36. Note: If an entry is entered in FSA-925, item 40, then item 40 shall be used instead of item 36.
54	Enter the 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 the AUD payment rate. The AUD payment rate for: <ul style="list-style-type: none"> • 2008 is \$.9985 • 2009 is \$1.3345.
56	National payment factor is 50 percent.
57	Enter the 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. <p>Round to the nearest whole dollar.</p>
58	Enter the total of all entries in item 57. This is the total value of reduced AUD's from Federal leases.
59	Enter the smaller of item 50 or item 58. This is the calculated payment due the producer because of fire before reductions.
60	Enter amount of compensation received from other disaster assistance programs for the same grazing losses because of fire from FSA-925, item 41.
61	Subtract item 60 from item 59 and enter the result. This is the net calculated payment amount for fire.

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

B Completing FSA-925-1 (Continued)

Item	Instruction
62	Enter the total net calculated payment amount by adding: <ul style="list-style-type: none"> • item 42 plus • item 61. This is the total payment due the participant for grazing losses because of drought and/or fire on Federally managed land.
63 through 65	Preparer shall sign, enter title, and enter date FSA-925-1 is prepared.

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

C Example of FSA-925-1 (Continued)

FSA-925-1 (09-24-09)					Page 2 of 3				
PART D – FORAGE INFORMATION - DROUGHT – AUM OR ANIMAL UNIT LEASES									
25. Livestock Number		26. Pasture Type		27. Animal Units (AU's)		28. Monthly Value of Forage		29. Carrying Capacity Monthly Feed Cost (Col. 27 X 28)	
						\$		\$	
						\$		\$	
						\$		\$	
						\$		\$	
						\$		\$	
						\$		\$	
PART E – NET PAYMENT CALCULATION FOR DROUGHT BY PASTURE TYPE									
Net Payment Calculation					A. Small Grains	B. Native Pasture	C. Improved Pasture	D. Forage Sorghum	
30. Sum of Livestock Monthly Feed Cost (Items 10 + 17) for the specific livestock grazing the specific pasture type in Items 19 and/or Item 26.					\$	\$ 7,155	\$	\$	
31. Sum of Carrying Capacity Monthly Feed Cost (Item 24 + 29) for the specific pasture type being grazed by the specific livestock in Item 6 and/or Item 12.					\$	\$ 16,016	\$	\$	
32. Enter the smaller of Item 30 or Item 31.					\$	\$ 7,155	\$	\$	
33. National Payment Reduction Factor					60%	60%	60%	60%	
34. Calculated Monthly Payment Rate for the Specific Pasture Type Loss (Item 32 X Item 33)					\$	\$ 4,293	\$	\$	
35. If any portion of the county is rated by the U.S. Drought Monitor as having a (Check only one box for each specific grazing land type):									
<ul style="list-style-type: none"> D2 drought intensity for eight consecutive weeks during the normal grazing period for the specific type of grazing land, the calculated monthly payment rate will be multiplied by a drought intensity factor of 1. 					<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	<input type="checkbox"/> X 1	
<ul style="list-style-type: none"> D3 drought intensity at anytime during the normal grazing period for the specific type of grazing land, the calculated monthly payment rate will be multiplied by a drought intensity factor of 2. 					<input type="checkbox"/> X 2	<input checked="" type="checkbox"/> X 2	<input type="checkbox"/> X 2	<input type="checkbox"/> X 2	
<ul style="list-style-type: none"> D4 drought intensity at anytime during the normal grazing period or a D3 intensity for any 4 week period during the normal grazing period for the specific type of grazing land, the calculated monthly payment rate will be multiplied by a drought intensity factor of 3. 					<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	<input type="checkbox"/> X 3	
36. Enter calculated payment amount (Item 34 times Item 35)					\$	\$ 8,586	\$	\$	
37. (Item 30 X 3) X 60% = maximum payment amount for the specific livestock grazing the specific type of grazing land.					\$	\$ 12,879	\$	\$	
38. If no previous livestock monthly feed cost has been taken into consideration during a payment calculation for this pasture type or another pasture type for the livestock listed in Item 6 and/or Item 12, enter 0. If a previous livestock monthly feed cost has been taken into consideration during a previous payment calculation for this pasture type or another pasture type for the livestock listed in Item 6 and/or Item 12, enter the livestock monthly feed cost for the livestock in Item 6 and/or item 12 that were previously taken into consideration during the previous payment calculation for this pasture type or another pasture type for the livestock in item 10 and/or item 17 times the number of months previously calculated times 60 percent.					\$	\$ 0	\$	\$	
39. Enter (Item 36 minus Item 38).					\$	\$ 8,586	\$	\$	
40. Enter the smaller of Item 37 or Item 39.					\$	\$ 8,586	\$	\$	
41. Reduction					\$	\$ 0	\$	\$	
42. Net Calculated Payment Amount For Specific Pasture Type (Item 40 minus Item 41)					\$	\$ 8,586	\$	\$	

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***--203 FSA-925-1, Estimated Livestock Forage Disaster Program Payment Calculation Worksheet (Continued)**

C Example of FSA-925-1 (Continued)

FSA-925-1 (09-24-09)						Page 3 of 3
PART F – FIRE – FEDERALLY MANAGED LANDS – MAXIMUM CALCULATED PAYMENT BY FEDERAL LEASE						
43. Fire Event Number	44. Permitted Animal Units (AU's)	45. Permit Days (NTE 180 Days)	46. Total Permit Animal Unit Days (AUD's) (Col. 44 x 45)	47. AUD Payment Rate	48. Payment Factor	49. Calculated Maximum Payment Amount (Col. 46 x 47 x 48)
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
50. Total Maximum Calculated Payment Amounts From Federal Leases (Total of Column 49)						\$
PART G – FIRE – FEDERALLY MANAGED LANDS – CALCULATED VALUE OF REDUCED AUD'S BY FEDERAL LEASE						
51. Fire Event Number	52. Reduced AU's From Permit	53. Reduced Grazing Days From Permit	54. Total Reduced Animal Unit Days (AUD's) (Col. 52 x 53)	55. AUD Payment Rate	56. Payment Factor	57. Calculated Value of Reduced AUD's (Col. 54 x 55 x 56)
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
					50%	\$
58. Total Value of Reduced AUD's From Federal Leases (Total of Column 57)						\$
59. Smaller of Item 50 or Item 58						\$
60. Reduction						\$
61. Net Calculated Payment Amount of Reduced AUD's (Item 59 minus Item 60)						\$
62. Total Net Calculated Payment Amount (Sum of Item 42 and Item 61)						\$ 8,586
63A. PREPARER SIGNATURE			63B. Title CED	63C. Date (MM-DD-YYYY) 09-28-2009		

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204-230 (Reserved)

Reports, Forms, Abbreviations, and Redelegations of Authority

Reports

None

Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification		Text
CCC-257	Schedule of Deposit		1, 171
CCC-502	Farm Operating Plan for Payment Eligibility Review		42, 45, 75, Parts 4 and 5
CCC-526	Payment Eligibility Average Adjusted Gross Income Certification		73, 200, 296
CCC-752	Supplemental Agricultural Disaster Assistance Buy-In for Insurable Crops		171
CCC-753	2008 Supplemental Agricultural Disaster Assistance Buy-In for Noninsurable Crops		171
CCC-770 ELIG 2002	Eligibility Checklist - 2002 Farm Bill		Ex. 9, 13
CCC-770 ELIG 2008	Eligibility Checklist - 2008 Farm Bill		Ex. 9, 13
CCC-901	Members Information 2009 and Subsequent Years		42, 75, Parts 4 and 5
CCC-926	Average Adjusted Gross Income (AGI) Statement		75, 200, 201, 296, 297
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		41, 45, 171, 184, 242, 282
FSA-578	Report of Acreage		200, 242
FSA-770 LFP	Livestock Forage Disaster Program Checklist	Ex. 13	184
FSA-770 LIP	Livestock Indemnity Program Checklist	Ex. 9	43, 73
FSA-914	Livestock Indemnity Program Application	76	22, 40, 41, 42, 45, 72, 73, 75, 77, Ex. 7, 9
FSA-915	Estimated Livestock Indemnity Program (LIP) Lost Calculation Worksheet	77	
FSA-918	Emergency Loss Assistance for Livestock Application	298	Part 5
FSA-925	Livestock Forage Disaster Program Application	202	Part 4, Ex. 13

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

Forms (Continued)

Number	Title	Display Reference	Reference
FSA-925-1	Estimated Livestock Forage Disaster Program Payment calculation Worksheet	203	
FSA-926	Livestock Indemnity Program Third Party Certification	74	73
FSA-930	Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application	299	Part 5

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviation	Term	Reference
AU	animal unit	182, 183, 202, 203, 252, 298, Ex. 16
AUD	animal unit day	183, 203
AUM	animal unit months	171, 202, 203, 251, 252, 298
ELAP	Honey Bees and Farm-Raised Fish Program	Text
FCIA	Federal Crop Insurance Act	171
IPIA	Improper Payments Information Act of 2002	22, 161, 184, 232, 282, Ex. 9
LFP	Livestock Forage Disaster Program	Part 4
MAU	maximum animal unit	203
NTE	not to exceed	183
RMPR	Risk Management Purchase Requirement	171, 242
PRF-VI	Pasture, Rangeland, Forage Rainfall Index	171
SURE	Supplemental Revenue Assistance Payment Program	Text

Re delegations of Authority

For LIP, CED may delegate authority to program technicians to approve only routine FSA-914's where proof of death is provided.

Important: Program technicians shall **not** be delegated authority to:

- disapprove any FSA-914
- approve any FSA-914 where third party certification is used as proof of loss.

***--FSA-770 LFP, Livestock Forage Disaster Program Checklist**

A Improper Payments

The Improper Payments Information Act of 2002 requires Federal agencies to evaluate programs to determine whether internal controls are sufficient to prevent improper payments. County Offices shall take all steps necessary to ensure that program and payment eligibility requirements have been met before issuing any payments.

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

B CCC-770 ELIG 2002

CCC-770 ELIG 2002 shall be completed according to 3-PL for each producer before a 2008 LFP payment is issued to the producer using the manual payment process.

C CCC-770 ELIG 2008

CCC-770 ELIG 2008 shall be completed according to 3-PL (Rev. 1) for each producer before a 2009 LFP payment is issued to the producer using the manual payment process.

D FSA-770 LFP

FSA-770 LFP shall be completed:

- according to subparagraph E before an LFP payment is issued to the producer using the manual payment process
- for each year the producer files FSA-925.

Example: Producer A files FSA-925 for calendar years 2008 and 2009. FSA-770 LFP shall be completed for calendar years 2008 and 2009.

County Offices shall ensure that applicable FSA-770 LFP's are completed before issuing LFP payments.

Important: FSA-770 LFP was developed by the National Office and is the only authorized checklist for LFP. County Offices shall **not** use locally or State-developed checklists for administering LFP.

FSA-770 LFP does **not** negate STC, SED, State Office, DD, COC, CED, and County Office responsibility for administering all provisions applicable to LFP.--*

*--FSA-770 LFP, Livestock Forage Disaster Program Checklist (Continued)

E Instructions for Completing FSA-770 LFP

FSA-770 LFP shall be completed according to the following.

Item	Instructions
1	Enter the producer's name.
2	Enter the applicable State name.
3	Enter the County Office name that is completing FSA-770 LFP.
4	Enter the calendar year for which benefits are being requested from FSA-925, item 2.
5-29	ENTER "X" for "YES", "NO", or "N/A", as applicable for each entry.
30	Enter any remarks that may explain special circumstances or explanation for items marked "NO".
31A and B	Any employee that initials 1 or more items from items 5 through 29 shall certify by signing as preparer and entering date of signature.
32A, B, and C	<p>Important: This item will be completed if FSA-770 LFP is selected for spot check.</p> <p>If FSA-770 LFP is selected for spot check, CED or designated representative shall certify:</p> <ul style="list-style-type: none"> • item 32A by checking "Concur" or "Do Not Concur" accordingly if FSA-770 LFP items have been verified and completed • item 32B by signing • item 32C by entering date of signature.
33A, B, and C	<p>Important: This item will be completed if FSA-770 LFP is selected for spot check.</p> <p>If FSA-770 LFP is selected for spot check, STC designee shall certify:</p> <ul style="list-style-type: none"> • item 33A by checking "Concur" or "Do Not Concur" accordingly if FSA-770 LFP items have been verified and completed • item 33B by signing • item 33C by entering date of signature.

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*--FSA-770 LFP, Livestock Forage Disaster Program Checklist (Continued)

F Example of FSA-770 LFP

The following is an example of FSA-770 LFP.

This form is available electronically.					
FSA-770 LFP (11-24-09)	U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency	1. Producer Name Sonny James	2. State Name Arizona		
		3. County Office Name Maricopa	4. Calendar Year 2008		
LIVESTOCK FORAGE DISASTER PROGRAM CHECKLIST					
Note: County Offices shall ensure that eligibility has been updated according to CCC-770 ELIG 2002 or CCC-770 ELIG 2008 as applicable, before payments are issued for applicable producer.					
Office Staff Actions		Handbook or Other Reference	YES	NO	N/A
5. Did the eligible livestock owner sign and date FSA-925 by the applicable deadline?		1-LDAP paragraphs 170 and 200	X		
6. Has signature authority been verified for all signatures on FSA-925?		1-CM, Part 25	X		
7. Does the producer meet the requirements of an eligible livestock producer?		1-LDAP, paragraph 171	X		
8. Do all the livestock on FSA-925 meet the requirements for being eligible livestock?		1-LDAP, paragraphs 162 and 171	X		
9. If fire was the qualifying disaster condition causing the grazing loss, did the applicant provide the date and location of the qualifying fire in Item 8 of FSA-925?		1-LDAP, paragraph 200			X
10. Did the applicant provide the physical location of livestock in inventory on the beginning date of the qualifying grazing loss condition in Item 9 of FSA-925?		1-LDAP, paragraph 200	X		
11. Did the applicant provide physical location of current livestock inventory in Item 10 of FSA-925?		1-LDAP, paragraph 200	X		
12. If the grazing loss was due to fire on Federally managed rangelands, did the applicant provide documentation from the Federal agency to show that they were prohibited from grazing on the Federally managed rangeland due to fire?		1-LDAP, paragraphs 171 and 200			X
13. Did the producer obtain a policy or plan of insurance for the forage crop under FCIA or file the required paperwork and pay the administrative fee by the applicable State application closing date for NAP for the grazing land incurring losses?		1-LDAP, paragraph 171	X		
14. If Item 13, is answered "NO", did the COC disapprove FSA-925?		1-LDAP, paragraph 201			X
15. If the producer did not obtain a policy or plan of insurance for the forage crop under FCIA or NAP coverage by the applicable State sales closing date for the grazing land incurring losses, was the grazing loss a 2008 calendar year grazing loss for which the producer paid a buy-in fee by September 16, 2008, for the grazing land for which the producer did not obtain crop insurance or NAP coverage for 2008?		1-LDAP, paragraph 171			X
16. If Item 15, is answered "NO", did the COC disapprove FSA-925?		1-LDAP, paragraph 201			X
17. If the grazing loss was a 2008 calendar year grazing loss for which the producer did not pay a buy-in fee by September 16, 2008, did the producer meet the requirements of a socially disadvantaged, limited resource, or beginning farmer or rancher for which the producer did not have to meet the RMPR requirements?		1-LDAP, subparagraph 171M			X
18. If Item 17, is answered "NO", did the COC disapprove FSA-925?		1-LDAP, paragraph 201			X
19. If the producer did not meet the requirements of a socially disadvantaged, limited resource, or beginning farmer or rancher, was the producer provided equitable relief for not meeting the RMPR requirements?		1-LDAP, subparagraph 171N			X
20. If Item 19, is answered "NO", did the COC disapprove FSA-925?		1-LDAP, paragraph 201			X
21. If a 2008 calendar year loss, has a report of acreage been completed and evidence that grazing land is owned or cashed leased been provided by the applicant and on file in the County Office no later than December 10, 2009?		1-LDAP, paragraph 200			X

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*--FSA-770 LFP, Livestock Forage Disaster Program Checklist (Continued)

F Example of FSA-770 LFP (Continued)

FSA-770 LFP (11-24-09)		Page 2		
Office Staff Actions	Handbook or Other Reference	YES	NO	N/A
22. If item 21 was answered "NO", did COC or CED disapprove FSA-925?	1-LDAP, paragraph 201			X
23. If a 2008 calendar year loss, has documentation been provided by the applicant to show that RMPR requirements have been met or that a waiver has been approved and the documentation been provided and on file in the County Office no later than December 10, 2009?	1-LDAP, paragraph 200	X		
24. If item 23 was answered "NO", did COC or CED disapprove FSA-925?	1-LDAP, paragraph 201			X
25. If a 2009 or subsequent calendar year loss, has a report of acreage been completed and evidence that grazing land is owned or cash leased been provided by the applicant and on file in the County Office no later than 30 calendar days after the end of the calendar year for which the grazing loss occurred?	1-LDAP, paragraph 200			X
26. If item 25 was answered "NO", did COC or CED disapprove FSA-925?	1-LDAP, paragraph 201			X
27. If a 2009 calendar year loss, has documentation been provided by the applicant to show that RMPR requirements have been met or that a waiver has been approved and the documentation been provided and on file in the County Office no later than 30 calendar days after the end of the calendar year for which the grazing loss occurred?	1-LDAP, paragraph 200			X
28. If item 27 was answered "NO", did COC or CED disapprove FSA-925?	1-LDAP, paragraph 201			X
29. Has FSA-925 been signed, dated, and approved by COC, CED, or authorized representative?	1-LDAP, paragraph 201	X		
30. Remarks				
Certification:				
31A. Signature of Preparer(s)	31B. Date (MM-DD-YYYY)	31A. Signature of Preparer(s)	31B. Date (MM-DD-YYYY)	
32A. I concur / do not concur the above items have been verified and updated accordingly: <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur				
32B. CED Signature for Spot Check			32C. Date (MM-DD-YYYY)	
33A. I concur / do not concur the above items have been verified and updated accordingly: <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur				
33B. STC Designee Signature for Spot Check			33C. Date (MM-DD-YYYY)	
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Standard AU Conversion Chart

The following provides the Standard AU Conversion Chart for converting AU's for specific animal types to an AU equivalent.

Animal Type	Unit
Dairy Cow	2.00
All Bulls 2 years or more	2.00
Cattle, buffalo, or beefalo 1 year old or more	1.00
Adult Cow with nursing calf	1.00
Horses or mules 1 year old or more	1.00
Cattle, horses, mules, buffalo, or beefalo 6 months to 1 year old	.50
Deer	.25
Sheep or Goats	.25
Lambs or kids	.14
Reindeer	.22
Alpaca	.82
Llama	.36
Emu	.51

