

**United States  
Department of  
Agriculture**



**Federal Crop  
Insurance  
Corporation**



**Risk Management  
Agency**

**Insurance Services**

**FCIC 24020  
(06-2020)**

# **WRITTEN AGREEMENT HANDBOOK**

## **2021 and Succeeding Crop Years**

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**UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250**

<b>TITLE: WRITTEN AGREEMENT HANDBOOK</b>	<b>NUMBER: 24020</b>
<b>EFFECTIVE DATE: 2021 and succeeding crop years for all crops with a June 30, 2020, contract change date or later.</b>	<b>ISSUE DATE: June 26, 2020</b>
<b>SUBJECT:</b>  <b>Provides the standards, criteria, and instructions to the Risk Management Agency Regional Offices and Approved Insurance Providers for the handling of actuarial change requests and written agreements.</b>	<b>OPI: Risk Management Services Division</b> <b>APPROVED:</b>  <i>/s/ Delores Dean</i>  <b>Deputy Administrator for Insurance Services</b>

**REASON FOR AMENDMENT**

Listed below are changes for the 2021 FCIC 24020 WAH. Highlighted text throughout the WAH represents changes or additions, and three stars (\*\*\*) identify removal of information.

1. The WAH is now maintained by Insurance Services, Risk Management Services Division and appropriate changes were made throughout.
2. Replaced “requests for WA” and similar language with “WA requests” for consistency and replaced reference county to ADM source county throughout this handbook.
3. In Para. 3, updated website address.
4. In Para. 11, clarified that the ROs are authorized to also not accept WA requests on behalf of FCIC.
5. In Para. 12(2), changed “reject” to “not accept” for clarification.
6. In Subparagraph 22A, provided reference for pecan revenue when most recent year’s production is unavailable at the WA request deadline and added that a PAIR must be completed more frequently than every five years if required by the CIH.
7. In Subparagraph 22B, provided reference for pecan revenue when most recent year’s production is unavailable at the WA request deadline.
8. In Subparagraph 23A, clarified that an AIPs request to use an alternative method of submission must be approved by the RO prior to using the alternative method.
9. Added Para. 24 to address electronic transmission errors.
10. In Subparagraph 33A, added language for appeal rights for not accept decisions.
11. In Subparagraph 33B, clarified that this is in addition to Subparagraph 33A.

## **REASON FOR AMENDMENT (Continued)**

12. In Subparagraph 35A, added that for a multi-year WA, if a loss occurred and the records are not available timely to make a cancellation determination, the WA will continue for the current crop year and the cancellation determination that would have been made will be completed the following crop year.
13. In Subparagraph 35B, added an exception based on new procedure in 35A.
14. In Para. 37, updated and reformatted language for clarity.
15. In Para. 43, added that a WA offer shall not allow, exclude, or change any terms of the policy, which includes causes of loss, unless authorized by the Act, BP, CP, or Special Provisions.
16. In Para. 63, updated the Administrative Review, mediation, and NAD appeal procedure.
17. In Para. 71, clarified that a tenant cannot use the landlord's history to qualify for a WA.
18. In Subparagraph 72A(3), added uninsured and unplanted acreage for the fragile land and HEL requirement when not all of the field, CLU, or unit is shown on the APH as planted each year.
19. Added Subparagraph 72H to address high-risk rated areas with separate high-risk T-Yields.
20. In Subparagraph 74C, clarified that any WA request to alter the terms of EPLPPS is not accepted.
21. In Subparagraph 76G, made wording clarifications.
22. In Subparagraph 79A, added an example.
23. In Para. 83, removed reference to Garbanzo Beans as these will be insured under the Dry Pea policy only beginning with the 2021 crop year.
24. In Subparagraph 83B, clarified that if dry beans are not insurable in the county an XC WA type is required for insurability.
25. In Subparagraph 85A, added language for when an XC WA request must be submitted prior to, or during, the planting period.
26. In Subparagraph 85B, clarified that the place the crop will be sold or used by the producer is to show that a viable marketing outlet is available.
27. In Subparagraph 85E, added language to contain the processing type or juice type on a WA for crops that must meet fresh requirements and the WA contains the fresh type. Also, included gross sales for a pecan revenue policy WA to match the policy language.
28. In Para. 91, added clarification that WUAs are only available for the situations in Para. 97 and producers must meet the applicable criteria to be eligible for a WUA.
29. In Para. 93, reorganized (2) to be part of (1) and renumbered accordingly.

## **REASON FOR AMENDMENT (Continued)**

30. In Para. 94, provided additional items that do not qualify as topographic features for a WUA.
31. In Subparagraph 96C, removed that no appeal rights are included with the not accept notice.
32. In Subparagraph 97D, added language to identify how to handle added acreage that lies outside of a simulated section equivalent or when a producer does want to create another simulated section equivalent.
33. In Exhibit 1, added acronyms for “Actuarial Branch” and “Actuarial, Prices, and Filing Division” and used these throughout the handbook where applicable.
34. In Exhibit 2, added language to “ADM Source County” definition and added reference to “Agricultural Experts” definition.
35. In Exhibits 3 and 4, modified item 9 to separate out the amount of irrigation information.
36. In Exhibit 5, added a new footnote to address the added language in Subparagraph 85A. Also added Enterprise Unit by Practice, Hurricane Insurance Protection – Wind Index, and Quality Loss Option to the Options/Endorsements chart.
37. In Exhibit 6F, updated Appeal Rights chart based on procedure changes.
38. In Exhibit 7, added instructions on how to fill out checklist.
39. In Exhibit 13, modified language for the General Applicability Letter Example and the Administrative Review, Mediation, and Appeal Rights Letter Example. Also added Administrative Review Adverse Decision Letter Example.
40. In Exhibit 16B, updated footnote 3.

## **FILING INSTRUCTIONS**

This handbook replaces FCIC 24020 Written Agreement Handbook, dated June 28, 2019. This handbook is effective for the 2021 and succeeding crop years for all crops with a contract change date of June 30, 2020, or later, and is not retroactive to any prior determinations.

**WRITTEN AGREEMENT HANDBOOK  
TABLE OF CONTENTS**

**PAGE NO.**

**PART 1 GENERAL INFORMATION AND RESPONSIBILITIES**

1	General Information .....	1
2	Responsibilities .....	3
3	Title VI of the Civil Rights Act of 1964 .....	4
<b>4-10 (Reserved)</b>		

**PART 2 PROCESSING WA REQUESTS**

**Section 1 General Information and Rules**

11	General Information .....	5
12	General Rules .....	5
13	Request for Actuarial Change Form .....	8
<b>14-20 (Reserved)</b>		

**Section 2 WA Submission Requirements**

21	Deadlines for Producer to Request a WA .....	9
22	Required Information for WA Requests .....	10
23	Receipt of <b>WA Requests</b> and Missing Information .....	16
24	<b>Electronic Transmission Errors</b> .....	19
<b>25-30 (Reserved)</b>		

**Section 3 RO Review for WA Consideration**

31	<b>WA Request</b> Logging Instructions .....	20
32	RO Review Timeline .....	20
33	Non-Acceptance for Review of <b>a WA Request</b> .....	21
34	RO Review for Approval or Denial of a <b>WA Request</b> .....	22
35	WA Experience Determination .....	25
36	Determining ADM Source (Reference) Counties .....	29
37	RO Review Documentation and Checklist .....	30

**WRITTEN AGREEMENT HANDBOOK  
TABLE OF CONTENTS**

**PAGE NO.**

**38-40 (Reserved)**

**Section 4 Requirements for a WA Offer**

41	General Guidelines .....	32
42	CI Appraisal Requirement.....	32
43	Provision Requirements .....	34

**44-50 (Reserved)**

**Section 5 WA Offer Acceptance, Non-Acceptance, or Rejection**

51	WA Expiration Dates .....	36
52	AIP Acceptance or Non-Acceptance of WA Offer.....	36
53	When AIP Accepts WA Offer.....	37
54	AIP WA Response Timeline.....	37
55	AIP Alert Mechanisms .....	38
56	RO WA Withdrawal.....	38
57	Producer Rejection of WA Offer .....	39

**58-60 (Reserved)**

**Section 6 Additional WA Information**

61	WA Cancellation, Errors, and Changes .....	40
62	Incorporation of WAs into AD .....	45
63	Administrative Review, Mediation, and Appeal.....	45
64	Transmitting WAs to RMA.....	48
65	Government Shutdown.....	48
66	AIP Scorecard Errors .....	48

**67-70 (Reserved)**

**PART 3 SPECIFIC GUIDELINES FOR WA TYPES**

71	General Information .....	49
----	---------------------------	----



**WRITTEN AGREEMENT HANDBOOK  
TABLE OF CONTENTS**

	<b>PAGE NO.</b>
72 HR and UC Types – High-Risk Rated Areas and Unrated Land.....	49
73 NB Type – New Breaking.....	58
74 NL Type – Nursery Plant List.....	69
75 OP Type – Unrated Insurance Option.....	72
76 PE Type – Policy Exceptions.....	74
77 RE Type – Rotation Exceptions.....	82
78 SC Type – Special Purpose Corn.....	83
79 SG Type – Interplanted With Another Crop.....	87
80 SM Type – Strip-Mined Land.....	88
81 SP Type – Seed Potato Acreage.....	89
82 TC Type – Non-Irrigated Corn Grain.....	90
83 TD Type – Dry Bean Types.....	93
84 TP Type – Unrated P/T.....	97
85 XC Type – County Without AD.....	102

**86-90 (Reserved)**

**PART 4 SPECIFIC WUA (UA TYPE) GUIDELINES**

91 General Information and Availability.....	114
92 Additional Request Requirements.....	114
93 WUA Offer Requirements.....	116
94 Topographic and Irrigation Features.....	117
95 Cropland Changes.....	117
96 Additional Responsibilities.....	118
97 Additional Requirements for WUA Types.....	119
98 Continuation of WUAs.....	125

**WRITTEN AGREEMENT HANDBOOK  
TABLE OF CONTENTS**

**PAGE NO.**

**EXHIBITS**

Exhibit 1	Acronyms and Abbreviations .....	127
Exhibit 2	Definitions .....	128
Exhibit 3	Form Standards .....	130
Exhibit 4	Request for Actuarial Change Form Example .....	136
Exhibit 5	Deadlines and Documentation Summary .....	139
Exhibit 6	RO and AIP Logging Codes/Appeal Rights .....	146
Exhibit 7	RO Actuarial Request Checklist Example .....	153
Exhibit 8	RO Document Standards .....	157
Exhibit 9	Standard WA (Excludes WUA) Template Including Cover Letter .....	164
Exhibit 10	WUA Template Including Cover Letter, Addendum, and Map/Photo Examples ....	167
Exhibit 11	Request for Information Letter and Multi-Year Cancellation Letter Template.....	179
Exhibit 12	Withdrawal Letter Template and Example .....	181
Exhibit 13	Denial Letter Template and Examples.....	184
Exhibit 14	Statements .....	198
Exhibit 15	Non-Irrigated Corn Grain Request (TC) Worksheet Example .....	199
Exhibit 16	Similar Crop Chart.....	200
Exhibit 17	Applicable Native Sod Crops .....	203

# PART 1 GENERAL INFORMATION AND RESPONSIBILITIES

## 1 General Information

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### A. Purpose and Objective

FCIC is established by the Federal Crop Insurance Act, 7 U.S.C. 1501, to promote the national welfare by improving the economic stability of agriculture through a sound system of crop insurance and providing the means for the research and experience helpful in devising and establishing insurance. RMA administers the crop and livestock insurance programs on behalf of FCIC.

This handbook provides the standards and criteria for WAs, and instructions for each RMA RO and AIP to process **WA requests**. The procedures contained in this handbook are consistent with applicable regulations affecting the issuance of WAs. No WA will be issued unless expressly authorized by the policy.

### B. Source of Authority

Federal programs enacted by Congress and the regulations and policies developed by RMA, USDA, and other Federal agencies provide the authority for program and administrative operations and the basis for RMA directives. Administration of the Federal crop insurance program is authorized by the following:

- (1) The Federal Crop Insurance Act, 7 U.S.C. 1501;
- (2) The Food Security Act of 1985, 16 U.S.C. 3801 et seq.;
- (3) Controlled Substance Act of 1970, 21 U.S.C. 801 et seq.;
- (4) Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 653a;
- (5) Privacy Act of 1974, 7 U.S.C. 552a;
- (6) 7 CFR Part 400;
- (7) Standard Reinsurance Agreement; and
- (8) 7 CFR Part 12.

## **1 General Information (Continued)**

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### **C. Related Handbooks**

The following table provides handbooks related to this handbook. However, other RMA approved handbooks may refer to this handbook and be applicable.

<b>Handbook</b>	<b>Relation/Purpose</b>
CIH	Provides the official approved underwriting standards for policies administered under the BP and the APH administrative regulation.
DSSH	Provides form standards and procedures for use in the sales and service of crop insurance contracts. Provides submission and review procedures for non-reinsured supplemental policies.  AIP forms must meet the form standards as provided in the DSSH. The DSSH provides the substantive elements for AIP form development.
GSH	Provides the general administrative procedures that apply across all plans of insurance. The GSH also contains all acronyms and definitions not specific to this handbook.
LAM	Identifies loss adjustment standards and requirements for determining production or revenue and adjusting crop insurance claims.

### **D. Procedural Conflict**

If there is a conflict between the Act, the regulations published at 7 CFR Chapter IV, and this handbook, the order of priority is as follows [with (1) controlling (2) and (2) controlling (3)]:

- (1) the Act;
- (2) the regulations in 7 CFR Chapter IV; and
- (3) WAH.

This handbook will control those procedures related to WAs in the FCIC 18010 CIH and FCIC 18190 GSH. With respect to other procedures not related to WAs, the CIH or GSH will control, as appropriate.

### **E. Procedural Issuance Authority**

This handbook is written and maintained by:

Office of the Deputy Administrator for Insurance Services  
Risk Management Services Division  
Risk Management Agency  
1400 Independence Ave SW  
Stop 0801  
Washington, DC 20250-0801

## **1 General Information (Continued)**

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### **F. Procedural Questions**

- (1) Questions regarding underwriting procedures in this handbook are to be directed first to the AIP, then through appropriate channels within the AIP to RMA.
- (2) If a perceived error is identified, notify RMA in writing at the address contained in the preceding paragraph or by email at [RMSD@usda.gov](mailto:RMSD@usda.gov). The notification must clearly identify the error and provide the proposed correction.

If RMA determines the perceived error is not an actual error, RMA will make no changes. However, if RMA determines the identified error is an actual error and is significant, RMA will issue a correction in the existing crop year either through a slipsheet to the WAH or a memorandum/bulletin. Conversely, if RMA determines the identified error is an actual error and is not significant, the correction will be included in the subsequent issuance of the WAH.

### **G. Applicability**

The procedures in this handbook apply for the 2021 and succeeding crop years for all crops with a June 30, 2020, contract change date or later.

### **H. RMA RO and Compliance Field Office Contact Information**

For the applicable RMA RO or Compliance Field Office and the associated contact information, refer to [www.rma.usda.gov/en/RMALocal/Field-Offices/Regional-Offices](http://www.rma.usda.gov/en/RMALocal/Field-Offices/Regional-Offices) or [www.rma.usda.gov/RMALocal/Field-Offices/Regional-Compliance-Offices](http://www.rma.usda.gov/RMALocal/Field-Offices/Regional-Compliance-Offices).

## **2 Responsibilities**

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### **A. AIP Responsibilities**

Each AIP is responsible for following the procedures and instructions contained in this handbook when developing the submission of Requests for Actuarial Change for a WA and handling WA offers.

### **B. RO Responsibilities**

Each RO is responsible for following the procedures and instructions contained in this handbook when receiving Requests for Actuarial Change submissions for a WA and issuing WA offers.

### **3 Title VI of the Civil Rights Act of 1964**

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The USDA prohibits discrimination against its customers. Title VI of the Civil Rights Act of 1964 provides that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Therefore, programs and activities that receive Federal financial assistance must operate in a non-discriminatory manner. Also, a recipient of RMA funding may not retaliate against any person because he or she opposed an unlawful practice or policy, or made charges, testified or participated in a complaint under Title VI.

It is the AIP’s responsibility to ensure that standards, procedures, methods and instructions, as authorized by FCIC in the sale and service of crop insurance contracts, are implemented in a manner compliant with Title VI. Information regarding Title VI of the Civil Rights Act of 1964 and the program discrimination complaint process is available on the RMA public website at [www.ascr.usda.gov](http://www.ascr.usda.gov).

**4-10 (Reserved)**

## PART 2 PROCESSING WA REQUESTS

### Section 1 General Information and Rules

#### 11 General Information

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A WA is a document designed to provide crop insurance for insurable crops when coverage or rates are unavailable, or to modify existing terms and conditions in the crop insurance policy when specifically permitted by the policy. ROs are authorized to approve, deny, or not accept WA requests on behalf of FCIC.

This handbook is not applicable to RO determined yield requests (except for RO determined yield requests authorized in Para. 76), and the term WA does not apply to RO determined yield requests (refer to CIH Part 18, Section 8; CIH Part 20, Section 3; CIH Part 21, Section 6; and CIH Part 22 for determined yield procedures).

#### 12 General Rules

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The following rules are applicable to all WA requests and issuance of WAs, unless otherwise specified.

- (1) A separate WA request must be submitted for each producer and for each county in which the producer is requesting a change.
- (2) A WA request must not contain crops with different filing dates (for example, a WA request for a 6/30 filed crop, such as winter wheat, must be separate from an 11/30 filed crop, such as corn or soybeans). If a WA request contains crops with multiple filing dates, the RO will review the crops on the request that have been filed and not accept the crops that have yet to be filed. The AIP/producer will need to send in a separate WA request for the crops that were not accepted to be considered. The RO cannot include crops with different filing dates on the same WA.

**Exception:** If multiple filing dates are typically filed together (such as the 11/30 and 12/31 filing dates), different crops with those filing dates may be contained on the same WA request and issued on the same WA. However, if the WA is issued as a multi-year WA, the crops with different filing dates must be issued as separate WAs.

- (3) WA requests must include all information required in Para. 13 and 22 unless specified otherwise. AIPs must not submit WAs to the RO if the minimum required information contained in Para. 13 and 22 is not received by the appropriate deadline.
- (4) WA requests will not be accepted for crops that do not have a policy for the crop.
- (5) WA requests will not be accepted when the CP specifically prohibit WAs, or the WA would alter policy provisions not specifically designated for alteration by WA in the policy.
- (6) Policy provisions that refer to “agree in writing” mean the same as “written agreement”. A WA is not required when it states in Para. 76 of this handbook, “Instead of requesting a WA”.

## 12 General Rules (Continued)

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- (7) WAs cannot be issued for the sole purpose of altering price/price elections, dates, T-Yields, rate map areas, etc., unless specifically authorized in the policy and provided for in this handbook.
- (8) WAs are not authorized for any policies insured under CAT.
- (9) Multiple **WA requests** submitted on or before the applicable deadline in Para. 21 for the same condition, or for the same crop, may be treated as one **WA** request by the RO (such as, to insure corn on ten legal descriptions where there are no AD in the county, or the **WA** request is to lower high-risk premium rates).
- (10) Separate WA offers for different conditions, or for different crops, may be issued by the RO when multiple **WA requests** are submitted, regardless of when submitted (if submission is on or before the applicable deadline in Para. 21). To be eligible for separate WA offers, separate WA requests must be submitted for the different conditions, or for different crops (for example, if a producer wants separate WA offers for corn and soybeans, then a **WA** request for corn and a **WA** request for soybeans must both be submitted, even if for the same acreage, to be considered for separate WA offer).
- (11) The producer must accept or reject the WA offer in its entirety regardless of how many requests for changes are contained on the **WA** request (the producer cannot reject specific terms of the WA offer and accept others).
- (12) A WA is only in effect when all appropriate parties sign the WA offer and all applicable deadlines are met.
- (13) If differences occur between terms of the hard copy WA offer (such as the offer that the insured signs and accepts, a modified approved WA, etc.) and the underlying WA ADM, the hard copy WA offer takes precedence. When this situation occurs, the RO will modify the WA ADM to match the hard copy WA offer (the RO does not need to re-send the WA offer).
- (14) The late planting provisions, if authorized by the policy, will apply to acreage of a crop covered by the WA that is planted after the final planting date.
- (15) When a WA assigns a yield, that yield must be used as the T-Yield when building the APH database unless a Master Yield has been approved for the crop. The insured may use the approved Master Yield when applicable.
- (16) Each WA will only be valid for the number of crop years specified in the WA. The WA will not apply for the crop year if the:
  - (a) WA is not renewed in writing in accordance with the terms of the WA or applicable policy after it expires or is cancelled;
  - (b) WA is not applicable for the crop year specified in the WA;



## 12 General Rules (Continued)

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- (c) WA is cancelled by the AIP, insured, or RMA;
  - (d) insured's policy that the WA pertains to is cancelled (if the insured or AIP cancels a policy that contains a WA, the WA is in effect cancelled);
  - (e) WA is cancelled because of a transfer of the insured's policy to another AIP (a transfer between two different policy issuing companies with the same AIP would not result in the cancellation of the WA). When the WA applies to more than one crop, the WA will remain in effect for the crops not transferred and cancelled. Only the WA terms for the cancelled crop policy are no longer in effect;
  - (f) WA is cancelled because of a change in entity (a new WA request is needed for the new entity; a renewal WA request is not applicable in this situation); or
  - (g) conditions under which the WA was issued have changed prior to the beginning of the insurance period.
- (17) Any existing policy and actuarial requirements will remain in effect if the:
- (a) WA request is denied or not accepted by the RO or AIP;
  - (b) WA offer is not accepted by the AIP or producer;
  - (c) WA offer is accepted by the producer after the expiration date; or
  - (d) crop's minimum potential yield per acre specified in Para. 42 is not met.
- (18) AIPs must be able to substantiate submission dates of all electronically submitted documents required for WA requests.
- (19) When the deadline date is based on a business day, the entirety of the business day counts as the same day even if submitted after typical working hours. However, the ROE system operates on Central Standard Time, thus the business day ends at 11:59 CST and anything submitted after this time is counted as the next business day.
- (20) Insurance agents are not considered to be authorized AIP representatives when AIP signatures are required.
- (21) In accordance with 7 CFR Part 400, Subpart G, the AIP (not the RO) is the verifier authorized by the FCIC to calculate approved APH yields. Accordingly, it is the AIP's responsibility to ensure that production records are acceptable and accurately entered in the APH database or production report in accordance with applicable procedure contained in the CIH for yield-based plans of insurance. If the production records are not acceptable or are not accurately entered in the APH database or APH production report, the RO may contact the AIP for resolution or reject the WA request. If the potential for fraud, waste, or abuse exists, or inadequate APH information is a consistent issue for an agent/AIP, the RO must notify the applicable RMA Compliance Field Office and RMA Reinsurance Services Division.

### **13 Request for Actuarial Change Form**

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The Request for Actuarial Change form must be signed and dated by the producer, the insurance agent, and the authorized representative of the AIP. By signing the Request for Actuarial Change form, the producer accepts the applicable statements contained on the form and certifies that all information provided on the form and documentation contained in the request is correct. See Exhibit 3A for the Request for Actuarial Change form standards and Exhibit 4 for a Request for Actuarial Change form example.

**14-20 (Reserved)**

## Section 2 WA Submission Requirements

### 21 Deadlines for Producer to Request a WA

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The producer must sign, date, and submit a completed Request for Actuarial Change form for a WA, or renewal of a WA, in writing to the agent no later than the applicable WA request deadline below. Any Request for Actuarial Change form that is signed, dated, or submitted later than the applicable deadline will not be accepted by the RO. The Request for Actuarial Change form and all required supporting documentation must be submitted in the format approved by the AIP, provided there is a means to verify the date of submission. The agent should expeditiously submit the Request for Actuarial Change form and all required supporting documentation to the AIP to allow the AIP time to submit the WA request to the RO within the specified deadlines identified in Para. 23.

**Note:** If the date by which the producer is required to sign, date, and submit a Request for Actuarial Change form for a WA, or a renewal of a WA, falls on a Saturday, Sunday, or a Federal holiday, such documentation must be signed, dated, and submitted by the next business day. This does not extend any subsequent deadline, which is calculated using the original deadline date.

**Example:** A producer must submit a Request for Actuarial Change form by the March 15 SCD, which falls on a Sunday, the submission deadline date is then the following Monday, March 16. The deadline date for any subsequent deadline is calculated from March 15.

- (1) A completed Request for Actuarial Change form for a WA, or renewal of a WA, must be submitted on or before the SCD for the crop/P/T except as provided in (2), (3), and (4) of this paragraph (also see Exhibit 5).
- (2) A completed Request for Actuarial Change form must be submitted on or before the ARD if the producer can prove his or her physical inability to apply prior to the SCD (such as, the producer was hospitalized, or a blizzard has made it impossible to timely submit a Request for Actuarial Change form).
- (3) For the first year the WA will be in effect, a completed Request for Actuarial Change form must be submitted:
  - (a) on or before the ARD, unless specified otherwise in the CP or Special Provisions, to:
    - (I) insure unrated land (UC type) or an unrated P/T of a crop (SG type, TC type, and TP type), including those specified in Para. 78 (SC type);
    - (ii) establish optional units that otherwise would not be allowed (UA type), as specified in Part 4; or
    - (iii) change the premium rate or T-Yield for designated high-risk rated land (HR type) as specified in Para. 72.

## **21 Deadlines for Producer to Request a WA (Continued)**

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- (b) on or before the cancellation date contained in the CP or Special Provisions, if applicable, to insure a crop in a county that does not have AD available for the crop (XC type), as specified in Para. 85. If the CP or Special Provisions do not provide a cancellation date for the county:
  - (i) use the cancellation date for other insurable crops in the same state that have similar final planting and harvesting dates; or
  - (ii) use the cancellation date in the closest county or state where the crop is insurable, if there are no other insurable crops with similar final planting and harvesting dates in the state.
- (c) on or before the date contained in the CP or Special Provisions for any type of situation or WA not specified in (2), (3)(a), or (3)(b) of this paragraph.
- (4) A completed Request for Actuarial Change form for a nursery (NL type) WA request must be submitted:
  - (a) with the nursery application for the initial crop year of the nursery policy; or
  - (b) by the sales closing date for a new or renewal request of a nursery WA for carryover insureds.

**Exception:** A completed Request for Actuarial Change form for a nursery WA request submitted after these dates may be accepted if:

- (i) the producer can demonstrate his or her physical inability to have applied timely; and
- (ii) after physical examination of the nursery plant inventory it is determined the inventory will be marketable at the value shown on the Plant Inventory Value Report.

## **22 Required Information for WA Requests**

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### **A. New WA Requests**

All new **WA requests** must include:

- (1) a completed Request for Actuarial Change form;
- (2) the current year's completed APH (only for crop policies that require APH) based on records previously certified to the AIP for the crop and county for which the WA is being requested (if the most recent year's production is unavailable at the WA request deadline, such as due to an open claim, complete the APH using the temporary yield and note this on the **WA** request; see CIH Subparagraph 1503A for temporary yield procedures **and CIH Part 21 for Pecan Revenue**);

## 22 Required Information for WA Requests (Continued)

### A. New WA Requests (continued)

- (a) If required by the RO, acceptable verifiable production records of actual yields must be submitted (these records will be requested as additional required information from the RO if necessary). Production records required by the RO that are subsequently determined to be unacceptable may result in a **WA request** being incomplete.
- (b) If the producer has not produced the requested crop or P/T in the county, the producer must either:
  - (i) notate on the WA request that the crop or P/T has not been produced in the county; or
  - (ii) provide an APH containing the requested crop or P/T showing zero acres and production with the corresponding crop years.

**Example:** Excerpt from APH database with a T-Yield of 100.

Crop Year	Total Production	Acres	Yield
20XX	0	0	1100
20XX	0	0	1100
20XX	0	0	1100
20XX	0	0	1100
Average Yield:	Total:		400
	Approved APH Yield:		100
Preliminary Yield: 100	Rate Yield:		
	Prior Year Yield:		N/A

- (c) A completed APH must include all APH databases for the requested crop(s) in the county. If the producer has not produced the requested P/T, but has produced the crop in the county, APH databases for the crop must still be included with the WA request.
- (3) evidence of adaptability from agricultural experts that the crop/P/T or variety can be produced in the county (including information such as recommended planting and harvesting dates and other area conditions conducive to growing the crop) if the **WA request** is to provide insurance for a crop/P/T or variety that is not insurable, unless such evidence is not required by the RO (Evidence of adaptability should include area research and/or area yield data. Duplicate university or other information that show adaptability is not needed for repeat **WA** requests from the same area. Prior to submitting the WA request into ROE, the AIP should contact the RO to determine if evidence of adaptability is required. If there has been no communication received from the RO that evidence of adaptability is not required, then provide evidence of adaptability with the WA request.);

## **22 Required Information for WA Requests (Continued)**

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### **A. New WA Requests (continued)**

- (4) the legal description of the land, where available (such as, section, township, range);
- (5) FSA FN, Tract number, and Field numbers, when provided by FSA (resource land units, or RLUs, are not allowed for WA requests);
- (6) FSA aerial photograph, acceptable GIS or GPS maps, or other legible maps delineating field boundaries where the producer intends to plant the crop, or where the crop is planted, for which a WA is requested. When available, use (4) and (5) of this subparagraph to identify the requested fields. If the location of the land cannot be identified by legal description:
  - (a) the maps must contain information which allows the RO to identify the location of the land (such as, street or road names); or
  - (b) an addendum must be provided describing the location of the land relative to the location of a nearby identifiable landmark, address, or crossroads.
- (7) NRCS soil surveys, if required by the RO [see footnote (1) of Exhibit 5];
- (8) for any Category C or perennial Category D crop, a producer's PAW if required by the CIH;
- (9) for any Category C or perennial Category D crop, an acceptable inspection report (such as a PAIR) for each unit completed by the AIP (a PAIR must have been completed within the last five years **or more frequently if required by the CIH**); and
- (10) information as specified in Part 3, Part 4, the CP, the Special Provisions, or as required by the RO.

## B. Renewal WA Requests

- (1) A renewal WA request is a request to renew a WA, or parts of a WA (for example, a previous WA contained land no longer in the producer's farming operation, therefore a renewal for this land is not needed), which has expired or been cancelled that was in effect for the crop year prior to the current crop year (even if the WA that was in effect for the prior crop year was with a different AIP). All other WA requests (such as new land locations not included as part of the previous WA, new crops, new P/T, new WA situations, etc.) are new requests.

**Note:** If a WA is issued at a broader level designation than the field or CLU level (such as county level, section level, etc.), all fields within that level designation are considered insurable under the terms of the WA for that producer, even if not specifically requested by the producer. Therefore, all fields within that level designation are considered a renewal WA request in the subsequent year. For example, a producer requests fields 1 and 2 in County A and a single-year WA is issued at the county level for County A, thus making all fields in County A insurable. If a producer requests fields 1, 2, and 3 in County A the subsequent year, all these fields fall under a renewal WA request since all were insurable on the initial WA, even though the producer did not specifically request field 3 the initial year.

**Example:** A producer received a single-year WA in 2020 for fields 1, 2, and 3. For 2021, the producer picked up fields 4 and 5, no longer has field 2, and requests a WA for fields 1, 3, 4, and 5. In 2021, the request for fields 1 and 3 is a renewal WA request because these fields had a WA in 2020 and therefore must follow the renewal request requirements (such as dates, documentation, etc.). However, in 2021, the request for fields 4 and 5 is a new WA request because these fields were not part of the WA in 2020 and must follow the new request requirements (such as dates, documentation, etc.).

**Example:** A producer with AIP X received a WA in 2020 for fields 6 and 7. For 2021, the producer transferred to AIP Y and requests a WA for fields 6 and 7. In 2021, the request for fields 6 and 7 is considered a renewal WA request because these fields had a WA in 2020 (even though the WA was with another AIP) and must follow the renewal request requirements (such as dates, documentation, etc.).

**Example:** A producer received a NB type WA in 2020 for fields 8, 9, and 10. These fields are in a high-risk rated area; however, the producer did not have a HR type WA for 2020 to reduce the high-risk area rate. For 2021, the producer requests a HR type WA for fields 8, 9, and 10. In 2021, the request for a HR type WA for these fields is a new WA request because a HR type WA for these fields was not in place in 2020 and, therefore, must follow the new request requirements (such as dates, documentation, etc.). See Exhibit 6A for WA type code definitions.

**B. Renewal WA Requests (continued)**

- (2) If a renewal WA request was not submitted, not submitted timely, was not accepted and approved by the RO, or a renewal WA offer was not accepted timely by the producer, the original terms of the policy will be in effect.

**Example:** For a WA that was approved for the 2020 crop year and has expired, a renewal WA request must be submitted, approved, and accepted timely for the 2021 crop year to continue the terms of the WA. If the WA is not renewed for the 2021 crop year, any subsequent request will be considered a new WA request and must meet the submission requirements of a new WA request.

- (3) The following information is required for all renewal WA requests, as applicable:

- (a) a completed Request for Actuarial Change form;
- (b) the current year's completed APH (only for crop policies that require APH) based on records previously certified to the AIP for the crop/P/T and county for which the WA is being requested (if the most recent year's production is unavailable at the WA request deadline, such as due to an open claim, complete the APH database using the temporary yield and note this on the WA request; see CIH Subparagraph 1503A for temporary yield procedures and CIH Part 21 for Pecan Revenue);
- (i) If required by the RO, acceptable verifiable production records of actual yields must be submitted (these records will be requested as additional required information from the RO if necessary). Production records provided required by the RO that are subsequently determined to be unacceptable may result in a WA request being incomplete.
- (ii) If the producer has not produced the requested crop or P/T in the county, the producer must either:
- (A) notate on the WA request that the crop or P/T has not been produced in the county; or
- (B) provide an APH containing the requested crop or P/T showing zero acres and production with the corresponding crop years (see CIH Exhibit 15B and 15D).
- (iii) A completed APH must include all APH databases for the requested crop(s) in the county. If the producer has not produced the requested P/T, but has produced the crop in the county, APH databases for the crop must still be included with the WA request.
- (c) the legal description of the land, where available (such as, section, township, range);



**B. Renewal WA Requests (continued)**

- (d) FSA FN, Tract number, and Field numbers, when provided by FSA;
  - (e) for any Category C or perennial Category D crop, a producer's PAW if required by the CIH;
  - (f) for any Category C or perennial Category D crop, an acceptable inspection report for each unit (such as a PAIR), unless waived by the RO (a PAIR must have been completed within the last five years or more frequently if required by the CIH); and
  - (g) any additional data that may be required in Part 3, Part 4, or as requested by the RO.
- (4) The RO will evaluate the **WA** request and reissue the WA if it is appropriate. The WA may be modified, and the AIP will be notified of the change. If more information is needed, the RO will contact the AIP.

**C. New/Renewal Combined WA Requests**

If the insured has both a renewal WA request and a new WA request, both may be submitted on the same Request for Actuarial Change form (mark both the new request and renewal request boxes on the Request for Actuarial Change form). A combined WA request does not change the applicable deadlines and documentation requirements that apply to the renewal and new WA requests independently. Information that can be used for both a new and renewal request, such as an APH, needs to be submitted once for a combined WA request. The combined WA request should be submitted by the earliest of the renewal request deadline or new request deadline to avoid any part of the **WA** request being considered late.

**Example:** A new WA request and a renewal WA request are combined on the same Request for Actuarial Change form. The new WA request has a deadline of the ARD and the renewal WA request has a deadline of the SCD. The combined WA request should be submitted based on the SCD deadline as this is the earliest deadline that applies to this request. If the combined WA request is not submitted until the ARD, the renewal portion of this request will not be renewed due to being submitted after the deadline.

**A. AIP Responsibilities**

- (1) It is the AIP's responsibility to review all WA requests to determine whether all the required information is provided. A WA request and all required supporting documentation must also be legible to be considered a complete request and any submitted documentation determined not to be legible will be treated as missing information. If any information is missing and there is still time before the deadline contained in (2) of this subparagraph, the AIP must request the missing information from the producer. If the minimum required information is not received by such deadline, the WA request must not be sent to the RO and the producer should be notified in writing by the AIP that the WA request is not acceptable.

**Note:** The AIP must not send the RO a WA request for a producer that is identified in the ineligible tracking system at the deadline date for which a WA request must be submitted by the producer. For example, a producer requests a WA that has a deadline date of March 15. If that producer is listed in the ineligible tracking system on March 15, the AIP must not send the WA request for that producer to the RO.

- (2) If all information is timely submitted to the AIP, the AIP must transmit/log the information from the Request for Actuarial Change form electronically through the WA ROE system no later than 15 business days after the applicable deadlines in Para. 21. Once the applicable information is transmitted/logged into the WA ROE system, a folder is created for uploading the supporting documentation.

**Note:** The official submission date of the WA request to the RO is the date the AIP uploads the first document containing supporting documentation to the WA ROE system.

If an unforeseen circumstance (such as the unavailability of the ROE system, AIP outage, etc.) occurs that prevents the AIP from transmitting/logging the Request for Actuarial Change form information electronically through the WA ROE system within 15 business days after the applicable deadline, the AIP should contact the RO prior to the end of the 15 business day deadline to make other arrangements with the RO to submit (such as, by facsimile, postal delivery, etc.) the Request for Actuarial Change form and any supporting documentation. The RO must approve the AIP's request for the alternative method of submission prior to using the alternative method (this approval must be documented in the WA ROE system), and the Request for Actuarial Change form and any supporting documentation must still be submitted to the RO no later than 15 business days after the applicable deadlines.

**Note:** In this event, the official submission date of the WA request to the RO is the date the RO receives the WA request.

**Note:** Failure of the ROE system to send an email alert of the creation of a request folder is not an unforeseen circumstance. When the ROE system fails to send the email alert of the creation of the request folder, the AIP must still submit all required information by the applicable deadlines.

**A. AIP Responsibilities (continued)**

- (3) The AIP must upload legible supporting documentation, including the Request for Actuarial Change form, to the WA ROE system folder created for the associated WA request no later than 15 business days after the applicable deadlines in Para. 21 to avoid having the WA request be incomplete. If technical issues exist that prevent uploading the supporting documentation, contact the RO. Do not submit supporting documentation in hard copy format to the RO unless arrangements have been made with the RO, as stated in (c) below. Any documentation submitted to the WA ROE system folder later than 15 business days after the applicable deadlines provided in Para. 21 will be considered late.
  - (a) Scan the supporting documentation such that the electronic copy is clearly legible in Adobe (.pdf) format. If color is critical to the interpretation of the image, provide color images. The AIP should scan the supporting documentation where all pages can be viewed upright, to the extent possible.
  - (b) The AIP should keep screen shots of the uploaded information to substantiate the date, time, supporting documentation, etc., of the attempted delivery in case of failure of the delivery attempt.
  - (c) If an unusual case arises (for example an oversized WUA map) where the AIP cannot meet the requirement to submit the supporting documentation through the WA ROE system, the AIP must document why the requirement cannot be met and make other arrangements with the RO to submit (such as, by facsimile, postal delivery, etc.) the supporting documentation no later than the 15 business day deadline.

**B. RO Responsibilities**

- (1) The RO or ROE application will record the date the WA request is considered received by the RO and the RO must determine or confirm the type of WA request.
- (2) The RO must determine whether the WA request is timely submitted, and all the required information is included and legible.
- (3) For WA requests that are received by the RO earlier than 15 business days after the applicable deadlines in Para. 21 and have missing information (see Subparagraph 23A), the RO may:
  - (a) determine whether the missing information is contained in the office or otherwise available (such as, if production records were provided by the tenant and were not included in the WA request for the landlord, the tenant's records may be used);

**B. RO Responsibilities (continued)**

- (b) attempt to notify the AIP of the missing information through the WA ROE system, by telephone, by facsimile, by encrypted email, or by mail if the RO discovers the missing information before the expiration of the 15-business day period. The RO will communicate to the AIP that the AIP must upload the missing information to the WA ROE system no later than 15 business days after the applicable deadlines contained in Para. 21; and
  - (c) place the WA request on hold using the HLD Process Status Code with the RFI Process Status Reason Code (see Exhibit 6B), as necessary. The WA request should remain on hold until the AIP uploads all required supporting documentation or until the deadline for the AIP to upload the supporting documentation has passed. Once the AIP uploads the supporting documentation, or the deadline for submission has passed, change the WA request to the SPR Process Status Code and continue the review process.
- (4) A request for additional required information (more than minimum required information) by the RO in accordance with Subparagraphs 22A(10) and 22B(3)(g), may be sent to the AIP if such information is necessary to evaluate the WA request or determine actuarially sound premium rates.
- (a) Any request for additional required information must state, in writing, the information that is being requested and the date by which such information must be received by the RO. The RO must provide a minimum of 5 business days from the date of the request for additional required information to allow the AIP adequate time to provide the additional required information to the RO. The RO will communicate to the AIP that the AIP must upload the additional required information to the WA ROE system no later than the date identified in the request for additional required information.
  - (b) The RO must record the date of the request for additional required information, the date such information must be provided to the RO and put the request on hold using the HLD Process Status Code with the RFI Process Status Reason Code (see Exhibit 6B). The request should remain on hold until the AIP uploads the additional required information or until the deadline for the AIP to upload the additional required information has passed.

## **24 Electronic Transmission Errors**

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Electronic transmission errors include errors committed by the AIP, or any USDA agency, in the information provided by the insured (such as, transposed numbers, etc.). The AIP may correct electronic transmission errors made by the crop insurance agent, or any USDA agency, to the extent that an agent or AIP relied upon the erroneous information for crop insurance purposes.

Electronic transmission errors do not include the failure of the AIP to upload supporting documentation, including the Request for Actuarial Change form, by the deadline in Para. 23 of this handbook.

**25-30 (Reserved)**

## Section 3 RO Review for WA Consideration

### 31 **WA Request Logging Instructions**

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#### A. **Receipt of a WA Request**

The RO will assign the **WA request** to the appropriate specialist after the date of receipt.

#### B. **Issuance of WA**

When issuing a WA offer, the issued date is the date the secondary reviewer reviews the WA offer. If a CI appraisal is required, the RO will issue the WA offer unsigned as specified in Para. 42.

#### C. **Denial/Non-Acceptance/Withdrawal of a WA Request**

The issued date of the notice of denial, non-acceptance, or withdrawal is the date the secondary reviewer reviews the notice of denial, non-acceptance, or withdrawal. The appropriate logging codes are in Exhibit 6.

#### D. **Duplicate WA Requests**

When the AIP sends in a duplicate **WA request**, the RO will verify with the AIP that the request is a duplicate request. The RO will request the duplicate be deleted by an ROE administrator (a notice of the deletion will not be sent to the AIP as the verification process is the notice to the AIP). The originally submitted **WA request** will be reviewed (unless it is not accepted based on the criteria in Subparagraph 33A).

### 32 **RO Review Timeline**

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The RO will issue a WA offer, provide notice that the **WA request** has not been accepted, or deny the **WA request** within 15 business days of receiving all required information (or within 15 business days of the deadline to submit the required information if not all required information is provided). If there has been a delay (such as a WA ROE system failure, etc.), the RO will provide a response to the **WA request** (WA offer, not accepted letter, or denial) as quickly as possible once the delay has been resolved.

### 33 Non-Acceptance for Review of a WA Request

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#### A. All WA Requests

\*\*\* The RO will send notice to the producer and provide the AIP a copy electronically through the WA ROE system when a WA request is not acceptable. The notice of non-acceptance must state the reasons for not accepting the WA request and provide rights in accordance with Para. 63, as applicable. See Exhibit 6F for when appeal rights are applicable and when a certified letter is required.

**Note:** In situations where a producer refuses to sign for certified mail containing a notice of non-acceptance, the date the attempt was made by the postal service to obtain the signature is the date of notification.

WA requests will not be accepted if:

- (1) the WA request was not submitted by the producer in accordance with the deadlines in Para. 21;
- (2) the WA request was submitted electronically through the WA ROE system (including supporting documentation) to the RO later than 15 business days after the applicable deadlines in Para. 21;
- (3) the WA request was or supporting documentation were submitted in a method other than through the WA ROE system [unless arrangements with the RO were made in accordance with Subparagraphs 23A(2) or 23A(3)(c)];
- (4) minimum required information that was missing from a timely submitted WA request (including specific WA type required information identified in Part 3) is not provided, or not provided by the applicable deadline;
- (5) additional required information (more than minimum required information) requested by the RO is not received by the date established by the RO [see Subparagraph 23B(4)];
- (6) the supporting documentation does not meet the requirements in Subparagraph 23A(3);
- (7) a prior WA request was denied and a new WA request for a current or subsequent crop year fails to address the original basis for denying the request (providing an updated APH from subsequent crop years following the original denial is not considered addressing the original basis for denying the request);
- (8) requirements in the policy and this handbook for a completed WA request (including form standards in Exhibit 3) are not met;
- (9) a single WA request is submitted that covers more than one producer or more than one county;

### **33 Non-Acceptance for Review of a WA Request (Continued)**

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#### **A. All WA Requests (continued)**

- (10) the requested changes to the terms and conditions of insurance are not permitted by the Act, as amended;
- (11) the WA request is not authorized when the CP specifically prohibit WAs or the requested changes to the terms and conditions of insurance are not permitted by the policy (for example, where provisions, such as a pilot CP, expressly exclude WAs or to alter provisions not specifically designated in the policy for alteration);
- (12) a crop policy is not available for the crop; or
- (13) the WA request requests terms and conditions the producer already has in place (for example, a request for a HR WA requesting standard rates of insurance for ground that already receives standard rates of insurance).

#### **B. Renewal WA Requests**

In addition to Subparagraph 33A, requests for a renewal WA will not be accepted if:

- (1) it is determined the original WA was issued in error (for example, the WA was not authorized by the policy);
- (2) the WA terms and conditions have been incorporated into county AD; or
- (3) the WA is no longer applicable or consistent with the Act or the regulations published at 7 CFR Chapter IV.

### **34 RO Review for Approval or Denial of a WA Request**

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#### **A. Requirements to Permit Approval**

If a WA request is determined to be acceptable for review, all the following must apply to approve a WA request:

- (1) insurance would not violate sound insurance principles (such as, over-insuring the crop, inappropriate premium rates, etc.) or create program vulnerabilities (such as, increasing the possibility of fraud, waste, and abuse);
- (2) actuarially sound premium rates and yields can be determined;
- (3) price/price elections and other terms of insurance are appropriate for the crop in the area it is being produced;
- (4) the specified criteria in Part 3 and Part 4, as applicable, are met; and
- (5) no grounds for denial exist.



**B. Multi-Year WAs**

If the WA request warrants approval, the RO may, at its sole discretion (except for pecans, as pecan WAs are required to be issued in two-year increments), issue the following types of WAs as multi-year WAs, if the WA does not remove or modify any Special Provisions statement (see Exhibit 6A for WA type code definitions):

- (1) HR;
- (2) OP;
- (3) SC;
- (4) SG;
- (5) SM (maximum of four years);
- (6) TD;
- (7) TP;
- (8) UA;
- (9) UC; and
- (10) XC.

**C. Basis for Denial**

When denying a WA request, the RO must provide notice of denial of the WA request by certified mail to the producer, with a copy to the AIP electronically through the WA ROE system. The notice of denial must state the reasons for denial and provide rights in accordance with Para. 63, as applicable. See Exhibit 6F for when appeal rights are applicable and when a certified letter is required.

**Note:** In situations where a producer refuses to sign for certified mail containing a notice of denial, the date the attempt was made by the postal service to obtain the signature is the date of notification.

The RO will deny a WA request if any of the following apply:

- (1) the RO determines that adequate information is not available to establish an actuarially sound premium rate and insurance coverage for the insurable crop and acreage;
- (2) the crop/P/T or variety is determined not to be adapted to prevalent production conditions of the county by agricultural experts;
- (3) the crop, or similar crop, was not previously grown in the county or area, or there is no evidence that a viable marketing outlet is available for the requested crop or type (for example, if the price of safflowers is \$0.08, it costs \$0.04 to ship the crop to market, and it costs more than \$0.04 to produce the crop, then there is no viable marketing outlet);
- (4) the risks are determined to be excessive in accordance with Para. 35;

**C. Basis for Denial (continued)**

- (5) the requested change to the terms of insurance is determined by the RO to violate sound insurance principles or create program vulnerabilities;
- (6) when the producer has grown the requested crop/P/T or variety, or has grown the requested crop but not the requested P/T or variety, and cannot show that at least 50 percent of the T-Yield (obtained from the requested county or a county with similar agronomic conditions and risk exposure) has ever been grown by the producer for the crop/P/T or variety for which the WA is requested, or for the crop when the crop has been grown but not the requested P/T or variety (if the T-Yield used is typically factored, the factored county T-Yield is used for the 50 percent determination);
- (7) when the producer has not grown the requested crop and cannot show that at least 50 percent of the T-Yield (obtained from the requested county or a county with similar agronomic conditions and risk exposure) has ever been grown by the producer for the similar crop(s) that is used to qualify the crop for which the WA is requested (if the T-Yield used is typically factored, the factored county T-Yield is used for the 50 percent determination);
- (8) the type of loss incurred or loss experience under the WA indicates the factual basis relied upon to issue the WA or the assigned premium rate is not valid;

**Example:** A WA provides a premium reduction because a levee was built to eliminate or substantially mitigate exposure to flooding or ponding under circumstances where there is excess precipitation in the area. The insured incurred a loss due to flooding when the area received excess precipitation. The premium reduction is no longer reasonable because loss experience has demonstrated that the peril still exists, and the claim that the levee will prevent flooding or ponding is not valid.

- (9) for WA requests where a rate must be determined for a WA offer, except UC type requests [see Subparagraphs 72D(4) and 72E(4) for UC rate limits], the base premium rate (excluding options or endorsements) exceeds 0.700 when calculated at the 65 percent coverage level; or

**Note:** To calculate the base premium rate at the 65 percent coverage level, use the following equations:

Additive Rate:  $[(\text{Rate Yield}/\text{Reference Yield})^{\text{Exponent}}] \times \text{Reference Rate} + \text{Fixed Rate} + \text{Additive Rate (if applicable)}$

Multiplicative Rate:  $\{[(\text{Rate Yield}/\text{Reference Yield})^{\text{Exponent}}] \times \text{Reference Rate} + \text{Fixed Rate}\} \times \text{Multiplicative Rate (if applicable)}$

- (10) conditions set forth in Part 3 or Part 4 are not met.

**A. Applicability**

- (1) Subparagraphs 35B and 35C are applicable to these WA types (see Exhibit 6A for WA type code definitions):
  - (a) OP;
  - (b) PE (except Arizona/California grape price elections);
  - (c) RE;
  - (d) SC;
  - (e) SG;
  - (f) SM;
  - (g) TC;
  - (h) TD;
  - (i) TP;
  - (j) UC; and
  - (k) XC.
  
- (2) If an insured is unable to finish harvest (due to an insurable cause), or records are unavailable from the processor, marketing outlets, etc., use the prior year's production for Category D (dollar plan) crops and the temporary yield for APH based crops (see CIH Subparagraph 1503A for temporary yield procedures) to determine the experience under the WA.

The RO may, at its sole discretion, hold the WA request for processing until current production records are available for the WA experience determination (the RO must notify the AIP why the WA request is being held, and document in the office request file the reason why the RO held the WA request). In circumstances where the loss adjustment rules typically result in a settlement of claims being delayed until after a producer would reasonably need to make insurance decisions (for example, apples waiting on the final disposition of the crop), production experience may be reviewed using a lag year.

- (3) For a multi-year WA, if a loss has occurred and records are not available to allow the RO to determine if the WA needs to be cancelled by 30 days prior to the cancellation date, the WA will continue for the current crop year and the WA experience determination that would have taken place with the loss records will be completed the following crop year. If in the following crop year, it is determined that the WA would have been cancelled the prior crop year if all information were available, the WA will then be cancelled.

**Example:** A producer has a multi-year WA but did not have 2020 crop year loss records available timely for the RO to determine if the WA needed to be cancelled for the 2021 crop year. For the 2022 crop year, the WA experience determination that would have been completed for the 2021 crop year if all information were available at that time will be completed to determine if the WA needs to be cancelled for the 2022 crop year.

**A. Applicability (continued)**

- (4) If a request for a new WA contains a crop or acreage previously insured by a WA in the requested county for the producer, but a break in continuity occurred that required the request to be considered a new request, the requirements in Subparagraphs 35B and 35C still apply.

**Example:** A producer had a TP WA in 2018 and 2019 in a county but did not have a TP WA in 2020, causing a request for a TP WA in 2021 to be a new request. The determination of WA experience still needs to be utilized for the 2021 request.

- (5) If the RO discovers a request for a new WA contains a crop or acreage previously insured by a WA in the requested county under a different entity, and the person participated in the previous operation, the requirements in Subparagraphs 35B and 35C will apply.

**B. Determination of WA Experience**

Examine the loss experience (both revenue and production losses) of the acreage insured by the WA for all years that a WA was in effect for the crop or acreage, including a review of the AIP submitted data to RMA to ensure the data was transmitted in accordance with the terms provided in the approved WA.

**Note:** For a WA type that is crop or P/T based (such as, XC, TP, TD, etc.), review the loss experience for the crop or P/T for all years that a WA was in effect in the county even if the experience is from different acreage. For a WA type that is acreage based (such as, UC, SM, etc.), review the loss experience for all years that a WA was in effect for the requested acreage only.

The WA experience is unfavorable if all the following apply:

- (1) an indemnity payment exceeded total premium paid on the acreage insured by the WA in the most recent crop year premium was earned;

**Exception:** If the WA experience determination is being reviewed based on Subparagraph 35A(3), the crop year preceding the most recent crop year is used in lieu of the most recent crop year to determine if the indemnity payment exceeded total premium paid on the acreage insured by the WA.

- (2) an indemnity payment exceeded total premium earned in the crop year the indemnity was paid on the acreage insured by the WA for a minimum of two crop years;

**B. Determination of WA Experience (continued)**

- (3) the cumulative ELCR (rounded to two decimals) for the acreage insured by the WA, for all crop years the WA was in effect, is greater than 0.15; and
  - (a) Cumulative means the total for all liability, premium, and indemnity for all years a WA is in effect.
  - (b) The ELCR is total indemnity minus total premium divided by total liability.

**Example:** The total liability is \$100,000, the total premium is \$15,000, and the total indemnity is \$40,000. The ELCR is  $(\$40,000 - \$15,000) \div \$100,000 = 0.25$ .

- (4) the cumulative LR (total indemnity divided by total premium) for the acreage insured by the WA, for all crop years that a WA was in effect for the crop or acreage, is:
  - (a) equal to or greater than 1.5 times the cumulative LR for the county (over the same timeframe as the WA), when the cumulative ELCR for the acreage insured by the WA is less than 0.40; or
  - (b) equal to or greater than 1.0 times the cumulative LR for the county (over the same timeframe as the WA), when the cumulative ELCR for the acreage insured by the WA is 0.40 or greater.

**Note:** Use the most appropriate of the following situations to determine the cumulative LR for additional (buy-up) coverage in the county (if little or no experience is available for a situation below, it would not be appropriate to use that situation):

- (i) the same crop/P/T or variety if insurance for the crop/P/T or variety is otherwise available in the county;
- (ii) the same crop, including different P/T or varieties, if applicable, if insurance for the crop is otherwise available in the county;
- (iii) the same crop/P/T or variety produced in a nearby county similarly affected by the cause and time of loss, if insurance for the crop/P/T or variety is available in a nearby county;
- (iv) the same crop, including different P/T or varieties, if applicable, produced in a nearby county similarly affected by the cause and time of loss, if insurance for the crop is available in a nearby county; or
- (v) a different crop in the county that would be similarly affected by the cause and time of loss. Use the crop with the most similar risk exposures to the crop insured by the WA, which has the most insured acreage in the county during the most recent crop year.

**C. Unfavorable WA Experience**

Once a producer has been determined to have unfavorable experience under Subparagraph 35B, the following will apply:

- (1) a subsequent **WA request** will not be approved unless the producer can show no loss would have occurred (including any options, such as a fresh fruit option, etc., that were in effect the most recent year the crop and acreage was insured by WA) for any two consecutive crop years following the unfavorable experience determination (for example, if the **WA** request was denied for the **2020** crop year, the insured would need to show no loss would have occurred for two consecutive crop years after **2019**) and provides additional acceptable information on the insured crop/P/T/variety or acreage that can be used to establish a premium rate more appropriate for the crop/P/T/variety or acreage in the county.

**Note:** How a determination of no loss for two consecutive crop years is made depends on the type of WA that is being requested. For acreage based WAs (for example the UC type, etc.), no loss could have occurred on that acreage for two consecutive crop years to be approved. For crop/P/T based WAs (for example the XC type, TP type, TD type, etc.), no loss could have occurred on that crop/P/T (whichever the WA was for) in the county for two consecutive crop years to be approved.

A determination of a loss is as follows:

- (a) for insurance plans based on APH, a loss is an actual yield (determined from records supplied by the producer) that is less than the highest coverage level available for the applicable policy in the county multiplied by what would have been the updated approved APH yield for acreage that would have been covered by the WA during each crop year;
- (b) for insurance plans offering a dollar amount of coverage per acre (except forage seeding), multiply planted acres that would have been covered by the WA for each crop year (determined from records supplied by the producer) times the maximum dollar amount of coverage available for the applicable policy in the county. A loss is a crop year in which this amount exceeds the dollars received by the producer (determined from records supplied by the producer) for acreage that would have been covered by the WA; and

## 35 WA Experience Determination (Continued)

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### C. Unfavorable WA Experience (continued)

- (c) for forage seeding only, conduct a CI appraisal of all forage seeding acreage within 30 days prior to the initial harvest, but no later than the applicable end of insurance date provided in Section 9(g) of the Forage Seeding CP. The CI appraisal must be completed in accordance with the Forage LASH. A loss is defined as a crop year in which the forage seeding acreage falls below 75 percent of a normal stand for the acreage that would have been covered by the WA (obtain the normal stand from the Special Provisions for the ADM source county used on the producer's previous forage seeding WA; if the previous ADM source county no longer has the forage seeding program, use the most practical ADM source county in accordance with Para. 36 to obtain the applicable normal stand).
- (2) if a new WA is approved and the producer subsequently has a loss (total indemnity is greater than total premium), the WA will be cancelled, or not renewed, if the producer's experience is unfavorable in accordance with Subparagraph 35B based solely on the producer's experience under the WA for all years a WA was in effect; and
- (3) each subsequent unfavorable experience determination under (2) of this subparagraph is subject to the requirements of Para. 35.

## 36 Determining ADM Source (Reference) Counties

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If the RO cannot use the ADM for the location county to develop the WA offer, the RO can change the ADM source state and/or ADM source county associated with the WA in ROE. To determine the appropriate ADM source county to use, the RO must use the criteria listed below. If the ADM source county does not match the location county, it will be printed on the WA as a reference state/county.

- (1) Select the closest county (if the commodity already exists in the location county, then the location county ADM may be modified to accommodate the change in P/T) that has the most similar agronomic conditions where the crop is insured with the same P/T, varieties, or insurance plans (see example below), to the maximum extent practicable. Resources to consider include plant hardiness zone maps, land grant universities, CES, state agriculture departments, crop production guides published by USDA, universities, etc. Use the T-Yields, premium rates, price/price elections, program dates, crop/P/T codes, AD, and Special Provisions statements from that county to the extent that such terms and conditions are appropriate for the crop within the location county.

**Example:** For a commodity that exists within the county that contains insurance plans 01, 02, and 03 the source county must also contain insurance plans 01, 02, and 03.

### **36 Determining ADM Source (Reference) Counties (Continued)**

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- (2) In the absence of a county with similar agronomic conditions for the crop, or if certain terms are not appropriate for the crop (such as, Special Provisions statements, dates, price/price elections, etc.):
  - (a) select a county (if the commodity already exists in the location county, then the location county ADM may be modified to accommodate the change in P/T) where the crop is produced to determine the price/price elections and Special Provisions statements, if applicable (price/price elections will not exceed the price/price election contained in the AD for the county that is used to establish the other terms of the WA); and
  - (b) determine the premium rate, T-Yield, and other applicable terms in accordance with Part 3.
- (3) A WA shall not be used to alter dates or statements specified in the CP used from an **ADM source county**, unless allowed by the policy.
- (4) If there is no county where AD for the crop exists, do not accept the **WA** request. If there is no county where the P/T is the same, the terms of insurance will be determined in accordance with Para. 84.

### **37 RO Review Documentation and Checklist**

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The RO must:

- (1) document the reason for the RO decision in the RO Actuarial Change Request Checklist **Comments and Checklist Items** section of the ROE request and sub request screens (see Exhibit 7) for each WA request received;
- (2) determine the appropriate WA request type(s) (see Exhibit 6A);
- (3) complete all **applicable** checklist entries;
- (4) review the documentation submitted with the WA request and identify for each checklist item if the documentation is complete, incomplete, or not applicable, for each applicable WA request type; and
- (5) provide **RO decision documentation** in the comments section. **Upload any RO generated documents (such as, internal RO checklist, policyholder information, spreadsheets, etc.) used to formulate the RO decision to the request documents folder.**



### **37 RO Review Documentation and Checklist (Continued)**

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The checklist is considered verified complete and accurate by the first reviewer and second reviewer once the WA is certified by the second reviewer. The first reviewer is the RO specialist that made the determination and originated the WA. The second reviewer is the approving authority designated by the RO Director. Designated approving authorities should be limited to RO Director, RO Deputy Director, and Senior Risk Management Specialists. The RO Director may designate staff other than those previously listed as the second reviewer only when the RO Director, RO Deputy Director, and a Senior Risk Management Specialist are not available.

**38-40 (Reserved)**

## Section 4 Requirements for a WA Offer

### 41 General Guidelines

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When a **WA request** is approved by the RO, the terms and conditions of the WA should be clearly stated within the issued WA offer (such as a policy exception for underage citrus should clearly identify it is to allow insurance for underage citrus).

The RO must use consistent terms and conditions on WAs issued in a county where there are similar WA offers (such as, if all conditions are the same, the same rate, yield, etc., should be used for all other similar WA offers).

When a WA offer is issued to the AIP by the RO, instructions will be provided to the AIP that indicate it is the AIP's responsibility to process the WA in accordance with Part 2, Sections 4 and 5.

### 42 CI Appraisal Requirement

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The RO must require CI appraisals for WA requests that establish insurability with submission deadlines after the SCD, unless the **WA request** is accepted and a WA offer is made by the RO before the crop is planted, or the RO does not require a CI appraisal for fall planted crops. The RO may also require CI appraisals when planting practices, farming practices, etc., may impact the production of the crop or for other situations as provided in (3) of this paragraph.

When the RO identifies that a CI appraisal is required and the WA offer is made by the RO before the crop is planted, no CI appraisal is required for any field that was not planted on or before the date of the WA offer [unless the RO requires a CI appraisal in accordance with (3) of this paragraph]. The producer must sign and date a statement attesting that the field(s) was not planted on or before the date of the WA offer if the producer accepts the WA offer.

When a CI appraisal is required, the RO will issue the WA offer unsigned and, if an acceptable CI appraisal showing all fields meet the potential yield in (1) of this paragraph is returned timely (see Para. 54 and 56) with the WA, the RO will sign and issue the approved WA to the AIP. If no fields on the WA offer meet the potential yield in (1) of this paragraph, the RO must withdraw the WA offer and provide arbitration rights in accordance with Subparagraph **63E**.

If an acceptable CI appraisal is returned timely with the WA, however some of the fields do not meet the potential yield in (1) of this paragraph, the RO will sign and issue a modified WA with no signature required containing only those fields that are insurable (the modified WA with no signature required shall not change the terms of the insurable fields that were offered on the original WA, and shall not contain an insured's signature area as the insured's signature from the original WA offer accepting the terms of the WA is binding). The cover letter for the modified approved WA will provide the reason that not all the fields on the originally issued WA are insurable. For the fields that do not meet the potential yield in (1) of this paragraph, the RO must withdraw the WA offer for those fields and provide arbitration rights in accordance with Subparagraph **63E**.

## 42 CI Appraisal Requirement (Continued)

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The AIP must perform a CI appraisal in accordance with the procedures listed below.

- (1) The AIP must conduct a CI appraisal of the crop for which a WA is requested to determine the crop's potential yield by field for the acreage specified in the WA offer. The CI appraisal must comply with all applicable procedures in the LAM, with the exception that comparisons are made on a field basis for WA offers, not on a unit basis. For any field that does not have a potential yield equal to or greater than 90 percent of the yield used to determine the production guarantee or the amount of insurance, the field will not be insurable.

**Note:** Generally, the CI appraisal is completed by FSA FN, Tract number, and Field number(s) as identified on the WA offer. However, in some situations a CI appraisal is extremely difficult to complete for each Field number identified on the WA offer (for example, a producer's acreage contains several small fields with separate Field numbers and the producer plants across these fields with no discernable break or boundary between the fields). For these situations, a CI appraisal may combine the Field numbers that cannot be easily separated to determine the potential yield as a single field. If multiple Field numbers are combined into a single field to complete the CI appraisal and that field does not meet the required potential yield, the WA offer for all Field numbers that make up that field will be withdrawn.

- (2) When the crop is in dormancy and the applicable procedures do not allow appraisals to be completed while the crop is dormant, the RO may accept Special Reports completed by the AIP in place of a CI appraisal. Special Reports may only be utilized in lieu of a CI appraisal if specifically authorized by the RO. The Special Report is ONLY to be used for crops in dormancy and must include the following:
  - (a) documentation that indicates whether there is an adequate stand to reasonably produce a potential yield equal to or greater than 90 percent of the yield used to determine the production guarantee or the amount of insurance (such as, plant count information, etc.);
  - (b) conditions of the acreage at the time of inspection; and
  - (c) any additional information required by the RO as specified on the cover page of the WA offer.
- (3) The WA offer must be signed by the producer on or before the earlier of the first CI appraisal date (if there are to be multiple fields with different CI appraisal dates), or the expiration date stated in the WA offer.
- (4) The RO may require a CI appraisal:
  - (a) to occur at a specific stage of growth as determined by the RO;
  - (b) to determine crop conditions for prevented planting coverage; or
  - (c) when otherwise determined necessary by the RO.

### **43 Provision Requirements**

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WA offers must be issued containing the substantive form entries contained in the exhibits in this handbook. All WA offers must contain the Collection of Information and Data (Privacy Act) Statement, and the USDA Non-Discrimination Statement (refer to the DSSH).

- (1) For WAs providing coverage in counties without AD, the WA offer will include (if changes are made to the source ADM):
  - (a) T-Yields, classifications, or any other basis of insurance coverage as appropriate for the crop, or as contained on the AD of the ADM source state and county determined in accordance with Para. 36;
  - (b) the premium rates as determined in accordance with Subparagraph 85D(2)(b), quoted at the 65 percent coverage level;
  - (c) the ADM source state and county determined in accordance with Para. 36 for determining the Special Provisions and other AD provisions;
  - (d) terms and conditions of the ADM source state and county determined in accordance with Para. 36;
  - (e) the expiration date for the insured to accept the WA offer established in accordance with Para. 51;
  - (f) other necessary administrative statements as provided in this handbook or other statements as approved by the Deputy Administrator for Insurance Services and the Deputy Administrator for Product Management;
  - (g) the P/T or variety, as applicable;
  - (h) the price/price election or amount of insurance. Except as provided in Para. 74, 76, 83, 84, and 85, the WA offer will contain a price/price election or amount of insurance that does not exceed the price/price election or amount of insurance contained in the AD for the county that is used to establish the other terms of the WA offer, unless otherwise authorized by the CP (for crops where choices of protection include both revenue protection and yield protection, the projected price and harvest price are set by the CEPP);
  - (i) if revenue protection is not available for the crop in the state, and is available in other states, the WA offer is available for yield protection only, and will contain the information needed to determine the projected price for the crop from another state as determined by FCIC; and
  - (j) if revenue protection is available in the state for the crop, the WA offer will contain the information used to establish the projected price and harvest price, as applicable, for that state.

### 43 Provision Requirements (Continued)

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- (2) For all other WAs, contract changes will be specified in the WA offer and determined in accordance with the following, or Para. 36 and Part 3, if applicable. These include (if changes are made to the source ADM):
  - (a) the AD, including applicable Special Provisions, forms, terms, or conditions amended by the WA;
  - (b) WA offers for a county that require the establishment of a price/price election or amount of insurance (except as provided in Para. 74, 76, 83, 84, and 85) will contain a price/price election or amount of insurance that does not exceed the price/price election or amount of insurance contained in the AD for the county that is used to establish the other terms of the WA offer, unless otherwise authorized by the CP (for crops where choices of protection include both revenue protection and yield protection, the projected price and harvest price are set by the CEPP);
  - (c) WA offers for counties that have a price/price election or amount of insurance for the crop stated in the AD will contain the price/price election or amount of insurance stated in the AD for the crop, or if available in the county, the price/price election for the P/T or variety;
  - (d) if revenue protection is not available for the crop in the state, and is available in other states, the WA offer is available for yield protection only, and will contain the information needed to determine the projected price for the crop from another state as determined by FCIC;
  - (e) if revenue protection is available in the state for the crop, the WA offer will contain the information used to establish the projected price and harvest price, as applicable, for that state;
  - (f) the terms and conditions of the WA offer including, as applicable, premium rates, yields, and exceptions to the CP or Special Provisions of the ADM source state and ADM source county determined in accordance with Para. 36;
  - (g) the expiration date for the insured to accept the WA offer established in accordance with Para. 51; and
  - (h) other necessary administrative statements as provided in this handbook, other statements, or directives as approved by the Deputy Administrator for Insurance Services and the Deputy Administrator for Product Management.
- (3) A WA offer shall not allow, exclude, or change any terms of the policy (such as excluding causes of loss), unless authorized by the Act, BP, CP, or Special Provisions.

44-50 (Reserved)

## Section 5 WA Offer Expiration Dates, Acceptance, Non-Acceptance, or Rejection

### 51 WA Expiration Dates

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The expiration date is the date by which the producer must accept the WA offer issued by the RO.

- (1) WA offers issued by the RO 30 calendar days or more before the SCD remain valid offers until 11:59 pm local time of the RO issuing the WA offer on the SCD.
- (2) WA offers issued by the RO less than 30 calendar days before the SCD, or after the SCD, are valid offers until 11:59 pm local time of the RO issuing the WA offer for 30 calendar days from the date the WA offer is issued by the RO.
- (3) WA offers issued by the RO where CI appraisals are required to occur at a specific stage of growth are valid offers until the earlier of the date of the CI appraisal or the expiration date provided in the WA offer.
- (4) WA offers are considered issued on the date the secondary reviewer reviews the WA offer (the issued date will be provided on the WA offer).
- (5) For acceptance of WA offers, or reissued WA offers, the producer must sign the WA offer by the expiration date stated in the WA offer regardless of what day of the week such date occurs.

### 52 AIP Acceptance or Non-Acceptance of WA Offer

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The RO must transmit the WA offer electronically to the AIP through the WA ROE system within the timeframes specified in Para. 32. If the AIP:

- (1) accepts the WA offer, the AIP must provide a copy of the WA offer to the producer as expeditiously as possible to permit the producer to review and either accept or reject the WA offer by the expiration date (once the WA offer is provided to the producer, it is presumed to be accepted by the AIP); or
- (2) elects not to accept the WA offer:
  - (a) the AIP must not sign the WA offer and must return the original WA offer to the RO with the applicable reason for non-acceptance;
  - (b) the AIP must notify the producer by certified mail that the WA offer is not accepted and state the reason for such non-acceptance (the notice must also provide the producer with a right to arbitrate or mediate the non-acceptance in accordance with Section 20 of the BP);
  - (c) the AIP must retain a copy of the WA offer (including the stated reason the WA is not in effect) as a permanent part of the producer's file folder; and
  - (d) the RO must record the Exception Request Release Reason Code 12 as to why the WA is not effective (see Exhibit 6E).

## **53 When AIP Accepts WA Offer**

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- (1) For WAs that require a CI appraisal to establish insurability:
  - (a) the AIP will perform a CI appraisal, as required in Para. 42, and obtain the producer's signature. If the CI appraisal requirements are not met on a field basis, the AIP must notify the producer that the fields that failed the CI appraisal are not insurable;
  - (b) for WAs timely signed by the producer, the AIP must sign the WA and transmit the WA electronically through the WA ROE system to the RO no later than 15 business days after the expiration date;
  - (c) the RO will record the dates the WA was signed by the RO, signed by the producer (or signed by the AIP if the producer rejected the WA but did not sign), and transmitted electronically through the WA ROE system from the AIP to the RO; and
  - (d) the RO will retain a copy of the WA for their records. The RO will send the approved WA to the AIP for distribution. The AIP must place the approved WA in the producer's file folder, forward a copy to the producer and, if applicable, to the agent.
- (2) For WAs that do not require a CI appraisal to establish insurability:
  - (a) the AIP will obtain the producer's signature for acceptance or rejection of the WA offer by the expiration date;
  - (b) the AIP shall only sign the acceptance area of those WAs that are timely signed and submitted by the producer;
  - (c) the AIP will retain the original of the WA in the producer's file after signing and a copy will be forwarded to the producer, agent, and the RO (the AIP must transmit the WA electronically through the WA ROE system to the RO no later than 15 business days after the expiration date); and
  - (d) the RO will record the dates the WA was signed by the RO, signed by the producer (or signed by the AIP if the producer rejected the WA but did not sign) and transmitted electronically through the WA ROE system from the AIP to the RO.

## **54 AIP WA Response Timeline**

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If the timely signed WA (including any applicable corresponding CI appraisal or signed and dated statement from the producer that the crop was not planted as of the date of the WA offer) is not transmitted electronically through the WA ROE system within 15 business days of the expiration date, the RO will withdraw the WA in accordance with Para. 56.

## 55 AIP Alert Mechanisms

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The electronic WA ROE system automatically sends an email notification to an AIP-provided distribution email account when the RO makes electronic documents available for the AIP to retrieve. Additionally, when the RO releases a WA to the AIP, or when a WA request is not accepted or denied, the electronic WA ROE system will post a record to the FTP site to document this action. These alert mechanisms are provided as a courtesy to the AIP and any failure of these alert mechanisms does not exempt the AIP from the responsibility of timely retrieving documents and notifying the appropriate parties. The AIP should periodically perform a search on the SharePoint site to identify new document postings (such as requests for information) by the RO to ensure that the alert mechanisms did not fail to notify the AIP of available documents (an ROE User Guide is available on the Extranet SharePoint site, which includes detailed instructions on how to search for document changes). RMA will also provide daily releases of preliminary and final decisions for submitted **WA requests** as part of the WA ADM/ICE that should be monitored by the AIP.

The electronic WA ROE system also automatically sends reminder email notifications to an AIP-provided distribution email account when:

- (1) supporting documentation for a **WA request** has not been uploaded within a certain timeframe after the WA request folder has been created; and
- (2) a WA offer is nearing the expiration date and a signed copy of the WA has not been received by the RO.

The RO will not extend deadlines due to an alert mechanism failure.

## 56 RO WA Withdrawal

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When the WA (including any corresponding CI appraisal or signed and dated statement from the producer that the crop was not planted as of the date of the WA offer, if applicable) is not electronically transmitted to the RO through the WA ROE system within 15 business days after the expiration date, the WA offer must be withdrawn in accordance with Subparagraph 57(3), unless the producer can provide acceptable documentary evidence (such as a certified mail receipt or similar evidence) that the producer timely signed the WA offer and submitted the WA offer (including any applicable CI appraisal or statement) to the AIP.

If the WA is electronically transmitted to the RO through the WA ROE system timely, but a required CI appraisal (see Para. 42) or applicable statement is not electronically transmitted to the RO through the WA ROE system within 15 business days after the expiration date of the WA offer, the WA offer must be withdrawn unless the producer can provide acceptable documentary evidence (such as a certified mail receipt or similar evidence) that the CI appraisal, or applicable statement, was completed timely and submitted to the AIP. The withdrawal letter must contain arbitration rights in accordance with Subparagraph **63E**.

In situations where the RO allows additional time to complete the CI appraisal, the WA must still be transmitted to the RO through the WA ROE system within 15 business days after the expiration date of the WA offer, however, the CI appraisal must be transmitted through the WA ROE system by the date required by the RO.



## **57 Producer Rejection of WA Offer**

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If the producer rejects the WA offer by signing in the rejection block (if the producer rejects the WA offer, but does not sign in the rejection block, the AIP must sign the rejection statement in the allotted space for the AIP's signature attesting that the WA offer was presented to the producer and the producer rejected) or the producer did not sign the WA offer by the expiration date:

- (1) the AIP must return the original WA offer to the RO through the WA ROE system;
- (2) the AIP must retain a copy of the WA offer as a permanent part of the producer's file folder; and
- (3) the RO Director, or a designated authorized representative, will withdraw the WA offer (see Exhibit 12).
  - (a) Notification of a withdrawal must be made via regular mail to the producer with a copy to the AIP electronically through the WA ROE system. No mediation, appeal, or administrative review rights are included.
  - (b) When the producer has clearly signed the rejection statement of the WA offer indicating the producer rejected the terms of the WA offer, no notification of withdrawal is required. If the producer's signature appears questionable (such as the signature on the rejection statement doesn't appear to match the producer's signatures on other submitted documents) the RO should provide a notification of withdrawal to the producer with a copy to the AIP.
  - (c) If the producer has not signed the rejection statement, but the AIP signed on the producer's behalf in the allotted space for the AIP's signature, notification of a withdrawal to the producer is still required.
  - (d) For WA offers that were rejected by the insured, retain the Exception Request Release Reason Code 8 (see Exhibit 6E).

**58-60 (Reserved)**

## Section 6 Additional WA Information

### 61 WA Cancellation, Errors, and Changes

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#### A. Multi-Year WA Cancellation

If a multi-year WA is cancelled due to an action of the insured indicated in (1) of this subparagraph, the AIP which cancelled the policy shall notify the appropriate RO of the WA cancellation in writing (such as, e-mail, through ROE, etc.). The RO is not required to provide a letter of cancellation to the insured when the cancellation is initiated by the insured.

(1) Multi-year WAs may be cancelled for any crop year by the **insured** or the AIP by providing written notification to the RO. The written notification to the RO must show that the request to cancel the WA was requested by the cancellation date specified in the policy or the WA, as applicable. In addition, when an insured cancels the policy:

(a) to transfer to a policy/plan that is covered under a different BP, the insured effectively cancelled the WA by initiating the cancel and transfer even when insured with the same AIP. If the insured switches coverage within different plans under the same BP with the same AIP, the WA remains effective under the current plan of insurance if that plan of insurance was approved on the multi-year WA;

**Example:** In **2017** the producer accepted a multi-year WA and had revenue protection, the insured may transfer coverage (including the WA) to yield protection in **2021** by changing insurance plans (only if the WA was approved for yield protection); however, if the insured transfers to an area plan which is under a different BP, the insured effectively cancelled the **2017** multi-year WA.

(b) as a result of a change in entity with a different tax identification number, the insured effectively cancelled the WA. The new entity would need a new WA (submit a new WA request, a renewal **WA** request is not applicable in this situation), or the existing terms of the policy and actuarial requirements will remain in effect; or

**Example:** An insured accepted a multi-year WA in **2017** while under an individual policy with an SSN. In **2021**, the insured cancels the individual policy and begins a policy as a corporation with a different tax identification number. The **2017** multi-year WA does not transfer to the corporation and the WA is cancelled along with the cancellation of the individual policy in which the WA was written for.

**A. Multi-Year WA Cancellation (continued)**

- (c) to transfer to another AIP, any multi-year WA in effect is also cancelled. A request for renewal of the WA must be submitted in accordance with Para. 21 and Subparagraph 22B, or the existing terms of the policy and actuarial requirements will remain in effect. When the WA applies to more than one crop, the WA will remain in effect for the crops not cancelled. Only the WA terms for the cancelled crop policy are no longer in effect.
- (2) Multi-year WAs must be reviewed annually to verify the determinations made are still appropriate for the situation for which the WA was developed (WUAs, as provided in Part 4, are reviewed by the AIP and all other WAs are reviewed by the RO). Upon review the RO will provide written notice to the producer and AIP that the WA is cancelled no later than 30 calendar days prior to the cancellation date specified in the policy or WA, as applicable, if:
  - (a) it is determined the WA experience determined in Para. 35 or 72E(2) is not favorable;
  - (b) policy changes no longer permit the WA (such as the potato policy no longer allows WAs for certain practices);
  - (c) it is determined the original WA was issued in error (for example, the WA was not authorized by the policy);
  - (d) the policy provisions or AD provide coverage that was previously provided under the WA; or
  - (e) the WA is no longer appropriate.

**B. WA Error Corrections**

If a WA offer approved by the RO and accepted by the producer contains an error, such error may be superseded by the RO for the situations indicated below in (1) and (2). If a WA offer approved by the RO contains an error and the error is discovered prior to the producer's acceptance of the WA offer, the error may be corrected as indicated below in (3).

- (1) If a single-year or multi-year WA contains an error that is obviously incorrect (such as the T-Yield is written as 1,000 bushels instead of 100 bushels, legal description recorded incorrectly, etc.):
  - (a) the RO will supersede the original WA and issue a modified WA with no signature required to the producer and AIP correcting the error (for a multi-year WA, the modified WA with no signature required may be issued as a multi-year WA); and

**B. WA Error Corrections (continued)**

- (b) the producer and AIP cannot reject RO corrections to modified WAs with no signature required for obvious errors.
  - (2) If a single-year or multi-year WA contains an error that is not obvious (such as, the premium rate is written as 0.11 instead of the proper rate of 0.10):
    - (a) insurance will continue under the terms of the WA for the current crop year (unless the error is adverse to the producer and the RO is notified of such error prior to the end of the insurance period); and
      - (i) If the error is adverse to the producer and the RO is notified prior to the end of insurance period, the RO will supersede the original WA and issue a modified WA with no signature required to the producer and AIP correcting the error (for a multi-year WA, the modified WA with no signature required may be issued as a multi-year WA).
      - (ii) For a multi-year WA that contains an error that is not obvious and is not adverse to the producer (or the RO was not notified of the adverse error prior to the end of insurance period), the WA must be cancelled in writing with notice to the producer and AIP for the subsequent crop year. A new WA offer shall be issued containing the modified terms at least 30 **calendar** days prior to the cancellation date. For the new WA offer:
        - (A) to be effective, it must be signed by the producer by the expiration date contained in the WA offer;
        - (B) the producer has the right to reject the modification by the applicable cancellation date for the crop by signing the rejection statement on the new WA offer; and
        - (C) if the producer rejects the WA offer, however, does not sign the rejection statement, the AIP must sign the rejection statement in the allotted space for the AIP's signature attesting that the WA offer was presented to the producer and the producer rejected.
  - (b) for all subsequent WAs, the RO will include the correct information.
- (3) If a single-year or multi-year WA offer contains an error (either obvious or not), and the error is discovered prior to the producer's acceptance of the WA offer, the RO will:
  - (a) notify the AIP to:
    - (i) not present the WA offer to the producer; or

**B. WA Error Corrections (continued)**

(ii) not have the producer sign the WA offer, if the WA offer has been presented to the producer; and

(b) reissue the WA offer with the correct information.

Also see Part 2, Section 5, regarding acceptance, non-acceptance, and rejection of a WA offer.

**C. WA Offer Issued in Error**

If the RO issues a WA offer in error (such as the WA was not authorized by the policy) and the insured accepts the offer, the WA will be in effect for the current crop year. For single year WAs, the RO will not accept a renewal **WA** request the following year (see Subparagraph 33B). For multi-year WAs, the RO will cancel the WA no later than 30 calendar days prior to the cancellation date specified in the policy or WA [see Subparagraph 61A(2)].

**D. Farming Operation Changes**

If the farming operation changes with respect to the basis for the multi-year WA, the WA will not be in effect for the crop year that does not meet the basis the multi-year WA was approved on.

**Example:** The producer receives a multi-year WA to reduce the high-risk rated area premium rate because a levee was built. The following crop year, before insurance attaches, the levee is destroyed by a flood and not repaired. The WA would not be in effect for that crop year and the producer would receive the original premium rate. If the levee is repaired prior to the next crop year, the WA would again be in effect and the producer could receive the reduced premium rate.

**E. Non-Substantive Changes**

The AIP may request a modification to the WA due to non-substantive changes by submitting supporting documentation through the WA ROE system no later than the end of insurance date for the reinsurance year affected. The AIP does not need to resubmit the entire WA request; only the supporting documentation of the non-substantive change is needed. The AIP should contact the RO by phone or e-mail to verify the information is received and to expedite the modification request.

The WA may be modified by the RO when the modification does not change the conditions, rates, or terms of the WA. When the RO determines a modification will be made:

**E. Non-Substantive Changes (continued)**

- (1) The RO will supersede the original WA and issue a modified WA with no signature required to the AIP providing an explanation of the original and the corrected information on the WA cover letter; and
  - (a) The original WA must be superseded and a modified WA with no signature required must be issued for:
    - (i) a change in the FSA FN/Tract/Field numbers when the original WA was issued at the CLU or the FSA FN/Tract/Field land level and the associated CLU identification number changes; or
    - (ii) non-substantive changes that require validation for RMA systems.
  - (b) Superseding the original WA and providing a modified WA is not required for:
    - (i) a change in the FSA FN/Tract/Field numbers when the CLU identification number has not changed (the RO may supersede the original WA and issue a modified WA with no signature required at the RO's discretion); or
    - (ii) non-substantive changes that do not require validation for RMA systems.
- (2) The original WA dates of acceptance will be retained.

**Note:** If a non-substantive change occurs but a request to modify the WA is not submitted timely, the AIP must use the information in effect at the time the WA was originally issued (or a previously issued modified WA) in order for proper validation of the WA to occur. For example, if an FSA reconstitution occurs changing the FSA FN/Tract/Field and/or CLU identification number but a modification request is not submitted timely, the AIP must use the CLU information in effect at the time the WA was originally issued (or the WA was previously modified).

**F. Person Status Changes**

When policies affected by person status changes have WAs, the procedure for person status changes in GSH Part 2, Section 3 will dictate when WAs will remain in effect or be cancelled (such as, if the policy is cancelled the WA will be cancelled, if the policy remains in effect the WA will remain in effect).

**Example:** If an insured entity has a policy that contains a WA and dissolves on or after the cancellation date, the policy and the WA will continue to be in effect for the remainder of that crop year. If the insured entity dissolved prior to the cancellation date, then the policy and the WA would automatically be cancelled.

## 62 Incorporation of WAs into AD

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The RO will maintain a working log of all **WA requests** and use the information to update the AD so that repeated requests are minimized.

The RO should review the WAs to determine when the classifications, terms, or conditions can be incorporated into the AD. When an RO incorporates the classifications, terms, or conditions into the AD, any multi-year WAs affected by these changes (for example, adding a crop to the county AD that was previously insured by a multi-year XC WA, or incorporating a multi-year HR WA into the standard rated area on the county high-risk map, etc.) must be cancelled by the RO. The cancellation letter to the insured must explain that the multi-year WA is no longer needed due to the terms and conditions of the WA being incorporated into the county AD.

To the maximum extent practicable, the RO must correct errors and update insurance experience, and rework AD, if necessary, before publishing the terms of expiring WAs.

## 63 Administrative Review, Mediation, and Appeal

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### A. General Information

- (1) **WA requests** that contain general requests (such as, the best available rates, requesting lower rates, or a request for a change that does not specifically state what is being requested), or the WA offer provides what is requested, **no appeal rights should be given.**
- \*\*\*  
(2) If the producer seeks administrative review and does not receive what was requested, the RO must provide notice to the producer of the right to mediation and **NAD** appeal. The administrative review response must be signed by the RO Director, or a designated representative, when the RO decision is upheld.
- (3) If the producer appeals to **NAD** and later drops the **NAD** appeal, the RO does not have to provide notice of the right to administrative review, mediation, or **NAD** appeal for any subsequently filed **WA request in the same crop year which** requests the same terms and conditions that were the subject of the **NAD** appeal, unless additional information is submitted in support of the request. **Additional information must address the reason(s) the RO did not provide what the insured had requested initially.**
- (4) **See Exhibit 6F for which decisions require a notice of the right to administrative review, mediation, and NAD appeal. The rights to administrative review and mediation are in accordance with 7 CFR Part 400, Subpart J, and the right to NAD appeal is in accordance with 7 CFR Part 11.**

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**B. WA Offer Terms Different than Requested**

- (1) If the RO offers a WA to the producer, and the WA offer provides terms and conditions that are different from those requested by the producer (including renewal requests), the RO must provide notice of the right to administrative review, mediation, or NAD appeal. The RO will notify the producer of these rights via cover letter attached to the RO issued WA offer. The AIP must provide the letter and WA offer to the producer expeditiously to allow the producer adequate time to request administrative review, mediation, or NAD appeal.
- (2) For WA offers where administrative review, mediation, and NAD appeal rights have been provided, the RO will also notify the producer that:
  - (a) a request for administrative review, mediation, or NAD appeal does not affect the producer's responsibility to accept or reject the WA offer on or before the expiration date;
  - (b) if the producer rejects or fails to sign the WA offer by the expiration date, the producer will not be able to receive insurance under the terms of the WA if the producer does not prevail on a request for administrative review, mediation, or NAD appeal; and
  - (c) if the producer accepts the offer by the expiration date, the producer will receive insurance under the terms of the WA, unless the producer prevails on the request for administrative review, mediation, or NAD appeal. If the producer prevails, the determination resulting from the administrative review, mediation, or NAD appeal will be in effect.

**C. RO Not Accept Decisions**

For certain RO not accept decisions, notification that a WA request, or part of a WA request, cannot be accepted must provide a notice of the right to administrative review, mediation, and NAD appeal for the part of the WA request that is not accepted. Some RO not accept decisions do not require notice of administrative review, mediation, or NAD appeal; however, those decisions must provide general applicability rights to notify the producer of their ability to request a determination of appealability from NAD (such as, when the policy does not allow alteration by WA). See Exhibit 6F for which RO not accept decisions require a notice of the right to administrative review, mediation, and NAD appeal.

**D. RO Denial Decisions**

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Notification that a WA request, or part of a WA request, is denied must include a notice of the right to administrative review, mediation, and NAD appeal for the part of the WA request that is denied.



**E. Failed CI Appraisal**

A notice of the right to arbitration in accordance with Section 20 of the BP must be provided when the originally issued WA offer is withdrawn:

- (1) due to a failed CI appraisal of all fields (see Para. 42);
- (2) because only some fields failed the CI appraisal and a modified approved WA is issued; or
- (3) because the AIP failed to do a CI appraisal when required or failed to comply with the applicable CI appraisal procedure.

The AIP must return the original WA offer to the RO with the applicable reason that it is not in effect. The AIP must retain a copy of the WA offer (with stated reason the WA is not in effect) as a permanent part of the producer's file folder.

**F. General Applicability**

\*\*\* Any WA determination made that is a matter of general applicability is not appealable. The RO will notify the producer of the ability to request a determination of appealability from NAD when general applicability applies. See Exhibit 6F for a complete list of when general applicability applies.

**G. Producer Submission of Administrative Review Requests**

\*\*\* A producer may submit an administrative review request directly to the applicable RO (such as by mail, **email**, facsimile, etc.) or through the AIP. When the request is submitted through the AIP, the AIP must transmit the administrative review request electronically through the WA ROE system (use the AR Document Upload Code) as expeditiously as possible to meet the applicable deadline identified in the letter to the insured. When transmitted through the WA ROE system, the date the administrative review request is uploaded is the date the administrative review request is considered received by the RO.

**H. Determined Yields**

If the RO, in accordance with Subparagraph 76G, denies a determined yield request, the denial must include a notice of the right to administrative review, mediation, and NAD appeal.

**I. Additional Resources**

Refer to Exhibit 6F and the following website: "[www.nad.usda.gov/content/contact-us](http://www.nad.usda.gov/content/contact-us)" for Appeal Rights Applicability.

## 64 Transmitting WAs to RMA

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The AIP must:

- (1) transmit to RMA the appropriate terms and conditions under which the WA was approved;
- (2) transmit the WA data to RMA in accordance with Appendix III of the SRA, including the applicable WA number; and
- (3) timely submit the WA data with the same terms as issued by the RO and ensure that the RO approved WAs are reconciled, or the AIP may be subject to the sanctions contained in the Standard Reinsurance Agreement.

**Note:** If it is determined that the AIP did not submit the WA data with the same terms as issued by the RO, the RO will refer the issue to the applicable RMA Compliance Field Office.

## 65 Government Shutdown

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In the event of a government shutdown, any business days that the WA ROE system is not available do not count against the business day deadlines in Para. 23A, 32, 33A(2), 53(1)(b), 53(2)(c), and 54. These deadlines will be extended by the same number of business days that the government was shut down.

**Example:** A **WA request** has a deadline date of Monday, March 15. The AIP has 15 business days to submit the **WA request** and minimum supporting documentation to the RO, which falls on Monday, April 5. During this 15-business day deadline the government shuts down for 3 business days making the WA ROE system inaccessible. The AIP deadline to submit the supporting documentation is extended by 3 business days to April 8 to allow the AIP the full allotted 15 business days.

Any producer deadline dates to sign and submit a **WA request**, or sign a WA offer remain unchanged. If the RO provides a WA offer and the AIP does not retrieve the WA offer from the ROE system prior to a government shutdown, it will be determined by the RO on a case-by-case basis how to proceed.

## 66 AIP Scorecard Errors

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An error will be counted on the AIP Scorecard for the following situations (see Exhibit 6F):

- (1) WA requests that fail to initially provide the correct required minimum documentation, or fail to provide additional documentation as requested from the RO;
- (2) WA requests that are submitted after the applicable deadlines for the insured to request a WA or the AIP to submit the WA request to the RO; and
- (3) any WA request that is deemed inappropriate and should not have been submitted to the RO for review.

67-70 (Reserved)

## PART 3 SPECIFIC GUIDELINES FOR WA TYPES

### 71 General Information

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The information in this part contains specific WA request requirements, RO review criteria, and information required for the identified WA request type. This information is in addition to Part 2, unless specified otherwise. See Exhibit 6A for WA type code definitions.

For WA types that require a minimum amount of production history to qualify (such as the TC type, XC type, etc.), landlords with less than the minimum amount of production history required may qualify by submitting a **WA request** and providing documentation that supports their tenant meets the applicable qualification requirements (that is, the requirements of the WAH and CIH Para. 1509). If the tenant does not meet all the applicable qualification requirements to qualify for the WA type requested (new or renewal), then the landlord cannot use the tenant's history. If the landlord has production history, that production history must be provided prior to utilizing the tenant's production history.

For WA types that require a minimum amount of production history to qualify (such as the TC type, XC type, etc.), tenants with less than the minimum amount of production history required cannot use the landlord's history to qualify for the WA requested.

### 72 HR and UC Types – High-Risk Rated Areas and Unrated Land

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#### A. Additional Request Requirements

- (1) If a reason the producer is requesting coverage for unrated land, or requesting a reduction of an existing high-risk rated area premium rate, involves the protection of a levee(s), in addition to Subparagraph 22A, the **WA request** must:
  - (a) provide a map showing the location of the levee(s);
  - (b) provide the date (month and year) construction of the levee(s) was completed;
  - (c) provide documentation from the Federal Emergency Management Agency, US Army Corps of Engineers, Department of Natural Resources, NRCS, or a survey from a licensed surveyor that supports the levee(s) location and indicates the:
    - (i) minimum overtopping height of the levee(s) using a gage on the tributary, and location and size of drainage pipes; or
    - (ii) height of the levee(s) (in feet at mean sea level in 100 ft. intervals), width of the levee(s) at the base and the top of the levee(s), and location and size of drainage pipes.
  - (d) identify if pumps are available, if yes, provide the location of the pumps and the pumping capacity; and

**A. Additional Request Requirements (continued)**

- (e) identify if the land is intentionally flooded and drained, if yes, provide the dates the land is flooded and drained.

**Note:** The supporting documentation listed above is not required for US Army Corps of Engineers sponsored levee(s), or if the information is not required by the RO (such as duplicate information for a levee(s) is not needed for repeat **WA** requests). Contact the RO to determine if levee information is required.

- (2) If any minimum supporting documentation listed in (1) above is missing from the **WA request**, the RO:
  - (a) can process the request without considering the existence of any levee(s) protection; or
  - (b) will not accept the request if the sole basis of the request is the levee(s) protection.
- (3) If a producer is requesting a determination for fragile land or HEL (see Subparagraph 72E) and the requested field, CLU, or unit was **uninsured, unplanted, or** partially planted each year, **the producer must** submit acreage history for the last 5 years of production on the field, CLU, or unit that was partially planted showing the acres planted, or the acres that were **uninsured, unplanted, or** prevented from planting. Acceptable acreage history would be an FSA-578 for each year or a written narrative describing the planted acres, the harvested acres, fallow acres, and/or acres that were prevented from planting each year. If the APH indicates the entire field, CLU, or unit was planted each year, no additional information is required for the field, CLU, or unit that was entirely planted.

**B. Additional RO Review Criteria**

When producers request coverage for unrated land or request a reduction of an existing high-risk rated area premium rate, an evaluation of the **WA request** based on the risk involved must be performed. In addition to the requirements of Subparagraph 34A, the RO must:

- (1) review any available information applying to the risk classification applicable to the land;
- (2) estimate the frequency and severity of probable loss from the peril(s) for which the unrated or high-risk rated area was established; and
- (3) evaluate the adequacy of peril control or management practices as part of the rating process.

**C. Wildlife Protection or Management Area Land**

For high-risk rated or unrated land located in a wildlife protection or management area:

- (1) the producer must provide a copy of the current contract between the wildlife management agency and the producer, in addition to meeting the requirements of Subparagraph 22A; and
- (2) in addition to the requirements of Subparagraph 34A, the RO must:
  - (a) review the contract between the wildlife management agency and the producer, and identify the acreage or percent of acreage intended for harvest on the WA offer;
  - (b) consider the risk associated with the terms of the contract between the wildlife management agency and the producer and the physical conditions on the acreage when determining rates; and
  - (c) deny the **WA request** if the contract between the wildlife management agency and the producer specifies that the producer is not eligible for USDA farm program benefits.

**D. Individual Rating of High-Risk Rated or Unrated Land (Excluding Fragile Land or HEL)**

This subparagraph applies to individual rating of land prone to flood, prone to excessive moisture, that is poorly drained, or other perils which may cause excessive losses because of too much water. In areas with water drainage issues, such as poorly drained areas, that do not have adequate resources available to determine an appropriate rate using the following procedure, the procedure in Subparagraph 72E shall be used.

- (1) To determine a rate for land that is not rated, or land that is rated in a high-risk area and a lower rate is requested, the RO should consider the following, as applicable:
  - (a) whether the insured's **risk(s) is** less than the underlying risk **considered** in the **AD rate**;
  - (b) the location of the cropland [as outlined on aerial photos or other maps in accordance with Subparagraph 22A(6)];
  - (c) the frequency and severity of the peril on the cropland;
  - (d) the presence of risk reduction measures, farming practices (such as, irrigation, fallowing, unique tillage methods, etc.), or other land improvements that prevent or reduce the risk on the land; and

**D. Individual Rating of High-Risk Rated or Unrated Land (Excluding Fragile Land or HEL) (continued)**

- (e) insurance experience for the individual and/or the acreage, if available. However, favorable insurance experience will not be used to prove the absence of a potential cause of loss and cannot be used as a sole basis to reduce a premium rate.
- (2) If all other data sources suggest that the requested land is prone to the risk, the producer has the option to provide acceptable and verifiable production records (submitted through the WA ROE system) of all planted crops for at least the most recent twenty years in which the crops were planted to justify a lower rate. The producer should only submit records that apply to the specific cropland for which the lower rate is being requested. Those records must demonstrate the acreage has experienced the risk less frequently and severely than the frequency and severity of the risk upon which the rate was based.
- (3) Timing of the WA request is not a consideration when determining appropriate rates.
- (4) For unrated land, if an appropriate rate is an additive rate of 0.500 or higher calculated at the 65 percent coverage level, the WA request must be denied.
- (5) For land that is rated in a high-risk area, if an appropriate rate is equal to or higher than the high-risk rate listed on the AD, the WA request must be denied.

**E. Individual Rating of High-Risk Rated or Unrated Land (Fragile Land or HEL)**

This subparagraph applies to individual rating of fragile or HEL and areas with water drainage issues that do not have adequate tools to determine an appropriate rate under Subparagraph 72D.

- (1) The RO must determine if the characteristics of the requested acreage (for example, soils, climate, etc.) meet the characteristics of the map area. If the requested cropland consists of:
  - (a) land that does not meet the established criteria for the high-risk rated or unrated area, approve the WA request;

**Note:** If multiple rated areas exist in the county and the requested cropland is more suited for a rated area other than standard, apply the appropriate rated area.

**E. Individual Rating of High-Risk Rated or Unrated Land (Fragile Land or HEL)  
(continued)**

- (b) characteristics typical of the land in the current high-risk rated area, then in addition to the requirements of Subparagraph 22A:
  - (i) review five or more years of insurance experience for the crop(s) on the high-risk rated land, if available, and proceed to (2)(a) below; or
  - (ii) if insurance experience is not available for at least five years, review five years or more of yield history for the requested crop on the high-risk rated land provided with the WA request, and proceed to (2)(b) of this subparagraph.

**Note:** When five or more years of insurance experience is not available per (1)(b)(i) above and five years or more of yield history for the requested crop are not provided with the WA request per (1)(b)(ii) above, the RO will presume yield history is not available and review the WA request in accordance with (1)(a) above. If five years or more of yield history is not provided, the request will not be considered incomplete solely due to (1)(b)(ii), as the WA request will not be reviewed using (1)(b)(ii) above.

**Note:** If there is small acreage(s) within a larger field that does not contain five or more years of insurance experience or yield history (such as, potholes, tree lines, etc.), and a standard or reduced rate is being offered for the larger field, then the same standard or reduced rate may also be offered for the small acreage(s) if the soils of the small acreage(s) are similar to the larger field, the entire field [small acreage(s) and larger field] is planted to a single crop, and the small acreage(s) do not expand the field boundaries.

- (c) characteristics typical of the land in the current unrated area, then proceed to (4) below.

**Note:** If the unrated land on the WA request contains insurance experience or yield history, (2) and (3) below may be used by the RO to assist in the determination if it is practical to do so.

**E. Individual Rating of High-Risk Rated or Unrated Land (Fragile Land or HEL)  
(continued)**

- (2) In addition to the requirements of Subparagraph 34A, to determine if a lower rate can be approved for the requested high-risk rated land, the RO must:
  - (a) if insurance experience is available per (1)(b)(i) above, compare the SLCR for the requested high-risk rated land to the county insurance experience for the closest P/T and plan of insurance for the crop(s) for the same years, to determine the producer difference [if multiple crops are used to meet the five years of insurance experience, only compare the crop(s) grown for the specific year on the high-risk rated land to the county experience for the same crop(s) in the same year; the SLCR will include all of the crops’ LCR in the calculation]; or

**Example:** The producer difference is calculated from the table below to be 0.15 [producer SLCR (0.36) minus county SLCR (0.21)].

<b>Year</b>	<b>Producer (LCR)</b>	<b>County (LCR)</b>
20XX	0.00	0.05
20XX	0.00	0.10
20XX	0.60	0.25
20XX	0.40	0.15
20XX	0.80	0.50
SLCR	0.36	0.21

- (b) if insurance experience is not available per (1)(b)(i) above and (1)(b)(ii) is being used, compare the producer’s yield for the requested high-risk rated land only to the county policy data (or NASS yield data if county policy data is unavailable) for the closest P/T for the crop for the same years, to determine the producer difference using a theoretical SLCR approach at the highest coverage level for the requested crop. This method uses the actual history of the producer and county to determine what losses would have been if the acreage had been insured. To determine the theoretical SLCR:
  - (i) average the producer’s actual yields and the county actual yields by summing all years’ yields and dividing by the number of crop years;

**Example:**

<b>Year</b>	<b>Producer (bushel/acre)</b>	<b>County (bushel/acre)</b>
20XX	36	42
20XX	38	38
20XX	10	20
20XX	16	28
20XX	5	12
Total	105	140
Average	21	28



**E. Individual Rating of High-Risk Rated or Unrated Land (Fragile Land or HEL)  
(continued)**

- (ii) multiply the producer’s and county average yield calculated in (i) above by the highest coverage level available in the county to determine the theoretical loss points;

**Example:** The highest coverage level available in the county for this example is 85 percent.

Producer: 21 bushel/acre x 0.85 = 17.9 bushel/acre  
 County: 28 bushel/acre x 0.85 = 23.8 bushel/acre

- (iii) determine whether the producer’s and the county’s actual yields fell below the theoretical loss points calculated in (ii) above, and total the amount of production that fell below, if any, for each crop year to determine the total bushels of loss. Result cannot be below zero. If the actual yield is higher than the theoretical loss point, enter zero;

**Example:**

<b>Year</b>	<b>Producer (bushel/acre)</b>	<b>County (bushel/acre)</b>
20XX	0 (17.9 – 36)	0 (23.8 – 42)
20XX	0 (17.9 – 38)	0 (23.8 – 38)
20XX	7.9 (17.9 – 10)	3.8 (23.8 – 20)
20XX	1.9 (17.9 – 16)	0 (23.8 – 28)
20XX	12.9 (17.9 – 5)	11.8 (23.8 – 12)
<b>Total</b>	<b>22.7 bushels of loss</b>	<b>15.6 bushels of loss</b>

- (iv) divide the total bushels of loss calculated in (iii) above by the number of crop years of yields to determine the average bushels of loss per crop year;

**Example:** Producer: 22.7 total bushels of loss ÷ 5 crop years = 4.5  
 County: 15.6 total bushels of loss ÷ 5 crop years = 3.1

- (v) divide the average bushels of loss per crop year calculated in (iv) above by the theoretical loss point to determine the theoretical SLCR; and

**Example:** Producer: 4.5 ÷ 17.9 bushel/acre = 0.25 SLCR  
 County: 3.1 ÷ 23.8 bushel/acre = 0.13 SLCR

- (vi) subtract the county theoretical SLCR from the producer theoretical SLCR to determine the producer difference (the result can be less than zero).

**Example:** 0.25 producer SLCR – 0.13 county SLCR = 0.12 producer difference

**E. Individual Rating of High-Risk Rated or Unrated Land (Fragile Land or HEL)  
(continued)**

- (3) If the producer difference calculated in (2)(a) or (2)(b) of this subparagraph is:
  - (a) zero or less than zero, approve the WA request at standard rates; or
  - (b) greater than zero, continue to (4) of this subparagraph.
- (4) In accordance with the requirements of Para. 43, the RO will establish the rate as follows:
  - (a) if the producer's experience or yield suggests the standard rates would be appropriate, apply the standard rates;
  - (b) if the producer's experience or yield suggests the standard rates would not be appropriate and there is an intermediate rate area (a rate area between the producer's current rate area and the standard rate area) in the county, determine whether the intermediate rate area is similar to the producer's acreage based on soil, topography and climatic conditions, and yield. If the intermediate rate area is similar, use the intermediate rate area to determine premium rates contained in the AD;
  - (c) for unrated land, if an appropriate rate is an additive rate of 0.500 or higher calculated at the 65 percent coverage level, **the WA request must be denied**; or
  - (d) for land that is rated in a high-risk area, if an appropriate rate is equal to or higher than the high-risk rate listed on the AD, **the WA request must be denied**.

**F. Rating Individual Fields**

If a new or reduced rate can be determined, the rate must be applied to an entire field, or CLU (the RO cannot apply the rate to only a portion of a field).

Premium rates must reflect the expected risks associated with the high-risk rated land and unrated land.

If coverage is restricted by the WA (such as prevented planting coverage), then the WA offer must contain a statement explaining the restriction.

**G. Determining T-Yields for Unrated Land**

In accordance with Para. 43, the RO must determine the T-Yield as follows:

- (1) for crops using county T-Yields:
  - (a) use the T-Yield of the county; or
  - (b) if the county T-Yield is not appropriate, determine a T-Yield using the producer's yield history or other yield data from unbiased third parties (such as NRCS yields identified based on the soil).
- (2) for counties with T-Yield maps (not county T-Yields) or high-risk rated areas with separate T-Yields:
  - (a) use an appropriate T-Yield available in the county; or
  - (b) if no available T-Yields are appropriate, determine a T-Yield using the producer's yield history or other yield data from unbiased third parties (such as NRCS yields identified based on the soil).
- (3) APH history of the requested crop provided with the **WA** request should be used to determine whether the T-Yields available in the county are appropriate. If the simple average of the producer's average yields for all reported crop years is less than 90 percent of the T-Yield, that T-Yield is not appropriate; and
- (4) under no circumstances will the assigned T-Yield be higher than any T-Yield from the county.

**H. High-Risk Rated Areas with Separate High-Risk T-Yields**

When a high-risk rated area also contains high-risk T-Yields (not county T-Yields), a WA offer shall not adjust both the high-risk rate and the high-risk T-Yield. Only the high-risk rate or the high-risk T-Yield may be adjusted on the WA offer.

**Exception:** If the WA offer is providing terms that are the same as the standard county rate and the standard county or subcounty area T-Yield, then the WA offer may contain adjustments to both the high-risk rate and high-risk T-Yield.

**Exception:** If the WA offer requires an adjustment to the high-risk T-Yield due to the requirements of another type of submitted WA request on the same acreage (such as NB), the high-risk T-Yield may be adjusted in accordance with those requirements.

**A. Native Sod or Non-Native Sod Classification**

(1) New breaking acreage is classified as either native sod acreage or non-native sod acreage. For the purposes of Para. 73, native sod acreage (see complete definition in Exhibit 2) is acreage that consists of all the following:

- (a) located in the state of Iowa, Minnesota, Montana, Nebraska, North Dakota, or South Dakota;
- (b) acreage that has no record of being tilled for the production of a crop on or prior to February 7, 2014; and

**Note:** To prove the requested acreage has been tilled on or prior to February 7, 2014, the producer must provide acceptable documentation. See (2) below for examples of acceptable documentation.

- (c) the plant cover is composed principally (50 percent or more) of native grasses, grass-like plants, forbs, or shrubs suitable for grazing and browsing.

**Note:** In some situations, acreage may have no record of being tilled for the production of a crop and may not contain plant cover as described above (for example, timberland, old homesteads, etc.). For these situations, the producer may provide adequate evidence showing the plant cover does not meet the above definition [such as dated photos with coordinates; dated maps/photos clearly showing the acreage; dated FSA maps identifying the FSA CLU Classification codes of the acreage as 01 urban, 04 forest, 05 water body, 10 Other Agriculture (barn, silo, etc.), etc.]. If the **WA** request provides adequate evidence that the plant cover did not meet the above definition on or prior to February 7, 2014, the acreage is classified as non-native sod.

Any acreage that does not consist of all the preceding will be classified as non-native sod acreage.

(2) All documentation must show that the acreage was tilled on or prior to February 7, 2014, to prove that the acreage is not classified as native sod. Acceptable documentation may include, but is not limited to (If available, the producer must provide USDA documentation, such as RMA CLU Schema, FSA, or NRCS provided documentation. If it is later discovered that USDA documentation was available and the producer deliberately used another type(s) of documentation that is inconsistent with the information obtained from USDA, this acreage will not be insurable.):

- (a) a FSA-578 dated on or prior to February 7, 2014, showing the crop (this is not limited to row crops; however, it must be a crop that requires the ground to be tilled in order to plant the crop) that was previously planted on the requested acreage;

**A. Native Sod or Non-Native Sod Classification (continued)**

- (b) a FSA-578 dated on or prior to February 7, 2014, showing that the requested acreage is classified as cropland;
- (c) a FSA-578 identifying the acreage with the letter “N” in the Native Sod column when a “Yes” is present in the Crop Land column;
- (d) FSA documentation showing the acreage has previously been enrolled in the FSA Conservation Reserve Program;
- (e) a CLU Schema dated on or prior to February 7, 2014, (this is provided to the AIP’s by RMA), presented in a map format that contains the FARMNUM, TRACTNUM, FIELDNUM, CLUCLASS (the cropland classification code is ‘2’), CALCACRE, and CIMSFILE information by field;
- (f) a NRCS Form CPA-026e identifying the acreage with a “No” in the Sodbust column and a “Yes” in the HEL column;
- (g) a NRCS Form CPA-026e identifying the acreage with a “Yes” in the Sodbust column and a determination date on or prior to February 7, 2014; or
- (h) a crop year’s precision agriculture planting records and/or raw data dated on or prior to February 7, 2014, provided such records meet the precision farming acreage reporting requirements set forth in the LAM Para. 821.

**Note:** In certain circumstances, the prior FSA-578 is not available to a producer new to the farm in the current year. For these cases, the current producer may obtain written documentation from the servicing FSA county for the acreage, identified to the FN/Tract/Field number level indicating whether or not the acreage was designated as cropland on or prior to February 7, 2014. This written documentation must be dated and signed by an FSA representative.

**Note:** When using FSA or NRCS documentation, if the requested FSA FN/Tract/Field numbers do not match the submitted FSA or NRCS documentation because the FSA FN/Tract/Field numbers have been reconstituted, additional documentation (such as reconstitution paperwork) must be submitted to identify the reconstituted FSA FN/Tract/Field numbers.

**A. Native Sod or Non-Native Sod Classification (continued)**

- (3) The following process may be used to help determine if the new breaking acreage is classified as non-native sod acreage or native sod acreage. This determination is made for each field requested on the **WA request**. Continue through the steps until the acreage is classified as either non-native sod acreage or native sod acreage.
- (a) Is the new breaking acreage located in Iowa, Minnesota, Montana, Nebraska, North Dakota, or South Dakota?
- (i) If no, the new breaking acreage is classified as non-native sod acreage.
- (ii) If yes, proceed to (b).
- (b) Did the producer provide acceptable documentation that the new breaking acreage had previously been tilled on or prior to February 7, 2014?
- (i) If yes, the new breaking acreage is classified as non-native sod acreage.
- (ii) If no, proceed to (c).
- (c) Did the producer provide adequate evidence that the new breaking acreage was NOT composed principally of native grasses, grass-like plants, forbs, or shrubs suitable for grazing and browsing on or prior to February 7, 2014?
- (i) If yes, the new breaking acreage is classified as non-native sod acreage.
- (ii) If no, the new breaking acreage is classified as native sod acreage.
- (4) For non-native sod acreage, follow the requirements in Subparagraphs 73C, 73D, 73E, and 73F. For native sod acreage, follow the requirements in Subparagraphs 73G, 73H, 73I, and 73J.

**B. WA Not Required for Insurability**

- (1) Acreage that has been planted and harvested (grazing is not considered harvested) or insured (including insured acreage that was prevented from being planted) in any one of the three previous crop years is insurable in accordance with Section 9 of the BP. Acreage that does not meet the insurability requirements or exceptions [provided in (2) below] of Section 9 of the BP will only be insurable by WA.

**Note:** In situations where double cropping occurs on the new breaking acreage, both crops must follow the new breaking procedures as the first crop on the new breaking acreage does not alleviate the second crop from being considered planted on new breaking acreage. The first crop is not being planted and harvested or insured in any one of the *previous* three crop years as both crops are within the same crop year.

**B. WA Not Required for Insurability (continued)**

- (2) A **WA request** for newly tilled ground is not required for acreage that:
- (a) was not planted in at least two of the three previous crop years to comply with any other USDA program (such as FSA Conservation Reserve Program). If acreage is not planted within two crop years of emerging from a USDA program, the acreage is treated the same as new breaking acreage that did not emerge from a USDA program for insurability (such as, it would have to be five percent or less of the insured planted acreage in the unit, meet the requirements of any applicable Special Provisions statement for insurability, receive a NB WA, etc.);
  - (b) due to the crop rotation, the acreage would not have been planted in the previous three years (to be eligible to use the crop rotation exception, a producer must prove that a complete crop rotation has already been established on the specific new breaking acreage, or the next planting of a row crop will complete the crop rotation on the specific new breaking acreage). The alfalfa or other rotational crop (hay or forage crop in accordance with Section 9 of the BP) is not limited to a certain number of years;

**Example:** A producer has previously planted a rotation of alfalfa, corn, soybeans, and alfalfa on the specific new breaking acreage. The alfalfa remained for four years before the acreage was planted to corn again. This would meet the crop rotation exception because a complete crop rotation has already been established.

**Example:** A producer has previously planted corn, soybeans, and alfalfa on the specific new breaking acreage. The alfalfa remained for four years and the acreage will be planted to corn again following the alfalfa. This would meet the crop rotation exception because a complete crop rotation will be established when the producer plants the acreage to corn.

**Example:** A producer has previously planted alfalfa on the specific new breaking acreage. The alfalfa remained for four years and will be planted to corn. Prior to planting the alfalfa, the new breaking acreage was in pasture. This would not meet the crop rotation exception because a complete crop rotation has not already been established and planting the acreage to corn does not complete the crop rotation. This new breaking acreage would require insurability via Special Provisions statement or NB WA, unless the five percent or less of the insured planted acreage in the unit is applicable.

**B. WA Not Required for Insurability (continued)**

- (c) had a perennial tree, vine, or bush crop on the acreage in at least two of the previous three crop years (a perennial tree, vine, or bush crop refers to the crop produced by the perennial tree, vine, or bush, and not the perennial tree, vine, or bush itself). Acreage that contained perennial fruit trees, vines, or bushes but were abandoned (not managed for fruit production) for at least two of the previous three crop years before their removal would require a NB type WA or Special Provisions statement for insurability;
  - (d) constitutes five percent or less of the insured planted acreage in the unit; or
  - (e) is insurable as provided in the Special Provisions.
- (3) In situations where the acreage was previously in nursery acreage, the field grown nursery plant material (such as trees, shrubs, etc.) must have been planted and harvested, or insured, in one of the three previous crop years to be insurable in accordance with Section 9 of the BP. The nursery plant material does not necessarily need to be planted and harvested within the same crop year; however, the planting and harvesting must have occurred within one of the three previous crop years.

**Example:** For the 2021 crop year, acreage that was previously planted to field grown nursery plant material is being converted to row crop acreage. The field grown nursery plant material was planted on this acreage in the 2018 crop year and was harvested in the 2020 crop year, thus is insurable under the terms of the BP.

**C. Non-Native Sod Additional Request Requirements**

In addition to the requirements of Subparagraph 22A, the WA request must provide:

- (1) the FSA FN, Tract number, and Field numbers, when provided by FSA. If the newly tilled ground does not have an assigned FSA FN/Tract/Field number, the producer must obtain one from FSA as soon as possible (the producer does not need to participate in a FSA program to be assigned a FSA FN/Tract/Field number) in order to meet the reporting requirements set forth in CIH Subparagraph 1216A. The producer must provide such FSA FN/Tract/Field number to the AIP within 10 days after the date the producer receives the FSA FN/Tract/Field number from the servicing FSA county office;
- (2) the method used (or intended to be used) and date the land was (or intends to be) tilled out of sod, pasture, perennial legume, or other vegetation for the current crop year prior to planting the crop (such as, the producer intends to spray the ground with chemical on April 1 to kill vegetation prior to planting). If the intended date to be tilled is used, it should be as specific as possible (for example, stating the land will be tilled in late March or early April);



**C. Non-Native Sod Additional Request Requirements (continued)**

- (3) the reason a WA is needed for the new breaking acreage (only required if the requirements of a Special Provisions statement available in the county to provide insurability for the new breaking acreage of the crop are not met, such as the new breaking acreage did not meet the soils requirement of the Special Provisions statement, the producer did not meet the breakout date of the Special Provisions statement, the producer does not have a Conservation Plan from NRCS when one is required by the Special Provisions statement, the acreage requested for WA is the acreage that exceeded the 320 acres maximum that the AIP can approve under the Special Provisions statement, etc.). Do not send new breaking acreage approved under the Special Provisions statement on the WA request; and
- (4) documentation that the acreage has been previously tilled and planted to a crop, if available. When using FSA or NRCS documentation, if the requested FSA FN/Tract/Field numbers do not match the submitted FSA or NRCS documentation because the FSA FN/Tract/Field numbers have been reconstituted, additional documentation (such as reconstitution paperwork) must be submitted to identify the reconstituted FSA FN/Tract/Field numbers. Acceptable documentation may include, but is not limited to:
  - (a) a FSA-578 showing the crop that was previously planted on the requested acreage;
  - (b) a prior crop year's FSA-578 showing that the requested acreage is classified as cropland;
  - (c) a prior year's CLU Schema (this is provided to the AIP's by RMA), presented in a map format that contains the FARMNUM, TRACTNUM, FIELDNUM, CLUCLASS (the cropland classification code is '2'), CALCACRE, and CIMSFILE information by field;
  - (d) receipts/invoices from custom planters or harvesters identifying the fields that were planted or harvested;
  - (e) a NRCS Form CPA-026e identifying the acreage with a "No" in the Sodbust column and a "Yes" in the HEL column; or

**C. Non-Native Sod Additional Request Requirements (continued)**

- (f) a prior crop year's precision agriculture planting records and/or raw data provided such records meet the precision farming acreage reporting requirements set forth in the LAM Para. 821.

**Note:** In certain circumstances, the prior FSA-578 is not available to a producer new to the farm in the current year. For these cases, the current producer may obtain written documentation from the servicing FSA county for the acreage, identified to the FN/Tract/Field number level indicating whether or not the acreage was designated as cropland prior to the current crop year. This written documentation must be dated and signed by an FSA representative.

**D. Non-Native Sod Additional RO Review Criteria**

In addition to the requirements of Subparagraph 34A, the RO must:

- (1) use NRCS soil surveys or the NRCS Web Soil Survey along with the maps of the acreage to determine soil types that will be farmed under the new breaking (each field is individually reviewed). Soil surveys may be used to identify additional risks including salinity, drainage and moisture problems, etc. The RO will deny the **WA request** for the acreage if the majority of the acreage consists of soil types that are not suited to the requested crop;
- (2) consider the date the land was, or will be, tilled;
  - (a) Agricultural experts must determine that there has been sufficient time for the organic matter to break down and to allow the soil moisture to regenerate.
  - (b) If the date of breakout makes moisture a limiting factor or other additional risks exist (such as salinity), assigned T-Yields should be reduced by up to 50 percent.
- (3) consider the documentation that the acreage has previously been tilled and planted to a crop (this is not limited to row crops; however, it must be a crop that requires the ground to be tilled to plant the crop, such as land tilled and planted to corn, alfalfa, etc.). If the producer is unable to provide documentation that the acreage has previously been tilled and planted to a crop, or if the acreage is being tilled for the first time, a maximum of 65 percent of the applicable published T-Yield contained in the AD will be assigned;
- (4) if the insured can provide documentation substantiating the acreage has been previously tilled and planted to a crop, not assign a yield that exceeds 80 percent of the applicable published T-Yield contained in the AD for the new breaking acreage;

**D. Non-Native Sod Additional RO Review Criteria (continued)**

- (5) consider the existing APH databases for the crop(s) the producer intends to plant on the newly tilled ground. If the APH databases suggest a yield 50 percent or higher of the applicable published T-Yield contained in the AD and less than 80 percent of the applicable published T-Yield contained in the AD, a yield shall be assigned on the WA offer that is reflective of the producer's past production history for the requested crop(s), if (2) or (3) of this subparagraph do not further limit the yield that can be offered; and
- (6) deny the WA request if the expected yields for the acreage are less than 50 percent of the applicable published T-Yield contained in the AD.

**Note:** Use Exhibit 17(2) as a reference to which annual crops utilize T-Yields to apply the reduction to the applicable T-Yield. For crops that do not utilize T-Yields, no T-Yield reduction can be given.

**E. Non-Native Sod New Breaking Land APH Databases**

Separate APH databases will be required for all new breaking land the year the new breaking ground is under the WA (see CIH Para. 1764). Simple average T-Yields, new producer T-Yields, and variable T-Yield percentages do not apply the year the new breaking ground is under the WA. The AIP must establish the guarantee on the basis provided in the WA (such as four years of the T-Yields assigned by WA).

When the land becomes insurable under the terms of the policy, the AIP must remove the yield established under the WA and establish an APH database using the procedures contained in CIH Para. 1764 (for example, one year of actual yields while insured under the WA and three variable T-yields; or if Simple average T-Yields apply, then one year of actual yields while insured under the WA and three Simple average T-Yields).

**F. Non-Native Sod Required WA Statements**

- (1) Prevented planting coverage is not available for any WA approved under Para. 73 and the WA offer must contain a statement to this effect.
- (2) The WA offer must provide a statement that the yield offered by the WA is in effect for only the crop year in which the acreage is insured by WA.
- (3) If the producer was unable to provide acceptable documentation that the ground had ever been tilled and planted to a crop, a statement must be included on the WA offer explaining that this documentation was not provided, which resulted in the reduced T-Yield. For instances where only some fields on the WA offer are reduced because documentation was only provided for certain fields, this statement must identify those fields. The purpose of this statement is to allow identification of the appropriate acreage type code to be reported.

### G. Native Sod Additional Request Requirements

In addition to the requirements of Subparagraph 22A, the **WA request** must provide:

- (1) the FSA FN, Tract number, and Field numbers, when provided by FSA. If the newly tilled ground does not have an assigned FSA FN/Tract/Field number, the producer must obtain one from FSA as soon as possible (the producer does not need to participate in a FSA program to be assigned a FSA FN/Tract/Field number) in order to meet the reporting requirements set forth in CIH Subparagraph 1216A. The producer must provide such FSA FN/Tract/Field number to the AIP within 10 days after the date the producer receives the FSA FN/Tract/Field number from the servicing FSA county office;
- (2) the method used (or intended to be used) and date the land was (or intends to be) tilled out of sod, pasture, perennial legume, or other vegetation for the current crop year prior to planting the crop (such as, the producer intends to spray the ground with chemical on April 1 to kill vegetation prior to planting). If the intended date to be tilled is used, it should be as specific as possible (for example, stating the land will be tilled in late March or early April); and
- (3) the reason a WA is needed for the new breaking acreage (only required if the requirements of a Special Provisions statement available in the county to provide insurability for the new breaking acreage of the crop are not met, such as the new breaking acreage did not meet the soils requirement of the Special Provisions statement, the producer did not meet the breakout date of the Special Provisions statement, the producer does not have a Conservation Plan from NRCS when one is required by the Special Provisions statement, the acreage requested for WA is the acreage that exceeded the 320 acres maximum that the AIP can approve under the Special Provisions statement, etc.).

**Note:** Identify any native sod acreage (including number of acres) approved under the Special Provisions statement on the WA request.

### H. Native Sod Additional RO Review Criteria

In addition to the requirements of Subparagraph 34A, the RO must:

- (1) use NRCS soil surveys or the NRCS Web Soil Survey along with the maps of the acreage to determine soil types that will be farmed under the native sod acreage (each field is individually reviewed). Soil surveys may be used to identify additional risks including salinity, drainage and moisture problems, etc. The RO will deny the **WA request** for the native sod acreage if the majority of the native sod acreage consists of soil types that are not suited to the requested crop;

**H. Native Sod Additional RO Review Criteria (continued)**

- (2) consider the date the native sod acreage was, or will be, tilled; and
  - (a) Agricultural experts must determine that there has been enough time for the organic matter to break down and to allow the soil moisture to regenerate.
  - (b) If the date of breakout makes moisture a limiting factor or other additional risks exist (such as salinity) that would not allow the native sod acreage to produce at least 65 percent of the applicable published T-Yield, deny the WA request.
- (3) consider the existing APH databases for the crops the producer intends to plant on the native sod acreage. If the APH databases suggest a yield 65 percent or higher of the applicable published T-Yield contained in the AD assign 65 percent of the applicable published T-Yield contained in the AD [if (2) of this subparagraph does not require the WA request to be denied], otherwise deny the WA request.

**Note:** Use Exhibit 17 as a reference to which crops utilize T-Yields to apply the reduction to the applicable T-Yield. For crops that do not utilize T-Yields, no T-Yield reduction can be given.

**I. Native Sod APH Databases**

Separate APH databases will be required for all native sod acreage the year the native sod acreage is under the WA (see CIH Para. 1765). Simple average T-Yields, new producer T-Yields, and variable T-Yield percentages do not apply the year the native sod acreage is under the WA. The AIP must establish the guarantee on the basis provided in the WA (65 percent of the T-Yield contained in the AD).

When the native sod acreage becomes insurable under the terms of the policy, the AIP must maintain the native sod APH database using the procedures contained in CIH Para. 1765.

**J. Native Sod Required WA Statements**

- (1) Prevented planting coverage is not available for any WA approved under Para. 73 and the WA offer must contain a statement to this effect.

**J. Native Sod Required WA Statements (continued)**

(2) Include the following applicable statement on the WA for native sod acreage:

- (a) “The Agricultural Act of 2014 (2014 Farm Bill) requires a reduction in yield guarantee and a reduction in premium subsidy for annual crops during the first four crop years of planting on native sod acreage for this county. Native sod acreage is identified as “acreage that has never been tilled, or the insured cannot substantiate that the ground has ever been tilled for the production of a crop, and on which the plant cover is composed principally of native grasses, grass-like plants, forbs, or shrubs suitable for grazing and browsing”. Fields identified on this agreement that did not have acceptable documentation to prove that the acreage is not native sod acreage will have a reduction in yield guarantee and reduction in premium subsidy applied to annual crops for the first four crop years that you plant on the native sod acreage if you have exceeded tilling a total of five native sod acres since February 7, 2014, in this county.

Your acceptance or rejection of this agreement does not exempt the native sod acreage from having the reductions applied to your yield guarantee and premium subsidy for annual crops during the first four crop years of planting on this acreage. The reductions to your yield guarantee and premium subsidy apply only to the native sod acreage and do not extend to other acreage in your operation.”

- (b) “For native sod acreage tilled beginning on December 21, 2018 and later, the Agriculture Improvement Act of 2018 (2018 Farm Bill) requires a reduction in yield guarantee and a reduction in premium subsidy for insurable crops for a cumulative of four crop years of insurance on native sod acreage within the first ten crop years after initial tillage for this county. Native sod acreage is identified as “acreage that has never been tilled, or the insured cannot substantiate that the ground has ever been tilled for the production of a crop, and on which the plant cover is composed principally of native grasses, grass-like plants, forbs, or shrubs suitable for grazing and browsing”. Fields identified on this agreement that did not have acceptable documentation to prove that the acreage is not native sod acreage will have a reduction in yield guarantee and reduction in premium subsidy applied to any insurable crop for four crop years that you insure on the native sod acreage if you have exceeded tilling a total of five native sod acres since February 7, 2014, in this county.

Your acceptance or rejection of this agreement does not exempt the native sod acreage from having the reductions applied to your yield guarantee and premium subsidy for insurable crops during four crop years of insurance on this acreage. The reductions to your yield guarantee and premium subsidy apply only to the native sod acreage and do not extend to other acreage in your operation.”

## 73 NB Type – New Breaking (Continued)

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### J. Native Sod Required WA Statements (continued)

- (c) When the WA offer contains both native sod acreage and non-native sod acreage, include the following in addition to the above statement:

“Non-native sod acreage covered under this agreement will receive the offered yield only for the duration indicated in this agreement.”

**Note:** If a single WA request contains native sod acreage that was tilled under the 2014 Farm Bill and native sod acreage that was tilled under the 2018 Farm Bill, both statements must be included on the WA offer and the native sod acreage that applies for each farm bill must be identified if a single WA offer is issued. Separate WA offers may also be issued to separate the native sod acreage tilled under the 2014 Farm Bill and the native sod acreage tilled under the 2018 Farm Bill.

## 74 NL Type – Nursery Plant List

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### A. Availability

The Nursery CP only allow WAs to be requested for plants not listed on the EPLPPS. No other WA types are available for nursery.

### B. Additional Request Requirements

In addition to Subparagraph 22A, the **WA request** must provide:

- (1) a list of exact botanical name (genus, species, subspecies, variety, cultivar), common name (if available), patented name (if applicable), plant or container sizes, and number of plants requested to be insured by WA, as appropriate;
- (2) the practice (such as container or field grown);
- (3) the county in which the nursery and plants are located; and
- (4) a copy of all current wholesale catalogs/price lists that are used by the nursery for its sales. Requirements for the wholesale catalogs/price lists are:
  - (a) the crop year and name, address, and phone number of the nursery must be shown on all the catalogs/price lists;
  - (b) the name of the AIP, the name of the insured, and the policy number must be shown on the applicable catalog; and
  - (c) a Plant Inventory Valuation Report cannot be used as a substitute for a catalog/price list.

**C. Additional RO Review Criteria**

If the requested plants are not listed on the EPLPPS for the area at any botanical level (such as, types, species or cultivars), the RO will determine if the plants are listed on an EPLPPS contained in another RO's area. The pricing information on another RO's EPLPPS, if available, must be used unless the price in the producer's catalog is lower than that listed on the EPLPPS, then the producer's catalog price will be used to establish the producer's inventory value and to determine the loss.

- (1) If the plants are found in another EPLPPS listing, the RO may approve a **WA request** if it determines that the:
  - (a) assigned storage keys are appropriate for the region or the assigned storage key can be adjusted to meet the regional requirement; and
  - (b) plants are being grown in a hardiness zone that generally has temperatures suitable for growth and meets the:
    - (i) minimum hardiness zone limitations for field grown or container grown material, as applicable; and
      - (A) Field grown hardiness zone limitations cannot be adjusted for regional requirements if they are obtained from another RO's EPLPPS.
      - (B) Container hardiness zone limitations may be adjusted if an appropriate regional storage key is assigned.
    - (ii) storage key requirements.
- (2) If the plants are not on another EPLPPS listing, or they fail to meet the standards in (1) of this subparagraph, the RO will:
  - (a) request assistance from a designated consultant or use hardiness zone publications, if available, to verify the minimum hardiness zone for field grown plants;
  - (b) with respect to assistance from designated consultants, submit the plant names for determination of:
    - (i) correct nomenclature for the plants;
    - (ii) plant types;
    - (iii) required hardiness zone limitations; and
    - (iv) appropriate cold protection measures and storage keys.
  - (c) deny the **WA request** if the designated consultant is unable to provide assistance with any of these determinations, or hardiness zone publications do not provide the minimum hardiness zones; and



**C. Additional RO Review Criteria (continued)**

- (d) if the requirements of (a) or (b) above are met, determine whether the catalogs/price lists provide adequate information to price the plants. If an average price cannot be developed for the plant using the information in the catalog(s):
  - (i) compare the prices with other like plant material (such as plants in the same genus/species) in the EPLPPS;
  - (ii) if the prices in the catalog or pricelist are comparable (within 10 percent) to other like plants, establish the price at 90 percent of the catalog or pricelist price; or
  - (iii) if there are no like plants, or the like plants do not have comparable prices as listed in (ii) above, the **WA request** must be denied.
- (3) Any **WA request** to alter the terms of insurance of plants listed on the EPLPPS (such as, pricing methods, different or missing plant sizes, to add practices, to change hardiness zones, etc.) must be **not accepted**.
- (4) The RO must determine whether the wholesale catalogs/price lists are bona fide and representative of the prices at which the requested plants were sold.

**D. Additional WA Offer Provision Requirements**

In accordance with the requirements listed in the Para. 43, the WA offer must contain:

- (1) the scientific name including any commercial botanical name or identifier and, if available, the common name for each plant;
- (2) the price by P/T and size;
- (3) the hardiness zones for each plant and practice; and
- (4) the applicable storage key for each plant and practice.

**E. Required WA Statement**

A statement is required that stipulates the price for each plant and size is the lower of the price listed in the EPLPPS or the producer's lowest wholesale price, as determined from the producer's wholesale catalogs or price lists submitted in accordance with the Special Provisions, and will not exceed the maximum price limits included in the WA offer.

## **74 NL Type – Nursery Plant List (Continued)**

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### **F. Additional RO Instructions**

The RO must provide a copy of the necessary data to the designated consultant so the information can be included in the subsequent crop year's EPLPPS.

The RO will maintain a file containing plant names listed by both the common (if available) and botanical names, plant sizes, and prices that have been approved for WAs. The use of this file will assure uniform pricing in the issuance of WA offers in the office.

## **75 OP Type – Unrated Insurance Option**

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### **A. Availability**

OP type WAs will only be available when an option or endorsement allows WAs to establish coverage for an insurance option in a county that does not have a premium rate on the AD.

### **B. Additional Request Requirements**

In addition to the requirements of Subparagraph 22A, the **WA request** must provide:

- (1) evidence the crop is commercially grown in the area;
- (2) evidence a viable marketing outlet is available; and
- (3) for any irrigated practice, the water source, method of irrigation, and the amount of water needed for an irrigated practice for the crop and its adequacy.

### **C. Additional RO Review Criteria**

- (1) In addition to the requirements of Subparagraph 34A, to approve a **WA request**, all the following conditions applicable for the specific request must be met. If any condition is not met, the **WA request** must be denied. The conditions that must be met are:
  - (a) the AD in another county permits coverage for the specific insurance option for which a WA is requested;
  - (b) if the unrated insurance option involves quality, any quality adjustment coverage or other special loss adjustment provisions must be able to be applied accurately and consistently according to the provisions of the insurance option. If the quality adjustment standard applied by the crop industry in the area for which the insurance option is being requested is different from the quality adjustment standards in the insurance option, the **WA request** must be denied;
  - (c) all other policy terms are appropriate for insuring the unrated insurance option;

**C. Additional RO Review Criteria (continued)**

- (d) the unrated insurance option is for a type or quality that is commercially grown in the area and a viable marketing outlet is available; and
  - (e) a consensus amongst agricultural experts that the requested type is adapted to the area, or the required quality is readily attainable in the county.
- (2) In accordance with Para. 43, to determine proper statements, rates, and other appropriate provisions, the RO must determine:
- (a) the soil types, topography, and/or other relevant agronomic conditions on the acreage where the producer intends to plant the crop using the unrated insurance option that could affect the risk and adaptability of the crop (RMA actuarial maps may be used as appropriate); and
  - (b) premium rates for all plans of insurance as follows:
    - (i) use the premium rates or factors from the **ADM source county** determined in accordance with Para. 36;
    - (ii) if the **ADM source county** premium rate for the insurance option varies by coverage level, use the premium rate for the 65 percent coverage level and specify in the WA offer to multiply the rate by the differential in the AD for the **ADM source county** if the producer's coverage level is different; or
    - (iii) if the premium rates or factors from the **ADM source county** are not appropriate because there are additional risks, or the risks are different for the unrated insurance option:
      - (A) determine the risks and expected losses in the county with the unrated insurance option (sources of data to determine risks could include prior insurance experience, NASS data, climatic data, etc.);
      - (B) review the base premium rate and factor for the insurance option in the **ADM source county**; and
      - (C) increase or decrease the factor for the insurance option as necessary to cover the expected losses.
- (3) In addition to Subparagraph 34C, the RO must deny **WA requests** if:
- (a) there is inadequate water for an irrigated practice, if known at the time of processing the **WA** request; or
  - (b) for any Category C or perennial Category D crop, an inspection report (such as a PAIR) recommends the acreage not be insured.

**A. Availability**

WAs will be classified as a PE type only when they cannot be classified as another type (for example, a type of dry beans not listed on the AD cannot be completed as a PE type WA, but must be completed as a TD type WA).

**B. Underage Citrus (Arizona and California)**

The Arizona-California Citrus CP allow a WA to insure acreage that has not reached at least the sixth growing season after being set out or the fifth growing season after topwork or grafting, if topwork or grafting occurs after set out. Only citrus trees entering the fifth growing season after being set out will be considered, and only the acreage identified on the WA will be insurable under the terms of the WA (other underage acreage reaching the fifth growing season but not included on the WA will remain uninsurable).

- (1) In addition to the requirements of Subparagraph 22A, the **WA request** must provide:
  - (a) a copy of a PAIR completed for the current crop year on the requested underage acres; and
  - (b) actual production from the third growing season and fourth growing season for acreage that has reached the fifth growing season after being set out.
- (2) In addition to the requirements of Subparagraph 34A, **WA requests**:
  - (a) may be approved, subject to (b) below, if the citrus trees have produced fruit in at least the previous growing season; or
  - (b) must be denied if:
    - (i) the **WA** request is for trees entering the first, second, third, or fourth growing season; or
    - (ii) the actual production from the fourth growing season determined under (1)(b) of this subparagraph is zero for acreage that has reached the fifth growing season.
- (3) In accordance with Para. 43, the RO must:
  - (a) assign the T-Yield for the crop; or
  - (b) assign an adjusted T-Yield based on an evaluation of the previous year's production and the historical trend of yields based on the age of the tree, if the T-Yield is not appropriate.

**C. Establishing a Price Election for Arizona and California Grapes**

The Grape CP allow a WA to establish a price election in Arizona and California if the AD do not provide an election for a specific variety. Separate WA offers (including separate WA numbers) must be issued to establish a price election for each variety of Arizona or California grapes requested. Insured grapes under type 095 (other varieties) remain as type 095, and the price established under each WA does not constitute a separate policy. Insured grapes under type 095 continue to be treated as one policy under the CP, thus one administrative fee.

- (1) In addition to the requirements of Para. 22, the **WA request** must also include:
- (a) the number of tons of each variety of grapes sold for at least the two most recent crop years; and
  - (b) the price received for all production of each variety in the years for which production records are provided.

**Example:** Five years of production records are reported on the APH form for a type (095) Alicante grape variety. The price the insured received per ton of grapes for each of the five years certified on the APH form must be included with the WA request.

- (2) In accordance with Para. 43, the RO must determine the price election as follows:
- (a) if the specific variety requested by the producer has an established price election in other counties, or crush districts, in the state, perform a comparison between the variety requested and a similar variety (such as, same juice/concentrate grape varieties or the same color variety; for example, compare red grapes to red grapes) that has an established price election in the county. Use the ratio between the two varieties and apply it to the variety with an established price election to derive the price for the requested variety;

**Example:** A producer requests a price election established for Petite Sirah grapes, which has an established price election in another county. Use Cabernet Sauvignon (which has an established price of \$1,000/ton in the producer's county) as the similar variety. Compare the established price of the neighboring county of Petite Sirah to Cabernet Sauvignon. If Petite Sirah has an average price of 85 percent of Cabernet Sauvignon in the neighboring county, the established price for Petite Sirah would be \$850 (.85 times the Cabernet Sauvignon price election of \$1,000).

**C. Establishing a Price Election for Arizona and California Grapes (continued)**

- (b) if the specific variety requested by the insured does not have an established price anywhere in the state, choose a similar variety in the producer's county and use that variety's price election for the requested variety; and
- (c) the price established for any unlisted variety will be the lower of the price received by the producer in the past year or the highest price established for an existing similar variety in the county/state.

**D. Underage Peaches**

The Peach CP allow a WA to insure peach acreage that has not reached at least the fourth growing season after being set out, however has produced at least 100 bushels of peaches per acre.

- (1) In addition to the requirements of Subparagraph 22A, the **WA request** must provide:
  - (a) the current crop year's APH and production evidence that show at least 100 bushels per acre have been produced on the acreage for which the WA is being requested;
  - (b) a county map showing the location of the orchard; and
  - (c) an explanation of why the orchard is producing high yields at a young age.
- (2) In addition to the requirements of Subparagraph 34C, the RO must deny **WA requests** if:
  - (a) the applicable acreage has not produced at least 100 bushels per acre in the prior year; or
  - (b) the reason for the high yields at a young orchard age is not sustainable.
- (3) In accordance with Para. 43, the RO must assign the producer's actual yield obtained from the acreage during the most recent crop year as the T-Yield. The assigned T-Yield should not exceed the appropriate county T-Yield for trees of a similar planted density that are of insurable age.

**E. Insurance Allowed by CP if Specified Yield Potential Met**

The following applies to situations where the CP allow insurance for crops if a CI appraisal reveals that the crop will meet a specified yield potential (such as, macadamia nuts, stonefruit, fall planted wheat or barley insured as spring planted, or other situations).

- (1) Instead of requesting a WA, the AIP must only perform a CI appraisal to determine if the yield potential specified in the CP has been met.
- (2) The AIP must notify the producer in writing of whether the crop met the required yield potential.
- (3) If insurance is denied by the AIP after performing the CI appraisal, the notice to the producer must state that the producer has a right to arbitrate or mediate the decision in accordance with Section 20 of the BP.

**F. Raisin Reconditioning**

Instead of requesting a WA, if the AIP agrees that it is not practical to recondition the raisins, the amount of production reaching the Raisin Administrative Committee standards that could be obtained if the raisins were reconditioned must be determined in accordance with the raisin LASH.

**G. Underage Trees or Vines, Insufficient Stands, Insufficient Production (Except Pecans), Insufficient Acreage, or Similar Situations**

Crops may be insured even if they have not reached the specified age, produced the required amount, have an insufficient stand, or have insufficient acreage, if expressly allowed by the CP (such as, figs, walnuts, etc.).

- (1) Requests involving pecans must contain at least two years of production and gross sales records.
- (2) Instead of requesting a WA:
  - (a) the AIP must conduct a PAIR for the current crop year and determine whether it is willing to insure the crop. If the AIP is willing to insure the crop, the AIP must provide the following to the RO no later than 60 calendar days after the production reporting date:
    - (i) a copy of the signed and dated RO Determined Yield form (this must be signed by the insured no later than 30 calendar days after the production reporting date) requesting the assignment of an appropriate yield (see CIH Para. 1881, 2009, or 2167);
    - (ii) the APH and the production records for the crop; and
    - (iii) a copy of the PAIR completed in accordance with CIH Part 18, Section 5.

**G. Underage Trees or Vines, Insufficient Stands, Insufficient Production (Except Pecans), Insufficient Acreage, or Similar Situations (continued)**

- (b) the RO will evaluate the information provided to determine the effect of the current condition of the crop or acreage and assign an appropriate yield; and
- (c) the RO must send a copy of the determined yield, or the denial, to the AIP and include producer rights in accordance with Subparagraph 63H.

**H. Insufficient Pecan Production**

The Pecan Revenue CP allow a WA to insure pecan acreage that has not produced 600 pounds (or the amount specified in the Special Provisions) of pecans in-shell per acre in at least one of the previous four crop years. WAs will only be available for situations when a special circumstance (such as a prolonged weather event that continues to limit the production below the minimum, multiple specific weather events that limit the production below the minimum each year, etc.) has caused the pecan acreage to not meet the minimum production per acre for the previous four crop years. The pecan acreage must have otherwise been able to meet the minimum production per acre if the special circumstance did not exist.

**Note:** The pecan revenue policy is a two-year coverage module, therefore WA offers must be written in two-year increments.

**Note:** The determination as to whether a WA is needed to insure insufficient pecan production is made prior to the start of the two-year coverage module. If the producer meets the minimum production requirement at the start of a two-year coverage module, then the producer has met the minimum production requirement for the duration of the two-year coverage module.

**Example:** A producer requests insurance on pecan tree acreage for a two-year coverage module spanning the 2021-2022 crop years. This pecan tree acreage last met the 600-pound requirement in the 2017 crop year. Since 2017 is one of the previous four crop years at the start of the two-year coverage module, the pecan tree acreage is insurable under the terms of the policy for the entire two-year coverage module and does not need a WA to insure this acreage. Even if the 2021 crop year production is less than the 600-pound requirement, making it where the producer does not have at least 600 pounds of pecans in-shell in at least one of the previous four crop years, insurance will continue for the 2022 crop year as the two-year coverage module spans the 2021-2022 crop years.



**H. Insufficient Pecan Production (continued)**

- (1) In addition to the requirements of Subparagraph 22A, the **WA request** must provide:
  - (a) at least two years of production and gross sales records for the requested pecan acreage;
  - (b) a copy of a PAIR completed for the current crop year on the requested pecan acreage (AIP must conduct a PAIR completed in accordance with CIH Para. 2153 and 2154);
  - (c) evidence that the requested pecan acreage has previously produced 600 pounds (or the amount specified in the Special Provisions) of pecans in-shell per acre in any crop year (evidence may be provided through insurance history or production evidence);
  - (d) the date(s) that any topwork has occurred, if applicable, for the requested pecan acreage (if no topwork has occurred, note that on the request). The evidence in (c) above must be achieved after any topwork that occurred; and
  - (e) documentation of the special circumstance(s) that has limited the production to less than 600 pounds (or the amount specified in the Special Provisions) of pecans in-shell per acre for the previous four crop years on the requested pecan acreage.

**Example:** The producer was affected by a prolonged drought for multiple years that has reduced the production below the minimum required by the CP for the previous four crop years. The producer must provide evidence (such as drought monitoring information) that the requested pecan acreage was located within the drought area and that the drought was long enough to affect the yield for the previous four crop years.

**Example:** The producer was affected by a drought, subsequently affected by a late freeze, and then affected by another drought, where the combination of these events limited the production below the minimum required by the CP for the previous four crop years. The producer must provide evidence that the requested pecan acreage was located within the drought area and the late freeze area.

- (2) In addition to the requirements of Subparagraph 34A, the RO must review the submitted information to determine if:
  - (a) the requested pecan acreage was affected by the identified special circumstance(s); and

**H. Insufficient Pecan Production (continued)**

- (b) the requested pecan acreage would have otherwise produced 600 pounds (or the amount specified in the Special Provisions) of pecans in-shell per acre had the identified special circumstance(s) not existed.
- (3) In addition to the requirements of Subparagraph 34C, the RO must deny WA requests if:
  - (a) the requested pecan acreage has not previously produced 600 pounds (or the amount specified in the Special Provisions) of pecans in-shell per acre in any crop year;
  - (b) the requested pecan acreage has not produced 600 pounds (or the amount specified in the Special Provisions) of pecans in-shell per acre since topwork has occurred, if applicable;
  - (c) the PAIR indicates issues that would limit the requested pecan acreage from producing 600 pounds (or the amount specified in the Special Provisions) of pecans in-shell per acre in subsequent years; or
  - (d) the submitted documentation for the special circumstance(s) does not adequately provide evidence that the reason the requested pecan acreage did not meet the minimum production requirement in the CP was due to the special circumstance(s).

**I. Direct Marketing**

The following applies to situations where the CP specifically allow insurance by WA when the crop is direct marketed.

- (1) In addition to the requirements of Subparagraph 22A, the producer must provide:
  - (a) the AIP the records supporting the producer's reported income on the Schedule F Tax Form; and
  - (b) a copy of the Schedule F Tax Form, if requested by the RO, for the crop that is direct marketed.
- (2) The pecan revenue policy is a two-year coverage module; therefore WA offers must be written in two-year increments with two years of production history.

**J. Insurance Date Changes**

Policy designated dates may be modified if authorized by the CP. To evaluate requests to adjust applicable dates specified in the CP using local information, the RO must:

- (1) examine the information from agricultural experts to determine whether the end of the insurance period, cancellation, termination or other dates are consistent with the growing season for the crop in the county. If there is a question regarding an opinion of appropriate dates, the RO should consult another agricultural expert; and
- (2) use acceptable verifiable records of actual yields to determine whether the dates of harvest support the requested end of the insurance period, or to determine whether other terms of insurance or dates are appropriate.

**K. Mint Stands**

Mint stands exceeding maximum age limitations are only insurable by WA.

- (1) In addition to the requirements of Subparagraph 22, the **WA request** must provide:
  - (a) the total amount of mint oil produced from insurable acreage for all cuttings for each unit;
  - (b) any damage to or removal of mint plants or stolons, any change in practices, or any other circumstance that may reduce the expected yield below the yield upon which the production guarantee is based, and the number of affected acres;
  - (c) the stand age;
  - (d) the date existing mint acreage was planted;
  - (e) the date new mint acreage was initially planted;
  - (f) the type of mint; and
  - (g) an explanation of the preventative measures the producer uses to avoid disease (such as Verticillium Wilt), if required by the RO.
- (2) If the information and yields provided with the WA request indicate that the stand can produce the yield that the production guarantee is based upon, approve the **WA** request. Otherwise the **WA** request must be denied.

**A. Availability**

There are very few instances where rotation exceptions can or should be made by WA. Exceptions may be applied only if allowed by the CP or the Special Provisions which require a WA (such as onions and safflowers). The potential for types of exceptions is highly variable across the country due to climate, disease, soil characteristics, and customary farming practices.

**B. Additional Request Requirements**

In addition to Subparagraph 22A, the **WA request** must provide:

- (1) a written and detailed recommendation from an agricultural expert indicating the acceptability of any rotation deviation based on the crop and soil types;
- (2) all related APH history for the crop; and
- (3) if disease control is recommended by agricultural experts, evidence that the recommended disease control (such as fumigation) has been applied, or the means of application are available if application of the disease control was not required when the WA was requested.

**C. Additional RO Review Criteria**

- (1) In accordance with Subparagraph 34A, the RO must assess the impact of the requested rotation deviation on yield and risk, and the RO must make appropriate adjustments in the WA offer. If the data suggests:
  - (a) no reasonable disease mitigation measures exist and no recommendation indicating the acceptability of any rotation deviation from experts that will offset the risks associated with the crop sequence is provided, deny the request; or
  - (b) reasonable disease mitigation measures exist or there is a recommendation of adaptability indicating the acceptability of any rotation deviation from agricultural experts, approve the request.
- (2) If the **WA request** can be approved under (1)(b) of this subparagraph, and:
  - (a) the yields will be significantly different than the typical rotation, the RO must:
    - (i) use the producer's APH history and production history for other producers in the area using the same or similar rotation practices and calculate a T-Yield for the rotation exception;
    - (ii) determine the expected losses associated with the rotation exception based on information from the agricultural experts and available yield history;

**C. Additional RO Review Criteria (continued)**

- (iii) assign a rate or surcharge that will cover the expected losses and a reasonable reserve determined in accordance with RMA’s standard premium rating methodology; and

**Example:** For onions, based on the increased risks and loss of yield due to the rotation deviation, an additional 50 percent rate surcharge is included in the WA offer.

- (iv) inform the AIP that a separate APH database must be maintained for the rotation exception.

- (b) the crop sequence will not significantly affect the risk or the yield, assign a standard rate and yield; or

**Example:** For potatoes, if the producer uses a Sudan grass manure cover crop immediately following harvest of potatoes, this manure acts as a bio-fumigant. The yield and risk are similar to standard practices, and therefore, no rate or yield adjustments are necessary.

- (c) there is an increased risk due to additional disease pressure with no likely effect on the yield, assign a rate commensurate with the additional risk in accordance with (2)(a)(ii) and (2)(a)(iii) above.

**A. Availability**

Special purpose corn is defined in the Coarse Grains CP as high-amylose, high-oil or high-protein not authorized by the Coarse Grains CP, flint, flour, Indian, blue corn, wildlife-adapted, or any other open-pollinated varieties. Special purpose corn also includes types identified by a Special Provisions statement (such as, purple and pink hybrid corn varieties). An SC type WA is required to establish coverage when the AD for the requesting county does not contain these special purpose types.

**B. Additional Request Requirements**

In addition to the requirements in Subparagraph 22A, the **WA request** must provide:

- (1) the dates the producer normally plants and harvests the special purpose corn in the county;
- (2) evidence the special purpose corn is commercially grown in the area;
- (3) evidence a viable marketing outlet is available; and

**B. Additional Request Requirements (continued)**

- (4) for any irrigated practice, the water source, method of irrigation, and the amount of water needed for an irrigated practice for the crop and its adequacy.

**C. Additional RO Review Criteria**

- (1) In addition to the requirements in Subparagraph 34A, the RO must:
  - (a) compare the dates the producer normally plants and harvests the special purpose corn to the county and those recommended by an agricultural expert, and adjust the appropriate dates as necessary;
  - (b) examine the information regarding irrigation to ensure that the producer has adequate water at the appropriate times, if insurance is sought for an irrigated practice. If there is inadequate water for an irrigated practice, the **WA request** must be denied;
  - (c) determine the soil types, topography, and/or other relevant agronomic conditions on the acreage where the producer intends to plant the crop that could affect the risk and adaptability of the special purpose corn (RMA actuarial maps may be used as appropriate);
  - (d) examine the information from agricultural experts to determine whether a consensus amongst experts exists regarding adaptability of the special purpose corn to the area or acreage; and
    - (i) If there is a question regarding evidence of adaptability received, the RO should consult another agricultural expert.
    - (ii) If a consensus amongst agricultural experts says the special purpose corn is not adaptable to the area or acreage, the **WA request** must be denied.
  - (e) determine if all the following conditions are met. If one or more of the conditions are not met, determine whether the condition can be modified to meet the conditions of the acreage to be insured under the WA. If the condition cannot be modified, the **WA request** must be denied. The conditions that must be met are:
    - (i) the policy must permit coverage for the specific P/T or option of the special purpose corn for which insurance is requested;
    - (ii) the end of the insurance period, cancellation, termination or other dates must be consistent with the growing season for the special purpose corn in the county;

**C. Additional RO Review Criteria (continued)**

- (iii) quality adjustment, moisture adjustment, or other special loss adjustment provisions can be applied consistently;
  - (iv) the intended use of the special purpose corn is defined as acceptable in the policy;
  - (v) all other policy terms are appropriate for insuring the special purpose corn and acreage; and
  - (vi) the special purpose corn is commercially grown in the county and a viable marketing outlet is available.
- (2) In accordance with Para. 43, to determine proper dates, statements, rates, and other appropriate provisions, the RO must:
- (a) determine the T-Yield for the special purpose corn by:
    - (i) obtaining yield information from unbiased third parties (such as, the CES, university or private plant geneticists, processors, any publications for special purpose corn in the area, and any published yield data) to determine the yield potential of the special purpose corn as compared to conventional corn (calculate a percentage);
      - (A) Potential yields of different special purpose corn varieties may be 40-85 percent of conventional varieties.
      - (B) If a type of special purpose corn is on the AD for another county (such as blue corn), the RO may use a percentage calculated from the other county, if appropriate.
    - (ii) multiplying the result of (i) above and the T-Yield that would be applicable for conventional corn for the appropriate farming practice, to determine the special purpose corn T-Yield (under no circumstances will the special purpose corn T-Yield be higher than the T-Yield for conventional corn); and

**Example:** Blue corn has a non-irrigated T-Yield that is 45 percent of the non-irrigated T-Yield for conventional corn in a county that has blue corn on the AD. The requested county T-Yield for non-irrigated corn is 150 bushels per acre. The requested county non-irrigated blue corn T-Yield calculates to be 68 bushels (0.45 x 150).

**C. Additional RO Review Criteria (continued)**

- (iii) if the producer has previously grown the special purpose corn, use the APH history for the special purpose corn provided with the **WA request** to determine whether the T-Yield determined in (ii) above is appropriate. If the simple average of the APH actual yields for the special purpose corn varies more than 10 percent from the T-Yield determined in (ii) above, the T-Yield determined in (ii) above is not appropriate.
  - (A) Except as provided in Subparagraph 34C(6), if the simple average of the APH actual yields for the special purpose corn is less than 90 percent of the T-Yield determined in (ii) above, assign the simple average as the new T-Yield.
  - (B) If the simple average of the APH actual yields for the special purpose corn is greater than 110 percent of the T-Yield determined in (ii) above, assign the simple average not to exceed 120 percent of the T-Yield determined in (ii) above as the new T-Yield.
  - (C) If both the irrigated and non-irrigated practices are requested for the special purpose corn, the non-irrigated T-Yield cannot be higher than the irrigated T-Yield.
- (b) base the special purpose corn premium rates on the:
  - (i) conventional corn premium rates for the location county for the approved yield when the special purpose corn is not on the AD for any county;
  - (ii) **special purpose corn premium rates for the approved yield in the ADM source county** when the special purpose corn is available on the AD for another county and the premium rates for the **ADM source county** are equal to or higher than the conventional corn premium rates from the location county; or
  - (iii) conventional corn premium rates for the location county for the approved yield when the special purpose corn is available on the AD for another county and the premium rates for the **ADM source county** are lower than the conventional corn premium rates from the location county.



**C. Additional RO Review Criteria (continued)**

- (c) apply price/price elections published in the AD for conventional corn to special purpose corn varieties.

**Note:** The contract price for special purpose corn identified on the AD (such as blue corn) is not available by WA. The Maximum Contract Price and Maximum Contract Price Factor may need to be updated in the Prices Delta in the WA ROE system, so the Contract Price is not available on the WA. The organic contract price based on the conventional corn for the county can still be applied to the special purpose corn.

**D. Additional WA Offer Provision Requirements**

In addition to the requirements of Para. 43, the WA offer must contain the P/T. If the P/T is not shown on any county AD for the crop, the RO must contact RMA **APFD AB** to determine the appropriate code to assign to the P/T.

**79 SG Type – Interplanted With Another Crop**

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**A. Availability**

For crops to be considered interplanted, separate agronomic maintenance or **separate** harvest of the insured crop must not be able to occur. If two or more crops are planted in a manner that does allow separate agronomic maintenance or **separate** harvest of the insured crop, those crops are not considered interplanted and the insured crop is insurable without requiring an SG WA.

**Example:** Soybeans planted into a wheat crop where both crops can be maintained and harvested separately is not considered interplanted.

**B. Additional Request Requirements**

In addition to the requirements of Subparagraph 22A, the **WA request** must provide:

- (1) a written and detailed recommendation from the CES on the acceptability of the practice on the producer's acreage based on the crops and soil types;
- (2) all production history for the crop for the acreage that had previously been interplanted (the producer must have at least two years of production records for the interplanted practice for the small grain or other insured crop); and

## **79 SG Type – Interplanted With Another Crop (Continued)**

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### **B. Additional Request Requirements (continued)**

- (3) if disease or weed control is recommended by the CES, evidence that the:
  - (a) recommended disease or weed control was applied; or
  - (b) means of application is available, if application of the disease or weed control was not required when the WA was requested.

### **C. Additional RO Review Criteria**

In addition to the requirements of Subparagraph 34A:

- (1) when planted as a nurse crop, both crops must be able to be cared for and harvested separately;
- (2) the recommendation from the CES must have determined the practice is acceptable for the producer's acreage; and
- (3) the producer's production history for the interplanted practice for the small grain or other insured crop must demonstrate that the producer's APH approved yield for the small grain or other insured crop can be produced.

## **80 SM Type – Strip-Mined Land**

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### **A. Availability**

A producer may qualify for a WA on uninsurable strip-mined land when an agricultural commodity other than a cover, hay (except wheat harvested for hay), or forage crop (except insurable silage) has been harvested from the acreage for less than five crop years (with a minimum of one crop year harvested) after the strip-mined land was reclaimed, if the productivity potential of the reclaimed strip-mined land is equivalent to similar non-strip-mined land in the county.

To qualify for a WA, separate APH database(s) must be maintained for strip-mined land until an agricultural commodity other than a cover, hay (except wheat harvested for hay), or forage crop (except insurable silage) has been harvested from the acreage for at least five crop years after the strip-mined land was reclaimed.

### **B. Additional Request Requirements**

- (1) In addition to the requirements of Subparagraph 22A, the **WA request** must include:
  - (a) a description of the Reclamation Process Report;
  - (b) the date the reclamation was completed; and
  - (c) all APH databases for the reclaimed acreage.

**B. Additional Request Requirements (continued)**

- (2) If the requested field, CLU, or unit was partially planted each year, submit acreage history for each year of production on the field, CLU, or unit that was partially planted showing the acres planted, or the acres that were prevented from planting. Acceptable acreage history would be an FSA-578 for each year or a written narrative describing the planted acres, the harvested acres, fallow acres, and/or acres that were prevented from planting each year. If the APH indicates the entire field, CLU, or unit was planted each year, no additional information is required for the field, CLU, or unit that was entirely planted.

**C. Additional RO Review Criteria**

In addition to the requirements of Subparagraph 34A, the RO must examine whether the yield for the reclaimed acreage is comparable to other similar insured acreage of the producer, the county or the surrounding area. If the producer's acreage is not similar, then:

- (1) deny the **WA request** if no yields are available;
- (2) assign the standard rates for the county if the yields and variability of the yields are comparable; or
- (3) if the yields and variability of the yields are not comparable:
  - (a) assign a rate that is appropriate for the risk, if it is possible to determine;
  - (b) assign a rate comparable to a high-risk rated area in the county; or
  - (c) deny the **WA request** if accurate risk and/or appropriate rates cannot be determined, or the risk is excessive.

**A. Additional Request Requirements**

In addition to Subparagraph 22A, the **WA request** must include:

- (1) the reason for the acreage increase; and
- (2) certification that all requested acreage will be managed according to state standards.

## 81 SP Type – Seed Potato Acreage (Continued)

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### B. Additional RO Review Criteria

In accordance with Subparagraph 34A, the **WA request** cannot be approved unless:

- (1) the WA is to retain the capping of liability at no greater than that determined from 125 percent of the average acreage of seed potatoes previously entered into and passing certification in the potato certified seed program for the previous three crop years (under no circumstance can the WA override the liability cap determined from 125 percent of past average acres); and
- (2) there is a change in the farming operation that results in a change in the acreage being farmed in a county or the insured entity, such as:
  - (a) a revised entity, dissolution of partnership, etc.; or
  - (b) a change in location of the operation, which includes:
    - (i) expansion to another county; or
    - (ii) planting acreage in fewer counties.

**Example:** Two brothers become partners and each had previously entered 100 acres in the certified seed program and passed certification for the past three crop years. Under a WA, the partnership's liability would be capped at a value corresponding to 250 acres of certified seed potatoes  $[(100 \times 1.25) + (100 \times 1.25)]$ .

**Example:** If a producer previously entered 100 acres in the certified seed program in County A and 50 acres in County B for the three previous crop years, passed certification for all acres, and decided to move the whole farming operation to County A, the producer's liability would be capped at a value corresponding to 187.5 acres under the WA  $[(100 \times 1.25) + (50 \times 1.25)]$ .

## 82 TC Type – Non-Irrigated Corn Grain

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### A. Availability

A TC type WA is required to establish coverage for non-irrigated corn grain where the AD for the requesting county contains:

- (1) irrigated corn grain, irrigated corn silage, and non-irrigated corn silage;
- (2) irrigated corn grain and irrigated corn silage; or
- (3) irrigated corn grain and non-irrigated corn silage.

**B. Additional Request Requirements**

- (1) In addition to the requirements of Subparagraph 22A, the **WA request** must include:
  - (a) a completed Non-Irrigated Corn Grain Request Worksheet (see Exhibit 3B for form standards and Exhibit 15 for an example) signed by the producer under the Certification Statement. The RO may request production and/or acreage evidence to substantiate the entries on the worksheet; and
  - (b) at least three crop years of all non-irrigated corn acreage planted for grain in the county, or area, on an APH. The AIP must ensure that:
    - (i) the production history is not based on conversion from corn silage records to corn grain records. Records must show that at least 50 percent of all planted corn acreage in which the insured has an interest in the county, or area, are based on harvested grain production, or grain appraisals, in three of the four most recent years that corn was planted;
    - (ii) only records for the years the producer actually shared in the non-irrigated corn grain crop are considered as a year of records to qualify the producer (entities that qualify for transfer of APH may qualify); and
    - (iii) in at least one of the years, 50 percent or more of the producer's acreage in the county, or area, was harvested as grain.
- (2) In addition to the requirements of Subparagraph 22A, but instead of the documentation required in (1) of this subparagraph, the producer may provide a fully executed processor contract for grain corn. The processor contract:
  - (a) is an agreement with a business enterprise, or a buyer/agent under contract with a business enterprise, regularly engaged in processing grain corn for ethanol that possesses all licenses and permits for processing corn as required by the state in which it operates, and that possesses facilities, or has contractual access to such facilities, with enough equipment to accept and process contracted corn; and
  - (b) must be submitted with the **WA** request, fully executed, and acceptable to the RO.

**C. Additional RO Review Criteria**

- (1) In addition to the requirements of Subparagraph 34A, the RO must:
  - (a) determine the soil types, topography, and/or other relevant agronomic conditions on the acreage where the producer intends to plant the crop that could affect the risk and adaptability of the crop (RMA actuarial maps may be used as appropriate); and

**C. Additional RO Review Criteria (continued)**

- (b) examine information from agricultural experts to determine whether a consensus amongst experts exists regarding adaptability of the crop to the county.
  - (i) If there is a question regarding evidence of adaptability received, the RO should consult another agricultural expert.
  - (ii) If a consensus amongst agricultural experts says the crop is not adaptable to the county or acreage, the **WA request** must be denied.
  
- (2) In accordance with Para. 43:
  - (a) the RO must determine the T-Yield as follows:
    - (i) use the T-Yield from the **ADM source county** determined in accordance with Para. 36; or
    - (ii) if the T-Yield from the **ADM source county** is not appropriate, the T-Yield will be the lower of:
      - (A) the non-irrigated corn silage T-Yield of the requesting county divided by 0.15; or
      - (B) the simple average of the yearly sum of the producer's non-irrigated grain production, or appraisals, divided by the yearly sum of the producer's acreage planted for grain (for up to the last 10 years).
  
  - Note:** Under no circumstances will the assigned T-Yield be higher than the T-Yield for the **ADM source county**.
  
  - (b) the RO must determine the premium rates as follows:
    - (i) use the premium rates from the **ADM source county** determined in accordance with Para. 36; or
    - (ii) if the premium rates or factors from the **ADM source county** are not appropriate because there are additional risks, or the risks are different for the non-irrigated corn grain P/T:
      - (A) determine the risks and expected losses in the county associated with the non-irrigated corn grain P/T (sources of data to determine risks could include prior insurance experience, NASS data, climatic data, etc.);

## 82 TC Type – Non-Irrigated Corn Grain (Continued)

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### C. Additional RO Review Criteria (continued)

- (B) review the base premium rate and factor for the non-irrigated corn grain P/T in the ADM source county; and
- (C) increase or decrease the factor for non-irrigated corn grain P/T as necessary to cover the expected losses.

### D. Additional Renewal Request Requirement

In addition to the requirements of Subparagraph 22B, requests for renewal of a WA must include the Non-Irrigated Corn Grain Request Worksheet (see Exhibit 15) completed including the most recent crop year. Additional crop years must be included on the Non-Irrigated Corn Grain Request Worksheet if required by the RO.

## 83 TD Type – Dry Bean Types

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### A. Additional Request Requirements

In addition to the requirements of Subparagraph 22A, the WA request must provide:

- (1) a completed APH containing the requested dry bean type, if the requested dry bean type has been previously grown [if the requested dry bean type has not been previously grown, provide an APH in accordance with Subparagraph 22A(2)(b)];
- (2) the dates the producer normally plants and harvests the dry bean type in the county;
- (3) for any irrigated practice, the water source, method of irrigation, and the amount of water needed for an irrigated practice for the crop and its adequacy; and
- \*\*\* (4) evidence of adaptability for each type of dry bean requested by irrigation practice. Evidence of adaptability for a non-irrigated practice can qualify an irrigated practice, but evidence of adaptability for an irrigated practice cannot qualify a non-irrigated practice. Evidence of adaptability by irrigation practice must include either:
  - (a) two years of applicable production reports and at least one year of prices received; or

**A. Additional Request Requirements (continued)**

- (b) both of the following:
  - (i) two years of university or seed company test plot results and recommendations (duplicate university or seed company information that show adaptability is not needed for repeat requests from the same area for the same dry bean types, contact the RO to determine if this information is needed); and
  - (ii) evidence of market potential including the price buyers are willing to pay for the class (sales records of the producer, a contract, or statements from the buyer can be used as evidence of market potential).

**B. Additional RO Review Criteria**

- (1) In addition to the requirements of Subparagraph 34A:

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- (a) a WA request may be approved for dry bean types not designated in the AD or Special Provisions, if insurance for dry beans is available in the county (if dry beans are not available in the county, an XC WA type is required for insurability); and
- (b) the RO must:
  - (i) compare the dates the producer normally plants and harvests the requested dry bean type to the ADM source county and those recommended by agricultural experts, and adjust the appropriate dates as necessary;
  - (ii) examine the information regarding irrigation to ensure that the producer has adequate irrigation facilities and water to irrigate the crop at the appropriate times if insurance is sought for irrigated practice. If it is known at the time of processing the WA request there are inadequate irrigation facilities and/or water for an irrigated practice, deny the WA request;
  - (iii) determine the soil types, topography, and/or other relevant agronomic conditions on the acreage where the producer intends to plant the crop that could affect the risk and adaptability of the dry bean type (RMA actuarial maps may be used as appropriate);
  - (iv) examine the evidence of adaptability provided (if university or seed company recommendations are received as evidence of adaptability, and these recommendations say the dry bean type is not adapted to the area or acreage, the WA request must be denied); and



**B. Additional RO Review Criteria (continued)**

- (v) determine if all the following conditions are met. If one or more of the conditions are not met, the **WA request** must be denied. The conditions that must be met are:
  - (A) quality adjustment, moisture adjustment or other special loss adjustment provisions can be applied consistently;
  - (B) the intended use of the crop is defined as acceptable in the policy;
  - (C) all other policy terms are appropriate for insuring the dry bean type;
  - (D) the dry bean type is commercially grown in the area and a viable marketing outlet is available; and
  - (E) the dry bean type is adapted to the area.
- (2) In accordance with Para. 43:
  - (a) the RO must determine the T-Yield as follows:
    - (i) if the production history for the type is equal to or greater than the current T-Yield of the major type in the county, use the current T-Yield (the major type of dry bean in the county is based on the type that historically has the highest number of acres in the county based on NASS data, or FSA data if NASS data is not available); or
    - (ii) if the current T-Yield of the major type in the county is higher than the average of the actual history for the type, the current T-Yield must be reduced to reflect the expected yield for the type in the county (determine the expected yield for the type in the county based on all available production history in the county or other counties with similar agricultural conditions, yield trials, or the advice of agricultural experts).
  - (b) if the dry bean type is not listed on the AD for the county and:
    - (i) is listed in other counties, the RO must use the price election RMA has established for that type unless the producer's highest available contract price is lower than the price election RMA has established for that type, in which case the producer's highest available contract price shall be the price election for that type; or

**Exception:** For counties where Dry Bean Revenue Protection is available for specific types, use the RMA projected price regardless of the producer's contract price.

**B. Additional RO Review Criteria (continued)**

(ii) is not insurable in any county (the RO must contact RMA **APFD AB** to determine the appropriate code to use for types of dry beans that are not available in the AD), the price election will be determined based on the following hierarchy:

- (A) the contract price if the dry beans are under contract;
- (B) for those crops where the contract prices in the county/area are lower than the lowest dry bean price election (for any type of dry bean) published by RMA in the AD, the contract price even if the beans are not under contract; or
- (C) the lowest dry bean price (for any type of dry bean) established by RMA and published in the AD.

(c) when the RO determines the premium rate:

(i) the records by P/T must be combined and standard APH rules utilized to obtain an average yield;

**Example:** A producer has three years of records for dry bean type 305 Dark Red Kidney, practice 003. The T-Yield is 1000 pounds.

Year	Acres	Yield
20XX	-	1000T
20XX	-	1100A
20XX	-	1500A
20XX	-	800A
20XX Approved Yield	-	1100

(ii) if the requested type was insurable in the same type group as a type still insurable, or the requested type is in a rate group with other types as established in a recent actuarial rate review, use the standard rate for that type or rate group;

**Example:** The requested dry bean type is 305 Dark Red Kidney and is either in the same type group as type 309 Navy as established from a recent rate review or was in the same type group as type 309 Navy in a previous year(s). Use the average yield for the requested type determined in (i) above, and type 309 standard rates for the current year to arrive at the applicable rate.

## 83 TD Type – Dry Bean Types (Continued)

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### B. Additional RO Review Criteria (continued)

- (iii) if the requested type is not insurable in either a rate group with other types as established in a recent rate review or was not insurable in a type group that is insurable, determine the type group most comparable to the requested type and use the standard rate for that type. Use the average yield for the requested type determined in (i) above and the standard rates of the comparable type for the current year to arrive at the applicable rate; and
- (iv) T-Yields must be identified as standard T-Yields or T-Yields for high-risk rated or unrated areas.

### C. Additional WA Offer Provision Requirement

In addition to the requirements of Para. 43, the WA offer must contain the P/T and/or variety.

## 84 TP Type – Unrated P/T

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### A. Additional Information

- (1) A TP request cannot be accepted if the P/T is currently insurable in the county, even if the P/T code is more specific in a different county (for example, soybeans insured under type 997 in one county and more specific specialty type codes of soybeans are available in another county).

**Exception:** The CP or Special Provisions allow a WA to insure a specific P/T that would otherwise be insurable under a more general P/T, without a WA.

- (2) For WA requests where other crop types are insurable in the county which have later planting and harvesting dates than the type requested for a WA, the producer/AIP must submit the request prior to, or during, the planting period to allow for coverage by WA during the growing season. Contact the appropriate RO for the required submission date of a WA request for this situation.

**Example:** Spring Forage is insurable and the ARD is **June 2021**, fall forage is only insurable by WA. In this situation, if the producer waits until the spring ARD, a WA cannot provide coverage as the insurance period (growing season) has passed and causes of loss may have occurred.

- (3) In accordance with the BP, an experimental crop may be insured under an unrated P/T, or other applicable WA type, if the crop meets all the following:
  - (a) the crop is planted for reasons other than test purposes conducted under the direct supervision of a state experiment station or commercial company;

**A. Additional Information (continued)**

- (b) the production is not destroyed before harvest or used for experimental purposes;
- (c) production will be marketed and evidence of sold production must be provided after the sale of the commodity before any indemnity will be paid;
- (d) the crop must not be labeled as experimental according to regulatory authorities (that is, a seed that has been genetically modified and carries the seed tag label “experimental” will not be insurable); and
- (e) all requirements as specified under the applicable WA type are met.

**B. Additional Request Requirements**

- (1) In addition to the requirements of Subparagraph 22A, the **WA request** must provide:
  - (a) a completed APH containing the requested P/T, if the requested P/T has been previously grown and that history will be used in the APH database [if the requested P/T has not been previously grown, or the uninsurable history will not be used in the APH, provide an APH in accordance with Subparagraph 22A(2)];  
  
**Note:** If the CP or Special Provisions require a minimum number of years of producing the requested P/T to qualify for a WA, the APH must contain the minimum number of years required.
  - (b) the dates the producer normally plants and harvests the crop using the unrated P/T in the county;
  - (c) evidence the P/T is commercially grown in the area;
  - (d) evidence a viable marketing outlet is available; and
  - (e) for any irrigated practice, the water source, method of irrigation, and the amount of water needed for an irrigated practice for the crop and its adequacy.
- (2) In addition to the requirements of (1) above, if the **WA** request is to insure organic certified or organic transitional practices that are not contained in the AD, the **WA request** must provide:
  - (a) for certified organic acreage, a written certification in effect from a certifying agent indicating the name of the entity certified, effective date of certification, certificate number, types of commodities certified, and the name and address of the certifying agent;

**B. Additional Request Requirements (continued)**

- (b) for transitional acreage, a certificate described in (a) above, or written documentation from a certifying agent indicating an organic plan is in effect for the acreage; and
- (c) records from the certifying agent showing the specific location of each field of certified organic, transitional, buffer zone, and acreage not maintained under organic management.

**C. Additional RO Review Criteria**

- (1) In addition to the requirements of Subparagraph 34A, the RO must:
  - (a) compare the dates the producer normally plants and harvests the crop using the unrated P/T to the **ADM source county** and those recommended by agricultural experts, and adjust the appropriate dates as necessary;
  - (b) examine the information regarding irrigation to ensure that the producer has adequate irrigation facilities and water to irrigate the crop at the appropriate times if insurance is sought for irrigated practice. If it is known at the time of processing the **WA request** there are inadequate irrigation facilities and/or water for an irrigated practice, deny the **WA request**;
  - (c) determine the soil types, topography, and/or other relevant agronomic conditions on the acreage where the producer intends to plant the crop that could affect the risk and adaptability of the unrated P/T (RMA actuarial maps may be used as appropriate);
  - (d) examine the information from agricultural experts to determine whether a consensus amongst experts exists regarding adaptability of the unrated P/T to the area;
    - (i) If there is a question regarding evidence of adaptability received, the RO should consult another agricultural expert.
    - (ii) If a consensus amongst agricultural experts says the crop is not adaptable to the area or acreage, the **WA request** must be denied.
  - (e) use the inspection report (such as a PAIR) for Category C or perennial Category D crops to determine insurable acreage, the age of the stand, if the inspector recommends insurance for the acreage, or any noted perils or hazards unique to the acreage. If the inspector recommends the acreage should not be insured, the **WA request** must be denied; and

**C. Additional RO Review Criteria (continued)**

- (f) determine if all the following conditions are met. If one or more of the conditions are not met, the **WA request** must be denied. The conditions that must be met are:
  - (i) quality adjustment, moisture adjustment or other special loss adjustment provisions can be applied consistently;
  - (ii) the intended use of the P/T is defined as acceptable in the policy;
  - (iii) all other policy terms are appropriate for insuring the unrated P/T and acreage;
  - (iv) the unrated P/T is commercially grown in the area and a viable marketing outlet is available;
  - (v) a consensus amongst agricultural experts that the unrated P/T is adapted to the area; and
  - (vi) if the unrated P/T has been planted previously, the same production practices must be used, and the same agronomic conditions must exist for the acreage to be covered under the WA.
  
- (2) In accordance with Para. 43:
  - (a) the RO must determine the T-Yield as follows:
    - (i) for an unrated P/T using county T-Yields:
      - (A) use the T-Yield of an identified **ADM source county** or **location county ADM type**; or
      - (B) if the **ADM source county or location county ADM type** T-Yield is not appropriate or available, determine a T-Yield using NASS, the producer's yield history (that is, producer yield history provided with the **WA** request and/or obtained from other sources of information, such as FSA documents), RMA WA yield data from the requesting county, or other yield data from unbiased third parties (such as, the CES, university or private plant geneticist, processors, any publications for the P/T in the area, and any published yield data) to determine the yield potential of the unrated P/T as compared to insurable P/T of the crop in the county.

**C. Additional RO Review Criteria (continued)**

- (ii) for counties with T-Yield maps (not county T-Yields), or high-risk rated areas with separate T-Yields, determine an appropriate T-Yield by multiplying the T-Yield determined in (i) above by the area factor applicable to the area where the acreage to be insured under the WA is located. For acreage located in more than one area, separate T-Yields must be determined;
  - (iii) the producer's yield history should be used to determine whether the ADM source county or location county ADM type T-Yields are appropriate. If the simple average of the yearly sum of the producer's production divided by the yearly sum of the producer's planted acreage for all reported crop years is less than 90 percent of the ADM source county or location county ADM type T-Yield, the ADM source county or location county ADM type T-Yield is not appropriate; and
  - (iv) under no circumstances will the assigned T-Yield be higher than the T-Yield for the ADM source county or location county ADM type.
- (b) the RO must determine premium rates, for all plans of insurance, as follows:
- (i) for counties with continuous rating, use the premium rates from the ADM source county determined in accordance with Para. 36;
  - (ii) for counties with one premium rate for all yields, use the premium rate for the 65 percent coverage level and inform the AIP to multiply the rate by the differential in the AD for the ADM source county if the producer's coverage level is different;
  - (iii) if the premium rates from the ADM source county are not appropriate because there are additional risks, or the risks are different for the unrated P/T, or there is no appropriate ADM source county:
    - (A) determine the risks and expected losses in the county associated with the unrated P/T (sources of data to determine risks could include prior insurance experience, NASS data, climatic data, etc.);
    - (B) review the base premium rate and factor for the unrated P/T in the ADM source county; and
    - (C) assign appropriate premium rates or increase or decrease a practice factor to account for risks associated with the unrated P/T as necessary to cover the expected losses.
  - (iv) in addition to the rates determined in (i) through (iii) above, for high-risk rated land determine the add-on rate in accordance with Para. 72.

## 84 TP Type – Unrated P/T (Continued)

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### C. Additional RO Review Criteria (continued)

- (c) for dollar plans of insurance:
  - (i) the amount of insurance is obtained from the AD of the ADM source county determined in accordance with Para. 36; or
  - (ii) if the amount of insurance in the AD in the ADM source county is not appropriate, determine the dollar amounts for which the crop using the unrated P/T was sold for in the county from NASS or other similar sources and subtract any post-harvest costs, if applicable.
- (d) if it is not possible to determine an appropriate premium rate or T-Yield, the WA request must be denied.

### D. Additional RO Instructions

If the unrated P/T is not shown on any AD for the crop, the RO must contact RMA APFD AB to determine the appropriate code to assign to the P/T.

The RO must monitor the insurance experience of the unrated P/T to determine any necessary rate adjustments or whether to include the P/T on the AD.

## 85 XC Type – County Without AD

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### A. Additional Information

- (1) For the purposes of Para. 85, the word “producer” refers to the requesting entity and the word “planted” (or a variation thereof) also means produced, if the crop is a perennial crop.
- (2) Production records required by the RO that are subsequently determined to be unacceptable may result in a WA request being incomplete.



**A. Additional Information (continued)**

- (3) When the producer does not have the required three years of records for an XC request, the producer may use acceptable verifiable production records or insurance records from an SBI(s) of the producer to meet the requirements in Subparagraph 85B. Records from an SBI(s) can only be used if the producer does not have the required three years of records (that is, the requested crop, similar crop, or a combination thereof), but the producer must use their own records prior to utilizing any SBI(s) records.

**Example:** A producer has grown the requested crop in 2018 and 2020. The producer has not grown a similar crop; thus the producer only has two years of production records that can be used. No SBI of the producer has grown the requested crop; however, an SBI of the producer has grown a similar crop from 2014 to 2020. The producer can use the 2019 similar crop records of the SBI to qualify for an XC WA since the three-year record requirement can now be met.

- (4) The order of precedence on which records are to be used for an XC WA request are as follows:
- (a) the producer’s requested crop records from the county or area;
  - (b) the producer’s similar crop records from the county or area;
  - (c) an SBI(s) requested crop records from the county or area; or
  - (d) an SBI(s) similar crop records from the county or area.
- (5) The producer may use acceptable verifiable records of the previous producer when the requirements of CIH Para. 1507, 1508, or 1861 are met. The producer cannot use insurance experience in lieu of acceptable verifiable records even if these requirements are met.
- (6) If the producer utilizes verifiable records of the previous producer or utilizes SBI records, this must be identified on the WA request.
- (7) When the requested crop is not insurable in the county, the requested crop type is not insurable in the State, and the cancellation date is based on crop types with later planting and harvesting dates, the producer/AIP must submit the request prior to, or during, the planting period to allow for coverage by WA during the growing season. Contact the appropriate RO for the required submission date of a WA request for this situation.

**Example:** A producer requests winter malting barley in a county that does not have barley on the AD. In addition, only spring barley is available in the State, therefore the cancellation date is based on spring barley for that State. This request must be submitted prior to, or during, the planting period for winter malting barley.

**B. Additional Request Requirements**

In addition to the requirements of Subparagraph 22A, except Subparagraph 22A(2), the WA request must provide:

- (1) the dates the producer and other growers in the area normally plant and harvest the crop, if applicable;
- (2) the name, location of, and approximate distance to the place the crop will be sold or used by the producer (showing evidence that a viable marketing outlet is available);
- (3) for any irrigated practice, the water source, method of irrigation, and the amount of water needed for an irrigated practice for the crop and its adequacy;
- (4) if the requested crop has been previously planted in the county or area for at least three years by the producer:
  - (a) a completed APH (only for crops that require APH) based on acceptable verifiable production records of actual yields for the crop for at least the three most recent crop years in which the crop was planted from acreage in the county, or in the area if the producer has not produced the crop in the county for at least three years; and
  - (b) acceptable verifiable production records for at least the three most recent crop years (four crop years for pecans) in which the crop was planted. Refer to CIH Part 14, Sections 2 and 4 for acceptable verifiable production records (farm management records are not acceptable for an XC WA request and acceptable verifiable production records are not limited to the identified crops listed in CIH Para. 1415).
    - (i) The acceptable verifiable production records do not necessarily have to be from the same physical acreage for which a WA is being requested.
    - (ii) Acceptable verifiable production records do not have to be submitted for any year the producer has insured the crop in the county or area (that is, premium was earned) and has certified the yields on the applicable production reports, or if the yields are based on a previous insurance claim. To utilize the crop's insurance records under an area plan, proof must be provided that the yields were certified on the production report(s) (such as the application notating the payment factor), otherwise acceptable verifiable production records are required.

**B. Additional Request Requirements (continued)**

- (iii) Any year in which the producer planted the crop outside of the most recent 10 crop years will not be considered a year of previously planting the crop, unless the producer provides acceptable verifiable production records, or the crop was insured, for that crop year.
  - (iv) Production records are not required if records of crop production are not used to establish either insurance coverage or losses paid under the policy (such as forage seeding).
- (5) if the producer has only one or two years of production records for the requested crop in the county or area, and has production records for a similar crop(s) in the county or area such that the combination of both sets of records results in at least three different years of production records, the producer must provide the information required in (4) of this subparagraph for the years the producer planted the crop in the county or area and the information required in (6) of this subparagraph regarding the similar crop(s) for the remaining years;
- (a) Similar crop production records cannot be submitted instead of the requested crop production records, if the requested crop was produced in the county or area the same year the similar crop was produced (for example, 2020 similar crop production records cannot be used if the requested crop was grown in 2020).
  - (b) The similar crop production records must be submitted beginning with the most recent crop year that the similar crop(s) was produced, unless (5)(a) of this subparagraph applies.

**Example:** A producer requests an XC WA for corn in County A for the 2021 crop year. The producer has 2012 and 2020 corn production records in County A and 2012 through 2020 production records for a similar crop in County A. The producer must submit an APH containing the corn records for 2012 and 2020, and an APH containing the similar crop records for at least 2019. The two APHs must collectively represent production and acreage from at least three APH crop years. The producer must also submit acceptable verifiable records for corn in County A in 2012 and 2020 if corn was not insured in either of those years, and acceptable verifiable records for the similar crop in County A if the similar crop was not insured. If the corn was insured in 2012 or 2020, or the similar crop was insured in 2019, acceptable verifiable records do not have to be submitted for the year that the crop or similar crop was insured.

**B. Additional Request Requirements (continued)**

- (c) If the producer has not planted the requested crop for at least three crop years within the last 10 crop years, but has planted the requested crop outside of the last 10 crop years:
  - (i) notate on the **WA request** that the requested crop has been planted outside of the most recent 10 crop years if insurance records are not available and the producer is not providing acceptable verifiable records; and
  - (ii) do not sign the certification statement required in (6)(a) below attesting that the producer has never planted the crop in the county or area.
- (6) if the requested crop has not been previously planted in the county or area by the producer:
  - (a) a signed certification statement attesting that the producer has never planted the crop in the county or area (see Exhibit 14);
  - (b) a completed APH (only for crops that require APH) based on acceptable verifiable production records of actual yields for the crop for at least the three most recent crop years in which a similar crop(s) was planted from acreage in the county, or in the area if the producer has not produced the similar crop(s) in the county for at least three years (if the most recent year's production is unavailable at the WA request deadline, such as due to an open claim, complete the APH using the temporary yield and note this on the request; see CIH Subparagraph 1503A for temporary yield procedures); and
  - (c) acceptable verifiable production records for at least the three most recent crop years (four crop years for pecans) in which the similar crop(s) was planted. Refer to CIH Part 14, Sections 2 and 4 for acceptable verifiable production records (farm management records are not acceptable for an XC WA request and acceptable verifiable production records are not limited to the identified crops listed in CIH Para. 1415).
    - (i) The acceptable verifiable production records for the similar crop(s) do not necessarily have to be from the same physical acreage for which a WA is being requested.
    - (ii) Acceptable verifiable production records do not have to be submitted for any year the producer has insured the similar crop(s) in the county or area (that is, premium was earned) and has certified the yields on the applicable production reports, or if the yields are based on a previous insurance claim. To utilize similar crop(s) insurance records under an area plan, proof must be provided that the yields were certified on the production report(s) (such as the application notating the payment factor), otherwise acceptable verifiable production records are required.

**B. Additional Request Requirements (continued)**

- (iii) Any year in which the producer planted the similar crop(s) outside of the most recent 10 crop years will not be considered a year of previously planting the similar crop(s), unless the producer provides acceptable verifiable records, or the similar crop(s) was insured, for that crop year.
  - (iv) Production records are not required if records of crop production are not used to establish either insurance coverage or losses paid under the policy (such as forage seeding).
- (7) if the producer is utilizing any SBI(s) records to qualify under (4), (5), or (6) above:
- (a) the producer must use their own records prior to utilizing any SBI(s) records;
  - (b) the SBI(s) records are considered to be the producer's records for the purposes of (4), (5), or (6) above to complete the three-year record requirement; and

**Example:** The producer planted the requested crop in 2016 and 2015, and an SBI planted the requested crop in 2014, the producer is considered to have three years of planting the crop and would fall under (4) above.

- (c) a completed APH for the requested crop [or any similar crop(s) if an SBI(s) similar crop(s) records are being used] must be submitted for each SBI that planted the requested crop (or similar crop), even if the producer has multiple SBIs and not all of the SBI's records are being used to qualify. If multiple similar crops are being used in accordance with Subparagraph 85C(3), a completed APH for each similar crop being used must be submitted for each SBI that has grown the similar crop.

**Example:** A producer has three SBIs. The producer has not planted the requested crop or a similar crop, however, SBI 1 planted the requested crop in 2019 and 2020, SBI 2 planted the requested crop in 2017, and SBI 3 planted the requested crop in 2016 and 2018. The producer is using SBI 3 records from 2018, and SBI 1 records from 2019 and 2020. Even though the producer is not using SBI 2 records, a completed APH must still be submitted for the requested crop for SBI 2.

**Example:** A producer has four SBIs. The producer has planted a similar crop in 2020 and the requested crop in 2019. None of the SBIs have planted the requested crop, and all four SBIs planted the same similar crop from 2013 to 2018. The producer must use the producer's records for 2020 and 2019 and chooses to use the records of SBI 1 for the similar crop for 2018. All four SBIs must still provide a completed APH for the similar crop.

**C. Similar Crop**

- (1) The Similar Crop Chart (see Exhibit 16), and supplemental additions provided on the RO website, must be used as a guide to identify similar crops.
  - (a) Crops are grouped by those that exhibit similar husbandry and handling requirements due to their inherent physiological attributes (such as, growth and storage/shelf-life, etc.) or are specialty crops (that is, vegetables, fruits, and other plants grown for human consumption). Generally, specialty crops require either a contract to insure, or are marketed through limited markets.
  - (b) When no similar crop is identified, or a crop not identified on the Similar Crop Chart as a similar crop is requested to be used as a similar crop, the RO will consider these crops on a case-by-case basis. In determining if a crop can be used as a similar crop, the RO must consult with:
    - (i) the Director of RMA Risk Management Services Division; and
    - (ii) other ROs in the same area(s) where the crop is already insured.
- (2) A similar crop to the crop for which a WA is being requested must:
  - (a) be included in the same category of crops (such as, row crops including, but not limited to, small grains, coarse grains, and oil seed crops; vegetable crops grown in rows; tree crops; vine crops; bush crops; etc.);
  - (b) have substantially the same growing season (that is, normally planted around the same dates and harvested around the same dates);

**Exception:** A fall planted crop may be considered similar to a spring planted crop or vice versa. Although they are not planted at the same time, they are grown during a similar time period, require comparable agronomic conditions, and are subject to substantially the same risks. If within “spring planted” or “fall planted,” a similar crop is grown early enough or late enough to routinely hit or miss significant perils, the crop may not be similar.
  - (c) require comparable agronomic conditions (such as, comparable needs for water, soil, etc.); and
    - (i) The similar crop should have comparable agronomic conditions so that management and machinery would be familiar to the requesting producer (such as, comparable water requirements/soil attributes, tolerance to heat/cold/frost, fertilizer, pesticides, tillage, special equipment, management expertise, harvesting and handling requirements, etc.).
    - (ii) CES recommendations and expected yield data from soil surveys should be reviewed by the RO when evaluating similar agronomic conditions.

**C. Similar Crop (continued)**

- (iii) If both crops (the crop in which the WA is requested and the similar crop) can be grown successfully when normal weather is received for the area, then the crops can be considered to have comparable agronomic conditions. The fact that one crop is somewhat more tolerant to drought conditions than another (such as corn versus sunflowers), should not mean that they are not similar crops because a period of extended drought will result in lowered yields for both crops when grown without irrigation.
- (d) be subject to substantially the same risks (frequency and severity of loss would be expected to be comparable from the same cause of loss).
  - (i) The RO should determine whether the similar crop's loss would be substantially comparable to the requested crop (such as, sunflowers may fare better than corn in drought, a determination should be made whether the severity of loss would be comparable in both crops). The RO should evaluate CES and loss data to adjust the rates and coverage level accordingly for the requested crop.
  - (ii) If the crops within a category have similar planting and harvesting dates, they are expected to be subject to the same risks (that is, exposure to weather events would be the same).
  - (iii) Crops in the other categories should be evaluated based on the timing of different stages critical to crop production (such as, some vegetable row crops are planted only in the spring in an area, while multiple planting periods may be utilized in other areas).
- (3) Records for more than one similar crop may be provided to qualify for an XC WA. However, if records for more than one similar crop must be used to qualify, the crop that is most similar to the requested crop must be used prior to using additional similar crop records.

**D. Additional RO Review Criteria**

- (1) In addition to the requirements of Subparagraph 34A, the RO must:
  - (a) compare the dates the producer normally plants and harvests the crop to the ADM source county and those recommended by agricultural experts, and adjust the appropriate dates as necessary;
  - (b) examine the information regarding irrigation to ensure that the producer has adequate irrigation facilities and water to irrigate the crop at the appropriate times if insurance is sought for irrigated practice. If it is known at the time of processing the WA request there are inadequate irrigation facilities and/or water for an irrigated practice, deny the WA request;

**D. Additional RO Review Criteria (continued)**

- (c) determine the soil types, topography, and/or other relevant agronomic conditions on the acreage where the producer intends to plant the crop that could affect the risk and adaptability of the crop (RMA actuarial maps may be used as appropriate);
- (d) examine the information from agricultural experts to determine whether a consensus amongst experts exists regarding adaptability of the crop to the area;
  - (i) If there is a question regarding evidence of adaptability received, the RO should consult another agricultural expert.
  - (ii) If a consensus amongst agricultural experts says the crop is not adaptable to the area or acreage, the **WA request** must be denied.
- (e) use the inspection report (such as a PAIR) for Category C or perennial Category D crops to determine insurable acreage, the age of the stand, if the inspector recommends insurance for the acreage, or any noted perils or hazards unique to the acreage. If the inspector recommends the acreage should not be insured, the **WA request** must be denied;
- (f) use acceptable verifiable records of actual yields, or actual yields obtained from insurance experience, to determine whether the approved APH yield or the reference maximum dollar amount for dollar plan insurance is supported (do not use zero production from prevented planting acreage; however, zero production from planted acreage should be used), whether there are any quality or moisture issues that require an adjustment in policy terms, whether the dates of harvest support the end of the insurance period, or to determine whether other terms of insurance are appropriate; and
- (g) determine if all the following conditions are met. If one or more of the conditions are not met, the **WA request** must be denied. The conditions that must be met are:
  - (i) the policy must permit coverage for the specific P/T or option of the crop for which insurance is requested;
  - (ii) the causes of loss provided for in the policy must be consistent with those conditions that may reasonably be expected to occur in the county;
  - (iii) the end of the insurance period, cancellation, termination or other dates must be consistent with the growing season for the crop in the county;
  - (iv) quality adjustment, moisture adjustment or other special loss adjustment provisions can be applied consistently;
  - (v) the intended use of the crop is defined as acceptable in the policy;



**D. Additional RO Review Criteria (continued)**

- (vi) all other policy terms are appropriate for insuring the crop and acreage;
  - (vii) the crop is commercially grown in the area and a viable marketing outlet is available or a legal marketing contract is in effect for the crop produced;
  - (viii) a consensus amongst agricultural experts that the crop is adapted to the area; and
  - (ix) an actuarially sound premium rate can be established to cover the anticipated losses and a reasonable reserve determined in accordance with RMA's standard premium rating methodology for the crop for which a WA is being sought.
- (2) In accordance with Para. 43:
- (a) the RO must determine the T-Yield as follows:
    - (i) for crops using county T-Yields:
      - (A) use the T-Yield of the **ADM source county**; or
      - (B) if the **ADM source county** T-Yield is not appropriate, determine a T-Yield using NASS, the producer's yield history, RMA WA yield data from the requesting county, or other yield data from unbiased third parties (such as, the CES, university or private plant geneticist, processors, any publications for the P/T in the area, and any published yield data) to determine the yield potential for the crop in the county.
    - (ii) for counties with T-Yield maps (not county T-Yields) or high-risk rated areas with separate T-Yields, determine an appropriate T-Yield by multiplying the T-Yield determined in (i) above by the area factor applicable to the area where the acreage to be insured under the WA is located. For acreage located in more than one area, separate T-Yields must be determined;
    - (iii) APH history of the requested crop provided with the **WA** request should be used to determine whether the **ADM source county** T-Yields are appropriate. If the simple average of the producer's average yields for all reported crop years is less than 90 percent of the **ADM source county** T-Yield, the **ADM source county** T-Yield is not appropriate. The RO may utilize this procedure for the provided similar crop(s) APH history when applicable; and
    - (iv) under no circumstances will the assigned T-Yield be higher than the T-Yield from the **ADM source county**.

**D. Additional RO Review Criteria (continued)**

- (b) the RO must determine premium rates, for all plans of insurance, as follows:
  - (i) for counties with continuous rating, use the premium rates from the ADM source county determined in accordance with Para. 36;
  - (ii) for counties with one premium rate for all yields, use the premium rate for the 65 percent coverage level and inform the AIP to multiply the rate by the differential in the AD for the ADM source county if the producer's coverage level is different;
  - (iii) if the premium rates from the ADM source county are not appropriate because there are additional risks, or the risks are different:
    - (A) compare the premium rates of a crop with similar risk exposure in the ADM source county and county where the acreage to be covered under the WA is located;
    - (B) determine the differential between the two rates; and
    - (C) multiply the differential by the premium rate or rates from the ADM source county, as appropriate (if there is no crop with a similar risk exposure, deny the WA request).
  - (iv) in addition to the rates determined in (i) through (iii) above, for high-risk rated land, determine the add-on rate in accordance with Para. 72.
- (c) for dollar plans of insurance:
  - (i) the amount of insurance is obtained from the AD of the ADM source county determined in accordance with Para. 36; or
  - (ii) if the amount of insurance in the AD in the ADM source county is not appropriate, determine the dollar amounts for which the crop was sold for in the county from NASS or other similar sources and subtract any post-harvest costs, if applicable.
- (d) if it is not possible to determine an appropriate premium rate or T-Yield, the WA request must be denied.

**E. Additional RO Instructions**

If the P/T is not shown on any county AD for the crop, the RO must contact RMA **APFD AB** to determine the appropriate code to assign to the P/T.

**For crops which must meet specific requirements to qualify as fresh (such as, apples, peaches, and Florida citrus fruit), any WA issued containing the fresh type must also contain the appropriate processing type or juice type.**

The RO must monitor the insurance experience of the unrated crop to determine any necessary rate adjustments, or whether to include the crop on the AD.

The pecan revenue policy is a two-year coverage module, therefore pecan XC WAs must be written in two-year increments with four years of production **and gross sales** records.

If revenue protection is not available for the crop in the state (including if the crop is not included on the AD anywhere in the state), an XC WA cannot be written to allow revenue protection (an XC WA can only contain yield protection).

**Note:** If the request for an XC WA only has revenue protection requested and revenue protection cannot be allowed, an XC WA may still be issued for yield protection provided all other requirements for an XC WA are met.

**86-90 (Reserved)**

## PART 4 SPECIFIC WUA (UA TYPE) GUIDELINES

### 91 General Information and Availability

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- (1) WUAs (UA Type WAs) fall under the guidelines and requirements provided in Part 2, unless otherwise specified.
- (2) WUAs are not available for high-risk rated or unrated land.
- (3) WUAs are only available for the situations identified in Para. 97. Producers must meet the applicable criteria of the WUA type requested to be eligible for a WUA.
- (4) WUAs will be issued by crop policy. Multiple crops may be issued on a WUA and/or multiple WUAs may be issued per producer.
- (5) WUAs are only available to establish optional units for crops where the CP allow for optional units by WA, provided all other optional unit requirements are met, and only for the specific situations covered by the procedures contained in Part 4 of this handbook.
- (6) A producer cannot have a WUA based on FSA FNs in a county where the Unit Division Option is being used (see CIH Para. 1021, for the optional unit order of precedence). A producer can have a WUA for oversized sections or section equivalents in a county where the Unit Division Option is being used if the WUA and Unit Division Option are not in the same oversized section or section equivalent.
- (7) Optional units established by WUAs may be used in accordance with the applicable policy provisions to qualify for enterprise units. When optional units are elected, the insured must follow optional unit structure and the applicable guidelines provided by the WUA.
- (8) Any acreage within the section (section equivalent) that is not identified and assigned to a specific optional unit will be assigned to the closest optional unit approved by the WUA.
- (9) Individuals sharing in the same acreage under separate policies will have separate WUAs and are not required to have the same optional units designated under each WUA. Each policy will have its own approved APH yield and file acceptable production reports accordingly.

### 92 Additional Request Requirements

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In addition to Subparagraph 22 (both new and renewal WUA requests), the request for a WUA must provide:

- (1) at least the most recent year of acceptable APH production reports separated according to the proposed optional unit structure using the specifications in CIH Part 13;

**Exception:** The most recent year of acceptable APH production reports are not required for Category D crops.

## 92 Additional Request Requirements (Continued)

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- (2) submitted aerial photographs or legible maps (see Exhibit 10C and 10D) that:
  - (a) contain information which allows the RO to identify the location of the land;
  - (b) for annual crop WUA requests, identify all cropland acreage (acreage intended to be planted to an annual crop) included in the producer's operation subject to the WUA and the intended crops to be grown on that acreage;
  - (c) identify the boundaries of each proposed optional unit;
  - (d) identify the sections, section equivalents, and such other information as may be required to identify each parcel of land;
  - (e) for perennial crops with irrigation features, identify the irrigation feature (use pump, well number, location, or other method of identifying the feature on the map) and the relationship to the proposed unit structure;
  - (f) are of a reproducible size and quality (otherwise three copies need to be provided) for attachment to each copy of the WUA;
  - (g) are signed and dated by the producer for the current crop year; and
  - (h) for renewal WUA requests, if the unit structure has not changed from the initial WUA, the request may use the existing signed and dated maps used for the initial WUA (new maps and signatures are not required).
- (3) a dated draft WUA addendum (see Exhibit 10B) clearly summarizing the:
  - (a) optional units to be established by the WUA;
  - (b) legal descriptions of the land for each unit;
  - (c) FSA FN, Tract number, and Field numbers, when provided by FSA;
  - (d) cropland acreage associated with each unit; and
  - (e) for perennial crops with irrigation features, the associated irrigation feature (use pump, well number, location, or other method of identifying the feature that was used on the map) for each proposed unit.
- (4) the WA request number(s) of any existing WUA(s) that are in effect, if any, for an annual crop if the WUA request involves an annual crop, or a perennial crop if the WUA request involves a perennial crop. If requested by the RO, the insured must be able to provide a copy of any existing WUA, along with any addendum(s) or associated map(s)/photo(s). For unit division purposes, annual crops include alfalfa seed (forage seed), forage production, mint, and sugarcane; and

## **92 Additional Request Requirements (Continued)**

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- (5) additional requirements contained in Para. 97 based upon the type of WUA requested.

**Note:** Providing the reason for the new or renewal WUA (such as, an entirely new WUA, a new crop, land added to qualify for a new unit, etc.) in the narrative of the Request for Actuarial Change form will aide in the RO review of the WUA request and accelerate the review process. Also, if additional units are being requested for an existing WUA, specifically identifying the new units will accelerate the RO review process.

## **93 WUA Offer Requirements**

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In addition to Para. 43, a WUA offer must contain:

- (1) the map(s)/photo(s) attached to the WUA (the map/photo is considered part of the WUA) clearly showing the optional unit boundaries (see Exhibit 10C and 10D) and specifically referenced in the WUA. The optional units are defined by identifiable boundaries such as:
  - (a) permanent field boundaries;
  - (b) fences;
  - (c) permanent waterways;
  - (d) woodlands; or
  - (e) physical features (canyons, lakes, rivers, mountains, reclamation ditches), roadways, or similar features that are not readily movable.
- (2) the addendum (see Exhibit 8C and Exhibit 10B) attached to the WUA (also considered part of the WUA) clearly summarizing the:
  - (a) optional units established by the WUA;
  - (b) descriptions of where the land for each unit is located;
  - (c) FSA FN, Tract number (include previous Tract number if applicable), and Field numbers, when provided by FSA; and
  - (d) cropland acreage associated with each unit.
- (3) boundaries consistent with prior WUA(s), if any, unless the location of acreage on the subsequent request(s) prevents the use of the prior WUA issued boundaries; and
- (4) the format and statements contained in Exhibit 8 and Exhibit 10, as applicable.

## **94 Topographic and Irrigation Features**

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Topographic features used to qualify for WUAs in Subparagraphs 97B and 97C include natural features such as, mountains, rivers, lakes, canyons, steep slopes, etc. Topographic features may also include constructed features prohibiting field access (such as, interstates, highways, and railroads). Minor creeks, field drainage ditches, fences, field roads, **high volume of traffic, roads dividing sections, small fields that break planting patterns,** or interstates, highways, and railroads with cross traffic access, are not topographic features for the purposes of Subparagraphs 97B and 97C, although some of these features may be used to delineate proposed unit boundaries.

Acceptable irrigation features for use in distinguishing separate optional units in Subparagraphs 97B and 97C include permanent irrigation systems that are not subject to alteration or change (such as center pivot, drip, or rill/furrow irrigated parcels that are serviced by canal systems). Fields and parcels associated with specific wells, lift pumps, or canal turnouts are also acceptable identifying features for Subparagraph 97C. Wheel lines, movable gun irrigation, gated pipe, and other irrigation systems which are temporary or readily modified, are not irrigation features outside the control of the insured.

## **95 Cropland Changes**

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- (1) Request for revision must be submitted by the SCD for WUAs already in place when land is removed from a farming operation and the impacted unit no longer meets the minimum acreage size requirement (the affected acreage which the insured continues to farm will be combined with the insured's closest optional or basic unit).
- (2) If land is added to an existing optional unit established under the WUA, added land procedures contained in the CIH must be followed.
- (3) If land is added to the operation after the ARD for the insured crop, or if land was added prior to the ARD but no WUA was submitted timely:
  - (a) a new WUA request to create a new optional unit to include such land may be approved for the following crop year, if requested timely (APH production records must be kept separated according to the proposed optional unit structure intended for the following crop year); and
  - (b) for the current crop year, it will be added to the closest optional or basic unit in accordance with added land procedures contained within the CIH.

**A. Producer**

The producer must:

- (1) comply with the production reporting and record-keeping requirements specified in the applicable crop policy, or AD, and procedures for optional units; and
  - (a) For each succeeding crop year the WUA is in effect, the producer must file acceptable production reports by the production reporting date to support the designated optional units for each crop; and
  - (b) If the insured does not file such reports for a crop, units will be determined according to the policy provisions applicable to that crop.
- (2) assist the AIP/agent in drafting the addendum and other supporting documentation for the WUA.

**B. AIP**

The AIP must:

- (1) conduct the underwriting review and evaluate all the information submitted with the request for a WUA and determine whether the applicable requirements in this section have been met. If the producer fails to submit all the necessary information by the applicable deadline:
  - (a) deny the request for a WUA; and
  - (b) notify the producer by certified mail that the WUA request is denied and state the reason for denial. The notice must provide the producer with a right to arbitrate the denial in accordance with Section 20 of the BP.
- (2) sign and date the WUA offer issued by the RO, if accepting the WUA offer. Submission of a signed WUA by the AIP to the RO will be considered as acceptance by the AIP of such WUA;
- (3) maintain a copy of the WUA and supporting documents (such as, WUA request, addendum, maps which clearly identify the location of the acreage, etc.); and
- (4) review multi-year WUAs yearly to verify the determinations made are still appropriate for the situation for which the agreement was developed (such as, identify any land added or removed from the farming operation, etc.).

For renewal WUA requests where the producer has changed AIPs, the ceding AIP will provide the assuming AIP a copy of the preceding WUA.



## 96 Additional Responsibilities (Continued)

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### C. RO

The RO must:

- \*\*\* (1) not accept any WUA request if the request for a WUA is incomplete (such as, not signed, inadequate map, etc.). The RO will send notice to the producer and the AIP when the request for a WUA is not accepted;
- (2) deny the WUA if the requirements of Part 4 have not been met (such as, minimum acreage requirements, more units than authorized, the boundaries are not acceptable, etc.);
- (3) sign the WUA and approve the terms of such WUA for the WUA to be effective. The RO will return all approved and unapproved WUAs to the AIP;
- (4) provide the basis for disapproval and provide the producer with the right to appeal, if the WUA is not approved by the RO; and
- (5) provide written notice to the producer and AIP that the WUA is cancelled no later than 30 calendar days prior to the cancellation date specified in the policy or WUA, as applicable, if it is determined policy changes no longer permit the WUA.

## 97 Additional Requirements for WUA Types

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### A. Oversized Section, Section Equivalent, and FSA FN Optional Units

- (1) Acreage in an oversized section or section equivalent (where units are authorized by sections), or FSA FN (where optional units are authorized by FSA FN), may qualify for a WUA if:
  - (a) the oversized section, section equivalent, or FSA FN contains more than 640 acres of cropland in which the producer has an interest; and
  - (b) each proposed optional unit contains at least 320 contiguous acres of cropland in which the producer has an interest.

**Note:** For perennial crops, the acreage requirements must be met for each crop.

- (2) Any non-contiguous acreage within the oversized section, section equivalent, or FSA FN in which the producer has an interest that does not qualify as a separate unit under the guidelines in (1) of this subparagraph, will be assigned to the closest qualifying unit.

**A. Oversized Section, Section Equivalents, and FSA FN Optional Units (continued)**

- (3) The maximum number of optional units allowed by WUA will not exceed the total cropland acres from the WUA request divided by 640 and rounded up to the next whole number.

**Example:** If the oversized section, section equivalent, or FSA FN contains 2200 cropland acres in which the producer has an interest, the maximum number of optional units allowed by WUA would be four ( $2200/640=3.4$ , which is rounded up to 4).

**B. Annual Crops with Topographic or Irrigation Features**

An insured may qualify for a WUA for an annual crop, if, based on the information contained in the request for a WUA and other applicable documentation, all of the following requirements are met:

- (1) the insured must clearly document topographic or irrigation system features which present a significant obstacle to the farming operation and such features are not under the insured's control (see Para. 94). Under these conditions it is impractical to comply with the optional unit division by section (for example, the planting pattern continues across the section lines due to the location of the center pivot irrigation system);
- (2) minimum annual cropland acreage requirements (for irrigation features, only the irrigated acreage is used to determine the minimum acreage requirements);
  - (a) The insured's farming operation must contain at least 640 annual cropland acres; and
  - (b) Each optional unit established under the WUA must contain a minimum of 320 annual cropland acres in which the producer has an interest.
- (3) a clear and discernable break in the planting pattern at the boundaries of each optional unit must be maintained; and

**B. Annual Crops with Topographic or Irrigation Features (continued)**

- (4) an insured will not receive more optional units than would be allowed under the policy had these special circumstances not existed.

**Example:** The producer's operation consists of 960 acres in which the producer has an interest and it physically lies in two sections. Due to special circumstances the acreage is farmed across section lines. This acreage which would otherwise be one unit may be divided into separate optional units. Since the policy allows optional units by section, the maximum number of units in this example that are eligible for a WUA is two. Each unit divided due to special circumstances must contain 320 cropland acres or greater. Units that qualify outside of the WUA (such as in a separate section not crossing section lines) are not limited to the 320-acre limitation and are included in determining the maximum number of units for which the producer is eligible.

**C. Perennial (Tree, Vine, and Bush) Crops with Topographic or Irrigation Features**

An insured may qualify for a WUA for a perennial (tree, vine, and bush) crop if the CP do not limit optional units by WA and, based on the information contained in the request for a WUA and other applicable documentation, all of the following requirements are met:

- (1) the insured must clearly document topographic or irrigation system features that present a significant obstacle to the farming operation and such features are not under the insured's control (see Para. 94). Under these conditions it is impractical to comply with the optional unit division as currently defined in the policy;
- (2) minimum perennial cropland acreage requirements (for irrigation features, only the irrigated acreage is used to determine the minimum acreage requirements). The minimum perennial crop acreage can include both insurable and uninsurable acreage (such as acreage that has not met the specified growing season as determined by the applicable CP); and
- (a) The insured's farming operation must contain at least 160 acres of each of the specific perennial crop(s) requested; and

**C. Perennial (Tree, Vine, and Bush) Crops with Topographic or Irrigation Features (continued)**

- (b) Each optional unit established under the WUA must contain a minimum of 80 acres of the specific perennial crop insured.

**Example:** An insured farms a total of 400 acres of lemons and 120 acres of Valencia Oranges. Due to irrigation systems, the acreage can be divided into five separate fields of lemons and three separate fields of Valencia Oranges. The acreage of lemons, which would otherwise be one unit, may be divided into separate optional units provided each resulting optional unit consists of at least 80 acres of lemons. Since the Valencia Oranges do not contain at least 160 acres, Valencia Oranges do not qualify for separate optional units. The maximum number of optional units allowable in this example is five for lemons.

- (3) a clear and discernable break in the planting pattern at the boundaries of each optional unit must be maintained.

**D. Annual Crops with Geographic Dispersion**

- (1) An insured may qualify for a WUA for an annual crop, when the CP do not limit optional units by WA, to create optional units on a section equivalent basis if all of the following conditions are met:
  - (a) acreage must be in states that rely on the metes and bounds land survey system and where the BP require optional unit establishment on a FSA FN basis;
    - (i) If producers have an alternate method of optional unit establishment under the policy (such as, military land grants, railroad surveys, section equivalent), (1)(a) of this subparagraph is not applicable.
    - (ii) The producer does not have the option of establishing units on any annual/eligible crop by FSA FN while the WUA is in effect.
  - (b) the acreage within the FSA FN is geographically dispersed throughout the county; and
    - (i) For underserved states (Connecticut, Maryland, Pennsylvania, New York, Maine, Delaware, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont and West Virginia) the sectional equivalent boundaries may be shared.
    - (ii) For all other states not listed in (i) above, at least three miles must separate proposed sectional equivalent boundaries.

**D. Annual Crops with Geographic Dispersion (continued)**

- (c) the topographic features (excluding irrigation systems defined in Para. 94), create climatic conditions that vary dramatically within a three- to five-mile range (such as, frost or flooding regularly occurs in a patchwork pattern missing one area while seriously impacting others).
- (2) Each simulated section equivalent must contain a block of land at least one-square-mile (such as 640-acre simulated section). Land within the block may have multiple owners. A block is determined by overlaying the map with a one-square-mile grid to scale with the map, to determine the minimum amount of land that must be included within the simulated section equivalent.
- (a) The one-square-mile grid (block) must be drawn on the map to place the majority of the producer's fields near, or as close as possible, to the center of the one-square-mile grid.
  - (b) Maps will not depict an area larger than the county and must accurately indicate the scale of the map.
  - (c) The grid must be oriented (north/south) in the same direction as the map.
  - (d) The grid may cross permanent boundaries; however, it may not extend into another county.
  - (e) After the grid is drawn on the map to encompass some or all of the producer's acreage, the boundaries of the simulated section equivalent are determined by finding the closest permanent, easily identifiable physical boundary outside of the grid.
- (3) Once the simulated section equivalents are established for a producer, such simulated section equivalents cannot be changed unless acreage has been added from outside the simulated section equivalent. For acreage that lies outside of the established simulated section equivalent(s) where a new simulated section equivalent cannot be created for the additional acreage per the requirements in (2) above, or where the producer chooses not to create an additional simulated section equivalent, that acreage will be added to the closest unit created by the existing simulated section equivalent(s) (these do not need to be submitted to the RO for approval). See Para. 95 for rules involving cropland changes.
- (4) The simulated section equivalents must be clearly indicated on a map using identifiable boundaries. The boundaries must be established in accordance with Subparagraph 93(1), excluding fences, field boundaries, and woodlands. Boundaries may touch the one-square-mile block; however, they may not overlap the block.

**E. Annual Crops in Oversized Sections Resulting from Spanish Land Grants**

- (1) An insured may qualify for a WUA for an annual crop, when the CP do not limit optional units by WA, to create optional units on a simulated section equivalent basis if all of the following conditions are met (the producer does not have the option of establishing units on any annual/eligible crop by FSA FN while the WUA is in effect):
  - (a) the acreage must be in states that rely on the Public Land Survey System; and
  - (b) the acreage must be contained within an oversized section created by the recognition of historic Spanish Land Grants and the producer submits acceptable documentation to support this. Acceptable documentation includes:
    - (i) historic land records, such as deeds or land sale records;
    - (ii) Federal records recognizing the land's exemption from the Public Land Survey System;
    - (iii) tax assessor records indicating which historical Spanish Land Grant the acreage requested is located in; or
    - (iv) any other documentation the state or county government would consider acceptable to support the land's status as being located in a Spanish Land Grant.
- (2) Each simulated section equivalent must be drawn on the map by continuing the natural flow and progression of the Public Land Survey System grid lines through the area included in the oversized section created by the Spanish Land Grant. The natural flow and progression will typically contain a block of land at least one-square-mile (such as 640-acre simulated section equivalent), however the Public Land Survey System occasionally contains sections larger or smaller due to correction lines to account for the curvature of the earth. Based on this, the resulting simulated section equivalents from continuing the Public Land Survey System grid lines may contain less than or greater than the typical 640-acre simulated section equivalent. Land within the simulated section equivalent may have multiple owners.
  - (a) Maps will not depict an area larger than the county and must accurately indicate the scale of the map.
  - (b) The grid must be oriented (north/south) in the same direction as the map.
  - (c) The grid may cross permanent boundaries; however, it may not extend into another county.
  - (d) The grid must be drawn on the map to encompass all the producer's requested acreage.

## **97 Additional Requirements for WUA Types (Continued)**

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### **E. Annual Crops in Oversized Sections Resulting from Spanish Land Grants (continued)**

- (3) Once the simulated section equivalents are established for a producer, such simulated section equivalents cannot be changed unless acreage has been added from outside the simulated section equivalent. See Para. 95 for rules involving cropland changes.
- (4) The simulated section equivalents must be clearly indicated on a map using the continuation of the Public Land Survey System grid lines as the boundary of the simulated section equivalents.

## **98 Continuation of WUAs**

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- (1) WUAs in effect at the time of the release of this handbook will continue in effect, provided there is no break in continuity (cancellation of WUA by the RO is considered a break in continuity). Insureds wanting to terminate the WUA must request cancellation of the WUA by the cancellation date.
- (2) The RO will consider WUAs for renewal for the following conditions:
  - (a) the current WUA structure is no longer appropriate;  
**Note:** Optional units established under the WUA in effect prior to release of this handbook should continue to be maintained unless the insured has decreased acreage below the original established limitation. A decrease in acreage below the original established limitation will disqualify that optional unit and it will be added to the closest optional/basic unit.
  - (b) the insured transfers the policy to a different AIP;
  - (c) the insured wants to cancel the WUA for a certain crop(s) from a WUA containing multiple crops, but does not want to cancel the entirety of the WUA; or
  - (d) the RO cancels the WUA to comply with operating procedures.
- (3) Renewal **WUA** requests for situations described in (2) must meet the requirements in Subparagraph 22B and Para. 92. If the renewal **WUA** request meets these requirements, the WUA may be issued under the same terms as the original WUA was issued. Requests for renewal of a WUA should include the status of the WUA (such as acreage is being amended, there is no change from the original WUA, etc.) in the narrative of the Request for Actuarial Change form. If a renewal **WUA** request is not submitted by the producer or is not accepted because it does not meet the requirements in Subparagraph 22B and Para. 92, any WUA request in subsequent years will be a new request and must meet the current procedures of this handbook.

- (4) When land is added to the farming operation with the intent of making the acreage a separate unit, the RO will consider these WUA requests as new requests. This allows these requests to come in under the new WUA request deadline of the ARD. For the acreage under the new WUA request, the current procedures in this handbook must be met, or the new acreage will be added to the closest optional/basic unit. Both the new WUA request and existing WUA(s) must be sent to the RO. The following statement must be added to the new WUA when it is prepared:

“This written unit agreement is a revision of a previous written unit agreement issued prior to {*enter crop year*} with continuous insurance coverage. Land added to the farming operation creating a separate unit, must meet the guidelines as stated on this written unit agreement or it will be added to the closest optional/basic unit. This written unit agreement will replace the previously issued written unit agreement {*enter previous written unit agreement number*} for the {*enter crop year*} and subsequent crop years.”



## Acronyms and Abbreviations

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The following table provides the acronyms and abbreviations specific to this handbook. Acronyms not specific to this handbook can be found in the GSH Exhibit 1. Explanation of WA type codes are in Exhibit 6A.

<b>Acronym/Abbreviation</b>	<b>Term</b>
AB	Actuarial Branch
ADM	Actuarial Data Master
APFD	RMA, Product Management, Actuarial, Prices, and Filing Division
CI	Crop Inspection
ELCR	Excess Loss Cost Ratio
FTP	File Transfer Protocol
HEL	Highly Erodible Land
ICE	Insurance Control Element
LR	Loss Ratio
ROE	Regional Office Exceptions
SLCR	Simple Loss Cost Ratio

## Definitions

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Definitions not specific to this handbook can be found in the GSH Exhibit 1.

Actuarial Change – the change(s) that a WA is being requested for (such as when coverage or rates are unavailable, or to modify existing terms and conditions in the crop insurance policy when specifically permitted by the policy).

Additional Required Information – information requested by the RO, which is not already identified in the WAH as being required, that is necessary to evaluate the **WA request** or determine actuarially sound premium rates.

ADM Source County – the county used as a starting point to build the WA ADM/ICE. **Commonly referred to as the reference county, however, may also refer to the location county.**

Agricultural Experts – for the purposes of this handbook, the term “agricultural experts” incorporates both of the terms “agricultural experts” and “organic agricultural experts” as defined by the BP, and should be applied as applicable (such as for organic crops the “organic agricultural experts” term in the BP would be applied and for conventionally grown crops the “agricultural experts” term in the BP would be applied). **Also see Agricultural Expert definition contained in the Good Farming Practice Determination Standards Handbook.**

Appropriate Rate – a rate that will cover expected losses.

Area – for the purposes of this handbook, land surrounding the acreage with geographic characteristics, topography, soil types, and climatic conditions similar to the acreage in which the WA is requested (the term area is not limited to only adjoining counties, and in some instances, may not include the entirety of a county; the RO determines if non-adjoining counties or the entirety of a county meet the definition of area).

Commercially Grown – the crop is produced for sale in the retail or wholesale market.

Completed APH – the collection of all APH databases for the requested crop(s) in the county based on acceptable verifiable records of actual yields for the crop. APH databases must meet the GSH definition of APH Database and the CIH procedures for completing an APH database.

FTP Site – where ADM records and ICE files are posted for the AIPs to retrieve.

Location County – the county that the WA is requested for.

Minimum Required Information/Supporting Documentation – information identified by the WAH as being required for a WA request, including request requirements identified for specific WA types.

Price/Price Election – the price used in the applicable policy to determine liability (such as, projected price, contract price, etc.).

**Definitions (Continued)**

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Sub Request – a decision path applied to an initial AIP request. A **WA request** will contain a minimum of one sub request with the potential of additional sub requests resulting from multiple decisions (such as a denial and a WA) made by the RO.

Viable Marketing Outlet – a stable market willing to purchase the crop at the quality under which it is normally produced and located such that the costs of shipping do not make the crop unprofitable.

WA ADM/ICE – the actuarial data master and insurance control elements associated with the WA.

**Form Standards**

All affected forms and statements must be updated by December 31, 2020.

**A. Request for Actuarial Change Form**

The following table indicates the required components that are to be included on the Request for Actuarial Change form. See Exhibit 4 for an example of the Request for Actuarial Change form.

Item	Requirements
General Information	<p>The general information section should be included first on the form but does not need to have the general information designation. The items that must be included are:</p> <ul style="list-style-type: none"> <li>(1) identification of renewal request or new request;</li> <li>(2) identification if the producer requests a multi-year WA;</li> <li>(3) crop year;</li> <li>(4) insurance plan;</li> <li>(5) coverage level;</li> <li>(6) statement: “All applicable information below must be completed, along with attaching any required documentation, before submitting to RMA/RO”;</li> <li>(7) WA request type code;</li> <li>(8) insurance agent’s agency or service office name and address, agent code, phone number, and email address; and</li> <li>(9) AIP’s name and address, AIP code, phone number, and AIP distribution list email address for the field office that submitted the request.</li> </ul>
1.	Producer’s name and address as shown on the application.
2.	State and county of the requested land.
3.	Producer’s policy number.
4.	Identification number of producer and type of identification number (SSN, EIN, RAN, or BIA).
5.	Identification of producer as landlord, operator, or owner/operator.
6.	<p>Identification and information of the land on which the actuarial change is requested. This may be included on the form itself (if space is available) or as an appendix to the form. The required blocks of information for item 6 are:</p> <ul style="list-style-type: none"> <li>(1) line number;</li> <li>(2) FSA FN, Tract number, and Field number;</li> <li>(3) section, township, range, and subsection;</li> <li>(4) name of crop;</li> </ul>

**Form Standards (Continued)**

**A. Request for Actuarial Change Form (continued)**

Item	Requirements
6. (continued)	<p>(5) whole acres;                      (6) practice;                      (7) type;                      (8) sub county area;                      (9) producer’s insured share; and                      (10) name of other person(s) sharing crop.</p> <p>If an appendix to the form is being used, then the appendix should include the producer’s name, state, county, and policy number.</p>
7.	<p>Explanation of actuarial change for which a WA is requested. If additional space is needed, attach a separate page to the form containing the producer’s name, state, county, and policy number on the additional page(s) for identification. For UA type WA requests only, this section must also require the identification of the request numbers of any existing WUAs.</p>
8.	<p>Certain additional information for the land. The area of additional information must include:</p> <p>The land identified in item 6:</p> <p>(a) has been in crop production for ___ years;                      (b) has been operated ___ years by the present operator;                      (c) comprises an entire unit, Yes ___ No ___;                      (d) if no, what other land is included in the unit (section/township/range, FSA FN/Tract/Field, and/ or farm location);                      (e) has the crop been planted, Yes ___ No ___;                      (f) is a High-Risk Land Exclusion Option in effect, Yes ___ No ___; and                      (g) is a High-Risk Alternate Coverage Endorsement in effect, Yes ___ No ___.</p>
9.	<p>This item must include space for any other applicable information. Where a, b, c, or <b>d</b> are applicable, list the line number from item 6 for which the required information is applicable.</p> <p>(a) Date land cleared (include method used for NB) or reclamation complete.                      (b) If irrigated: water source <b>and</b> method of irrigation.                      (c) <b>If irrigated: Is there a reasonable expectation of receiving adequate water to carry out a good irrigation practice for acreage reported under the irrigated practice? Yes ___ No ___</b>                      (d) Dry bean variety.</p>
10.	<p>Explanation of any pending losses on the requested crop and acreage must be identified in this item.</p>

**Form Standards (Continued)****A. Request for Actuarial Change Form (continued)**

<b>Item</b>	<b>Requirements</b>
Request Checklist	This item is optional. A checklist showing what is required for renewal requests and initial requests may be provided along with the request form if the AIP so chooses.
Producer Acceptance Statements	<p>The following statements must be included on the form:</p> <p>“I have read and understand the following:</p> <p>(a) I will have the option to accept or reject any written agreement approved by the Federal Crop Insurance Corporation (FCIC) based on this request for actuarial change. I cannot pick and choose which terms of the written agreement to accept or reject.</p> <p>(b) I agree that I must accept the written agreement by the expiration date, or the written agreement will be rejected.</p> <p>(c) I agree that if I submit multiple Request for Actuarial Change forms, regardless of when the forms are submitted, for the same condition or for the same crop (e.g., to insure corn on ten legal descriptions where there are no actuarial documents in the county or the request is to change the premium rates from the high-risk rates), they may be treated as one request by FCIC and I will have the option of accepting or rejecting the written agreement in its entirety. I cannot reject some terms and conditions of the written agreement and accept others.</p> <p>(d) If a crop inspection is required, I agree my written agreement will be rejected by FCIC, or some fields will not be insurable if:</p> <p style="padding-left: 40px;"><u>1</u> The crop inspection of the planted acreage by the Approved Insurance Provider (AIP) determined the crop’s potential is less than 90 percent of the yield used to determine the production guarantee or the amount of insurance;</p> <p style="padding-left: 40px;"><u>2</u> I fail to sign and accept the written agreement on or before the earlier of the first date of the appraisal or the expiration date; or</p> <p style="padding-left: 40px;"><u>3</u> The AIP has failed to comply with all applicable crop inspection procedures.</p> <p>(e) If this request is denied or is not accepted by FCIC or the AIP, the written agreement is not approved by FCIC, I reject the written agreement under paragraph (a) above, I do not accept the written agreement by the expiration date specified in the written agreement or as provided in (d), or the written agreement is not timely returned to the Risk Management Agency and I am unable to establish that I complied with all deadlines, I agree that:</p>

**Form Standards (Continued)****A. Request for Actuarial Change Form (continued)**

<b>Item</b>	<b>Requirements</b>
Producer Acceptance Statements (continued)	<p><u>1</u> If insurance is available in the county for the crop, I must accept the rate and coverage from the policy and actuarial documents; or</p> <p><u>2</u> If this request is to initially establish a rate and coverage not otherwise available in the county, no insurance will be provided.</p> <p>(f) I agree that regardless of the determinations described in paragraph (e), I cannot cancel my policy after the cancellation date.</p> <p>(g) I agree that a written agreement is not effective until signed by FCIC.</p> <p>(h) I agree that I am bound by the preceding statements in any administrative review, mediation, or appeal related to this request for a written agreement.”</p>
Producer Signature Area	<p>The producer signature area must contain:</p> <p>(1) the Certification Statement above the producer’s signature (refer to the DSSH for the applicable statement);</p> <p>(2) an area for the signature of the producer and date signed; and</p> <p>(3) an area for producer’s printed name.</p>
Insurance Agent Signature Area	<p>The insurance agent signature area must contain:</p> <p>(1) the following statement above the agent’s signature: “I have reviewed the above information and to the best of my knowledge and belief it represents accurate information”;</p> <p>(2) an area for the signature of the agent and date signed; and</p> <p>(3) an area for the agent’s printed name.</p>
AIP/Company Representative Signature Area	<p>The AIP/company representative signature area must contain:</p> <p>(1) the following statement above the AIP/company representative’s signature: “I recommend that the requested actuarial change be approved”;</p> <p>(2) an area for the signature of the AIP/company representative and date signed; and</p> <p>(3) an area for the AIP/company representative’s printed name.</p>

**Form Standards (Continued)**

**A. Request for Actuarial Change Form (continued)**

Item	Requirements
Additional Statements	<p>Additional statements that must be included on the form are the:</p> <ul style="list-style-type: none"> <li>(1) Collection of Information and Data (Privacy Act) Statement; and</li> <li>(2) USDA Non-Discrimination Statement.</li> </ul> <p>Refer to the DSSH for the applicable statements.</p>

**B. Non-Irrigated Corn Grain Request (TC) Worksheet**

The following table indicates the required components that are to be included on the Non-Irrigated Corn Grain Request Worksheet. See Exhibit 15 for an example of the Non-Irrigated Corn Grain Request Worksheet.

Item	Requirements
General Information	<p>The general information section should be included first on the form, however does not need to have the general information designation. The items that must be included are:</p> <ul style="list-style-type: none"> <li>(1) producer’s name;</li> <li>(2) policy number;</li> <li>(3) state;</li> <li>(4) county; and</li> <li>(5) other information area.</li> </ul>
Producer’s Data	<p>The producer’s data area is for only non-irrigated corn acreage and production and must include:</p> <ul style="list-style-type: none"> <li>(1) the most recent three (minimum) or four years of corn planted by year;</li> <li>(2) county planted acres;</li> <li>(3) acres harvested as grain;</li> <li>(4) acres appraised as grain;</li> <li>(5) acres harvested or appraised as silage or grazed;</li> <li>(6) the percent grain of total;</li> <li>(7) producer’s county wide grain production; and</li> <li>(8) producer’s county wide grain yield.</li> </ul>
Worksheet Instructions	<p>The worksheet instructions must reference the producer’s data information (such as the producer’s data in column 1 must have the corresponding instructions reference of column 1).</p> <ul style="list-style-type: none"> <li>(1) Crop year of acreage and production. For a more detailed description, see Para. 82 of the Written Agreement Handbook.</li> <li>(2) All non-irrigated corn acreage planted in the county for the year. This should equal the total of columns 3, 4, and 5.</li> </ul>



**Form Standards (Continued)**

**B. Non-Irrigated Corn Grain Request (TC) Worksheet (continued)**

<b>Item</b>	<b>Requirements</b>
Worksheet Instructions (continued)	<p>(3) All corn acreage harvested as grain, including ear corn for the crop year. Note: If the acreage was both appraised and harvested as grain, put the acreage in this column only (see column 4 instructions below).</p> <p>(4) All acreage appraised as grain for the crop year and not harvested as grain.</p> <p>(5) All acreage harvested or appraised as silage or grazed for the crop year (that is not in columns 3 or 4).</p> <p>(6) Add columns 3 and 4 together, then divide by column 2, then multiply by 100 to get percent grain.</p> <p>(7) Total bushels of grain harvested and appraised in the county for the crop year.</p> <p>(8) Divide column 7 by the sum of columns 3 and 4 (round to whole bushels).</p>
Producer Signature Area	<p>The producer signature area must contain:</p> <p>(1) the Certification Statement prior to the producer’s signature (refer to the DSSH for the applicable statement); and</p> <p>(2) an area for the signature of the producer and date signed.</p>
Additional Statements	<p>Additional statements that must be included on the form are the:</p> <p>(1) Collection of Information and Data (Privacy Act) Statement; and</p> <p>(2) USDA Non-Discrimination Statement.</p> <p>Refer to the DSSH for the applicable statements.</p>

**Request for Actuarial Change Form Example**

**A. Request Form**

(Please Type or Print Legibly)		<input type="checkbox"/> Renewal Request <input type="checkbox"/> New Request		Crop Year:	
Insurance Plan:		<input type="checkbox"/> Producer Requests a Multi-Year WA, if applicable		All applicable information below must be completed, along with attaching any required documentation, before submitting to RMA/RO.	
Coverage Level:					
Request Type Code:					
Agency or Service Office Name and Address			Approved Insurance Provider Name and Address		
City:	State:	Zip Code:	City:	State:	Zip Code:
Agent Code:	Phone:		AIP Code:	Phone:	
Agent Email:			AIP Field Office Distribution List Email:		
1. Producer name and address (as shown on the application)			2. State:		County:
			3. Policy Number:		
			4. Identification Number:		
			Type: <input type="checkbox"/> SSN <input type="checkbox"/> EIN <input type="checkbox"/> RAN <input type="checkbox"/> BIA		
City:	State:	Zip Code:	5. Producer is:		
			<input type="checkbox"/> Landlord <input type="checkbox"/> Operator <input type="checkbox"/> Owner/Operator		
6. Identification and information of the land on which the actuarial change is requested (see appendix).					
7. Explanation of requested actuarial change. Be specific and provide reasons which support this actuarial change. If additional space is needed, attach a separate page to this form containing the producer's name, state, county, and policy number. For UA type WA requests only, identify the request numbers of any existing WUAs.					
8. Land identified in item 6:			9. Any other applicable information (thoroughly describe any land improvements such as, drainage, levee elevation, pump capacities, etc.). If additional space is needed attach a separate page to this form. Where a, b, c, or d is applicable, list the line number from item 6 for which the required information is applicable.		
a) Has been in crop production for ___ years.			a) Date land cleared (include method used for NB) or reclamation complete: b) If irrigated: water source and method of irrigation. c) If irrigated: Is there a reasonable expectation of receiving adequate water to carry out a good irrigation practice for acreage reported under the irrigated practice? Yes ___ No ___ d) Dry bean variety:		
b) Has been operated ___ years by the present operator.					
c) Comprises an entire unit? Yes ___ No ___					
d) If no, what other land is included in the unit? (section/township/range, FSA FN/Tract/Field, and/or farm location)					
e) Has the crop been planted? Yes ___ No ___			10. Do any pending losses for the requested crop and acreage exist? If so, explain (if additional space is needed attach a separate page to this form):		
f) Is a High-Risk Land Exclusion Option in effect? Yes ___ No ___					
g) Is a High-Risk Alternate Coverage Endorsement in effect? Yes ___ No ___					
Note: A request is not considered timely received unless legible minimum documentation is included.					

**Request for Actuarial Change Form Example (Continued)**

**B. Checklist (optional), Statements, and Signatures**

Renewal Requests: (SCD deadline for all WA types except NL, see WAH for NL renewal deadline)  
 Completed, signed, and dated Request for Actuarial Change form (required for all types). Separate forms and supporting documentation must be submitted by county.  
 The current year's completed APH, if applicable.  
 For perennial crops, when required by the CIH for the crop requesting a WA, a PAIR and Producer's PAW.

Initial Requests:  
 See the WAH for the deadlines, minimum supporting documentation, and detailed information.

I have read and understand the following:

- (a) I will have the option to accept or reject any written agreement approved by the Federal Crop Insurance Corporation (FCIC) based on this request for actuarial change. I cannot pick and choose which terms of the written agreement to accept or reject.
- (b) I agree that I must accept the written agreement by the expiration date, or the written agreement will be rejected.
- (c) I agree that if I submit multiple Request for Actuarial Change forms, regardless of when the forms are submitted, for the same condition or for the same crop (e.g., to insure corn on ten legal descriptions where there are no actuarial documents in the county or the request is to change the premium rates from the high-risk rates), they may be treated as one request by FCIC and I will have the option of accepting or rejecting the written agreement in its entirety. I cannot reject some terms and conditions of the written agreement and accept others.
- (d) If a crop inspection is required, I agree my written agreement will be rejected by FCIC, or some fields will not be insurable if: (1) the crop inspection of the planted acreage by the Approved Insurance Provider (AIP) determined the crop's potential is less than 90 percent of the yield used to determine the production guarantee or the amount of insurance; (2) I fail to sign and accept the written agreement on or before the earlier of the first date of the appraisal or the expiration date; or (3) the AIP has failed to comply with all applicable crop inspection procedures.
- (e) If this request is denied or is not accepted by FCIC or the AIP, the written agreement is not approved by FCIC, I reject the written agreement under paragraph (a) above, I do not accept the written agreement by the expiration date specified in the written agreement or as provided in (d), or the written agreement is not timely returned to the Risk Management Agency and I am unable to establish that I complied with all deadlines, I agree that:
  - 1 If insurance is available in the county for the crop, I must accept the rate and coverage from the policy and actuarial documents; or
  - 2 If this request is to initially establish a rate and coverage not otherwise available in the county, no insurance will be provided.
- (f) I agree that regardless of the determinations described in paragraph (e), I cannot cancel my policy after the cancellation date.
- (g) I agree that a written agreement is not effective until signed by FCIC.
- (h) I agree that I am bound by the preceding statements in any administrative review, mediation, or appeal related to this request for a written agreement.

Include the Certification Statement (refer to the DSSH for the applicable statement that must be shown above the producer's signature)		I have reviewed the above information and to the best of my knowledge and belief it represents accurate information.		I recommend that the requested actuarial change be approved.	
Signature of Producer	Date	Signature of Agent	Date	Signature of AIP/Company Representative	Date
Print Producer's Name		Print Agent's Name		Print AIP/Company Rep. Name	

Include Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statement (refer to the DSSH for the applicable statements).

**Request for Actuarial Change Form Example (Continued)**

**C. Appendix**

**Appendix**

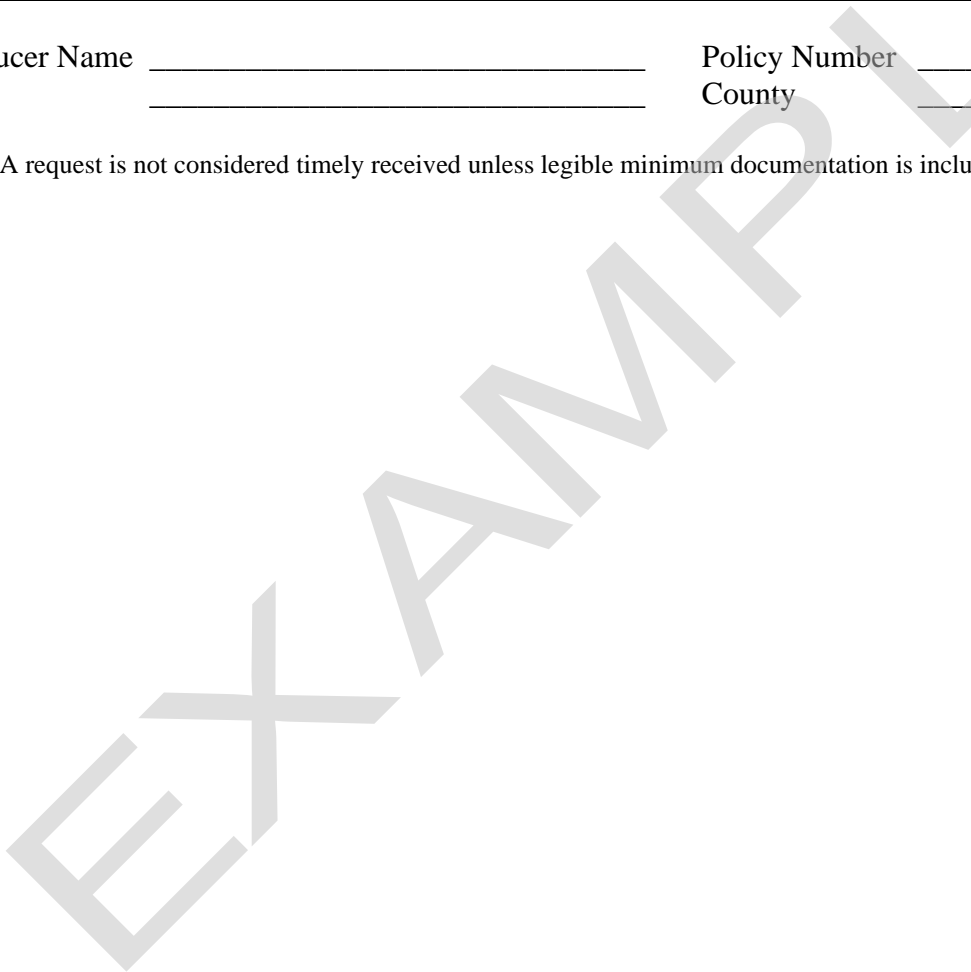
6. Provide the following information for the land on which the actuarial change is requested.

Description of farm.								Name of Crop	Whole Acres	Prac.	Type	Sub County Area	Insured Share	Name of Other Person(s) Sharing Crop
Line No.	FSA FN	FSA Tract No.	FSA Field No.	Sec.	Town ship	Range	Sub Sec.							
1														
2														
3														

Producer Name \_\_\_\_\_  
 State \_\_\_\_\_

Policy Number \_\_\_\_\_  
 County \_\_\_\_\_

Note: A request is not considered timely received unless legible minimum documentation is included.



## Deadlines and Documentation Summary

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The following is a summary of the applicable submission deadlines and required supporting documentation for a **WA request**. If any discrepancies exist between procedure and this summary, the procedure takes precedence. Parts 2, 3, and 4 should be reviewed for the applicable procedure on deadlines and minimum supporting documentation. Additional documentation not listed below may be required on individual requests (such as, additional guidelines used to determine adaptability, etc.) and additional time may be granted.

All new **WA requests** (see Subparagraph 22A) must include the following documentation, unless otherwise specified:

- (1) a completed Request for Actuarial Change form (refer to Exhibit 3A and Exhibit 4);
- (2) if applicable, the current year's completed APH in accordance with Subparagraph 22A;
- (3) evidence of adaptability from agricultural experts (including planting and harvesting dates) for the crop/P/T or variety being requested, unless not required by the RO;
- (4) the legal description of the land, where available (such as, section, township, range);
- (5) FSA FN, Tract number, and Field numbers, when provided by FSA;
- (6) FSA aerial photograph, acceptable GIS or GPS maps, or other legible maps delineating field boundaries where the producer intends to plant the crop, or where the crop is planted;
- (7) NRCS soil surveys, if required by the RO [see footnote (1)]; and
- (8) if the **WA request** involves a Category C or perennial Category D crop, an acceptable inspection report (such as a PAIR) completed by the AIP (PAIR must have been completed within the last five years) and, if required by the CIH, a producer's PAW.

All renewal **WA requests** (see Subparagraph 22B) must include the following documentation, unless otherwise specified:

- (1) a completed Request for Actuarial Change form;
- (2) if applicable, the current year's completed APH in accordance with Subparagraph 22B;
- (3) the legal description of the land, where available (such as, section, township, range);
- (4) FSA FN, Tract number, and Field numbers, when provided by FSA; and
- (5) if the **WA request** involves a Category C or perennial Category D crop, an acceptable inspection report (such as a PAIR, if existing PAIR exceeds five years) unless waived by the RO and, if required by the CIH, a producer's PAW.

### Deadlines and Documentation Summary (Continued)

The following minimum supporting documentation is specific to the identified request type and is in addition to the documentation required for all new WA requests, unless otherwise specified. Submission deadlines are provided in the following chart unless specified in the CP or Special Provisions.

<b>Request Type</b>	<b>Submission Deadline</b>	<b>Minimum Supporting Documentation</b>
HR – High-Risk Rated Areas	Initial Year: ARD  Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• Levee information, if applicable.</li> <li>• For fragile or HEL, five years of records may be required, if applicable.</li> <li>• For land located in a wildlife protection or management area, a copy of the current contract between the wildlife management agency and the producer.</li> <li>• Refer to Para. 72.</li> </ul>
NB – New Breaking	Initial Year: SCD  Subsequent Years: SCD (Renewals are not required unless the acreage covered by the prior WA was not planted.)	<ul style="list-style-type: none"> <li>• The method and date land was/will be cleared, chemically cleared, or broken out of sod, pasture, perennial legume, or other vegetation.</li> <li>• Documentation ground has been previously tilled and planted to a crop, if available.</li> <li>• Reason WA is needed (only required if the requirements of a Special Provisions statement available in the county to provide insurability for the new breaking acreage of the crop are not met).</li> <li>• Refer to Para. 73.</li> </ul>
NL – Nursery Plant List	New Insured: With application  Carryovers/Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• A list of exact names of genus, species, subspecies, variety, cultivar (such as scientific name), common name (if available), patented name (if applicable), plant or container sizes, and number of plants requested to be insured by WA.</li> <li>• The practice (such as container or field grown).</li> <li>• Two copies of all current wholesale catalogs/price lists that are used by the nursery for its sales containing the crop year and name, address, and phone number of the nursery.</li> <li>• Refer to Para. 74.</li> </ul>
OP – Unrated Insurance Option	Initial and Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• Evidence that the crop's optional coverage being requested is commercially grown in the area with a viable marketing outlet.</li> <li>• Water source, method of irrigation, amount of water needed and its adequacy for an irrigated practice.</li> <li>• Refer to Para. 75.</li> </ul>

**Deadlines and Documentation Summary (Continued)**

<b>Request Type</b>	<b>Submission Deadline</b>	<b>Minimum Supporting Documentation</b>
PE – Policy Exceptions	Initial Year: SCD or Date specified in CP or Special Provisions (unless otherwise specified in Para. 76)  Subsequent Years: SCD (unless otherwise specified in Para. 76)	<ul style="list-style-type: none"> <li>• Contact the appropriate RO.</li> <li>• Refer to requirements in Para. 76 for each PE situation.</li> <li>• See footnote (2).</li> </ul>
RE – Rotation Exceptions	Initial and Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• Written and detailed recommendation from an agricultural expert indicating the acceptability of any rotation deviation based on the crop and soil types.</li> <li>• All APH history for the crop.</li> <li>• If disease control is recommended by agricultural experts, evidence that the recommended disease control has been applied, or the means of application are available if application of the disease control was not required when the WA was requested.</li> <li>• Refer to Para. 77.</li> </ul>
SC – Special Purpose Corn	Initial Year: ARD  Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• Producer’s normal planting and harvesting dates.</li> <li>• Evidence that the crop being requested is commercially grown in the area with a viable marketing outlet.</li> <li>• Water source, method of irrigation, amount of water needed and its adequacy for an irrigated practice.</li> <li>• Refer to Para. 78.</li> </ul>
SG – Interplanted With Another Crop	Initial Year: ARD  Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• Written and detailed recommendation from the CES on the acceptability of the practice on the producer’s acreage based on the crops and soil types.</li> <li>• All production history for the crop for the acreage that had previously been interplanted (producer must have at least two years of production records for the interplanted practice for the small grain or other insured crop).</li> <li>• If disease or weed control is recommended by the CES, evidence that the recommended disease control has been applied, or the means of application are available if application of the disease control was not required when the WA was requested.</li> <li>• Refer to Para. 79.</li> </ul>

**Deadlines and Documentation Summary (Continued)**

<b>Request Type</b>	<b>Submission Deadline</b>	<b>Minimum Supporting Documentation</b>
SM – Strip-Mined Land	Initial and Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• Description of the Reclamation Process Report.</li> <li>• Date the reclamation was completed.</li> <li>• All APH databases for the reclaimed acreage.</li> <li>• Refer to Para. 80.</li> </ul>
SP – Seed Potato Acreage	Initial and Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• Reason for the acreage increase.</li> <li>• Certification that all requested acreage will be managed according to state standards.</li> <li>• Refer to Para. 81.</li> </ul>
TC – Non-Irrigated Corn Grain	Initial Year: ARD (Unless otherwise stated in the Special Provisions.)  Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• A completed Non-Irrigated Corn Grain Request Worksheet (see Exhibit 3B and Exhibit 15) substantiating actual corn grain production in at least three out of the most recent four years; or</li> <li>• A fully executed contract for corn grain production for ethanol production.</li> <li>• Renewal requests must complete the worksheet including the most recent crop year (contact the appropriate RO if more crop years are required).</li> <li>• Refer to Para. 82.</li> </ul>
TD – Dry Bean Types	Initial and Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• APH containing the requested dry bean type, if grown prior.</li> <li>• Producer's normal planting and harvesting dates.</li> <li>• Water source, method of irrigation, amount of water needed and its adequacy for an irrigated practice.</li> <li>• Two years of applicable production reports and minimum one year of prices received for the specific type; or, two years of university or seed company test plot data, recommendations, and evidence of market potential.</li> <li>• Refer to Para. 83.</li> </ul>
TP – Unrated P/T	Initial Year: ARD [see footnote (3)]  Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• APH containing the requested P/T, if grown prior.</li> <li>• Producer's normal planting and harvesting dates.</li> <li>• Evidence that the P/T is commercially grown with a viable marketing outlet.</li> <li>• Water source, method of irrigation, amount of water needed and its adequacy for an irrigated practice.</li> <li>• Additional requirements exist if request is for organic certified or organic transitional practices not on AD.</li> <li>• Refer to Para. 84.</li> </ul>



**Deadlines and Documentation Summary (Continued)**

<b>Request Type</b>	<b>Submission Deadline</b>	<b>Minimum Supporting Documentation</b>
UA – Written Unit Agreement	Initial Year: ARD  Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• At least the most recent year of acceptable APH production records separated according to the proposed optional unit structure.</li> <li>• Aerial photographs or legible maps that meet the specified requirements.</li> <li>• Draft WUA addendum that meets the specified requirements.</li> <li>• The WA request numbers of any existing WUA(s) that are in effect.</li> <li>• Any additional requirements by WUA request type in Para. 97.</li> <li>• Refer to Part 4.</li> </ul>
UC – Unrated Land	Initial Year: ARD  Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• Levee information, if applicable.</li> <li>• For land located in a wildlife protection or management area, a copy of the current contract between the wildlife management agency and the producer.</li> <li>• Refer to Para. 72.</li> </ul>
XC – County Without AD	Initial Year: Cancellation Date contained in the CP or Special Provisions [refer to footnote (4) and (5)]  Subsequent Years: SCD	<ul style="list-style-type: none"> <li>• Producer’s normal planting and harvesting dates.</li> <li>• Name, location of, and approximate distance to the place the crop will be sold or used by the producer.</li> <li>• Water source, method of irrigation, amount of water needed and its adequacy for an irrigated practice.</li> <li>• Applicable APH databases and verifiable production records [see footnote (2)].</li> <li>• Signed certification statement (see Exhibit 14), if the producer has never planted the requested crop in the county or area.</li> <li>• Refer to Para. 85.</li> </ul>

## Footnotes:

- (1) An RO may not need soil survey maps submitted. Check the applicable RO web site at [www.rma.usda.gov/en/RMALocal/Field-Offices/Regional-Offices](http://www.rma.usda.gov/en/RMALocal/Field-Offices/Regional-Offices) for requirements when soil surveys need to be submitted with the WA request.
- (2) For the Pecan Revenue Policy only: At least four years of production and gross sales records are required for XC WA request types. All other request types involving pecans must contain at least two years of production and gross sales records. The pecan revenue policy is a two-year coverage module, therefore WAs must be written in two-year increments.

**Deadlines and Documentation Summary (Continued)**

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- (3) For WAs where other crop types are insurable in the county which have later planting and harvesting dates than the type requested on the WA, the producer/AIP must submit the **WA request** prior to, or during, the planting period to allow for coverage by WA during the growing season. Contact the appropriate RO for the required submission date of a WA request for this situation.

**Example:** Spring Forage is insurable and the ARD is **June 2021**, fall forage is only insurable by WA. In this situation, if the producer waits until the spring ARD, coverage cannot be provided by WA as the insurance period (growing season for the fall planted forage) has passed and causes of loss may have occurred, thus the WA would not be authorized.

- (4) For XC **WA** requests, the policy designates that if the CP provides a cancellation date it is the deadline for WA requests (for example, the cancellation date for Fresh Market Peppers is July 31).

**Exception:** If the CP or Special Provisions do not provide a cancellation date for the county:

- (a) Use the cancellation date for other insurable crops in the same state that have similar final planting and harvesting dates; or
- (b) If there are no other insurable crops with similar final planting and harvesting dates in the state, use the cancellation date in the closest county or state where the crop is insurable.

- (5) **When the requested crop is not insurable in the county, the requested crop type is not insurable in the State, and the cancellation date is based on crop types with later planting and harvesting dates, the producer/AIP must submit the WA request prior to, or during, the planting period to allow for coverage by WA during the growing season. Contact the appropriate RO for the required submission date of a WA request for this situation.**

**Example:** **A producer requests winter malting barley in a county that does not have barley on the AD. In addition, only spring barley is available in the State, therefore the cancellation date is based on spring barley for that State. This request must be submitted prior to, or during, the planting period for winter malting barley.**

**Deadlines and Documentation Summary (Continued)**

All plans under the BP are available for all WAs, except as designated below.

<b>Policies/Plans</b>	<b>Request Type</b>
Margin Protection	Margin protection is not available by WA.
Revenue Protection	If revenue protection is not available for the crop in the state (including if the crop is not included on the AD anywhere in the state), an XC WA cannot be written to allow revenue protection (yield protection available only). Revenue protection is not available for dry bean or dry pea types insurable by written agreement when the requested county AD does not contain dry beans or dry peas (XC WA), or the requested county AD does not contain revenue protection for existing dry bean or dry pea types (TD or TP WA). Revenue protection for popcorn is not available by WA.
Stacked Income Protection (STAX)	Only applicable to NB, OP, SM, TP, UC, and XC WA types.
<b>Options/ Endorsements</b>	
APH Yield Exclusion (YE)	Not applicable to NB, OP, and XC WA types. Not applicable to TC and TP WA types that make an irrigation practice (either irrigated, non-irrigated, or limited irrigation) insurable in the county that is not already an insurable practice listed on the actuarial documents for the crop (see CIH Para. 1545).
Enterprise Unit by Practice (EP/EC)	Can only be included on a WA if the requested county actuarial documents already contain the option (EP or EC) for the crop (see CIH Para. 1031).
Hurricane Insurance Protection – Wind Index (HIP-WI)	If a WA request contains a crop/county/P/T that does not already contain HIP-WI in the AD for the crop/county/P/T, then a WA cannot contain HIP-WI (see HIP-WI Handbook Para. 8).
Multi-County Enterprise Unit (MCEU)	Not applicable to OP and XC WA types.
Quality Loss Option (QL)	Not applicable to OP and XC WA types. Not applicable to TC and TP WA types that make an irrigation practice (either irrigated, non-irrigated, or limited irrigation) insurable in the county that is not already an insurable practice listed on the actuarial documents for the crop (see CIH Para. 1565).
Supplemental Coverage Option (SCO)	If a WA request contains a crop/county/P/T that does not already contain SCO in the AD for the crop/county/P/T, then a WA cannot contain SCO (see CIH Subparagraph 916H).
Trend-Adjusted APH (TA)	Only applicable to HR and UA WA types.
Yield Cups (YC)	Can only be included on a WA if the location county or ADM source county already contains the YC option for the crop (see CIH Para. 1579). ***

**RO and AIP Logging Codes/Appeal Rights****A. WA Type Codes**

<b>WA Type Code</b>	<b>Short Description</b>	<b>Description</b>
HR	High-Risk Rated Areas	Used when a request is submitted to change an existing high-risk rated area premium rate.
NB	New Breaking	Used when a request is to establish coverage on acreage not planted and harvested or insured in one of the three previous crop years that is not insurable under the terms of the policy.
NL	Nursery Plant List	Used when a request is to establish coverage for unlisted nursery plant materials.
OP	Unrated Insurance Option	Used when a request is to establish coverage for an unrated insurance option that does not have a premium rate on the AD.
PE	Policy Exceptions	Used to request policy changes specifically permitted by the crop policy that is not otherwise referred to within the WAH.
RE	Rotation Exceptions	Used when rotation exceptions are requested to be authorized.
SC	Special Purpose Corn	Used when a request is to establish coverage for special purpose corn.
SG	Interplanted with Another Crop	Used when a request is to establish coverage for crops interplanted with another crop, planted into an established grass or legume, or planted as a nurse crop.
SM	Strip-Mined Land	Used when a request is to establish coverage for strip-mined land where the crop has been produced less than five crop years.
SP	Seed Potato Acreage	Used when a request is to insure seed potato acreage that is greater than 125 percent of the average number of acres entered into and passing certification in the potato certified seed program in the three previous crop years.
TC	Non-Irrigated Corn Grain	Used when a request is to establish coverage for non-irrigated corn grain where only irrigated corn grain and irrigated/non-irrigated corn silage are listed on the AD.
TD	Dry Bean Types	Used when a request is to establish coverage for types of dry beans not on the AD.
TP	Unrated P/T	Used when a request is to establish coverage for an unrated P/T.
UA	Written Unit Agreement	Used when a request is to establish optional units by WA in accordance with the policy.
UC	Unrated Land	Used when a request is to establish coverage on acreage designated as unrated on the ADs.
XC	County Without AD	Used when a request is to establish coverage for a crop in a county with no ADs for the crop.

**RO and AIP Logging Codes/Appeal Rights (Continued)**

**B. RO Process Status Codes**

The ROE system tracks the status of the **WA** request using the Process Status Code, which is visible for the request within the ROE application. (The ROE User Guide will have illustrations on how this information can be accessed.) The Process Status Reason is used to provide additional information on why a request was put in a specific process status.

Process Status Type	Process Status	Process Status Code	Process Status Reason	Process Status Reason Code
Exception Request	Not Assigned	NAS		
	Assigned	ASN	Unacknowledged	UCK
	Specialist Review	SPR	Acknowledged	ACK
	Hold	HLD	ADM Unavailable	ADM
			Experience Data Not Available	EXP
			Government Shutdown	GVS
			Pandemic	PAN
			Request for Information Sent	RFI
			Waiting on Procedural Guidance	WPG
	Prepared	PRE		
Completed	CMP			
Sub Request	More Information Requested	MIR		
	Specialist Review	SPR		
	Prepared	PRE		
	Needs Revision	NRV		
	Certified	CRT	Queued for Distribution	QFD
			Released	REL
			WA disabled until an error in the WA ADM/ICE build is corrected (WA Error)	ERR

**C. Decision Codes**

Every request will be associated with at least one sub request, which are created by setting a decision reason to the commodity-type-practice-legal records that are part of the request. The Undecided Decision code is only used because the ROE needs a Decision code in order to launch the Document Builder module.

Decision	Decision Code	Decision Output
Denied	DEN	Document
Not Accepted	NOT	Document
Offer	OFF	WA Offer
Undecided	UND	Document

**RO and AIP Logging Codes/Appeal Rights (Continued)****D. RO Decision Reason Codes**

<b>Decision Reason Code</b>	<b>Description of Condition when Applicable</b>
411	Used when it is discovered more information is required after creation of a sub request.
50%	Used when the producer has never produced at least 50 percent of the T-Yield [see Subparagraph 34C(6) and (7)].
ACT	Used when the requested changes to the terms and conditions of insurance are not permitted by the Act, or the WA is no longer applicable or consistent with the Act [see Subparagraphs 33A(10) and 33B(3)].
ADM	Used when the ADM for the requested crop has not yet been filed [see Para. 12(2)].
COR	Used when a renewal WA request is made and the WA terms and conditions have been incorporated into the county AD [see Subparagraph 33B(2)].
CTP	Used when the crop/P/T or variety is determined not to be adapted to prevalent production conditions of the county by agricultural experts [see Subparagraph 34C(2)].
ERR	Used when a renewal WA request is made and it is determined the original WA was issued in error [see Subparagraph 33B(1)].
EXP	Used when a WA request is denied, or a multi-year WA is cancelled due to unfavorable insurance experience [see Subparagraphs 34C(4) and 35B].
FCI	Used when a CI appraisal is returned timely and either all fields on the WA offer or only some of the fields on the WA offer do not meet the required potential yield and those fields are withdrawn. Also used when a CI appraisal is not completed when required or not returned timely [see Para. 42 and 56 and Subparagraph 63E].
HAV	Used when a WA request requests terms and conditions that the producer already has in place [see Subparagraph 33A(13)].
INC	Used when a WA request does not contain the required information, when the RO requested additional or missing information and it was not provided by the deadline, or when the information provided is not legible. Also used when a WA request, or supporting documentation, was provided in an unauthorized method [see Subparagraphs 23A(1) and 33A(3), (4), (5), (6) and (8)].
LAT	Used to record WA requests received in the RO office after the applicable deadline [see Para. 21 and Subparagraph 33A(1) and (2)].
MAR	Used when a crop, similar crop, or type is not commercially grown in the county and there is inadequate evidence that a market for the crop or type is available [see Subparagraph 34C(3)].
MMM	Used when a single WA request is submitted that covers more than one producer or county [see Para. 12(1) and Subparagraph 33A(9)].
MRG	Used when a producer submits multiple WA requests for different types of WAs at the same time in the same county containing the same acreage locations and these requests are merged into one WA [see Para. 12(9)].

**RO and AIP Logging Codes/Appeal Rights (Continued)****D. RO Decision Reason Codes (continued)**

<b>Decision Reason Code</b>	<b>Description of Condition when Applicable</b>
N2Y	Used when a subsequent <b>WA request</b> that has been denied or cancelled because of unfavorable insurance experience is submitted and the request cannot show that no loss would have occurred for two consecutive succeeding crop years (see Subparagraph 35C).
NBN	Used when a subsequent <b>WA request</b> that has been denied or cancelled because of unfavorable insurance experience is submitted and the request shows that no loss would have occurred for two consecutive succeeding crop years, however does not provide information that can be used to establish a premium rate more appropriate for the crop/P/T or acreage in the county (see Subparagraph 35C).
NFV	Used when the type of loss incurred or loss experience under the WA indicates the factual basis relied upon to issue the WA or the assigned premium rate is not valid [see Subparagraph 34C(8)].
NIM	Used when a prior <b>WA request</b> was denied and a new <b>WA request</b> for a subsequent crop year fails to address the original basis for denying the request [see Subparagraphs 33A(7)].
NPE	Used when a <b>WA request</b> is for a crop that does not have a crop policy [see Para. 12(4), 33A(12) and 36(4)].
NPP	Used when the <b>WA request</b> is not authorized by the policy [see Para. 12(5) and Subparagraph 33A(11)].
NWY	Used when a <b>WA request</b> doesn't warrant approval in accordance with Part 3.
RAT	Used when it is determined that adequate information is not available to establish an actuarially sound rate and insurance coverage, or an appropriate base premium rate exceeds 0.700 at the 65 percent coverage level [see Subparagraph 34C(1) and (9)].
SIP	Used when it is determined the requested change to the terms of insurance will not conform to sound insurance principles [see Subparagraph 34C(5)].
UAG	Used when the request for a WUA does not meet the WUA guidelines (see Part 4).
WA	Used when the RO issues a WA offer. ***
WDN	Used when the AIP or producer withdraws a <b>WA request</b> .

**RO and AIP Logging Codes/Appeal Rights (Continued)****E. RO Exception Request Release Reason Codes**

Each time the ADM/ICE data for the WA is provided to the AIP, the Exception Request Status and Exception Request Release Reason Codes will be provided in the ICE Exception Request table.

<b>Exception Request Release Reason Code</b>	<b>Exception Request Release Reason Name</b>	<b>Exception Request Status</b>
1	Initial Release	Preliminary
2	Insured's Acceptance Received	Final
4	ADM Prices Update	Final
5	ADM Revised	Superseded
6	Multi-Year Rebuild	Final
7	Modified to Correct Error	Superseded
8	Insured Rejected	Withdrawn
9	Failed Experience Determination	Cancellation
10	Program Change	Cancellation
11	No Offer	Final
12	Offer Not Accepted by AIP	Withdrawn
13	Late Response	Withdrawn
14	Offer Expired	Withdrawn
15	Partial Crop Inspection Failure	Superseded
16	Complete Crop Inspection Failure	Withdrawn
17	Changes Resulting from Admin Review/NAD/Mediation	Superseded
18	Changes to the Cropland Acreage by the WUA	Cancellation
19	Premium Debt/Ineligible	Cancellation
20	Reissuance to New AIP	Cancellation
21	Other	Cancellation
22	Requests Merged	Superseded
23	FSA Reconstitution	Superseded



**RO and AIP Logging Codes/Appeal Rights (Continued)****F. Appeal Rights and AIP Scorecard Error Applicability Chart**

Decision Code	Decision Reason Code	Appeal Rights (AR – Administrative Review, M – Mediation, A – Appeal/NAD)	Certified Letter to Insured	Letter to AIP or Insured	AIP Scorecard Error
DEN	50%	AR, M, and A	Yes	AIP, Insured	No
	CTP	AR, M, and A	Yes	AIP, Insured	No
	EXP	AR, M, and A	Yes	AIP, Insured	No
	FCI	Arbitration	Yes	AIP, Insured	No
	MAR	AR, M, and A	Yes	AIP, Insured	No
	NBN	AR, M, and A	Yes	AIP, Insured	Yes
	NFV	AR, M, and A	Yes	AIP, Insured	No
	NWY	AR, M, and A	Yes	AIP, Insured	No
	RAT	AR, M, and A	Yes	AIP, Insured	No
	SIP	AR, M, and A	Yes	AIP, Insured	No
	UAG	AR, M, and A	Yes	AIP, Insured	Yes
NOT	ACT	General Applicability	No	AIP, Insured	Yes
	ADM	No Appeal Rights	No	AIP	Yes
	COR	AR, M, and A	Yes	AIP, Insured	Yes
	ERR	AR, M, and A	Yes	AIP, Insured	No
	HAV	AR, M, and A	Yes	AIP, Insured	Yes
	INC	AR, M, and A	Yes	AIP, Insured	Yes
	LAT	AR, M, and A	Yes	AIP, Insured	Yes
	MMM	AR, M, and A	Yes	AIP, Insured	Yes
	MRG	No Appeal Rights	No	AIP	No
	N2Y	AR, M, and A	Yes	AIP, Insured	Yes
	NIM	AR, M, and A	Yes	AIP, Insured	Yes
	NPE	General Applicability	No	AIP, Insured	Yes
	NPP	General Applicability	No	AIP, Insured	Yes
	WDN	No Appeal Rights	No	AIP, Insured	Yes/No*
OFF	WA <sup>1</sup>	No Appeal Rights	No	AIP	
	WA <sup>2</sup>	AR, M, and A	No	AIP	
UND	411	Not Applicable	No	AIP	
*If the AIP withdraws the WA request prior to contact from the RO, there will be no scorecard error. If the AIP withdraws the WA request after discussion with the RO about deficiencies, a scorecard error will apply.					
<sup>1</sup> Exception Request Offer Type 1 – Producer receives WA offer for what was asked for or the request was general.					
<sup>2</sup> Exception Request Offer Type 2 – Producer receives WA offer for terms different than requested. Appeal rights provided with the WA offer.					
Note: The insured has the right to administrative review, mediation and the right to appeal as applicable. For more assistance see <a href="http://www.nad.usda.gov/content/contact-us">www.nad.usda.gov/content/contact-us</a> .					

**RO and AIP Logging Codes/Appeal Rights (Continued)****F. Appeal Rights and AIP Scorecard Error Applicability Chart (continued)**

<b>Exception Request Release Reason Code</b>	<b>Appeal Rights</b>	<b>Certified Letter</b>
1-7, 17, 20, 22, 23	Not Applicable	No
10, 18, 19, 21	Not Applicable	Yes
8, 13, 14	No Appeal Rights	No
9, 11	Dependent upon situation (see Decision Codes DEN and NOT)	
12	Arbitration and Mediation provided by AIP; no action required by RO	Yes, sent by AIP
15	Arbitration provided for the failed fields; No Appeal Rights provided for approved fields	Yes, for Arbitration letter only
16	Arbitration	Yes
Note: The insured has the right to administrative review, mediation and the right to appeal as applicable. For more assistance see <a href="http://www.nad.usda.gov/content/contact-us">www.nad.usda.gov/content/contact-us</a> .		

**G. AIP Document Upload Codes**

<b>Document Upload Code</b>	<b>Description of Condition When Applicable</b>
AC	Used for the request form and supporting documentation for the actuarial change request.
AR	Used for an administrative review request.
DY	Used for a determined yield request associated with the actuarial change request.
IAC	Used when a pre-approved WA offer is accepted by the insured.
INP	Used for the CI appraisal results.
IPR	Used when the AIP does not accept the WA offer.
IRJ	Used when the WA offer was rejected by the insured.
RIR	Used for the AIP response to the RO request for information.
WAA	Used when the WA offer is signed by the insured and contingent upon CI appraisal results.
WDN	Used for notification to the RO that the AIP or producer has withdrawn an actuarial change request.

**Note:** When uploading supporting documentation, responses to RO requests for information, signed WA offers, administrative review requests, or any other relevant documentation, it is important to use the correct document type.

**RO Actuarial Request Checklist Example**

**Checklist**

Request Deadline	(Enter Date)	Request Initially Complete and Appropriate?	(Choose Yes or No)
Request for Actuarial Change Form	(Choose Complete, Incomplete, or Not Applicable)	Number of Contacts to AIP for Missing Information	(Enter Number of Times Contacted AIP)
Request for Actuarial Change Form Signed Date	(Enter Date)	New/Renewal	(Choose New, Renewal, or Mixed)
APH if applicable for the crop	(Choose Complete, Incomplete, or Not Applicable)	History in File	(Choose Yes or Not Applicable)
APH (if applicable for the crop) signed date	(Enter Date or Leave Blank)	Map and Legal Descriptions – Crop Year Submitted	(Enter Crop Year Submitted or Not Applicable)
WA associated with request	(Enter WA number)	Map and Legal Descriptions – Folder Location	(Choose Insured or Shareholder)
<b>Other Information</b>			
{Provide summary of decision made. Include information not provided in following sections.}			
<b>Insurance Experience</b>			
{Provide explanation of any insurance experience used to make the determination, including Para. 35 results.}			
<b>Timeliness Comments</b>			
{Complete if exceptions request was not submitted timely. Explain reason the request was not timely, such as entire request was submitted late, specific documentation was submitted late or not submitted by deadline, etc.}			
<b>Follow Up</b>			
{Identify any follow up conversations with the AIP, such as requesting missing documentation, requesting additional documentation, requesting clarification of submission, etc.}			

**Checklist Items**

<input type="checkbox"/>	Checklist Item Section	Checklist Item Description	Checklist Item Result	Modified On	Modified By	Checklist Item Sequence
<b>Include applicable Checklist Information (see following pages) for the request type here.</b>						

**RO Actuarial Request Checklist Example (Continued)**

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**For All Request Types:**

- (1) Evidence of adaptability for the crop/P/T/etc., if required by RO.
- (2) The legal description of the land, FN/Tract/Field, and FSA aerial photographs or legible maps delineating field boundaries where the applicant intends to plant the crop for which insurance is requested.
- (3) If applicable, all required inspections if the request involves a Category C or perennial Category D crop.

**For Renewal Requests:**

- (1) (For TC type only) Non-Irrigated corn grain worksheet containing previous year(s).
- (2) Not required: evidence of adaptability, dates planted and harvested, market information, or aerial photos.

**HR Type: High-Risk Rated Areas**

- (1) Levee information, if applicable.
- (2) Additional years of records for fragile/highly erodible land may be required.
- (3) Current wildlife management agency contract, if applicable.

**NB Type: New Breaking**

- (1) Intended planted acres.
- (2) Date land broken out of sod, pasture, perennial legume, or other vegetation and method used.
- (3) Documentation that acreage has been previously tilled and planted to a crop (only required to receive maximum percent of the T-Yield).
- (4) Reason WA is needed (required only if crop and county contains Special Provisions statement available for insurability).

**NL Type: Nursery Plant List**

- (1) Price catalog or list.
- (2) A separate list of the plants for which the agreement is requested.

**RO Actuarial Request Checklist Example (Continued)**

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**OP Type: Unrated Insurance Option**

- (1) Evidence of crop being commercially grown and with a viable marketing outlet.
- (2) APH must be specific for acreage under option.
- (3) Information on irrigated practice.

**PE Type: Policy Exceptions**

- (1) Established by the RMA RO.

**RE Type: Rotation Exceptions**

- (1) Recommendation of acceptability of rotation deviation.
- (2) All APH history for the crop.
- (3) Detailed information about steps taken to mitigate disease or pest concerns.
- (4) Exact field location.

**SC Type: Special Purpose Corn**

- (1) Producer's normal planting and harvesting dates.
- (2) Evidence of crop being commercially grown and with a viable marketing outlet.
- (3) Information on irrigated practice.

**SG Type: Interplanted with Another Crop**

- (1) Exact field location
- (2) Recommendation from state extension/expert.
- (3) All production history for interplanted crop and acreage (min. 2 years).
- (4) Weed control and proof of application, if recommended.

**SM Type: Strip Mined Land**

- (1) Description of reclamation report process and date reclamation completed.
- (2) All APH history for reclaimed acreage.

**SP Type: Seed Potato Acreage**

- (1) Reason for increase (entity or county changes).
- (2) Certification that all acreage will be managed according to state standards.

**RO Actuarial Request Checklist Example (Continued)**

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**TC Type: Non-Irrigated Corn Grain**

- (1) Non-Irrigated corn grain worksheet and APH history or fully executed corn grain processor contract.
- (2) Determined by the Special Provisions.

**TD Type: Dry Bean Types**

- (1) APH must be for all dry beans and containing the requested P/T, if grown previously.
- (2) Producer's normal planting and harvesting dates.
- (3) Information on irrigated practice.
- (4) Two years of production reports and min. one year of prices received for the requested type; or two years of university or seed company test plot results and recommendations and evidence of market potential.

**TP Type: Unrated P/T**

- (1) APH containing the requested P/T, if grown previously.
- (2) Producer's normal planting and harvesting dates.
- (3) Evidence of crop being commercially grown and with a viable marketing outlet.
- (4) Information on irrigated practice.
- (5) Organic requirements, if applicable.

**UA Type: Written Unit Agreement**

- (1) APH reports separated according to the proposed optional unit structure.
- (2) Aerial photos or legible map must delineate permanent boundaries.
- (3) WUA addendum.
- (4) Any prior WUA request number(s) in effect.

**UC Type: Unrated Land**

- (1) Levee information, if applicable.
- (2) Current wildlife management agency contract, if applicable.

**XC Type: County Without AD**

- (1) Acceptable production records, if applicable.
- (2) Producer's normal planting and harvesting dates.
- (3) Name, location, distance to market or use of the crop.
- (4) Information on irrigated practice.
- (5) Signed certification statement that producer has never planted crop in county or area, if required.

## RO Document Standards

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### A. WA Cover Letter

The following table indicates the required components that are to be included on the WA Cover Letter. See Exhibit 9 and Exhibit 10A for a template of the WA Cover Letter with a standard WA and WUA, respectively.

Item	Requirements
General Information	<p>The general information must include the:</p> <ol style="list-style-type: none"> <li>(1) USDA logo;</li> <li>(2) phrase “United States Department of Agriculture”;</li> <li>(3) phrase “Farm Production and Conservation”;</li> <li>(4) phrase “Risk Management Agency”;</li> <li>(5) phrase “Regional Office” preceded by the applicable RO city and RO state; and</li> <li>(6) address, phone number, and fax number of the applicable RO.</li> </ol>
Heading Information	<p>The heading information must include the:</p> <ol style="list-style-type: none"> <li>(1) cover letter date; and</li> <li>(2) AIP Field Office’s name and address.</li> </ol>
Request Information	<p>The request information must include the:</p> <ol style="list-style-type: none"> <li>(1) commodity year;</li> <li>(2) RMA request number;</li> <li>(3) AIP request number;</li> <li>(4) producer’s name;</li> <li>(5) policy number (if known);</li> <li>(6) county where the crop to be insured is located; and</li> <li>(7) state where the crop to be insured is located.</li> </ol> <p>The request information must appear on each page of the WA cover letter.</p>
Request Type(s)	Identify the request type(s) the WA pertains too.
Letter Introduction	Use freeform statements in the introduction as necessary.
Letter Body	<p>In the body of the cover letter use applicable statements based on the situation. Provide general instructions to the AIP for processing the WA. When a WA offer provides terms and conditions that are different than requested, the right to request an administrative review and mediation and applicable instructions will be provided in the body. The body is also used to inform the AIP when a CI appraisal is required. Include any additional freeform comments, statements, or instructions, as necessary.</p>

**RO Document Standards (Continued)****A. WA Cover Letter (continued)**

<b>Item</b>	<b>Requirements</b>
Letter Closing	Include the: <ol style="list-style-type: none"> <li>(1) contact office statement, which instructs to contact the applicable RO for questions (this statement is optional); and</li> <li>(2) enclosure(s) statement.</li> </ol>
Additional Statement(s)	Include the following statement(s): “USDA is an Equal Opportunity Provider and Employer.”

**B. WAs**

The following table indicates the required components that are to be included on a WA. See Exhibit 9 for a template of a standard WA and Exhibit 10 for a template of a WUA.

<b>Item</b>	<b>Requirements</b>
Heading Information	The heading information must include the <ol style="list-style-type: none"> <li>(1) title “Written Agreement”;</li> <li>(2) the WA offer date; and</li> <li>(3) page number (in page current of total format).</li> </ol>
Sub-heading Information	The sub-heading follows the heading and must include the: <ol style="list-style-type: none"> <li>(1) AIP Field Office’s name and address; and</li> <li>(2) AIP Branch Office Contact.</li> </ol>
Request Information	The request information must include the: <ol style="list-style-type: none"> <li>(1) state (including state code) where the crop to be insured is located;</li> <li>(2) county (including county code) where the crop to be insured is located;</li> <li>(3) insured’s name;</li> <li>(4) policy number (if known);</li> <li>(5) AIP request number;</li> <li>(6) WA number; and</li> <li>(7) insured’s address.</li> </ol>
Request Type(s)	Enter the WA request type code(s) and name(s) as shown on the Request for Actuarial Change form if verified to be correct, otherwise enter the corrected WA request type code(s) and name(s). The WA request type logging codes may be found in Exhibit 6A.



**RO Document Standards (Continued)****B. WAs (continued)**

<b>Item</b>	<b>Requirements</b>
Reference State/County (if applicable)	Identify the appropriate ADM reference (source) state (including state code) and ADM reference (source) county (including county code) if used to establish terms and conditions in the WA.
Crop Year(s)	Identify the commodity year(s) the WA is valid.
Commodity and Insurance Plan	Identify the commodity code(s) and name(s), and the applicable insurance plan(s) for each commodity the WA pertains to.
Scope of Change and Source of Base ADM	Identify and define the type of changes applied by the WA (such as addition of coverage, modification of standard policy terms and conditions, etc.). For WUAs, include the WUA policy endorsement statement.
Limits on Application of Changes	Identify the location(s) for which the WA offer can be applied (such as section/township/range, FN/Tract/Field, etc.), if locations are restricted to less than a county designation. Include the required CAT statement.
Instructional Statements (if applicable)	Provide instructions on how to interpret or apply the changes defined in the WA offer.
Amendments Made to the Policy – Detailed	Identify the changes made to any actuarial components (such as unit structure allowed, base rates, dates, options, prices, sub-county rates, and T-Yields). The ROE WA system will automatically generate tables to display any modifications (unmodified values will not be displayed).
Amendments Made to the Policy – Summary (if applicable)	Identify additional modifications (such as Special Provisions type modifications that are part of the WA offer, removal of rotation statements, removal of prevented planting coverage, cause of loss coverage exclusion, changes to maximum replant payment, and any changes to data embedded in Special Provisions statement). For WUAs, include the applicable specific language provided for each WUA type in Exhibit 13 to define the changes and fill in dates and applicable statements as indicated.
Closing	<p>The closing must include the:</p> <ol style="list-style-type: none"> <li>(1) statement that parties agree to accept the WA changes;</li> <li>(2) duration of the WA;</li> <li>(3) expiration statement including the expiration date;</li> <li>(4) RMA approval statement;</li> <li>(5) producer’s signature section, when required;</li> <li>(6) RMA second level approving authority signature section, when required;</li> <li>(7) distribution statement;</li> <li>(8) Collection of Information and Data (Privacy Act) Statement; and</li> <li>(9) USDA Non-Discrimination Statement.</li> </ol> <p>Refer to the DSSH for the Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statement.</p>

**RO Document Standards (Continued)**

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**C. WUA Addendum**

The following table indicates the required components that are to be included on a WUA addendum. See Exhibit 10B for examples of WUA addendums.

<b>Item</b>	<b>Requirements</b>
Heading Information	<p>The heading information must include the</p> <ol style="list-style-type: none"> <li>(1) name of producer;</li> <li>(2) date the addendum was prepared;</li> <li>(3) WA/Request number; and</li> <li>(4) policy number (if known).</li> </ol>
Unit Identification	<p>Each unit created under the WUA must be identified on the addendum by:</p> <ol style="list-style-type: none"> <li>(1) the unit number (use XXXX-XXXXUA numbering);</li> <li>(2) descriptions of where the land for each unit is located (such as, section/township/range, west of main farm road, etc.)</li> <li>(3) FSA FN, Tract number (include previous Tract number if applicable), and Field number(s), when provided by FSA; and</li> <li>(4) cropland acreage associated with each unit.</li> </ol>
Addendum Statement	<p>The following statement must be included on WUA addendums:</p> <p>“Other land in the farming operation not identified within this addendum will have its unit structure constructed in accordance with the Basic Provisions. Further unit division provided by the Basic Provisions (such as irrigated practice vs. non-irrigated practice or conventional practice vs. organic practice) or the crop provisions may be applicable for all land in the farming operation.”</p>

**RO Document Standards (Continued)****D. Request for Information Letter**

The following table indicates the required components that are to be included on a Request for Information Letter. See Exhibit 11 for a Request for Information Letter template.

<b>Item</b>	<b>Requirements</b>
General Information	<p>The general information must include the:</p> <ol style="list-style-type: none"> <li>(1) USDA logo;</li> <li>(2) phrase “United States Department of Agriculture”;</li> <li>(3) phrase “Farm Production and Conservation”;</li> <li>(4) phrase “Risk Management Agency”;</li> <li>(5) phrase “Regional Office” preceded by the applicable RO city and RO state; and</li> <li>(6) address, phone number, and fax number of the applicable RO.</li> </ol>
Heading Information	<p>The heading information must include the:</p> <ol style="list-style-type: none"> <li>(1) letter date;</li> <li>(2) AIP Field Office’s name and address; and</li> <li>(3) AIP Field Office Contact.</li> </ol>
Request Information	<p>The request information must include the:</p> <ol style="list-style-type: none"> <li>(1) commodity year;</li> <li>(2) RMA request number;</li> <li>(3) AIP request number;</li> <li>(4) producer’s name;</li> <li>(5) policy number (if known);</li> <li>(6) county where the crop to be insured is located; and</li> <li>(7) state where the crop to be insured is located.</li> </ol> <p>The request information must appear on each page of the letter.</p>
Request Type(s)	Identify the request type(s) the request pertains too.
Letter Introduction	Use freeform statements in the introduction as necessary.
Letter Body	In the body of the letter clearly explain what information is needed. The date that the information is needed by should be identified (the request must identify the dates the information is needed by if the request is for additional required information beyond the minimum supporting documentation).

**RO Document Standards (Continued)**

**D. Request for Information Letter (continued)**

Item	Requirements
Letter Closing	Include the: <ol style="list-style-type: none"> <li>(1) contact office statement, which instructs to contact the applicable RO for questions (this statement is optional);</li> <li>(2) enclosure(s) statement, if applicable;</li> <li>(3) RMA second level approving authority signature section;</li> <li>(4) Collection of Information and Data (Privacy Act) Statement; and</li> <li>(5) USDA Non-Discrimination Statement.</li> </ol> Refer to the DSSH for the Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statements.
Additional Statement(s)	Include the following statement(s): <p>“USDA is an Equal Opportunity Provider and Employer.”</p>

**E. Withdrawal and Denial Letters**

The following table indicates the required components that are to be included on a withdrawal or denial letter. See Exhibit 12 for withdrawal letter templates and examples and Exhibit 13 for denial letter templates and examples.

Item	Requirements
General Information	The general information must include the: <ol style="list-style-type: none"> <li>(1) USDA logo;</li> <li>(2) phrase “United States Department of Agriculture”;</li> <li>(3) phrase “Farm Production and Conservation”;</li> <li>(4) phrase “Risk Management Agency”;</li> <li>(5) phrase “Regional Office” preceded by the applicable RO city and RO state; and</li> <li>(6) address, phone number, and fax number of the applicable RO.</li> </ol>
Heading Information	The heading information must include the: <ol style="list-style-type: none"> <li>(1) letter date;</li> <li>(2) requestor’s name and address; and</li> <li>(3) if applicable, certified mail number.</li> </ol>

**RO Document Standards (Continued)**

**E. Withdrawal and Denial Letters (continued)**

<b>Item</b>	<b>Requirements</b>
Request Information	<p>The request information must include the:</p> <ol style="list-style-type: none"> <li>(1) commodity year;</li> <li>(2) RMA request number;</li> <li>(3) AIP request number;</li> <li>(4) producer’s name;</li> <li>(5) policy number (if known);</li> <li>(6) county where the crop to be insured is located; and</li> <li>(7) state where the crop to be insured is located.</li> </ol> <p>The request information must appear on each page of the letter.</p>
Request Type(s)	Identify the request type(s) the letter pertains too.
Letter Introduction	Use freeform statements in the introduction as necessary.
Letter Body	In the body of the cover letter, provide a detailed explanation of the basis for withdrawal or denial. If denying only a portion of the WA request, clearly identify the crops, land locations, etc., that are denied. Include the appropriate arbitration, administrative review, mediation, and appeal rights, if applicable. Include any additional freeform comments, statements, or instructions, as necessary.
Letter Closing	<p>Include the:</p> <ol style="list-style-type: none"> <li>(1) contact office statement, which instructs to contact the applicable RO for questions (this statement is optional);</li> <li>(2) enclosure(s) statement, if applicable;</li> <li>(3) RMA second level approving authority signature section;</li> <li>(4) other associated parties, such as the AIP, that receive a copy of the letter;</li> <li>(5) Collection of Information and Data (Privacy Act) Statement; and</li> <li>(6) USDA Non-Discrimination Statement.</li> </ol> <p>Refer to the DSSH for the Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statements.</p>
Additional Statement(s)	<p>Include the following statement(s):</p> <p>“USDA is an Equal Opportunity Provider and Employer.”</p>

**Standard WA (Excludes WUA) Template Including Cover Letter**

United States  
Department of  
Agriculture

{Date}

Farm Production and  
Conservation

{AIP Field Office's Name}

{AIP Field Office's Street Address 1}

{AIP Field Office's Street Address 2}

Risk  
Management  
Agency

{AIP Field Office's City}, {AIP Field Office's State Postal Code} {AIP Field  
Office's Zip & Zip Extension}

{RO City, RO State}  
Regional Office

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer's Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

{RO Street Address 1}  
{RO Street Address 2}  
{RO City, RO State}  
{RO Zip – Zip Ext}

Request Type(s):

{Request Type Name 1}

{Request Type Name 2}

{Request Type Name 3}

{Request Type Name 4}

{RO Phone Number}  
{RO Fax Number}

***{Introduction with Freeform Statements}***

***{Body with Freeform Statements}***

*[Use the applicable statements based on the situation, such as, general instructions when approved as requested, instructions when the WA offer provides terms and conditions that are different than requested, and instructions when a CI appraisal is required.]*

*[Include any additional freeform comments, statements, or instructions, as necessary.]*

***{Closing with Freeform Statements}***

*[Contact Office Statement is optional.]*

*[Enclosure(s) Statement.]*

USDA is an Equal Opportunity Provider and Employer

**Standard WA (Excludes WUA) Template Including Cover Letter (Continued)**

WRITTEN AGREEMENT

{ Offer Date }

Page { Current } of { Total }

{ AIP Field Office Name }  
 { AIP Field Office Street Address 1 }  
 { AIP Field Office Street Address 2 }  
 { AIP Field Office City }, { AIP Field Office State Postal Code } { AIP Field Office Zip & Zip Extension }  
 Attn: { AIP Field Office Contact }

State: { Location State Code – Name } Policy Nbr: { Policy Number }  
 County: { Location County Code – Name } AIP Request Nbr: { AIP Request Number }  
 Insured: { Requestor’s Name } WA Number: { WA Number }

Address: { Requestor’s Street Address 1 }  
 { Requestor’s Street Address 2 }  
 { Requestor’s City }, { Requestor’s State Postal Code } { Requestor’s Zip & Zip Extension }

Request Type(s): { Request Type Code & Name 1 } { Request Type Code & Name 2 }  
 { Request Type Code & Name 3 } { Request Type Code & Name 4 }

Reference State/County: { ADM Reference State Name (Code) } / { ADM Reference County Name (Code) }

Crop Year(s): { Commodity Year(s) Valid }

Commodity	Insurance Plan
{ Commodity Code and Name 1 }	{ Insurance Plan 1 }
	{ Insurance Plan 2 }
	{ Insurance Plan 3 }
{ Commodity Code and Name 2 }	{ Insurance Plan 1 }
	{ Insurance Plan 2 }
	{ Insurance Plan 3 }

***{Scope of Change & Source of Base ADM with Freeform}***

*In this section define the type of changes applied by this WA at a high level (such as addition of coverage, modification of standard policy terms and conditions, etc.).*

***{Limits on Application of Changes with Freeform}***

*This section defines:*

- *the land locations for which the offer can be applied; and*
- *that the WA does not apply to any acreage insured under CAT or insurance plans and pilot options for which the type of WA is not authorized.*

**Standard WA (Excludes WUA) Template Including Cover Letter (Continued)**

---

{Offer Date}

WA Number: {WA Number}

Page {Current} of {Total}

***{Instructional Statements with Freeform} (Optional)***

*This section provides instructions on how to interpret or apply the changes defined in the WA offer.*

***{Amendments Made to the Policy – Detailed}***

*The ROE system will generate tables to display the modifications of changes made to any of the following actuarial components in the WA offer (unmodified values are not displayed).*

- *Unit structure allowed (optional)*
- *Base rates (optional)*
- *Dates (optional)*
- *Options (optional)*
- *Prices (optional)*
- *Sub-county rates (optional)*
- *T-Yields (optional)*

***{Amendments Made to the Policy – Summary with Freeform} (Optional)***

*This section notes the following types of modifications (this section will be provided to the AIPs as part of the WA ADM/ICE records).*

- *Special Provisions type modification that are part of the WA offer*
- *Removal of rotation statements*
- *Prevented planting coverage removal*
- *Cause of loss coverage exclusion*
- *Changes to the Maximum Replant payment (specialist makes changes in the ICE record)*
- *Any changes to data embedded in Special Provisions*

***{Closing with Freeform}***

*This section contains the following.*

- *Statement that parties agree to accept the changes defined by the WA*
- *Duration of the WA (for multi-year WAs, the situations that will void the WA)*
- *Expiration date (when required)*
- *Notification that any modifications will void RMA's approval*
- *Signature section (when required)*
- *Distribution requirements*
- *Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statement*



**WUA Template Including Cover Letter, Addendum, and Map/Photo Examples**

**A. WUA Template Including Cover Letter**



United States  
Department of  
Agriculture

{Date}

Farm Production and  
Conservation

{AIP Field Office’s Name}  
{AIP Field Office’s Street Address 1}  
{AIP Field Office’s Street Address 2}  
{AIP Field Office’s City}, {AIP Field Office’s State Postal Code} {AIP Field  
Office’s Zip & Zip Extension}

Risk  
Management  
Agency

{RO City, RO State}  
Regional Office

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer’s Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

{RO Street Address 1}  
{RO Street Address 2}  
{RO City, RO State}  
{RO Zip – Zip Ext}

Request Type(s):  
{Request Type Name 1} {Request Type Name 2}  
{Request Type Name 3} {Request Type Name 4}

{RO Phone Number}  
{RO Fax Number}

***{Introduction with Freeform Statements}***

***{Body with Freeform Statements}***

*[Use the applicable statements based on the situation, such as, general instructions when approved as requested or instructions when the WA offer provides terms and conditions that are different than requested.]*

*[Include any additional freeform comments, statements, or instructions, as necessary.]*

***{Closing with Freeform Statements}***

*[Contact Office Statement is optional.]*

*[Enclosure(s) Statement.]*

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**WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)**

**A. WUA Template Including Cover Letter (continued)**

WRITTEN AGREEMENT

{Offer Date}

Page {Current} of {Total}

{AIP Field Office Name}  
 {AIP Field Office Street Address 1}  
 {AIP Field Office Street Address 2}  
 {AIP Field Office City}, {AIP Field Office State Postal Code} {AIP Field Office Zip & Zip Extension}  
 Attn: {AIP Field Office Contact}

State: {Location State Code – Name} Policy Nbr: {Policy Number}  
 County: {Location County Code – Name} AIP Request Nbr: {AIP Request Number}  
 Insured: {Requestor’s Name} WA Number: {WA Number}

Address: {Requestor’s Street Address 1}  
 {Requestor’s Street Address 2}  
 {Requestor’s City}, {Requestor’s State Postal Code} {Requestor’s Zip & Zip Extension}

Request Type(s): {Request Type Code & Name 1} {Request Type Code & Name 2}  
 {Request Type Code & Name 3} {Request Type Code & Name 4}

Reference State/County: {ADM Reference State Name (Code)} / {ADM Reference County Name (Code)}

Crop Year(s): {Commodity Year(s) Valid}

Commodity	Insurance Plan
{Commodity Code and Name 1}	{Insurance Plan 1} {Insurance Plan 2} {Insurance Plan 3}
{Commodity Code and Name 2}	{Insurance Plan 1} {Insurance Plan 2} {Insurance Plan 3}

***{Scope of Change & Source of Base ADM with Freeform}***

*In this section define the type of changes applied by this WA at a high level (such as addition of coverage, modification of standard policy terms and conditions, etc.).*

***{Limits on Application of Changes with Freeform}***

*This section defines:*

- *the land locations for which the offer can be applied; and*
- *that the WA does not apply to any acreage insured under CAT or insurance plans and pilot options for which the type of WA is not authorized.*

**WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)****A. WUA Template Including Cover Letter (continued)**

{Offer Date}

WA Number: {WA Number}

Page {Current} of {Total}

***{Amendments Made to the Policy – Summary with Freeform}***

*This section notes the instructions and changes to the unit structure for the following types of WUA.*

- *Oversized Sections, Section Equivalents, and FSA FN Optional Units*
- *Annual Crops with Topographic or Irrigation Features*
- *Perennial (Tree, Vine, and Bush) Crops with Topographic or Irrigation Features*
- *Annual Crops with Geographic Dispersion*
- *Annual Crops in Oversized Sections Resulting from Spanish Land Grants*

***{Closing with Freeform}***

*This section contains the following.*

- *Statement that parties agree to accept the changes defined by the WA*
- *Duration of the WA (for multi-year WAs, the situations that will void the WA)*
- *Expiration date*
- *Notification that any modifications will void RMA's approval*
- *Signature section (when required)*
- *Distribution requirements*
- *Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statement*

**WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)**

**B. WUA Addendums**

(1) Generic Example

(Producer's Name) Month XX, 20XX  
 Request: XXXXXXXX Policy: XXXXXXXX

(Unit Number) XXXX-XXXXUA (Description of Land Location) Section/Township/Range (if applicable) west of main Farm Road (may include block numbers for perennial crops)			
FSA FN	Tract	Previous Tract (if applicable)	Field(s)
Total cropland acres in unit: (acres)			

(Unit Number) XXXX-XXXXUA (Description of Land Location) Section/Township/Range (if applicable) east of main Farm Road west of Creek Road (may include block numbers for perennial crops)			
FSA FN	Tract	Previous Tract (if applicable)	Field(s)
Total cropland acres in unit: (acres)			

(Unit Number) XXXX-XXXXUA (Description of Land Location) Section/Township/Range (if applicable) east of Creek Road west of Brown Road (may include block numbers for perennial crops)			
FSA FN	Tract	Previous Tract (if applicable)	Field(s)
Total cropland acres in unit: (acres)			

(Addendum Statement) Other land in the farming operation not identified within this addendum will have its unit structure constructed in accordance with the Basic Provisions. Further unit division provided by the Basic Provisions (such as irrigated practice vs. non-irrigated practice or conventional practice vs. organic practice) or the crop provisions may be applicable for all land in the farming operation.

**WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)****B. WUA Addendums (continued)**

- (2) Specific Annual Crop Example (FSA FN, Tract number, and Field numbers are examples and are not representative of any person)

John Smith

Month XX, 20XX

Request: XXXXXXXX

Policy: XXX4567

Unit: 0001-0001UA (J. Smith; Operated by Pacific Acres and Western Farms) Section 1, 2-T34N-R4W; Dry Run				
FSA FN	Tract	Previous Tract (if applicable)	Field(s)	Acres
992320	991708		1	133.1
992320	992705		1	189.3
Total cropland acres in unit: 322.4 acres				

Unit: 0001-0002UA (J. Smith; Operated by Pacific Acres and Western Farms) Section 31, 32, 33-T35N-R4W; Sandy Creek				
FSA FN	Tract	Previous Tract (if applicable)	Field(s)	Acres
992321	992705		5	165.0
992321	991873	991870	1	100.3
992321	991873	991860	2	27.2
992321	991873	991857	3	41.4
Total cropland acres in unit: 333.9 acres				

Unit: 0002-0001UA (J. Smith; Operated by Western Farms) Section 1, 12-T34N-R4W; Waters Ridge				
FSA FN	Tract	Previous Tract (if applicable)	Field(s)	Acres
992322	99511		1, 2	70.9
992322	99510		1, 2, 3	508.8
Total cropland acres in unit: 579.7 acres				

Unit: 0002-0002UA (J. Smith; Operated by Western Farms) Section 15-T34N-R4W; Potts Field				
FSA FN	Tract	Previous Tract (if applicable)	Field(s)	Acres
992320	992709	99385	1	158.4
992320	992707	991802	2	163.3
Total cropland acres in unit: 321.7 acres				

Unit: 0002-0003UA Section 2, 3-T34N-R4W; Shady Slope				
FSA FN	Tract	Previous Tract (if applicable)	Field(s)	Acres
992320	991801		1, 2	226.5
992320	99495		1	111.0
Total cropland acres in unit: 337.5 acres				

**WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)****B. WUA Addendums (continued)**

John Smith

Month XX, 20XX

Request: XXXXXXXXX

Policy: XXX4567

Unit: 0002-0004UA

Section 3-T34N-R4W &amp; Section 33-T35N-R4W; Smith 426

FSA FN	Tract	Previous Tract (if applicable)	Field(s)	Acres
992320	992705		2	208.4
992320	992704		1	51.6
992320	991705		3	63.7
Total cropland acres in unit: 323.7 acres				

Unit: 0003-0001UA (J. Smith, BIA, and Smith Family; Operated by Western Farms)

Section 6, 7-T34N-R5W; Smith Jones

FSA FN	Tract	Previous Tract (if applicable)	Field(s)	Acres
992311	992525	991971	1	34.2
992311	992525	991790	2	8.6
992311	992525	99490	3	169.8
992311	992525	991788	4	1.2
992311	992525	991799	5	4.7
992311	992525	991804	6	22.0
992311	992525	991796	7, 8	31.4
992311	992525	991797	9	49.5
992311	992525	991972	10	18.0 pasture
Total cropland acres in unit: 339.4 acres (321.4 farmed)				

Unit: 0004-0001UA (J. Smith; Operated by Joseph J. Johnson)

Section 28, 33-T35N-R4W; Johnson/Best Place

FSA FN	Tract	Previous Tract (if applicable)	Field(s)	Acres
992323	99474		1, 2	268.9
992323	99475		1	56.7
Total cropland acres in unit: 325.6 acres				

Other land in the farming operation not identified within this addendum will have its unit structure constructed in accordance with the Basic Provisions. Further unit division provided by the Basic Provisions (such as irrigated practice vs. non-irrigated practice or conventional practice vs. organic practice) or the crop provisions may be applicable for all land in the farming operation.

**WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)**

**B. WUA Addendums (continued)**

(3) Specific Perennial Crop Example

John Smith

Month XX, 20XX

Request: XXXXXXXXX

Policy: XXX0123

<b>Navel Oranges</b>	
Unit: 0001-0001UA (Acreage associated with irrigation turn-out #002H58 and #003H58 for the listed blocks of Navel Oranges on Ranch 1) Section 22-T15S-R24E	
Block	Acres
1A	18.7
1B	12.2
1C	32.8
1D	9.3
1E	18.7
1F	20.0
1G	23.0
1H	10.0
1I	8.1
1J	9.0
1K	8.6
1L	19.4
Total cropland acres in unit: 189.8 acres	

Unit: 0001-0002UA (Acreage associated with irrigation turn-out #001J45 for the listed blocks of Navel Oranges on Ranch 2) Section 27-T15S-R24E	
Block	Acres
2A	29.0
2B	17.5
2C	15.7
2D	21.3
2E	15.6
2F	11.0
2G	12.9
2H	21.2
2I	31.0
Total cropland acres in unit: 175.2 acres	

**WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)**

**B. WUA Addendums (continued)**

John Smith

Month XX, 20XX

Request: XXXXXXXXX

Policy: XXX0123

**Valencia Oranges**

Unit: 0002-0001UA (Acreage associated with irrigation turn-out #002H58 and #003H58 for the listed blocks of Valencia Oranges on Ranch 1)  
Section 22-T15S-R24E

Block	Acres
1M	17.6
1N	19.8
1O	12.2
1P	27.4
1Q	24.7
1R	15.9

Total cropland acres in unit: 117.6 acres

Unit: 0002-0002UA (Acreage associated with irrigation turn-out #001J45 for the listed blocks of Valencia Oranges on Ranch 2)  
Section 27-T15S-R24E

Block	Acres
2J	21.8
2K	32.1
2L	26.7
2M	17.5

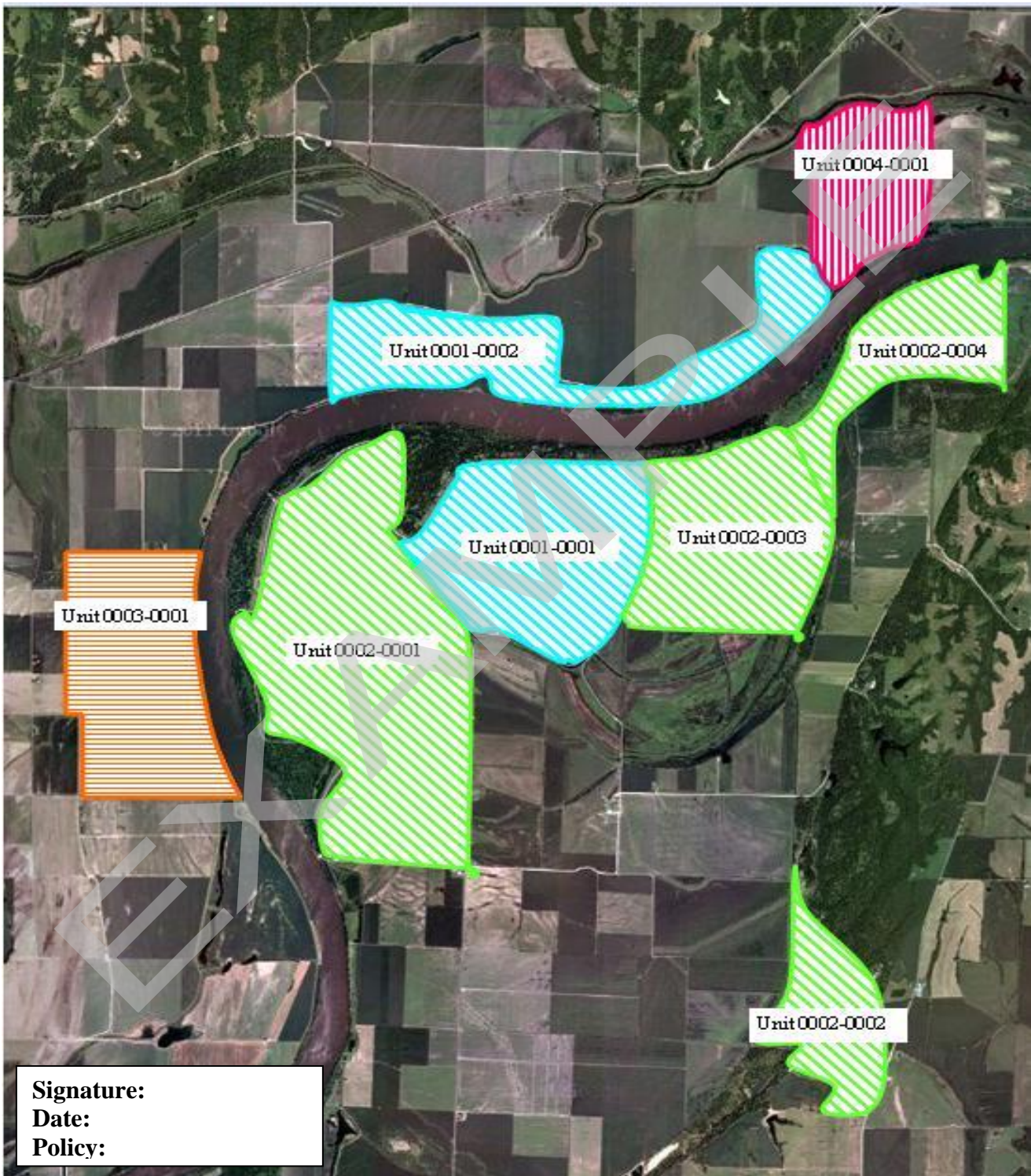
Total cropland acres in unit: 98.1 acres

Other land in the farming operation not identified within this addendum will have its unit structure constructed in accordance with the Basic Provisions. Further unit division provided by the Basic Provisions (such as irrigated practice vs. non-irrigated practice or conventional practice vs. organic practice) or the crop provisions may be applicable for all land in the farming operation.



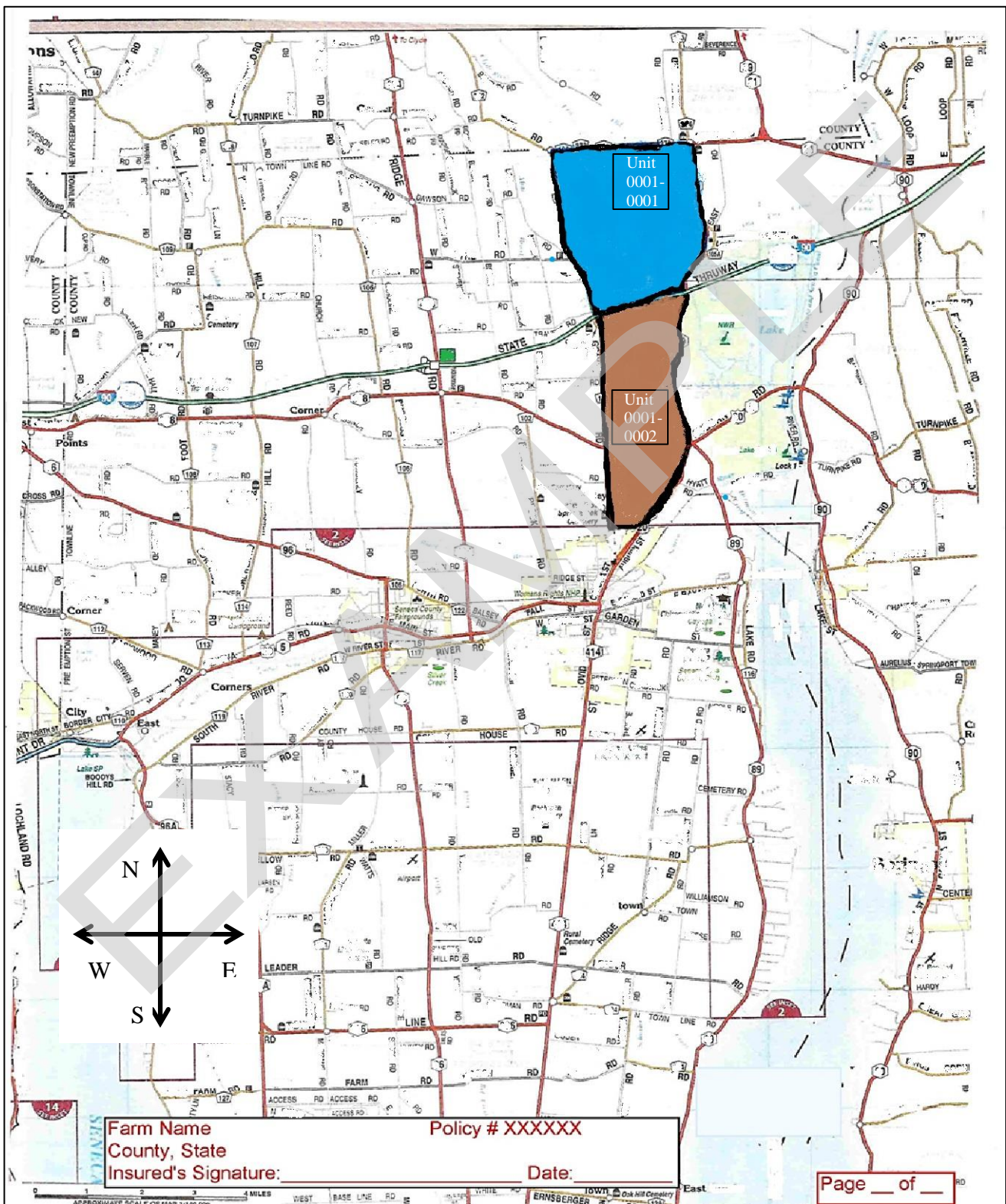
WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)

C. WUA Map/Photo Delineating Optional Unit Boundaries



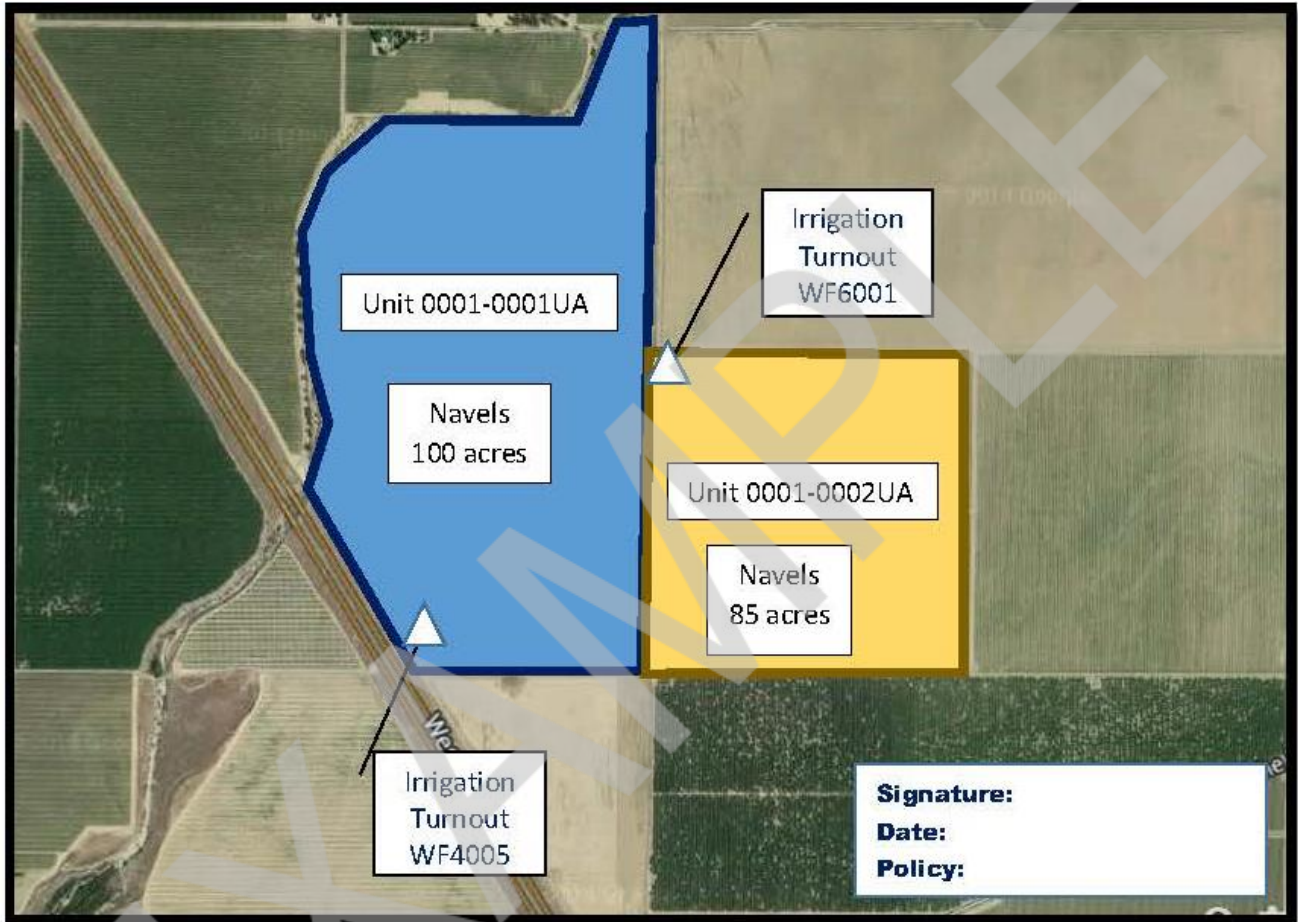
WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)

C. WUA Map/Photo Delineating Optional Unit Boundaries (continued)



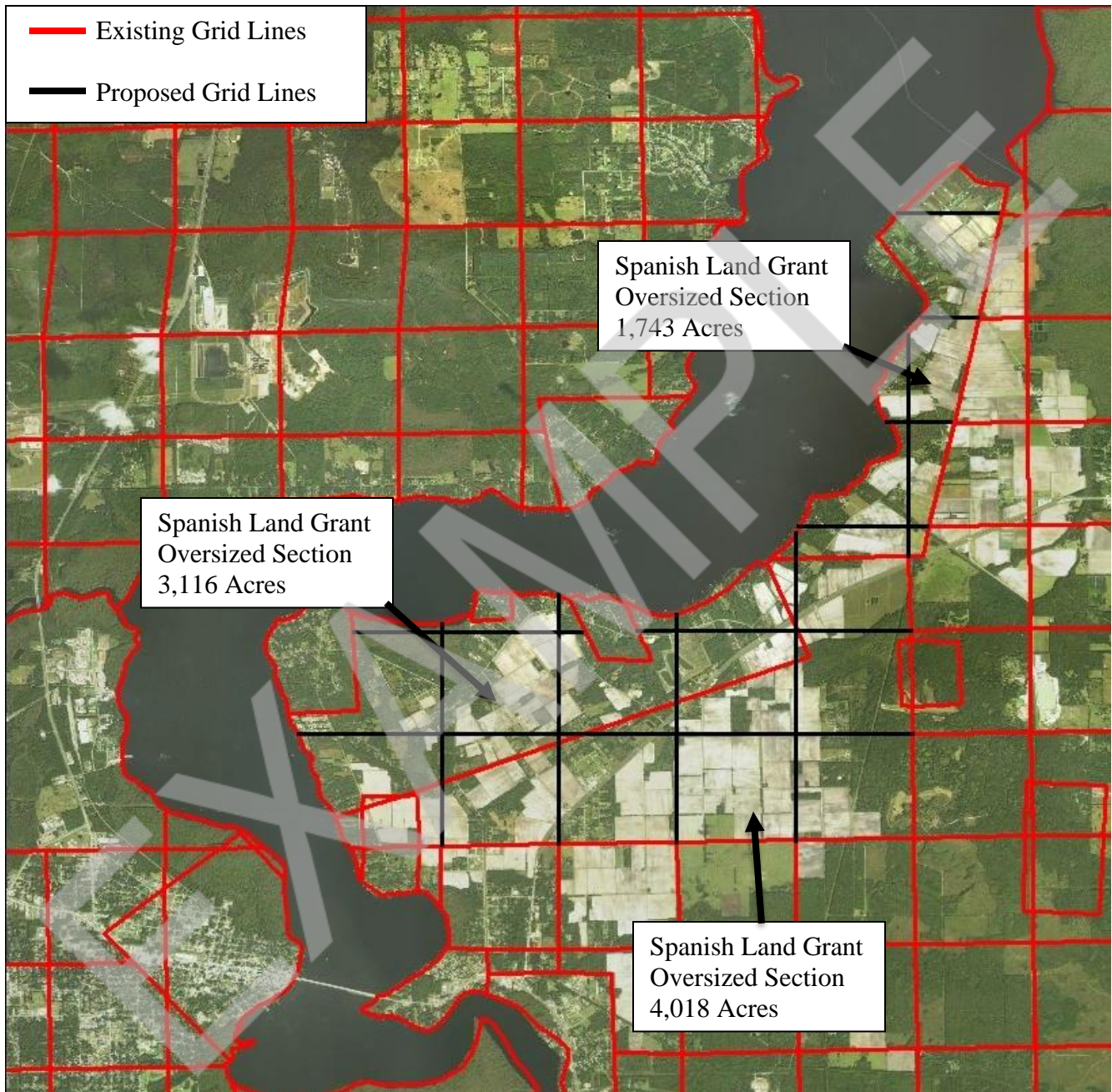
WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)

**D. WUA Map/Photo Delineating Optional Unit Boundaries for a Perennial Crop with Irrigation Features**



WUA Template Including Cover Letter, Addendum, and Map/Photo Examples (Continued)

**E. Annual Crops Residing in Oversized Sections Resulting from Spanish Land Grants  
Proposed Grid Example**



**Request for Information Letter and Multi-Year Cancellation Letter Template**

**A. Request for Information Letter Template**



United States  
Department of  
Agriculture

{Date}

Farm Production and  
Conservation

{AIP Field Office’s Name}  
{AIP Field Office’s Street Address 1}  
{AIP Field Office’s Street Address 2}  
{AIP Field Office’s City}, {AIP Field Office’s State Postal Code} {AIP Field  
Office’s Zip & Zip Extension}

Risk Management  
Agency

{RO City, RO State}  
Regional Office

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer’s Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

{RO Street Address  
1}

Request Type(s):

{RO Street Address  
2}

{Request Type Name 1}

{Request Type Name 2}

{RO City, RO State}  
{RO Zip – Zip Ext}

{Request Type Name 3}

{Request Type Name 4}

{RO Phone Number}  
{RO Fax Number}

***{Introduction with Freeform Statements}***

***{Body with Freeform Statements}***

*[Clearly explain what information is needed. Identify the date that the information is needed by (the request must identify the dates the information is needed by if the request is for additional required information beyond the minimum supporting documentation). Include any additional freeform comments, statements, or instructions, as necessary.]*

***{Closing with Freeform Statements}***

*[Contact Office Statement is optional.]*

*[Enclosure(s) Statement, if applicable.]*

---

(Approving Person’s Name)

(Approving Person’s Title)

*Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statement (Refer to DSSH for the applicable statements)*

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**Request for Information Letter and Multi-Year Cancellation Letter Template (Continued)**

**B. Multi-Year Cancellation Letter Template**



United States  
Department of  
Agriculture

{Date}

Farm Production and  
Conservation

CERTIFIED MAIL # {Certified Mail Number} – RETURN RECEIPT  
REQUESTED

Risk Management  
Agency

{Requestor’s Name}  
{Requestor’s Street Address 1}  
{Requestor’s Street Address 2}  
{Requestor’s City}, {Requestor’s State Postal Code} {Requestor’s Zip & Zip  
Extension}

{RO City, RO State}  
Regional Office

{RO Street Address  
1}  
{RO Street Address  
2}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer’s Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

{RO City, RO State}  
{RO Zip – Zip Ext}

Request Type(s):  
{Request Type Name 1} {Request Type Name 2}  
{Request Type Name 3} {Request Type Name 4}

{RO Phone Number}  
{RO Fax Number}

This letter notifies you that a multi-year written agreement in effect for your insurance policy is cancelled by the Risk Management Agency. This cancellation is effective beginning the *{enter crop year}* crop year.

***{Body with Freeform Statements}***

*[Clearly explain why the WA is cancelled. Include any additional freeform comments, statements, or instructions, as necessary.]*

***{Closing with Freeform Statements}***

*[Contact Office Statement is optional.]*  
*[Enclosure(s) Statement, if applicable.]*

CC: {AIP Field Office Name} {AIP Field Office City}, {AIP Field Office State  
Postal Code}

\_\_\_\_\_  
(Approving Person’s Name)  
(Approving Person’s Title)

*Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statement (Refer to DSSH for the applicable statements)*

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## Withdrawal Letter Template and Example

### A. Withdrawal Letter Template



United States  
Department of  
Agriculture  
Farm Production and  
Conservation  
Risk  
Management  
Agency

{Date}

{Requestor's Name}

{Requestor's Street Address 1}

{Requestor's Street Address 2}

{Requestor's City}, {Requestor's State Postal Code} {Requestor's Zip & Zip  
Extension}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer's Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

{RO City, RO State}  
Regional Office

{RO Street Address  
1}

{RO Street Address  
2}

{RO City, RO State}

{RO Zip – Zip Ext}

Request Type(s):

{Request Type Name 1} {Request Type Name 2}

{Request Type Name 3} {Request Type Name 4}

***{Introduction with Freeform Statements}***

***{Body with Freeform Statements}***

{RO Phone Number}

{RO Fax Number}

*[Provide a detailed explanation of the basis for withdrawal. Include any additional freeform comments, statements, or instructions, as necessary.]*

***{Closing with Freeform Statements}***

*[Contact Office Statement is optional.]*

*[Enclosure(s) Statement, if applicable.]*

---

(Approving Person's Name)

(Approving Person's Title)

CC: {AIP Field Office Name} {AIP Field Office City}, {AIP Field Office State  
Postal Code}

*Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statement (Refer to DSSH for the applicable statements)*

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**Withdrawal Letter Template and Example (Continued)**

**B. Withdrawal Letter Example**



United States {Date}  
 Department of  
 Agriculture {Requestor's Name}  
 Farm Production and {Requestor's Street Address 1}  
 Conservation {Requestor's Street Address 2}  
 Risk {Requestor's City}, {Requestor's State Postal Code} {Requestor's Zip & Zip  
 Management Extension}  
 Agency  
 {RO City, RO State} RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
 Regional Office Request Number} (AIP) For {Producer's Name}, Policy: {Policy Number} In  
 {Location County Name} County, {Location State Name}

{RO Street Address 1} Request Type(s):  
 {RO Street Address 2} {Request Type Name 1} {Request Type Name 2}  
 {RO City, RO State} {Request Type Name 3} {Request Type Name 4}  
 {RO Zip – Zip Ext}

{RO Phone Number} A written agreement previously issued to you for your insurance policy was  
 {RO Fax Number} not returned to this office within 15 business days after the expiration date.  
*[Alternative language for when the AIP signs rejection signature line on  
 behalf of producer (replace previous sentence): A written agreement  
 previously issued to you for your insurance policy was rejected by the  
 insurance company on your behalf.]* For this reason, the offer made in the  
 written agreement is now considered withdrawn. It is understood that your  
 insurance coverage will be in accordance with the insurance policy and any  
 changes previously offered in the issued written agreement are not applicable.

If you did sign this written agreement indicating your acceptance of the  
 offered terms and can provide evidence that it was timely signed and sent to  
 your insurance company, this office may reconsider withdrawal of the written  
 agreement. Please provide this office with any supporting evidence (such  
 evidence may include a certified mail receipt or other delivery receipt) within  
 30 calendar days of the date of this notice.

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**Withdrawal Letter Template and Example (Continued)**

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**B. Withdrawal Letter Example (continued)**

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location  
State Name}

If you have any questions, please contact this office.

---

(Approving Person's Name)

(Approving Person's Title)

*CC: {AIP Field Office Name} {AIP Field Office City}, {AIP Field Office State Postal Code}*

*Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination  
Statement (Refer to DSSH for the applicable statements)*

**Denial Letter Template and Examples**

**A. Denial Letter Template**



United States  
Department of  
Agriculture

{Date}

Farm Production and  
Conservation

Risk  
Management  
Agency

{RO City, RO State}  
Regional Office

{RO Street Address 1}  
{RO Street Address 2}  
{RO City, RO State}  
{RO Zip – Zip Ext}

{RO Phone Number}  
{RO Fax Number}

CERTIFIED MAIL # {Certified Mail Number} – RETURN RECEIPT  
REQUESTED

{Requestor’s Name}  
{Requestor’s Street Address 1}  
{Requestor’s Street Address 2}  
{Requestor’s City}, {Requestor’s State Postal Code} {Requestor’s Zip & Zip  
Extension}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer’s Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

Request Type(s):  
{Request Type Name 1} {Request Type Name 2}  
{Request Type Name 3} {Request Type Name 4}

***{Introduction with Freeform Statements}***

***{Body with Freeform Statements}***

*[Provide a detailed explanation of the basis for denial. If denying only a portion of the WA request, clearly identify the crops, land locations, etc., that are denied. Include the appropriate arbitration, administrative review, mediation, and appeal rights, if applicable. Include any additional freeform comments, statements, or instructions, as necessary.]*

***{Closing with Freeform Statements}***

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**Denial Letter Template and Examples (Continued)**

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**A. Denial Letter Template (continued)**

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location  
State Name}

*[Contact Office Statement is optional.]*  
*[Enclosure(s) Statement, if applicable.]*

---

(Approving Person's Name)  
(Approving Person's Title)

*CC: {AIP Field Office Name} {AIP Field Office City}, {AIP Field Office State Postal Code}*

*Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination  
Statement (Refer to DSSH for the applicable statements)*

**Denial Letter Template and Examples (Continued)**

**B. Denial Letter Due to Failed CI Example**



United States  
Department of  
Agriculture

{Date}

Farm Production and  
Conservation

Risk  
Management  
Agency

{RO City, RO State}  
Regional Office

{RO Street Address 1}  
{RO Street Address 2}  
{RO City, RO State}  
{RO Zip – Zip Ext}

{RO Phone Number}  
{RO Fax Number}

CERTIFIED MAIL # {Certified Mail Number} – RETURN RECEIPT  
REQUESTED

{Requestor’s Name}  
{Requestor’s Street Address 1}  
{Requestor’s Street Address 2}  
{Requestor’s City}, {Requestor’s State Postal Code} {Requestor’s Zip & Zip  
Extension}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer’s Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

Request Type(s):  
{Request Type Name 1} {Request Type Name 2}  
{Request Type Name 3} {Request Type Name 4}

Your crop appraisal does not meet the requirements for the potential yield set  
in the Basic Provisions of the Common Crop Insurance Policy. Therefore, we  
withdrew the agreement.

If you disagree with the results of the appraisal, you may seek arbitration with  
your insurance company, per section 20 in the Basic Provisions of the  
Common Crop Insurance Policy. You have one year from the date of the  
appraisal to seek arbitration.

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**Denial Letter Template and Examples (Continued)**

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**B. Denial Letter Due to Failed CI Example (continued)**

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location  
State Name}

If you have any questions, please contact this office.

---

(Approving Person's Name)

(Approving Person's Title)

*CC: {AIP Field Office Name} {AIP Field Office City}, {AIP Field Office State Postal Code}*

*Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination  
Statement (Refer to DSSH for the applicable statements)*

**Denial Letter Template and Examples (Continued)**

**C. General Applicability Letter Example**



United States  
Department of  
Agriculture

{Date}

Farm Production and  
Conservation

Risk  
Management  
Agency

{RO City, RO State}  
Regional Office

{RO Street Address 1}  
{RO Street Address 2}  
{RO City, RO State}  
{RO Zip – Zip Ext}

{RO Phone Number}  
{RO Fax Number}

CERTIFIED MAIL # {Certified Mail Number} – RETURN RECEIPT  
REQUESTED

{Requestor’s Name}  
{Requestor’s Street Address 1}  
{Requestor’s Street Address 2}  
{Requestor’s City}, {Requestor’s State Postal Code} {Requestor’s Zip & Zip  
Extension}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer’s Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

Request Type(s):  
{Request Type Name 1} {Request Type Name 2}  
{Request Type Name 3} {Request Type Name 4}

*{Add freeform entry where necessary.}*

**Generally, decisions of this nature are** not appealable; however, to request a review of appealability contact the National Appeals Division Regional Office serving your state. Requests may be submitted in writing to the address below or through the National Appeals Division website ([www.nad.usda.gov/content/file-appeal](http://www.nad.usda.gov/content/file-appeal)) within 30 calendar days of receiving this letter.

(Entry will be dependent on state)  
USDA-National Appeals Division  
(Applicable Name) Regional Office  
(Address)  
(City, State, Zip Code)  
(Other applicable contact information)

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**Denial Letter Template and Examples (Continued)**

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**C. General Applicability Letter Example (continued)**

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location  
State Name}

If you have any questions, please contact this office.

---

(Approving Person's Name)

(Approving Person's Title)

*CC: {AIP Field Office Name} {AIP Field Office City}, {AIP Field Office State Postal Code}*

*Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination  
Statement (Refer to DSSH for the applicable statements)*

Denial Letter Template and Examples (Continued)

**D. Administrative Review, Mediation, and Appeal Rights Letter Example**



United States  
Department of  
Agriculture

{Date}

Farm Production and  
Conservation

Risk  
Management  
Agency

{RO City, RO State}  
Regional Office

{RO Street Address 1}  
{RO Street Address 2}  
{RO City, RO State}  
{RO Zip – Zip Ext}

{RO Phone Number}  
{RO Fax Number}

CERTIFIED MAIL # {Certified Mail Number} – RETURN RECEIPT  
REQUESTED

{Requestor’s Name}  
{Requestor’s Street Address 1}  
{Requestor’s Street Address 2}  
{Requestor’s City}, {Requestor’s State Postal Code} {Requestor’s Zip & Zip  
Extension}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer’s Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

Request Type(s):

{Request Type Name 1}	{Request Type Name 2}
{Request Type Name 3}	{Request Type Name 4}

*{Add freeform entry where necessary.}*

If you believe that our decision is incorrect, you have the choice to file a request for an Administrative Review by the Agency, a request for mediation, or an appeal to the National Appeals Division (NAD), in writing, within **30 calendar days** of receipt of this decision.

For Administrative Review requests, the date a document is considered “filed” is either the date it is delivered in writing to our Regional Office, its postmark date, or the date that an email is received by the Regional Office.

If you choose to request an Administrative Review by the Agency and do not agree with the outcome, you will have the balance of the 30-calendar day period to request mediation.

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Denial Letter Template and Examples (Continued)**D. Administrative Review, Mediation, and Appeal Rights Letter Example (continued)**

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
 For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location State Name}

If you choose to request mediation, you **must** first request an Administrative Review by the Agency and allow for its completion. A request for mediation does not replace or limit your right to further appeal to NAD.

If you choose to request an Administrative Review by the Agency and do not agree with the outcome, you will be provided a new 30-calendar day period to request an appeal to NAD from the date you receive the Administrative Review decision.

If you elect not to request an Administrative Review and choose to go straight to NAD, you **cannot** go back and request an Administrative Review by the Agency or mediation.

If you do not file a timely request for one of these options, this will be the final notice on this matter.

**INSTRUCTIONS FOR REQUESTS FOR ADMINISTRATIVE REVIEW**

A request for Administrative Review must:

- Contain your personal signature with date;
- Specifically request an Administrative Review;
- Indicate the policy number;
- Note the date that you received the Agency decision;
- State why the decision is wrong;
- Include any and all additional supporting evidence that might justify the specific change you want; and
- Be mailed, emailed, or delivered by commercial delivery service to:

{RO Director}, Director  
 USDA, Risk Management Agency  
 {Applicable Name} Regional Office  
 {Address}  
 {City, State, Zip Code}  
 {Applicable RO Email Address}

Denial Letter Template and Examples (Continued)

## D. Administrative Review, Mediation, and Appeal Rights Letter Example (continued)

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
 For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location State Name}

**INSTRUCTIONS FOR REQUESTS FOR MEDIATION**

A request for mediation can only be requested after an Administrative Review has been completed and must:

- Contain your personal signature with date;
- Specifically request a mediation;
- Indicate the policy number;
- Note the date that you received the Agency decision;
- State why the decision is wrong;
- Include any and all additional supporting evidence that might justify the specific change you want; and
- Be provided in writing to the mediation service below, as well as, be mailed, emailed, or delivered by commercial delivery service to the Regional Office that made the decision (Regional Office contact information provided in "Instructions for Requests for Administrative Review").

*{Choose the applicable option below}*

*{Option 1}*

The address for the mediation service in your state is:

{Mediation Provider Name}

{Mediation Provider Address}

{City, State, Zip Code}

{Other Applicable Contact Information (i.e., phone, fax, etc.)}

*{Option 2}*

Your state **does not have** an identified mediation service. However, you may request mediation assistance from one of the following organizations:

National Association for Community Mediation ([www.nafcm.org](http://www.nafcm.org))

JAMS Mediation, Arbitration, and ADR Services ([www.jamsadr.com](http://www.jamsadr.com))

American Arbitration Association ([www.adr.org](http://www.adr.org))

**Denial Letter Template and Examples (Continued)**

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**D. Administrative Review, Mediation, and Appeal Rights Letter Example (continued)**

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
 For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location State Name}

**INSTRUCTIONS FOR REQUESTS FOR APPEAL TO NAD**

A request for NAD Appeal must:

- Contain your personal signature with date;
- Specifically request a NAD Appeal;
- Indicate the policy number;
- Note the date that you received the Agency decision;
- State why the decision is wrong;
- Include any and all additional supporting evidence that might justify the specific change you want; and
- Be provided in writing to NAD below, as well as, be mailed, emailed, or delivered by commercial delivery service to the Regional Office that made the decision (Regional Office contact information provided in "Instructions for Requests for Administrative Review").

The address for the NAD office which services your state is:

USDA-National Appeals Division  
 {Applicable Name} Regional Office  
 {Address}  
 {City, State, Zip Code}  
 {Other Applicable Contact Information (i.e., phone, fax, etc.)}

If you have any questions, please contact this office.

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(Approving Person's Name)

(Approving Person's Title)

CC: {AIP Field Office Name} {AIP Field Office City}, {AIP Field Office State Postal Code}

*Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statement (Refer to DSSH for the applicable statements)*

Denial Letter Template and Examples (Continued)

E. **Administrative Review Adverse Decision Letter Example**



United States  
Department of  
Agriculture

{Date}

Farm Production and  
Conservation

CERTIFIED MAIL # {Certified Mail Number} – RETURN RECEIPT  
REQUESTED

Risk  
Management  
Agency

{Requestor's Name}  
{Requestor's Street Address 1}  
{Requestor's Street Address 2}  
{Requestor's City}, {Requestor's State Postal Code} {Requestor's Zip & Zip  
Extension}

{RO City, RO State}  
Regional Office

{RO Street Address 1}  
{RO Street Address 2}  
{RO City, RO State}  
{RO Zip – Zip Ext}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP  
Request Number} (AIP) For {Producer's Name}, Policy: {Policy Number} In  
{Location County Name} County, {Location State Name}

{RO Phone Number}  
{RO Fax Number}

Request Type(s):  
{Request Type Name 1} {Request Type Name 2}  
{Request Type Name 3} {Request Type Name 4}

*{Add freeform entry where necessary.}*

If you believe that our decision is incorrect, you have the choice to file a request for mediation or an appeal to the National Appeals Division (NAD).

A request for mediation must be in writing and received by the mediation service no later than **{XX (Calculate by determining the number of days between the date the certified letter or WA offer was signed by the producer and the date a request for administrative review was received by the RO, add 6 for mailbox rule, and subtract that number from 30. If negative result, then 30 days.)} calendar days** from the receipt of this decision, which is the remaining balance of your initial 30-calendar day period. A request for mediation does not replace or limit your right to further appeal to NAD.

An appeal to NAD must be in writing and received by the NAD office within **30 calendar days** of receipt of this decision.

USDA is an Equal Opportunity Provider and Employer

**Denial Letter Template and Examples (Continued)**

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**E. Administrative Review Adverse Decision Letter Example (continued)**

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
 For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location State Name}

If you elect not to request mediation and choose to go straight to NAD, you **cannot** go back and request mediation.

If you do not file a timely request for one of these options, this will be the final notice on this matter.

{RO Director}, Director  
 USDA, Risk Management Agency  
 {Applicable Name} Regional Office  
 {Address}  
 {City, State, Zip Code}  
 {Applicable RO Email Address}

**INSTRUCTIONS FOR REQUESTS FOR MEDIATION**

A request for mediation must:

- Contain your personal signature with date;
- Specifically request a mediation;
- Indicate the policy number;
- Note the date that you received the Agency decision;
- State why the decision is wrong;
- Include any and all additional supporting evidence that might justify the specific change you want; and
- Be provided in writing to the mediation service below, as well as, be mailed, emailed, or delivered by commercial delivery service to the Regional Office that made the decision (Regional Office contact information provided above).

Denial Letter Template and Examples (Continued)**E. Administrative Review Adverse Decision Letter Example (continued)**

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
 For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location State Name}

*{Choose the applicable option below}*

*{Option 1}*

The address for the mediation service in your state is:

{Mediation Provider Name}

{Mediation Provider Address}

{City, State, Zip Code}

{Other Applicable Contact Information (i.e., phone, fax, etc.)}

*{Option 2}*

Your state **does not have** an identified mediation service. However, you may request mediation assistance from one of the following organizations:

National Association for Community Mediation ([www.nafcm.org](http://www.nafcm.org))

JAMS Mediation, Arbitration, and ADR Services ([www.jamsadr.com](http://www.jamsadr.com))

American Arbitration Association ([www.adr.org](http://www.adr.org))

### **INSTRUCTIONS FOR REQUESTS FOR APPEAL TO NAD**

A request for NAD Appeal must:

- Contain your personal signature with date;
- Specifically request a NAD Appeal;
- Indicate the policy number;
- Note the date that you received the Agency decision;
- State why the decision is wrong;
- Include any and all additional supporting evidence that might justify the specific change you want; and
- Be provided in writing to NAD below, as well as, be mailed, emailed, or delivered by commercial delivery service to the Regional Office that made the decision (Regional Office contact information provided above).

**Denial Letter Template and Examples (Continued)**

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**E. Administrative Review Adverse Decision Letter Example (continued)**

{Page Number}

RE: {Commodity Year} NBR: {RMA Request Number} (RMA); {AIP Request Number} (AIP)  
For {Producer's Name}, Policy: {Policy Number} In {Location County Name} County, {Location  
State Name}

The address for the NAD office which services your state is:

USDA-National Appeals Division  
{Applicable Name} Regional Office  
{Address}  
{City, State, Zip Code}  
{Other Applicable Contact Information (i.e., phone, fax, etc.)}

If you have any questions, please contact this office.

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(Approving Person's Name)  
(Approving Person's Title)

*CC: {AIP Field Office Name} {AIP Field Office City}, {AIP Field Office State Postal Code}*

*Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination  
Statement (Refer to DSSH for the applicable statements)*

**Statements**

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**Crop Never Planted Certification Statement**

I certify that I have never planted (enter crop requested for insurance) in (enter county name) County or the area.

Producer Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**Non-Irrigated Corn Grain Request (TC) Worksheet Example**

Producer Name _____ State _____ Other Information _____ _____ _____	Policy Number _____ County _____
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Producer's Data (include only non-irrigated corn acreage and production):							
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Most Recent 3 or 4 Years of Corn Planted By Year (Minimum 3 Years)	County Planted Acres	Acres Harvested as Grain	Acres Appraised as Grain	Acres Harvested or Appraised as Silage, or Grazed	Percent Grain of Total	Producer's County Wide Grain Production	Producer's County Wide Grain Yield

Instructions for filling out this worksheet:

Column 1: Crop year of acreage and production. For a more detailed description, see Paragraph 82 of the Written Agreement Handbook.

Column 2: All non-irrigated corn acreage planted in the county for the year. This should equal the total of columns 3, 4, and 5.

Column 3: All corn acreage harvested as grain, including ear corn for the crop year. Note: If the acreage was both appraised and harvested as grain, put the acreage in this column only (see column 4 instructions below).

Column 4: All acreage appraised as grain for the crop year and not harvested as grain.

Column 5: All acreage harvested or appraised as silage or grazed for the crop year (that is not in columns 3 or 4).

Column 6: Add columns 3 and 4 together, then divide by column 2, then multiply by 100 to get percent grain.

Column 7: Total bushels of grain harvested and appraised in the county for the crop year.

Column 8: Divide Column 7 by the sum of columns 3 and 4 (round to whole bushels).

Include the Certification Statement prior to the producer's signature (refer to the DSSH for the applicable statement).

Producer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Include Collection of Information and Data (Privacy Act) Statement and USDA Non-Discrimination Statement (refer to the DSSH for the applicable statements).

## Similar Crop Chart

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### A. General Information

- (1) Policy requirements for insurability must be met when considering a request.

**Example:** The entity requesting a WA for fresh market sweet corn must have grown fresh market sweet corn in at least one of the three previous years for commercial sale or participated in managing a fresh market sweet corn farming operation.

- (2) If a crop is not listed, check the specific RO website for your area of interest at [www.rma.usda.gov/en/RMALocal/Field-Offices/Regional-Offices](http://www.rma.usda.gov/en/RMALocal/Field-Offices/Regional-Offices) for potential exceptions or additions to this list.

### B. Nationwide Similar Crops

Category	Requested Crop	Similar Crop	Similar Crop	Similar Crop	Similar Crop
1	Buckwheat	All Cat. 1 Crops	Dry Beans	Triticale <sup>1</sup> – Spring Only	
1	Flax	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Dry Peas <sup>3</sup>	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Millet	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Mustard	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Rapeseed	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Spring Barley	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Spring Canola	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Spring Oats	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Spring Rye	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Spring Wheat	All Cat. 1 Crops	All Cat. 2 Crops	Triticale <sup>1</sup>	
1	Green Peas	Dry Peas			
1	Safflower <sup>2</sup>	Spring Wheat	Spring Barley	Spring Oats	Winter Wheat
2	Winter Rye	All Cat. 2 Crops	All Cat. 1 Crops	Triticale <sup>1</sup>	
2	Winter Barley	All Cat. 2 Crops	All Cat. 1 Crops	Triticale <sup>1</sup>	
2	Winter Canola	All Cat. 2 Crops	All Cat. 1 Crops	Triticale <sup>1</sup>	
2	Winter Oats	All Cat. 2 Crops	All Cat. 1 Crops	Triticale <sup>1</sup>	
2	Winter Rapeseed	All Cat. 2 Crops	All Cat. 1 Crops	Triticale <sup>1</sup>	
2	Winter Wheat	All Cat. 2 Crops	All Cat. 1 Crops	Triticale <sup>1</sup>	
3	Onions	All Cat. 3 Crops	Sweet Potato <sup>1</sup>		
3	Potatoes	All Cat. 3 Crops	Sweet Potato <sup>1</sup>		
3	Sugar Beets	All Cat. 3 Crops	Sweet Potato <sup>1</sup>		

**Similar Crop Chart (Continued)****B. Nationwide Similar Crops (continued)**

Category	Requested Crop	Similar Crop	Similar Crop	Similar Crop	Similar Crop
4	Corn	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
4	Cotton (Including ELS)	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
4	Dry Beans	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
4	Grain Sorghum	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
4	Hybrid Seed Corn	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
4	Hybrid Sorghum Seed	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
4	Peanuts	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
4	Popcorn	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
4	Soybeans	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
4	Sunflower	All Cat. 4 Crops	Hybrid Sweet Corn Seed <sup>1</sup>		
5	Fresh Market (FM) Tomatoes	Peppers	Chili Peppers <sup>1</sup>	Processing Tomatoes	
5	FM Sweet Corn	Peppers	Chili Peppers <sup>1</sup>	FM Tomatoes	Processing Sweet Corn
5	Peppers	Processing Tomatoes	Chili Peppers <sup>1</sup>	FM Tomatoes	
5	Processing Beans	Processing Tomatoes	Snap Beans	Peppers	Processing Sweet Corn
5	Processing Sweet Corn	FM Sweet Corn	Peppers	Processing Tomatoes	Processing Beans
5	Processing Tomatoes	FM Tomatoes	FM Sweet Corn	Peppers	
6	Apples	All Cat. 6 Crops	Cherries <sup>1</sup>		
6	Peaches	All Cat. 6 Crops	Cherries <sup>1</sup>		
6	Pears	All Cat. 6 Crops	Cherries <sup>1</sup>		
6	Prunes	All Cat. 6 Crops	Cherries <sup>1</sup>		
6	Stonefruit <sup>4</sup>	All Cat. 6 Crops	Cherries <sup>1</sup>		

**Similar Crop Chart (Continued)****B. Nationwide Similar Crops (continued)**

Category	Requested Crop	Similar Crop	Similar Crop	Similar Crop	Similar Crop
	Almonds	Walnuts			
	Blueberries	Stonefruit <sup>4</sup>	Peaches	Brambles	Cranberries
	Blueberries	Cherries <sup>1</sup>			
	Citrus Fruit	All Citrus			
	Cranberries	Blueberries			
	Figs	Contact RO			
	Grapes	Raisins			
	Macadamia Nuts	Contact RO			
	Rice	Cultivated Wild Rice			
	Sesame	All Cat. 4 Crops	Spring Planted Cat. 1 Crops		
	Sugarcane	Contact RO			
	Tobacco	All Tobacco Crop Codes			
	Walnuts	Almonds			
<sup>1</sup> Pilot crops are not eligible for XC WAs (unless allowed by the pilot CP), however may qualify as a similar crop for other crops as indicated.					
<sup>2</sup> For non-irrigated Safflower only.					
<sup>3</sup> Garbanzo Beans are insured as Chickpeas under the Dry Peas policy.					
<sup>4</sup> Stonefruit includes fresh and processing apricots, fresh and processing freestone peaches, processing cling peaches, fresh nectarines, and fresh plums.					

**C. Region Specific Similar Crops**

The following similar crop situations are limited to only those areas identified within the listed RO region.

## (1) Raleigh RO.

For the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, Soybeans may be used as a qualifying similar crop for the Green And Other Unlisted Types, Italian, Petite, and Wax types of Processing Beans.

## (2) Spokane RO.

- (a) For the states of Idaho, Oregon, and Washington, Dry Peas may be used as a qualifying similar crop for the Chickpeas/Garbanzo, Large Kabuli type of Processing Beans.
- (b) For the Southeastern Idaho counties only, Barley may be used as a qualifying similar crop for Green Peas.

**Applicable Native Sod Crops**

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(1) The crops listed below are applicable to the provisions under the 2014 Farm Bill (native sod acreage tilled from February 8, 2014, to December 20, 2018), as identified.

(a) The following annual crops are applicable to the reduction in premium subsidy and the reduction in yield guarantee does not apply:

Annual Forage	Chile Peppers	Fresh Market Sweet Corn
Fresh Market Tomatoes*	Hybrid Corn Seed	Hybrid Sorghum Seed
Peppers		

\*For the Dollar Amount of Insurance Plan only.

(b) The following annual crops are applicable to both the reduction in premium subsidy and the reduction in yield guarantee:

Barley	Buckwheat	Burley Tobacco
Cabbage	Camelina	Canola
Cigar Binder Tobacco	Cigar Filler Tobacco	Cigar Wrapper Tobacco
Corn	Cotton	Cotton Extra Long Staple
Cucumbers	Cultivated Wild Rice	Dark Air Tobacco
Dry Beans	Dry Peas	Fire Cured Tobacco
Flax	Flue Cured Tobacco	Fresh Market Beans
Fresh Market Tomatoes**	Grain Sorghum	Green Peas
Maryland Tobacco	Millet	Mustard
Oats	Onions	Peanuts
Popcorn	Potatoes	Processing Beans
Pumpkins	Rice	Rye
Safflower	Sesame	Silage Sorghum
Soybeans	Strawberries	Sugar Beets
Sugarcane	Sunflowers	Sweet Corn
Sweet Potatoes	Tomatoes	Wheat

\*\*For the Actual Production History Plan of Insurance only.

(2) Under the 2018 Farm Bill (native sod acreage tilled December 21, 2018, and later), all insurable crops are subject to the reductions in benefits. For crops that do not have a yield guarantee, only the reduction in premium subsidy applies. For crops that do have a yield guarantee, both the reduction in premium subsidy and reduction in yield guarantee apply.

(3) For crops insured under Area Risk Protection Insurance, the protection factor is limited to 65%.

(4) For crops insured under the Rainfall and Vegetation Index Plan, the productivity factor is limited to 65%.