



Big Horn County
Farm Service Center
408 Greybull Ave.
Greybull, WY 82426
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Office Hours:
8:00 – 12:00 & 12:30 – 4:30

www.fsa.usda.gov
www.nrcs.wy.usda.gov

February 2009

Farm Service Agency County Committee

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Jan Barnett- Vice Chairman
Wilford Tippetts- Regular Member

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The Big Horn Bulletin

Direct and Counter Cyclical Signup Announced

The Food, Conservation, and Energy Act of 2008 (2008 Act) was enacted on June 18, 2008. The 2008 Act provided for the continuation of DCP for 2008 through 2012. Signup for the 2009 DCP started on **December 22, 2008** and will run until **June 1, 2009**. The 2008 Act, doesn't provided any provisions for late filed applications, so all producers on the farm must sign the application (CCC-509) by June 1, 2009 for the farm to be enrolled for the 2009 payment. Each eligible producer on a farm will be given the opportunity to annually enroll in a DCP or Average Crop Revenue Election (ACRE) program contract.

Direct payments will be computed by multiplying 83.3 percent of the covered commodity base acres times, the payment yield, times the payment rate for that commodity, times the producers share of the commodity. Advance payments may be made any month throughout the year prior to October 1, 2009, at 22 percent of the total payment.

Counter cyclical payments are authorized for a covered commodity when the effective price for the commodity is less than the target price for the commodity. These payments will be computed by multiplying 85 percent of the commodity base acres, times the payment yield, times the payment rate, times the producers share of the commodity. The Counter cyclical payment rate is determined by subtracting the effective price for the commodity from the target price.

It is very important that when the DCP signup is completed that you are sure of your 2009 farming interests. If advance payments are made and then a change to your operation occurs you will be required to refund the advance payment plus interest from the date of dispersal.

Farms that were previously enrolled in the DCP program with 10.0 base acres or less will not be eligible for the 2009-2012 enrollments. However, the prohibition does not apply to a farm that is wholly owned by a socially disadvantaged or limited resource farmer or rancher.

The same Fruits and Vegetable planting flexibility provisions apply as before. If you have a history of planting beans on your farm, then your farm payment will have an acre for acre payment reduction. If you don't have a history on your farm of planting beans you could be facing a contract violation. It is best to plan ahead and check with this office before enrolling your farm if you are planning to plant beans, so we can advice you of your eligible acres and options.

The 2009 payment rate for covered commodities is as follows:

Barley \$0.24/bu., Corn \$0.28/bu., Grain Sorghum \$0.35/bu., Oats \$0.024/bu.,
Wheat \$0.52/bu.

Administrative Information

Signature Authority for Spouses

Husbands and wives may sign documents for each other for programs in which either has an interest, unless written notification denying a spouse this authority has been submitted to our office. Spouses may not grant a Power of Attorney to another person for each other. Spouses may not sign a promissory note for a commodity loan, a CRP contract, or a debt settlement for each other without an FSA Power of Attorney signed giving them authority.

Controlled Substance Violations

Persons convicted of planting, cultivating, growing, harvesting or storing a controlled substance in any crop year shall be ineligible for Federal program benefits during the crop year of conviction and the four succeeding crop years.

Agriculture Foreign Investment Disclosure Act (AFIDA)

AFIDA requires foreign persons or entities who acquire, transfer, or hold a 5 percent or greater interest in agriculture land or who gross \$1000 or more from any agriculture land report this information to the Secretary of Agriculture. The information must be reported within 90 days. This information must be reported to the local FSA office.

Reasonable Accommodations

Special accommodations will be made upon request for individuals with disabilities, vision impairments, or hearing impairment. Please call this office if assistance is needed.

Direct Deposit Changes

Remember to notify FSA if you have changed bank accounts or your bank ownership has changed. Payments are made by direct deposit to the bank account FSA has on file. Payments are delayed if you have made changes and you have not informed FSA.

Farm Changes

As always you are required to notify our office of any changes in your farming operation for 2009. Did you buy some new land? Are you renting different land or have your shares changed for 2009? Do you have a new address? Did you form a new entity? Producers are responsible for notifying FSA of any changes regarding your farming operation.

Farm Storage Facility Loans

Low cost loans for storage facilities are available for producers to build or remodel farm storage facilities for a variety of commodities, including small grains, course grains, and oilseeds. The seven-year Farm Storage Facility Loans are available for the purchase and installation of eligible storage facilities, permanently affixed drying or handling equipment, or remodeling existing facilities. Eligible facilities include new conventional-type cribs or bins and new and remanufactured oxygen-limiting and other upright silo-type structures.

All Farm Storage Facility Loans are secured by a promissory note and security agreement. The maximum amount that may be borrowed is 85 percent of the net cost of the storage or handling equipment, up to \$100,000 for each borrower. A minimum down payment is also required and multi peril crop insurance coverage for all crops. For details and a current interest rate contact this FSA office.

NAP Coverage Deadlines

Noninsured Crop Disaster applications are due at different times according to the crop being insured. Producers should apply for Noninsured Crop Disaster Assistance Program (NAP) coverage using form CCC-471 (Application for Coverage). Related service fees are due when the application is filed. The application and service fee MUST be filed by the crop deadline date of **April 1, 2009** for spring seeded crops.

The service fee is \$250 per crop per county or \$750 per producer per county. The fee cannot exceed a total of \$1875 per producer for individuals with farming interests in multiple counties. Limited resource producers may request a waiver for service fees.

To qualify, a producer must be a landowner, tenant or sharecropper who shares in the risk of producing an eligible crop.

Payment Limits and Direct Attribution

For commodity and disaster programs under the new farm bill, the AGI limitation was reduced from \$2.5 million from all sources to a three-year average **non-farm AGI of \$500,000** such that a person or entity shall not be eligible for such programs if the non-farm AGI exceeds \$500,000. Also, under the new regulations, an individual or entity must have a 3-year average AGI less than or equal to \$750,000 per year from farm income in order to qualify for direct payments issued under the Direct and Counter-cyclical Program.

For conservation programs, the average nonfarm AGI limitation is \$1 million or less for eligibility. However, an individual or entity who has non-farm AGI in excess of \$1 million remains eligible for conservation programs only if 66.66 percent or more of the total AGI is derived from farming, ranching and forestry operations. In addition, the AGI limitation for conservation programs may be waived on a case-by-case basis if it is determined that environmentally sensitive land of special significance would be protected.

Program payments are limited by direct attribution to individuals or entities. A legal entity is defined as an entity created under Federal or State law that owns land or an agricultural commodity, product or livestock. Through direct attribution, payment limitation is based on the total payments received by the individual, both directly and indirectly. Qualifying spouses are eligible to be considered separate persons for payment limitation purposes, rather than being automatically combined under one limitation.

Individuals and entities must be "actively engaged in farming" with respect to a farming operation in order to be eligible for specified payments and benefits. To be "actively engaged in farming," the individual or entity must make significant contributions to the farming operation of: (1) capital, equipment, land, or a combination; and (2) personal labor or active personal management, or a combination. For more detailed information contact your local FSA office.

Commodity Loans Available For 2008 Commodities in storage

Marketing Assistance loans (MAL) are available for producers who share in the risk of producing the crop. To be eligible, you must maintain beneficial interest in the crop through the time of application. Beneficial interest means retaining the ability to make decisions about the commodity; and title to the commodity. Once beneficial interest in a commodity is lost, the commodity is ineligible for loan — even if you regain beneficial interest. For commodities to be eligible they must have been produced by an eligible producer, be in existence and in a storable condition and be merchantable for food, feed or other uses as determined by CCC. Producers do not have to participate in the Direct and Counter-Cyclical Program to be eligible for commodity loans. The quality of the commodity in farm storage must be maintained throughout the term of the loan.

The 2008 loan rate for corn in Big Horn County is \$2.17/bushel and wheat is 2.68/bushel. The current (February) interest rate is 1.375%. If you plan on holding your crop for awhile and need some operating money until the commodity is sold, a MAL might just be a good option to look at. If interested, contact this office for more details. The deadline for applying for a wheat loan is March 31, 2009, and a corn loan, May 31, 2009.

Crop Disaster Program Deadline

The deadline to file your Quality loss application, for the 2005-07 Crop Disaster Program, is **February 27, 2009**. If you had any rejected barley or any other quality losses in any of these years please contact this office to see if you would be eligible for a quality loss payment.

UNITED STATES DEPARTMENT
OF AGRICULTURE
Big Horn County FSC
408 Greybull Ave.
Greybull, WY 82426-2037

Return Service Requested

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Special Accommodations will be made for the physically handicapped, vision- or hearing-impaired person upon request. If accommodations are required, please call Bryan Schoenfelder, CED at (307)765-2689.

Farm Loan Programs – “Lender of First Opportunity”

The Farm Service Agency (FSA) offers loans for farmers and ranchers to purchase farmland and finance agricultural operations. FSA loan programs are designed to help producers who are temporarily unable to obtain private or commercial credit. In many cases, applicants are beginning farmers who have insufficient net worth to qualify for financing through a commercial lender. In other instances, borrowers might have suffered setbacks from natural disasters or might be persons with limited resources.

Farm ownership loans or farm operating loans may be obtained as direct loans for a maximum of up to \$300,000. Currently guaranteed loans can reach a maximum indebtedness of \$1,094,000. Emergency loans are always direct loans for farmers who may have suffered physical or production losses in disaster areas designated by a Presidential or Secretarial disaster declaration. Rural Youth Loans, Loans to Beginning Farmers and loans for socially disadvantaged applicants are also available through FSA.

For detailed information, just contact the county office staff for an appointment with a farm loan officer.

Important Dates

February 27, 2009 – CDP Quality Deadline
March 15, 2009 – Crop Insurance Deadline
March 31, 2009 – Wheat Loan Deadline
April 1, 2009 – NAP Spring Crop Deadline