

A. Non-irrigated Acreage

For non-irrigated acreage to qualify for PP due to drought:

(1) The insured must provide verifiable documentation acceptable to the AIP that the acreage prevented from being planted has insufficient soil moisture for germination of seed or progress toward crop maturity due to a prolonged period of dry weather.

(a) “Insufficient soil moisture for progress toward maturity” means the crop may germinate but there is insufficient moisture to sustain the germinated plants.

There rarely is enough soil moisture at the time a crop is planted to carry the crop to full maturity. Normally, a non-irrigated crop depends on expected seasonal rains throughout the growing season to mature.

(b) The amount of rainfall needed to permit sufficient soil moisture to allow germination and crop production is determined by experts based on the crop, area in which it is grown, and other relevant factors. Once that amount is known, area data from the NWS can be used to determine whether there was adequate rainfall to provide sufficient soil moisture.

(2) The AIP must be able to verify that:

(a) Insufficient moisture conditions existed on the FPD or within the LPP, regardless of whether rain subsequently falls or is expected to fall. To eliminate any questions about the soil moisture content of the acreage in question, the insured may submit a written soil moisture profile/report of the acreages in question from a disinterested third party that is knowledgeable in determining soil moisture (retain in the insured’s claim file).

(b) Documentation (i.e., published material or written opinions) from agricultural experts for the insured PP crop states that the amount of soil moisture needed to germinate seed or for progress toward maturity is not available. Agricultural experts must be disinterested third parties to the insured. This written opinion must be based on the crop, area in which the crop is grown, soil type in which the crop is grown, and other relevant factors. Refer to the definition of “agricultural expert” in the GFP Determination Standards Handbook, or BP. The name or copy of a published material (or if applicable, the written opinion from the agricultural expert) must be retained in the insured’s claim file.

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(3) The insured must provide verifiable documentation acceptable to the AIP of a prolonged period of dry weather that is general in the area. The documentation must be verifiable by the AIP using information collected by sources whose business it is to record and study the weather, including but not limited to local weather reporting stations of the NWS.

(a) Examples of other sources that can be used:

(i) Any university that records and studies the weather

(ii) Local weather forecasters’ reports provided AIPs obtain the source data of such reports.

(b) Examples of some (but not all) sources that cannot be used because they are not from sources that are in the business of recording and studying weather are:

(i) Farm records

(ii) Written opinions from CES

(iii) Soil moisture indices

(iv) Newspaper reports

(c) The U.S. Drought Monitor may be used to show severe drought or worse (D2, D3, or D4) on the FPD or during the LPP for the area but cannot be used alone.

Before it can be used, the AIP must verify that the insured acreage experienced the same drought conditions or level of rainfall.

(4) The acreage must be located in an area where other producers farming acreage with similar characteristics are also prevented from planting the crops, and this can be verified by the AIP.

However, in the case of drought, other growers may anticipate a return of average precipitation and still plant while other growers may not. When both cases are considered to be GFPs, RMA recognizes both planted and PP acreage may exist in the same area.

Acceptable verification for the AIP could include (but is not limited to) the following:

(a) Maps identifying the location of others in the area with acreage of similar characteristics that were prevented from planting;

(b) Soil conservation maps identifying soil types;

(c) Statements from other producers describing soil types on which they were prevented from planting; and

(d) Agricultural expert statements detailing similar soil types between the insured's fields and other producers who have been prevented from planting.

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(5) Items in (1)-(4) must be proven separately, i.e., an NRCS drought advisory alone does not provide the documentation that the crop would not have germinated and progressed the crop to maturity, unless the advisory also specifically states that the soil is too dry for the germination or production of the crop. Likewise, documentation of inadequate rainfall for the area by itself does not indicate the crop would not germinate or progress to maturity.

(6) Documentation to be retained in the insured's claim file:

(a) The insured's documentation, as required above; and

(b) Documentation of the materials the AIP used to make the above verifications and/or retention of the materials/data used to make the verifications.