

## Replanting

### Small Grains Crop Provisions:

Whenever the Special Provisions designate both fall and spring final planting dates, winter wheat that is damaged before the spring final planting date, to the extent that growers in the area would normally not further care for the crop, must be replanted to a winter type of the insured crop to maintain insurance based on the winter type unless we agree that replanting is not practical. If it is not practical to replant to the winter type of wheat but is practical to replant to a spring type, you must replant to a spring type to keep your insurance based on the winter type in force. Any winter wheat acreage that is replanted to spring wheat when it was practical to replant the winter type will be insured as the spring type and the premium and Final Guarantee applicable to the spring type will be used. In this case, the acreage will be considered to be initially planted to the spring type. If you have elected coverage under the Winter Coverage Endorsement (if available in the county), insurance will be in accordance with the option.

**Payments** for small grains not based on the insured's actual cost per acre but are based on the individual provisions. For wheat, the maximum amount of the replanting payment per acre will be the lesser of 20.0 percent of the Minimum Guarantee or 4 bushels, times the Base Price times share.

### 9. Replanting Payments

(a) A replant payment is allowed as follows:

- (1) In lieu of provisions in section 14 of the Basic Provisions that limit the amount of a replant payment to the actual cost of replanting, the amount of any replanting payment will be determined in accordance with these crop provisions;

### General

B Written consent must not be given until the AIP is satisfied:

- (1) It is no longer practical to replant to the same initially planted crop when consent is being given to go to another crop and to finalize the claim. **AIPs must be cautious about prematurely releasing acreage to go to a second crop, especially in situations where there is a lighter stand, there are dry soil conditions, there is the possibility that precipitation may occur or there is sufficient time to produce a crop before the calendar date for the EOIP.** Winter and spring types are considered the same crop - see exception for spring crop planted in counties having only winter types in PAR. 65 D. Refer to PAR. 65 B for definition for "Practical to Replant" and for crop policy/provisions requiring processor contracts.

### A When an Insured Must Replant (Annual Crops)

Basic Provisions:

The section in the Basic Provisions entitled Insurable Acreage provides that when the crop is damaged and it is "Practical to Replant," the crop must be replanted in order to maintain insurability. Therefore, acreage damaged after the final planting date must not be released for other use UNTIL it is no longer practical to replant.

- (a) **Acreage planted to the insured crop in which you have a share is insurable except acreage:**
  - (4) **On which the insured crop is damaged and it is practical to replant the insured crop, but the insured crop is not replanted;**

Small Grains states:

***Whenever the Special Provisions designate both fall and spring final planting dates, winter wheat that is damaged before the spring final planting date, to the extent that growers in the area would normally not further care for the crop, must be replanted to a winter type of the insured crop to maintain insurance based on the winter type unless we agree that replanting is not practical.***

#### **B Practical To Replant**

- (1) The definition of Practical to Replant in the Basic Provisions is as follows: "The AIPs determination after loss or damage to the insured crop based on all factors, including, but not limited to moisture availability, marketing window, condition of the field, and time to crop maturity, that replanting the insured crop will allow the crop to attain crop maturity prior to the calendar date for the EOIP. It will be considered to be practical to replant regardless of availability of seed or plants or the input costs necessary to produce the insured crop such as those that would be incurred for seed or plants, or irrigation water."
- (2) In regard to the definition of Practical to Replant in (1) above: Some crop provisions may provide additional or modified requirements/factors in order for it to be considered "practical to replant," such as, availability of seeds or plants. Refer to some examples in item (3) below.
  - (a) Irrigation water is from sources (reservoirs, etc.) historically obtained by the insured. (If water is only available from non-traditional sources and cost is excessive, replanting may not be practical.)
  - (b) The specific crop provisions or SPOs may have different provisions regarding "practical to replant."

#### **F When It Is Practical to Replant**

If the AIP determines it is practical to replant any acreage (subparagraphs A-E above), it cannot be released to go to another crop. If the insured does not replant or is going to plant to another crop; the AIP:

- (1) WILL NOT pay an indemnity on such acreage; and
- (2) WILL revise the acreage report to remove such acreage and the acreage must be designated as uninsurable in the "remarks" section of the acreage report.

#### **G When the AIP Determines It Is (Was) Not PRACTICAL to Replant**

- (1) **AIPs must be cautious to not prematurely determine that it is not practical to replant, especially in situations where there is a lighter stand, dry soil conditions, and the possibility that precipitation may occur or there is sufficient time to produce a crop before the calendar date for the EOIP.**
- (2) **Insured notifies AIP of intent to replant, but the AIP determines it is NOT PRACTICAL TO REPLANT**
  - (a) During the farm visit, appraise the acreage. Inform the insured that it is not practical to replant the crop (subparagraph B above), but the AIP will release the acreage for ANOTHER USE if the insured desires. **(Replanting to the same crop under any practice is not putting the acreage to another use and is not considered a second crop except as stated in PAR. 65 D or UNLESS the AIP determines it is NOT PRACTICAL TO REPLANT).**
  - (b) If the entire unit acreage is damaged and the AIP determines it is NOT PRACTICAL TO REPLANT, the claim can be finalized AFTER the insured certifies that the entire unit acreage was put to another use or a second crop. (If the entire unit is released to go to another use or a second crop, a Certification Form must be left with the insured, refer to PAR. 66.)

- (c) **Documentation of Determination that It is Not Practical to Replant** AIPs must document all sources of information used to make the determination that it was not practical to replant. This documentation must be retained in the insured's file folder.

Notified