



USDA – FARM SERVICE AGENCY
Uinta County FSA Office
100 East Sage St / PO Box 61
Lyman, WY 82937-0610
(307) 787-3859, Ext. 2 Fax (307) 787-3810



AUGUST 2008

Office Hours: 8:00 a.m. – 4:30 p.m. Monday – Friday Closed on Federal Holidays

Uinta County Committee:
 Kyle Lowham
 Kirk Eyre
 Wes Lupher
 Andrea Rollins, Advisor

FSA Home Page:
www.fsa.usda.gov

Office Staff:
 Karey Clark, CED
 Kimberly Nusbaum, PT

USDA Home Page
www.usda.gov

Farm Loan Manager:
 Brian Harrell, FLM
 Riverton, WY
 (307) 856-7524, Ext. 2

District Director
 Martin G. Hoffland

2008 Crop Year Buy-in Fee for Disaster Assistance Programs

Overview

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 Agriculture Disaster Assistance programs. Those programs include:

- **Supplemental Revenue Program (SURE):** Crop Disaster Program – Covers crop revenue losses from quantity or quality deficiencies in disaster declared counties, contiguous counties, or in cases where the overall production loss exceeds 50%.
- **Livestock Forage Disaster Program (LFP):** Livestock Disaster Program – Compensates livestock owners for forage losses due to drought. Additionally, losses due to wildfire will be covered on public lands.
- **Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish (ELAP):** Emergency relief to producers of livestock (including horses), honey bees, and farm-raised fish. Covers losses from disaster such as adverse weather or other conditions, such as blizzards and wildfires not adequately covered by any other disaster program. This program is authorized at the discretion of the Secretary.
- **Tree Assistance Program (TAP):** Provides for partial reimbursement for replanting, salvage, pruning, debris removal and land preparation for orchardists and nursery tree growers if losses exceed 15%.

The **Livestock Indemnity Program (LIP)** for livestock deaths in excess of normal mortality was also authorized in the Farm Bill. This is the only disaster program that *does not* require crop insurance or NAP coverage.

* Further details for all of these programs, including signup information, will be provided at a later date. Take note that additional requirements exist for disaster programs eligibility.

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.*

Supplemental Agriculture Disaster Assistance Programs Eligibility Requirements

SURE, TAP, and ELAP

Producers must obtain a crop insurance policy for each insurable commodity and NAP for each non-insurable commodity on the farm to be eligible for assistance under SURE, TAP, and ELAP.

In the 2008 Farm Bill; in general, the term "**farm**" means the sum of all crop acreage in all counties that is planted or intended to be planted for harvest by the eligible producer. In the case of aquaculture, the term "**farm**" means all fish being produced in all counties that are intended to be harvested for sale by the 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.

LFP

Producers must timely obtain a crop insurance policy for insured crops or timely file the required paperwork for NAP for the grazed land.

Any insurance already purchased to meet the eligibility requirements for these programs must be at a minimum level of 50 percent yield coverage and at 55 percent of the insurable price.

LIP

The Livestock Indemnity Program (LIP) is exempt from the risk management purchase requirement and therefore, does not require a waiver.

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.

◆ 2008 Buy-in Fees for CAT and NAP Covered Crops

- \$100 per crop, but not more than \$300 per producer per county, or \$900 total per producer, for all counties, less any previously paid fees for CAT and/or NAP.

These fees and limits apply separately to both CAT and NAP covered crops. Therefore, producers may be required to pay buy-in fees under both CAT and NAP to meet whole farm eligibility requirements for the new disaster programs of SURE, ELAP and TAP.

Producers who meet the definition of a *Socially Disadvantaged, Limited Resource Producer, or Beginning Farmer or Rancher* as defined in section 2501 (e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)), do not have to meet this risk management purchase requirement and, therefore, are not required to pay the buy-in fee.

√ 2009 Crop Year Fees √

In 2009 the Noninsured Crop Assistance Program (NAP) fees will be \$250 per crop, not to exceed \$750 per producer per county with a total fee not to exceed \$1875 per producer for all counties. 2009 Continuous Coverage letters (for participating producers) will be mailed in the near future and will address the new fee policy as well.

For the 2009 crop year NAP policies must be purchased by December 01, 2008 for perennial grass hay crops, honey or spring grain crops intended for hay, (unless covered by crop insurance as grain. Note: Grain crops are not an insurable crop in Uinta County)

Definitions

A *Socially Disadvantaged* farmer or rancher is a farmer or rancher who is a member of a socially disadvantaged group. For entity applicants, all members of the entity must be socially disadvantaged. A Socially Disadvantaged Group is a group whose members have been subject to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.

A *Limited Resource Producer* is a producer with both of the following:

- Direct or indirect gross farm sales not more than \$100,000 in both of the previous 2 years (as adjusted for inflation using Price Paid by Farmer Index as compiled by NASS); and
- Total household income at or below the national poverty level for a family of 4, or less than 50 percent of county median household income in both of the previous 2 years (to be determined annually using Commerce Department Data).

Limited Resource Producer status can be determined in an automated system using the Web site for USDA Limited Resource Farmer and Rancher Online Self Determination Tool at <http://www.lrftool.sc.egov.usda.gov/tool.asp>.

The automated system calculates and displays the adjusted gross farm sales per year and the higher of the national poverty level or county median household income.

A *Beginning Farmer or Rancher* is an individual or entity who: (1) has not operated a farm or ranch for more than 10 years, AND (2) substantially participates in the operation. If the applicant is an entity, all members must be eligible beginning farmers or ranchers.

Uinta County Committee 2008 Election Nominees Announced

We are pleased to announce that four individuals have submitted their names as nominees for the 2008 Local Administrative Area (LAA) #1, County Committee election. (LAA area includes: Almy, Bear River, Evanston, Hilliard, and Piedmont, or the School District Boundary area.) Those individuals are: Alta Barker, Kenneth E. Hansen, Lynn Hutchinson and Lyle Robinson.

A hearty "thank you" goes out to the four individuals willing to be a part of the FSA election process. Ballots will be mailed to eligible voters by November 3, 2008. The last day to return voted ballots to the county office is December 4, 2008. The newly elected county committee member will take office on January 1, 2009. For more information about the FSA County Committee Election process, go online at <http://www.fsa.usda.gov/pas/publications/elections/Default.asp>.

Non-Insured Assistance Program (NAP)

Program changes to this program will affect the 2009 crop year, such as the NAP policy fee went up from \$100 per crop, not to exceed \$300 per producer per county with a total fee not to exceed \$900 for all interests in all counties. *2009 fees now will be \$250 per crop, not to exceed \$750 per producer per county with a total fee not to exceed \$1875 per producer for all counties. 2009 Continuous Coverage letter (for existing NAP applicants) will be mailed in the near future and will address the new fee policy as well.*

*** For the 2009 crop year NAP policies must be purchased by **December 01, 2008** for perennial grass hay crops, honey or spring grain crops intended for hay, (unless covered by crop insurance as grain.) Note: Grain crops are not an insurable crop in Uinta County. Insurable crops are: Alfalfa, Alfalfa Grass Mix - AGM, Grass Mix Alfalfa-GMA. Non insurable crops are: Barley and Oats for hay, or grain, Triticale, Native Grass-NAG, Inter-seeded Grass Mix - IGS, or any other eligible grass crop. Pasture or rangeland acres are eligible as applied for in the program.

* 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 buy-in is **September 16, 2008**.

2008 Buy-in fees for CAT and NAP Covered Crops are \$100 per crop, but not more than \$300 per producer per county, or \$900 total per producer, for all counties, less any previously paid fees for CAT and/or NAP.

The fees and limits apply separately to both CAT and NAP covered crops. Therefore, producer may be required to pay buy-in fees under both CAT and NAP to meet whole farm eligibility requirements for the new disaster programs of SURE ELAFP and TAP.

2008 Compliance Process

Compliance spot checks will be conducted on 2008 crops. However, instead of locally selecting farms, contract, deficiency loans, etc. for review, a nationwide selection of producers is now the current sampling method. Spot check selections are to be conducted based on a producer's participation in Load Deficiency Program, Direct and Counter-Cyclical Program, Conservation Reserve Program, etc. If an entity is selected from the national database that is no longer farming or participating in the 2008 crop year, a notation will be made on the spot check list. FSA appreciates the cooperation of its customers.

FSA Farm Loan Details

Agriculture Secretary Ed Schafer has put into place another new farm bill provision, increasing the limits on loans to \$3000 – up from \$2000 —for direct farm ownership and operating loans, Farm Service Agency FSA Loan limits had remained unchanged since 1984.

Direct Loans are a resource for farmers to get the credit they need to build and sustain family farms and ranches. The increased loan limits are expected to help farmers whose credit requirements could not previously be met by the FSA loan limits. In addition, some existing FSA borrowers who have already reached the previous limit of \$200,000 will now be eligible to obtain additional credit for FSA.

Direct farm loans are made to family-sized farmers and ranchers who are unable to obtain the necessary credit through commercial credit sources. FSA also services these loans and provides direct loan borrowers with supervision and business planning so they have a better chance for success. Farm ownership, operating, emergency, and youth loans are the main types of loans available under the direct program. Direct loan funds are also set aside each year for loans to socially disadvantaged and beginning farmers.

YOUTH LOANS

Provides operating type loans to eligible rural youth applicants to finance a modest income-producing agricultural project. Maximum loan amount is \$5,000. The statutory authority for youth loans is section 311 of the Consolidated Farm and Rural Development Act (Pub. L. 87-128).

2008 NAP Participant Program Reminder

In the event of a crop failure caused by a weather-related natural disaster, the producer needs to notify the local FSA office by completing a "Notice of Loss" (form CCC-576). The notice of loss must be executive within 15 days of the date the damage or loss became apparent. Failure to timely report the loss could result in loss of benefits.

Direct and Counter-Cyclical Program

Producers have until September 16, 2008 to sign-up for the 2008 Direct and Counter-Cyclical Payment Program (DCP). Eligible producers can fill out their 2008 DCP contract at any USDA Farm Service Agency County Office.

FSA computes DCP payments using base acres and payment yields established for each farm. Eligible producers receive direct payments at rates established by statute regardless of market prices. Final direct payments will be issued after October 01, 2008.

Successor in Interest

Many FSA programs will allow payments to be made to heir and successors when a program participant passes away. Additionally, contracts in programs such as CRP must be revised to reflect the successor(s) to a deceased participant's death, it is important that FSA be notified. Entities and Joint operations that participate in FSA programs also need to notify FSA if a shareholder or member passes away. FSA benefits are reported to IRS and maintaining current, accurate records about participants is vital to ensuring that those payments are reported correctly.

If you have any questions about any of the information contained in this newsletter please contact the office for assistance. (307) 787-3859, Ext. 2.



Recognize this picture? Let us know if you believe you know where in Uinta County it was taken.



Farm Service Agency

Uinta County FSA Office

100 East Sage Street

PO Box 610

Lyman, WY 82937-0610

Postage Fees Paid
Farm Service Agency
Permit No. G-96

RETURN SERVICE REQUESTED

**< 2008 Farm Bill Details are included in this Newsletter >
IMPORTANT READING MATERIAL**

DATES TO REMEMBER



Program Reminders

**Within 15 days
September 01, 2008**

**Submit form FSA-576, Notice of Loss for the NAP Program
Labor Day Holiday – Office Closed**

September 16, 2008

NAP “Buy-In” Deadline for 2008 for Supplemental Disaster Programs

December 01, 2008

**Last Day to purchase 2009 NAP Coverage - New Fee Rates
coverage on perennial (including pasture) and fall seeded crops
not insured in Uinta County by Federal Crop Insurance (FCIC)**

Anytime
Monthly Office Visit
Monthly

Sign-up for Continuous CRP
Loan assistance – Brian Harrell, Farm Manager - Call ahead for an appointment
FSA County Committee Meetings - Typically the Fourth Wednesday at 1:00 P.M.

IMMEDIATELY: Notify FSA of any changes that would affect Payment Limitations, Farm Record Changes. I.E.: Sold or purchased land, or changes in lease(s,) or operator changes, etc.
Report Direct Deposit changes / Change of Bank and/or Bank Name Changes.

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tape, etc.) should contact USDA's TARGET CENTER at 202-720-2600 (voice or TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Ave. SW, Washington D.C. 20250-941- or call 202-720-5964 (voice or TDD).

Special accommodations will be made for the physically handicapped, vision- or hearing-impaired person upon request. If accommodations are required, please call Karey M Clark, County Executive Director at (307) 787-3859.