

April 2009

Apache County FSA News

St Johns, AZ
FSA Program Delivery
Office

Apache County FSA
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Hours
Monday - Friday
7:30 A.M.-4:30 P.M.
Closed Legal Holidays

County Committee
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Fay Pase, V-Chair
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LIVESTOCK INDEMNITY PROGRAM

The **Livestock Indemnity Program (LIP)** is designed to compensate producers for livestock death losses in excess of normal mortality rates directly due to adverse weather disasters, as declared by the Secretary of Agriculture, that occurred on or after January 1, 2008, and before October 1, 2011. **Drought is not an eligible condition for this program.** Producers who had livestock deaths due to adverse weather conditions should document these losses as to the kind, weight range, number of livestock, and the date the animals were lost. Producers must have proof of death of livestock by the following means:

- Rendering truck receipts or certificates
- Veterinary records
- Dairy herd improvement records
- Third-party verification

The third party must certify in writing their name, address, telephone number, affiliation of the third party to the participant, details of knowledge of livestock deaths, and the number and kinds of livestock. The third party may not be someone who is affiliated with the operator, such as a hired hand, or family member. Producers should also document the loss by taking photos of the animal, keep veterinary records, record disposal costs and secure third-party verification.

At this time, the forms and procedure for taking loss applications are not yet available at your county FSA office. Maintaining records of your losses is important in order to be eligible if program funding becomes available.

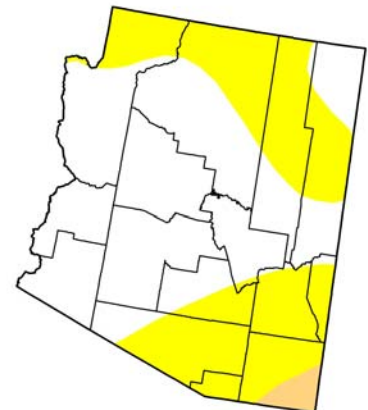


LIVESTOCK FORAGE LOSS PROGRAM

The 2008 Farm Bill established a new Supplemental Ag Disaster Assistance Program. One of the components of this new program is the **Livestock Forage Disaster Program (LFP)**. The LFP compensates ranchers for forage losses due to;

1. **Drought**, on land that is either of the following:
 - Native or improved pastureland with permanent vegetative cover
 - Planted to a crop specifically for providing grazing
2. **Fire**, on rangeland managed by a Federal agency if the eligible livestock producer is prohibited from grazing the normal permitted livestock on the managed rangeland.

Under LFP, livestock producers are compensated for drought related losses based upon the severity of the drought as determined by the U.S. Drought Monitor. Payments will be made to livestock producers with owned or leased grazing land or pasture land physically located in a county with the following U.S. Drought Monitor designations:





- a **D2 (severe drought)** intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the county. Under this designation, livestock producers will be eligible to receive a payment equal to 1 monthly payment
- a **D3 (extreme drought)** intensity in any area of the county at any time during the normal grazing period for the county. Under this designation, livestock producers will be eligible to receive a payment equal to 2 monthly payments.
- a **D3** for at least 4 weeks during the normal grazing period for the county, or **D4 (exceptional drought)** intensity in any area of the county during the normal grazing period for the county. Under this designation, livestock producers will be eligible to receive a payment equal to 3 monthly payments.

The US Drought Monitor can be found on the web at the following address:
<http://www.drought.unl.edu/dm/monitor.html>

The above referenced monthly payments correspond to the feed needs of your livestock inventory or the value of the grazing land available whichever is less.

Again, this program is ONLY available when the county reaches one of the eligible levels of drought during the normal grazing period. WE ARE NOT ELIGIBLE AT THIS TIME. Notification of eligibility and a signup period will be given if we do become eligible.

AS STATED IN PREVIOUS NEWSLETTERS, NAP COVERAGE FOR GRAZING LAND IS REQUIRED FOR LFP ELIGIBILITY. THE DEADLINE FOR 2009 NAP WAS DECEMBER 1, 2008. THEREFORE, IF YOU DID NOT APPLY FOR 2009 NAP COVERAGE, YOU WILL BE INELIGIBLE FOR 2009 LFP IF IT BECOMES AVAILABLE. MAKE SURE YOU CONSIDER APPLYING FOR NAP COVERAGE FOR 2010 BY **OCTOBER 31, 2009** AS OUTLINED IN THIS NEWSLETTER. THIS WILL INSURE YOUR ELIGIBILITY FOR A POSSIBLE 2010 LFP.

WOOL/MOHAIR 2009 BENEFITS

It's that time of year again. Time to file your 633-EZ Page 1 so that your wool and mohair will be eligible for payment.

DO NOT WAIT UNTIL YOU ARE READY TO SELL TO SIGN THE FORM. The form must be RECEIVED in this office before you sell your wool/mohair. Producers should complete page one of the EZ form as soon as possible. Once page one is completed, producers can request benefits any time **up until January 31, 2010.**

Page 1 of the 633-EZ was mailed to all wool and mohair producers that applied for benefits in prior years. **Please sign and return the form to this office as soon as possible so your wool and mohair is covered.**

When you sell your wool and mohair there is another form that must be completed.

Please see our scheduled chapter visits in this newsletter.

NON INSURED CROP DISASTER ASSISTANCE PROGRAM (NAP)

NAP benefits are based on a producer's individual crop losses and covers all non insurable, commercially grown crops produced for food and fiber. NAP is available to those producers who share in the risk of producing a crop. Crop losses must be as a result of a weather-related disaster condition such as: drought, hail, excessive moisture, freezing conditions, excessive wind, hurricane, or other related conditions. Coverage costs \$250 per crop per county, up to \$750 maximum for single county farmers or ranchers and \$1,875 for multi-county operators.

Application filing dates for 2009 crops have passed. Filing dates for 2010 are as follows:

Native Rangeland- October 31, 2009

Small Grains (Wheat, Barley, Oats)- October 31, 2009

Alfalfa, Alfalfa/Mix, Sudan, and other forage crops- October 31, 2009

Coarse Grains (Corn, Grain Sorghum)- February 28, 2010

Producers with NAP coverage are required to 1) file a Notice of Loss the earlier of 15 days of the date of a disaster or 15 days of when a loss is apparent,

2) timely file an acreage report (May 15- small grains, alfalfa and July 15- native range, coarse grains), and 3) keep track of harvested production using acceptable methods. **You must also provide land documentation (leases, deeds, grazing and land use permits).**

If you have any question, please contact the



county office for more information.

REMEMBER- Participation in NAP on grazing land is required to be eligible for the Livestock Forage Disaster Program (LFP).

ANNUAL PAYMENT LIMITATION REQUIREMENTS NOTIFICATION

Payments and benefits under certain FSA programs are subject to some or all of the following:

- Payment limitation by direct attribution
- Payment limitation amounts for the applicable programs
- Actively engaged in farming requirements
- Cash-rent tenant rule
- Foreign person rule
- Average AGI limitations

No program benefits subject to limitation will be provided until **all** required forms for the specific situation are provided and necessary payment eligibility and payment limitation determinations are made.

Payment eligibility and payment limitation determinations may be initiated by the county committee or requested by the producer. After 2009, a farm operating plan is **not** required to be filed annually, if the farming operation continues to be conducted as reflected on the farm operating plan and supporting documents are on file in the County Office.

If any changes occur that could affect an actively engaged in farming, cash-rent tenant, foreign person, or average AGI determination, producers **must** timely notify the County Office by filing revised farm operating plans and/or supporting documentation, as applicable. Failure to timely notify the County Office may adversely affect payment eligibility.

There are statutory provisions that require entities, earning program benefits that are subject to limitation, to provide the names, addresses, and TIN's of the entities' members to the county committee.

All applicable payment eligibility and payment limitation forms submitted by producers are subject to spot check through the end-of-year review process. If selected for review, producers must provide documentation to substantiate contributions of capital, land, and/or equipment and labor and/or management. This includes but is not limited to: Operating loan documents, income and expense ledgers, cancelled checks, land leases, property tax statements, equipment listings, equipment lease agreements, labor/management documentation, crop sales documents, legal documents and contracts, etc. A determination of **not** actively engaged

farming results in the producer being ineligible for any payment or benefit requiring a determination of actively engaged in farming.

Noncompliance with AGI provisions, either by exceeding the applicable limitations or by failure to submit a certification statement, will result in the determination of ineligibility for **all** program benefits subject to AGI provisions; program benefits shall be reduced in an amount that is commensurate with the direct and indirect interest held by an ineligible person or legal entity in any legal entity, general partnership, or joint operation that receives benefits subject to the average AGI limitations.

DISASTER BUY-IN WAIVER EXTENSION

Producers who did not obtain crop insurance or Non-Insured Crop Disaster Assistance Program (NAP) coverage for 2008 can pay a buy-in fee through May 18, 2009, to become eligible for 2008 disaster assistance programs authorized by the Food, Conservation, and Energy Act of 2008.

Farmers have an additional opportunity to become eligible for several programs if they suffered 2008 agricultural losses due to natural disaster.

If you have not already taken the necessary steps to become eligible for the Supplemental Revenue Assistance Program (SURE), Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish (ELAP), and the Tree Assistance Program (TAP), you are required to complete the following steps by May 18, 2009:

- 1 Pay a \$100 "buy-in" fee per crop. The maximum fee is \$300 per county, per producer, not to exceed \$900 for multi-county producers.
- 2 In the case of each insurable crop, excluding grazing land, agree to obtain a policy or plan of insurance for the next insurance year for which crop insurance is available; coverage level should equal 70 percent or more of the yield at 100 percent of the price.
- 3 In the case of each noninsurable crop, agree to file the required paperwork and pay the applicable administrative NAP coverage fee by the applicable state application closing date for the next available year.



*United We
Stand!*

Those who choose to "buy in" under this provision will be considered, for insured crops, to have obtained a policy or plan of insurance for the 2008 crop year at a level of coverage not to exceed 70 percent of the yield at 100 percent of the price. For noninsurable crops, producers will be considered to have a level of coverage equal to 70 percent of the yield. These levels of coverage will be used to calculate the 2008 SURE guarantee.

Producers who meet the definition of "Socially Disadvantaged, Limited Resource," or "Beginning Farmer or Rancher," are not required to pay the buy-in fee. **The disaster buy-in waiver extension does NOT apply to the Live-stock Forage Disaster Program (LFP).**

Outreach Visits

We will be making the following visits to take applications for ***all*** FSA programs available at this time:

Location	Date	Time of Day
Chinle Chapter	April 7, 21 May 5, 19	10 A.M. to 2 P.M.
Rock Point Chapter	April 29	10 A.M. to 2 P.M.
St. Michaels USDA Service Center	April 9, 23 May 7, 21	10 A.M. to 2 P.M.
Shonto Chapter	April 7, 21 May 5, 19	1 P.M. to 4 P.M.
Kayenta NRCS next to Chapter	April 8, 22 May 6, 20	8 A.M. to 12 P.M.
Pinon Chapter	April 17	10 A.M. to 2 P.M.

This schedule will be in place as long as weather and road conditions permit

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer."

Special accommodations will be made upon request for persons with disabilities, vision impairment, or hearing impairment. If accommodations are required, please call Gregq W. Norton, CED at (928) 337-4411.