



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

August 2008

Farm Service Agency County Committee

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The Big Horn Bulletin

2008 Buy-In for Disaster Assistance Programs

On June 18, 2008, the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) was enacted into Public Law 110-246. This act amended the Trade Act of 1974 to create five new disaster programs, collectively referred to as Supplemental Agricultural Disaster Assistance programs. Those programs include 1) Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish (ELAP), 2) Livestock Forage Disaster Program (LFP), 3) Livestock Indemnity Program (LIP), 4) Supplemental Revenue Assistance (SURE) program, and 5) Tree Assistance Program (TAP).

To be eligible for these programs, producers must purchase at least catastrophic risk protection (CAT) level of crop insurance for all insurable crops and/or Noninsured Crop Disaster Assistance Program (NAP) coverage for non-insurable crops. Therefore, for the 2008 crop year only, producers who were eligible to obtain at least CAT level crop insurance or NAP, but did not, can "buy-in" to be eligible to participate in the applicable Supplemental Agriculture Disaster Assistance programs by paying the administrative fee that would have been applicable if the producer had timely applied for CAT or NAP.

The 2008 Act allows producers to pay a "buy-in fee" at their administrative county FSA office by the deadline date of Sept. 16, 2008. The buy-in fees do not provide any CAT crop insurance coverage or NAP coverage but do allow producers to gain eligibility to participate in the applicable Supplemental Agriculture Disaster Assistance programs.

How to "Buy-In"

All producers who wish to become eligible in 2008 for the Supplemental Agriculture Disaster Assistance programs must visit their administrative county FSA office and fill out form CCC-752 and/or form CCC-753. The county offices will determine the appropriate buy-in fee required. The deadline for the buy-in is **Sept. 16, 2008.**

"Buy-in" Fee

For the 2008 crop year, the deadline to apply for crop insurance and NAP passed prior to enactment of the 2008 Farm Bill. As a result, when the requirement to obtain insurance or NAP as a condition of eligibility for SURE, TAP, ELAP and LFP was enacted, many producers would have been excluded from eligibility.

Therefore, for the 2008 crop year only, producers who do not have all crops on the farm covered with the risk management protection programs of crop insurance and/or NAP and wish to be eligible for the SURE, TAP, and ELAP in 2008, or wish to have grazing acres eligible for LFP in 2008, can do so by paying the applicable buy-in fee by Sept. 16, 2008. Payment of the fees will **NOT** provide crop insurance coverage or NAP eligibility.

For further information concerning this new Buy-In program please contact this office.

Direct and Counter-Cyclical Program

Signup is underway for the Direct and Counter-Cyclical Program (DCP), and now the deadline is fast approaching. Signup deadline for the 2008 DCP is **September 30, 2008**. All contracts must be initiated by this deadline to participate. The 2008 DCP shall be administered exactly like the 2007 DCP with one exception. Producers on a farm with a total of 10.0 base acres or less will not be allowed to enroll, unless the farm is wholly owned by a socially disadvantaged or limited resource producer.

Advance payments are available to producers at 22 percent of the total farm payment, or the entire payment can be received in October. If you have not enrolled your farms in the 2008 DCP please stop by our office as soon as possible to complete the necessary paperwork.

Non-Insurable Assistance Program (NAP)

December 1, 2008 is the application deadline for the Non-Insurable Assistance Program for forage crops, fall seeded grain crops and grazing land. The application service fee for NAP is \$250.00 per crop per county, with a county maximum of \$750.00. The fee cannot exceed a total of \$1,875.00 per producer with farming interests in multiple counties. Producers must cover all crops in all counties where they have an interest to qualify for the new disaster programs.

The Food, Conservation, and Energy Act of 2008 (2008 Act), Pub. L. 110-246, was enacted June 18, 2008. The 2008 Act created several new disaster programs under the title, "Supplemental Agricultural Disaster Assistance". To be eligible for these programs, producers **must** purchase at least CAT level of crop insurance for **all** insurable crops and/or NAP coverage for all non-insurable crops. It is especially important to cover **all of your grazing acres** to be eligible for the new Livestock Forage Disaster Program (LFP). For the Supplemental Revenue Assistance (SURE) program you will be required to cover **all** crops including grazing acres. Without NAP coverage on your non-insurable forage crops and at least CAT coverage on your insurable forage crops you will not be eligible for the new programs. The deadline to purchase CAT coverage from your insurance agent is September 30, 2008.

For more information on these eligibility requirements please contact this office.

Farm Loan Program News

FSA makes loans each year to farmers and ranchers who need a helping hand. Whether it's a young husband and wife who are ready to buy their first farm, a veteran farmer or a minority farmer facing temporary adversity, FSA provides financial assistance that helps ensure the well-being of American agriculture. All loans must meet qualifying criteria to be eligible. Loans are available under both the Direct and Guaranteed Loans Programs as follows:

Direct Loan Program – Farm Ownership Loans, Farm Operating Loans, Emergency Loans, Youth Loans, and Indian Tribal Land Acquisition Program;

Guarantee Loan Program – Farm Ownership and Farm Operating.

Beginning Farmer/Rancher Loans and Socially Disadvantaged Loans – FSA has targeted loan funds for beginning farmers and ranchers and for socially disadvantaged applicants to buy and operate family size-farms and ranches. A beginning farmer is someone who has not operated a farm or ranch for more than 10 years. A socially disadvantaged applicant is someone who is one of a group whose members have been subjected to racial, ethnic, or gender prejudice.

Rural Youth Loans – FSA makes loans up to \$5,000 to individual youths to establish and operate income producing projects of modest size in connection with their participation in 4-H clubs, FFA and similar organizations.

Attention Buyers of Agricultural Products

It is required that buyers of agriculture products check or register with the Secretary of State's Office to determine if there are liens against the seller of the product. If a lien is found, you are required to place the lien holders name on the check as well as that of the seller. Ag products include but are not limited to: livestock (including horses), crops used for feed (hay, silage, oats, etc), machinery, equipment and all other crops. Failure to place the lien holder's name on the check may result in legal action being taken against the buyer of the product. Protect yourself as a buyer! You may contact the Secretary of State's Office at 1-307-777-7311 to determine if there is a lien on a product you are buying.

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 Notice of Loss

With harvesting time upon us it is time to start thinking of filing a NAP Notice of Loss on any of your crops covered by a NAP Policy. Regulations require that the CCC-576 Notice of Loss form must be filed within 15 calendar days after the disaster occurrence or date damage to the specific crop acreage is apparent to the producer for yield loss. This timeline is very strict and if not followed can cause a loss of benefits, so please file the necessary paperwork if you feel there could be a loss to any of your NAP covered crops. If you any questions concerning this issue please contact this office.

Signature Authority

We have a number of issues that need to be discussed concerning signature authority. Please be advised by the following:

Many of you conduct your farm operation as an entity such as a corporation, trust, LLC, LLP, etc... In order for you to conduct business with Farm Service Agency, we are required to have documentation from you that shows who has authority to sign on the entity's behalf such as a Corporate Resolution, Power of Attorney, or other acceptable Delegation of Authority. While we have obtained signature authorizations forms from entities, many of the signature authorization that we have received are not accompanied by any documentation that shows the selection of officers or member's positions. If you conduct business as an entity, we need a copy of the minutes of your annual meeting or other documentation that shows the selection of the officers or the positions of the members.

For signature authority for FSA and CCC programs, husbands and wives can sign documents on behalf of each other for programs in which either has an interest unless written notification denying a spouse this authority has been provided to this office. Spouses may not grant Power of Attorney for each other and may not sign claim settlements for each other.

And, producers and landlords who previously executed a FSA-211 Power of Attorney form authorizing an attorney-in-fact to act on their behalf for programs need to check with this office to be sure this form is still current with the new farm programs. If you have executed a FSA-211, please contact this office.

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

Return Service Requested

Important Dates

Sept 1, 2008 - Office Closed Labor Day
Sept 16 - Buy-In Deadline
Sept 30, 2008 - DCP Signup Deadline
Oct 13, 2008 - Office Closed Columbus Day
Dec 1, 2008 - NAP Deadline

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