



# NEWSLETTER



## Montana Farm Service Agency State E-Newsletter

**January 2012**

### Montana State FSA Committee:

Steve Carney, *Chair*  
Floyd Dahlman, *Member*  
Kelly Flaherty-Settle, *Member*  
Hans McPherson, *Member*  
Patricia Quisno, *Member*

### Acting State Executive Director

**Richard "Dick" Deschamps**

P.O. Box 670  
Bozeman, MT 59771  
406-587-6872 phone  
406-587-6887 fax

### Montana FSA Web site:

[www.fsa.usda.gov/mt](http://www.fsa.usda.gov/mt)

#### Hours:

Monday - Friday  
7:30 a.m. - 4:30 p.m.

### 2012 State Committee Meetings:

Jan. 11-12, April 4-5, July 9-10 and  
Oct. 10-11 in the Montana State  
Office located at 10 East Babcock  
on the 5<sup>th</sup> Floor of the Federal  
Building in Bozeman.

### FSA State Office Management:

Richard "Dick" Deschamps,  
*Chief Administrative Officer*  
Dave Pitts,  
*Farm Loan Program Chief*  
Amy Webbink,  
*Price Support/Conservation Chief*  
*Program Specialist*  
Shelly Rolando, *Disaster and*  
*Compliance Program Chief*  
Jennifer Perez Cole, *Public Affairs*  
*Specialist. Outreach Coordinator,*  
*State Civil Rights Coordinator*  
Cindy Coad, *Program/Management*  
*Analyst*

### Reasonable Accommodations:

Special accommodations will be made upon request for individuals with disabilities, vision impairment or hearing impairment. If accommodations are required, contact the County Executive Director directly or by phone at the county FSA Office or the Federal Relay Service at 1-800-877-8339.

## New members elected to Montana FSA County Committees

Congratulations all of the new county committee members from across Montana. FSA appreciates these individuals for serving the area farmers and ranchers on the county committees and thanks all of the voters for taking the time to complete the election ballot. The county committee system works only because of your participation. The committee members are holding organizational meeting to determine who will serve as the county committee chairman and vice-chairman. Contact your county office for more information.

## 2012 DCP/ACRE Sign-Up Begins Jan. 23; Ends June 1, 2012

2012 Direct and Counter-Cyclical Program (DCP) enrollment will begin Jan. 23, 2012 and will end June 1, 2012. Contact the FSA County Office to schedule an appointment.

### IMPORTANT REMINDERS:

- 1) All producers planting on **DCP base** acres must be identified on the DCP/ACRE contract and receive a proportionate share of DCP/ACRE payment for the farm.
- 2) Changes on the farm after enrolling in DCP/ACRE **must** be reported to your local FSA office. This includes: Ownership changes: Producer changes (Individuals and Entities); Change in crop shares arrangements. **Important:** Changes cannot be made after Sept. 30, 2012.

## Average Adjusted Gross Income (AGI) Provisions

For 2012, there are now four qualifying levels for AGI provisions as follows:

- 1) **\$500,000 Nonfarm Income** – if a person or legal entity has AGI nonfarm income that exceeds, \$500,000, the person or legal entity is ineligible for all commodity program payments and benefits.
- 2) **\$750,000 Farm Income** – if a person or legal entity has AGI farm income that exceeds \$750,000, the person or legal entity is ineligible for DCP direct payments only.
- 3) **\$1,000,000 Nonfarm Income** – if a person or legal entity has AGI nonfarm income that exceeds \$1,000,000, the person or legal entity is ineligible for all conservation program benefits unless at least 66.66% of total AGI is average adjusted gross farm income.
- 4) **\$1,000,000 Total Farm and Nonfarm Income** – if a person or legal entity has AGI farm and nonfarm income that exceeds \$1,000,000, the person or legal entity is ineligible for 2012 direct payments under DCP.

Form CCC 931 must be completed to authorize the AGI certification process in conjunction with the IRS. The average AGI is based on the average adjusted gross income for the three taxable years preceding the most immediately preceding complete taxable year. For the 2012 program year, the three taxable years for AGI would include 2008, 2009 and 2010.

## Get GovDelivery – Instant News, Updates

FSA offices are adopting an instant delivery, electronic option. Producers can now enroll in the new GovDelivery system which will provide notices, newsletters and reminders via email, rather than costly paper copies delivered through the mail. FSA, like many other organizations, is working smarter and more efficiently. Conversion to electronic notifications via email helps conserve resources and save taxpayer dollars. Subscribe right now to receive your free e-mail updates instantly by going to: [www.fsa.usda.gov/subscribe](http://www.fsa.usda.gov/subscribe). Contact your FSA county office to stop receiving the mailed newsletter and if you need assistance signing up for GovDelivery. County Committee ballots will continue to be mailed to all eligible producers.

## SURE 2010 Crop Disaster Program Signup: Nov. 14 to June 1

Enrollment for Montana farmers with 2010 crop losses to signup under the Supplemental Revenue Assistance Payments (SURE) program began on Nov. 14, 2011. The sign-up deadline for the 2010 SURE program is June 1, 2012.

SURE is available to eligible producers on:

- farms in counties with Secretarial disaster declarations, including contiguous counties, that have incurred at least a 10 percent crop production loss or quality loss, or both, on at least one crop of economic significance on crops grown by a producer nationwide, except grazed crops; or
- farms in which, for the crop year, an overall loss greater than 50 percent of the actual production on the farm compared to normal production for the farm.

Although farmers have been able to sign up for the SURE program since Nov. 14, County Offices may not have had all of the data to issue SURE payments because the 2010 National Average Market Price (NAMP) data may not have been available for all crops. The NAMP prices are intended to reflect the actual marketing value of a crop during the marketing year and the marketing year for some crops will not end until the beginning of 2012. In December, the NAMP prices were provided to the County Offices so SURE payments can now be calculated. For more information, call or visit your local FSA county office. A map of Montana counties that were designated as 2010 primary or contiguous secretarial disaster counties and more information about FSA programs are available on the state FSA Web site at [www.fsa.usda.gov/mt](http://www.fsa.usda.gov/mt).

## Year End Farm Loan Reviews

Producers that have a farm loan with FSA are reminded they must provide data for their Year-End Analysis (YEA) to their loan officer each year. Borrowers are urged to provide this information timely so that their files can be maintained. The office will contact you for the data you will need to assist us.

## 2010 Quality Losses

Signup for the 2010 Supplemental Revenue Assistance Payments Program (SURE) began on November 14, 2011. In addition to production losses, SURE will compensate producers for quality losses when production characteristics are reduced because of adverse weather. Unlike past ad hoc disaster programs where quality was determined at the lowest level, for example, bale, truckload, and bin for which verifiable records were available, quality for SURE purposes will be determined based on the average adjustments from all harvested production from that affected area or physical location county.

Under the SURE program local County Committees will be responsible for establishing a quality loss adjustment factor for crops that were affected by adverse weather that resulted in quality affected yield based crops. The quality loss adjustment can be established using either quality factors or price. If the County Committee establishes a quality adjustment factor(s) for their county, then producers must meet or exceed the established factor(s) on all harvested production and have suffered a quality loss due to adverse weather. Producers will be required to submit acceptable verifiable evidence of the quantity harvested and the quality factors affecting the harvested crop.

If you suffered quality losses due to an adverse weather condition in 2010 and have acceptable verifiable evidence of the quantity harvested with supporting quality factors please submit your quality information to the county where the harvested crop is physically located to assist the County Committee in establishing the quality adjustment factor(s) for the county.

**NOTE:** To be considered acceptable, tests for forage and stored commodities must have been completed by January 1 of the year following harvest. Tests for stored production must identify the location of the storage facility. If the forage or stored commodity test is taken after January 1 of the year following harvest, COC's shall limit the quality loss to the average loss documented before January 1. **Any 2010 quality affected forage or stored commodities must have had a quality test completed no later than January 1, 2011.**

## Disaster Programs

FSA disaster assistance programs include:

- Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish (ELAP)
- Livestock Forage Disaster Program (LFP)
- Livestock Indemnity Program (LIP)
- Supplemental Revenue Assistance Payments (SURE) Program
- Tree Assistance Program (TAP)

To be eligible for the SURE, TAP and ELAP programs, producers must have purchased catastrophic risk protection insurance for all insurable crops, and NAP coverage for non-insurable crops. To be eligible under LFP, producers must have purchased either an RI-PRF policy through FCIA, NAP coverage, or both on their grazing. **The deadline for producers to file a 2011 application for payment for LFP, LIP, and ELAP is January 30, 2012.** Producers have 90 days from the time a loss is apparent to file an application for TAP. Farm-Raised Fish means all fish being produced for sale by an eligible producer. In the case of honey, the term "farm" means all bees and beehives in all counties that are intended to be harvested for a honey crop by the eligible producer. Producers who meet the definition of Socially Disadvantaged, Limited Resource or Beginning Farmer or Rancher are not required to purchase the catastrophic insurance or NAP.

## Highly Erodible Land & Wetland Conservation Compliance

Landowners and operators are reminded that in order to receive payments from USDA, compliance with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions are required. Producers that have previously tilled acreage in permanent vegetation, such as pasture grass or CRP, with HEL determined soils, are reminded of tillage, crop residue, and rotation requirements as specified per their conservation plan. Producers are to notify the FSA county office prior to conducting land clearing or drainage projects to insure compliance. Failure to obtain advance approval for any of these situations can result in the loss of eligibility and all Federal payments.

## 2011 Crop Losses

Our experience with the SURE program in the past two years has made us aware of the importance of documenting losses now and ensuring that acceptable production records are maintained. Remember that if you suffer a loss, you are required to timely file a CCC-576 "Notice of Loss and Application for Payment noninsured Crop Disaster Assistance Program" with FSA. If you had insured crops covered under and FCIC policy and suffered a loss, they will complete the appraisals and provide the production information to FSA for the 2011 SURE program. If you have uninsurable crops that are covered by NAP and suffer a loss, FSA will complete the appraisals and maintain the production records for SURE purposes. In addition, FSA offers measurement service for producers that have production that is intended to be fed. The measurement service provides reliable documentation of the production that can be used for SURE purposes. Please contact the local FSA office for further information.

## IRS Form 1099-G

Producers annually receive their CCC-1099-G forms detailing payments producers have received from the Commodity Credit Corporation. The annual report of program payments on the CCC-1099-G form is a service intended to help our customers report taxable income. It is not intended to replace the producers' responsibilities to report income to IRS. FSA staff cannot interpret IRS regulations or advise producers about which payments to report on their income tax returns. However, county office staff can review payments for accuracy.

## Payment Limitations

Several FSA programs are subject to payment limitation provisions. Violation of any of these provisions may subject the producer to loss of payment and possible prosecution. The following are current FSA program payment limitations:

<u>Program:</u>	<u>Limit:</u>
DCP Program	\$40,000
DCP CC/ACRE	\$65,000
CRP	\$50,000
SURE, LIP, LFP	\$100,000
NAP	\$100,000
LDP, Market Grain	No Limit

Eligibility: Specific eligibility criteria exist for the DCP and ACRE programs. Contact your nearest county FSA office for further information regarding these and other provisions: 1) Actively Engaged, 2) Cash-Rent Tenant Rule and 3) Foreign Persons.

## Important Reminder of NAP Coverage Deadlines for 2012 Crop Year

FSA's Non-Insured Crop Disaster Assistance Program (NAP) was designed to provide financial assistance to producers of non-insurable crops when low yields or prevented planting occurs as the result of natural disasters. Statutes limit NAP coverage to each commercial crop or agricultural commodity, except livestock, for which the catastrophic (CAT) level of insurance is not available. Application deadlines for 2012 NAP coverage in Montana is **March 15, 2012**, for all NAP crops except for value-loss and honey crops. The deadline for 2012 value-loss crops (Christmas Trees, Crustaceans, Fin Fish and Flowers) was Sept. 1, 2011. The deadline for the 2012 honey coverage was Dec. 1, 2011. In order to meet eligibility requirements for NAP, crops must be noninsurable, commercially-produced agricultural commodity crops for which catastrophic risk protection level of crop insurance is not available. If the Risk Management Agency offers coverage for a crop in the county, then NAP coverage is not available for that crop. In the event of a natural disaster, NAP covers the amount of loss greater than 50 percent of the expected production based on the approved yield and reported acreage. Eligible producers can apply for coverage using form CCC-471 application for coverage and pay the applicable service fee by the sales closing deadline. Eligible producers must pay a service fee of \$250 per crop per administrative county or \$750 per producer per county, not to exceed \$1875 for a producer with farming interests in multiple counties. Service fees may be waived for limited-resource producers. For more info on NAP or other FSA programs, contact your local FSA office.

## CRP Managed Haying and Grazing in 2012

The FSA State Committee has approved the Conservation Reserve Program (CRP) haying and grazing periods listed below. These haying/grazing periods are for 2012 and future years.

### Managed Grazing Periods:

- Spring grazing period: March 16<sup>th</sup> to May 14<sup>th</sup>
- Summer-Fall grazing period: July 16<sup>th</sup> to September 13<sup>th</sup>

### Managed Haying Period:

- July 16<sup>th</sup> – September 30<sup>th</sup>.

All hay bales must be removed from CRP acres no later than November 12, 2012

## 2012 NAP coverage for Camelina only available in 15 western MT counties

FSA announced on Dec. 20, 2011 that Noninsured Crop Disaster Assistance Program (NAP) coverage for the 2012 camelina crop will only be available in 15 counties in western Montana, as a result of a newly announced insurance program for camelina now available in the other 41 counties. Camelina, an annual short season oilseed plant, is a rotation crop for wheat that can be established on marginally productive land. FSA will only offer 2012 NAP coverage for camelina in the following 15 Montana counties: Beaverhead, Deer Lodge, Flathead, Gallatin, Granite, Lake, Lincoln, Madison, Mineral, Missoula, Jefferson, Powell, Ravalli, Sanders and Silver Bow.

"Before this new program, NAP coverage for camelina was available through FSA in all 56 counties," Acting State Executive Director Dick Deschamps. "We want to ensure that Montana farmers are aware of these changes so that camelina growers in those 41 counties can contact their crop insurance agent before the **Feb. 1, 2012 sales closing date** to insure camelina. Farmers in the 15 counties not included in the insurance program have until **March 15, 2012** to purchase a NAP policy through FSA."

## AFIDA

Any foreign person who acquires, transfers or holds any interest, other than a security interest, in agricultural land in the United States is required by law to report the transaction no later than 90 days after the date of the transaction. They must file Agricultural Foreign Investment Disclosure Act (AFIDA) reports with the FSA county office that maintains reports for the county where the land is located. For AFIDA purposes, agricultural land is defined as any land used for farming, ranching or timber production, if the tracts total 10 acres or more. For more info, contact the FSA office near you or visit the USDA Web site at [www.usda.gov](http://www.usda.gov).

*Happy New  
Year from FSA!*



### **FSA: Upcoming Important Dates to Remember:**

- **Jan. 23:** 2012 DCP and ACRE Enrollment Begins
- **Jan. 30:** Deadline to file 2011 application for payment for LFP, ELAP, and LIP disaster programs
- **Jan. 31:** Deadline to apply for LDPs for unshorn pelts produced during 2011 crop year
- **Feb. 6 -** Montana Land Reliance Q & A Forum on Conservation Easements at Stanford City Hall from 1:15 to 3:15 p.m.
- **March 15:** NAP Closing Date for 2012 Crops (except value loss and honey)
- **March 16:** CRP Managed Spring Grazing Period Begins
- **May 14:** CRP Managed Spring Grazing Period Ends
- **June 1:** 2012 ACRE Signup Deadline
- **June 1:** 2012 DCP Signup Deadline
- **June 1:** SURE Signup Deadline for 2010 Crop Year
- **July 15:** Final date to file 2012 Acreage Report and 2011 NAP Production Report
- **July 16:** CRP Managed Summer/Fall Grazing Period Begins
- **Sept. 13:** CRP Managed Summer/Fall Grazing Period Ends
- **Nov. 12:** All Hay Bales Must be Removed from CRP Acres
- **Continues:** Continuous Conservation Reserve Program

### **Montana Department of Agriculture's Hay**

**Hotline:**

[www.services.agr.mt.gov/](http://www.services.agr.mt.gov/)

[\*\*Hay List/\*\*](#)

#### **Selected Interest Rates - January 2011**

Farm Operating - Direct	1.50%
Farm Ownership - Direct	3.50%
Farm Ownership - Direct Down Payment, Beginning Farmer or Rancher	1.50%
Emergency - Actual Loss	3.75%
Farm Storage Facility - 7-year	1.375%
Farm Storage Facility - 10-year	2.000%
Farm Storage Facility - 12-year	2.250%
Crop Year Commodity Loans	1.125%
CCC Borrowing Rate	0.125%

## **Changes to Farming Operation**

FSA encourages producers to notify us of any changes to your farming operation including land ownership or lease changes, entity changes including members and shares, and who is authorized to sign documents for the operation or individuals. **This notification includes reporting to our office of a death of an owner or operator in an operation or entity to avoid contract terminations and repayment of program funds.**

## **Selling Land**

If you're planning to sell farmland, there may be some program consequences you should be aware of. For example, if you're planning to sell land that's enrolled in the Conservation Reserve Program, the buyer must agree to continue the enrollment. If the buyer doesn't want to continue the CRP contract, you might have to refund all of the payments you've received to date. Reviewing program implications with your local Farm Service Agency staff before completing a sale of farmland is always a prudent precaution.

### **USDA Nondiscrimination Statement/Complaint Process:**

"The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program 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 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 Adjudication and Compliance, 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."