



NEWSLETTER



April 2011

**Yellowstone
County
FSA Office**

**1629 Ave. D, Bldg. A2
Billings MT 59102**

Phone: (406) 657-6135
FAX: (406) 657-6277
www.fsa.usda.gov/mt

Hours
Monday - Friday
8:00 a.m. – 5:00 p.m.

**County Committee
Members:**
Forrest Ewen-Chair
Bart Erickson-Vice
Steve Becker-Reg.
Juanita Stovall-Min.
Channis Whiteman-Min

County Office Staff:
Lisa Pederson, PT
Jackie Gaglia, PT
Nina Gonzalez, PT
Kevin Johnson, CED

**Agricultural Lending
Opportunities**

Questions regarding
obtaining credit to start or
enlarge a farming or
ranching operation;
financing agricultural
operating expenses; or
livestock, machinery
purchases call:

Chrissy Frank, FLPT
Ext. 100

Bruce Johnson, FLO
Ext. 109

Mike Turley, FLM
Ext. 116

**Reasonable
Accommodations:**
Persons with disabilities who
require accommodations to
attend or participate in any
FSA programs should contact
the County Executive Director
at the FSA Office or the
Federal Relay Service at 1-
800-877-8339.

**2009 Supplemental Revenue Assistance Payments Program (SURE)
Signup Ends July 29, 2011**

The 2008 Farm Bill created several new disaster programs. One of the programs, the Supplemental Revenue Assistance Payments Program (SURE), provides financial assistance for crop production and/or quality losses due to a natural disaster. SURE is a total farm revenue disaster program as opposed to the crop disaster programs of previous years, which were primarily production oriented programs. Therefore, all crops that a producer has an interest in are not only evaluated as to the production loss and quality, but revenue as well.

To be eligible for SURE in 2009, producers had to have obtained crop insurance of at least catastrophic (CAT) level for all insurable crops and cropping scenarios and/or Non-insured Crop Disaster Assistance Program (NAP) coverage for non-insurable crops. (Forage crops for grazing and crops not expected to contribute 5% of the total expected value of all crops grown by the producer, did not have to be insured.) Producers considered socially disadvantaged, a beginning farmer or rancher, or a limited resource farmer may be eligible for SURE without a policy or plan of insurance or NAP coverage.

A 2009 Secretarial Disaster designation in Yellowstone County triggered the program in the County for 2009. Therefore, in 2009, producers with at least one crop of economic significance with a 10 percent crop production loss could qualify for benefits.

SURE will issue payments to an eligible producer in the amount equal to 60% of the difference between the program guarantee and the total farm revenue. SURE will pay up to 90% of the crop's normal production on the farm. If you meet the guidelines of the program in 2009, i.e. a 10% production loss (associated with adverse weather) on one crop of economic significance and crop insurance (CAT/NAP) purchased on all 2009 crops (other than the exceptions previously explained), contact Jackie Gaglia @ 657-6135 ext. 106 as soon as possible. Signup for 2009 crops ends July 29, 2011.

Farm Loan Programs

The Farm Service Agency is committed to providing family farmers with loans to meet their farm credit needs. If you are having trouble getting the credit you need for your farm, or regularly borrow from FSA, direct and guaranteed loans are currently available.

If you have had a setback and your lender is reluctant to extend or renew your loan, ask your lender about an FSA loan guarantee. Guaranteed loans can reach a maximum of \$1,119,000. Direct farm ownership loans or farm operating loans may be obtained from FSA for a maximum of up to \$300,000.

Producers are encouraged to apply early so that the application and loan can be processed and funded in a timely manner. To find out more about FSA loan programs, contact the county office staff.

CHANGES TO YOUR FARMING OPERATION

We encourage producers to notify us immediately of any changes to your farming operation including land ownership or lease changes, entity changes including members and shares, and authorizations to sign documents for the operation or individuals. In some cases, farm and/or tract reconstitutions will be required to update farm records. (The final date for producers to request a reconstitution is August 1, 2011.) It is also your responsibility to ensure your farm operating plan reflects the current contributions of land, capital, equipment, labor and management. Contact Nina Gonzalez @ 657-6135 extension 107 for details.

Montana FSA Newsletter Notice Non-active agriculture producers must "opt-in" to receive future newsletters

Effective March 1, 2011, the Montana Farm Service Agency has issued a new newsletter policy geared toward improving FSA newsletter delivery and efficiency to the individual farmers, ranchers and agriculture community. FSA newsletters will continue to be sent to active agricultural producers as determined by the county FSA offices. No action is needed for active producers unless your household or business is receiving duplicate newsletters in which case you should inform your local county FSA office. If you are not an "active" producer but are a landowner or are interested in receiving or continuing to receive a FSA newsletter, you must inform your local county office that you'd like to "opt-in" and be added to the newsletter mailing list. In addition, you can choose to receive your newsletter electronically. Each newsletter not mailed saves the agency and taxpayer \$0.39. To request the electronic newsletter be e-mailed to you instead of receiving a newsletter through mail, please contact your county FSA office.



Cooperation with Risk Management Agency:

The Agricultural Risk Protection Act of 2000 requires the Farm Service Agency (FSA) and the Risk Management Agency (RMA) to work together to improve program compliance and integrity of the Federal Crop Insurance Program. As a result of the passage of the 2000 Act, RMA and FSA are required to coordinate a plan to identify, address and reconcile discrepancies of all relevant producer-derived information, and to coordinate a monitoring program to include fact finding relative to allegations of program fraud, waste, and abuse. FSA will assist RMA and insurance providers in monitoring conditions throughout the growing season and conduct growing season inspections. All suspected cases of fraud, waste, and abuse concerning the Federal Crop Insurance Program will be referred to RMA. FSA will also assist RMA with auditing claims. Producers may also report suspected cases of fraud, waste, and abuse to their local FSA County Office, the RMA Office or OIG.

FSA Spousal Signature Policy

Husbands and wives may sign documents on behalf of each other for FSA and Commodity Credit Corporation programs in which either has an interest. This option is automatically available unless a written request for exclusion is made to the county office staff by either spouse. There are exceptions to the rule, where spouses may not sign on behalf of each other for partnerships, joint ventures, corporations or other similar entities. Individual signatures are also required on certain Farm Loan Program and Farm Storage Facility Loan documents. For more clarification on spousal signature authority, feel free to contact the local FSA office.

Highly Erodible Land and 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. Farmers with HEL determined soils are reminded of tillage, crop residue, and rotation requirements as specified per their conservation plan. Producers are to notify the USDA Farm Service Agency prior to sod busting, new breaking, 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 Direct and Counter Cyclical Program (DCP) and Average Crop Revenue Election (ACRE)

The 2011 DCP/ACRE signup has started and continues until June 1, 2011. (Contracts were mailed to operators in December.) These voluntary programs provide for guaranteed or direct payments that are based on 83.3 percent of the farms base acreage (wheat/barley/corn/oats) times the crop payment yield, times the producer share, times the payment rate. In addition, counter-cyclical payments (non-guaranteed, DCP only), based on 85% of the base, are paid when market prices decline. Producers are eligible for DCP/ACRE payments if they are at risk in producing a crop and comply with program provisions. (An owner who cash leases land to another is ineligible to share in direct / counter cyclical or ACRE payments.) **Check with Lisa @ 657-6135 ext. 105 to ensure all signatures are in by the June 1, 2011 deadline.**

Secretary Vilsack reappoints Montana FSA State Committee

U.S. Secretary of Agriculture Tom Vilsack has reappointed Montana's Farm Service Agency State Committee members to a second one-year term. The State Committee consists of Steve Carney, of Scobey, chair, and members Floyd Dahlman, of Forsyth, Kelly Flaherty-Settle, of Canyon Creek, Hans C. McPherson of Stevensville and Patricia A. Quisno, of Fort Belknap. The five-member State Committee consists of farmers and ranchers throughout the state who serve as a board of directors for FSA statewide. FSA, with headquarters in Bozeman, administers disaster assistance, commodity, price support, conservation and farm loan programs under the 2008 Farm Bill to farmers and ranchers across Montana through its 49 county offices. The State Committee's 2011 meeting schedule is June 8-9, Aug. 8-9, Oct. 12-13 and Dec. 12-14. For more info, please call FSA'S State Office at (406) 587-6872.

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 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.

LIVESTOCK INDEMNITY PROGRAM (LIP)

LIP is now a standing disaster program that provides benefits to producers with livestock death loss that is in excess of normal mortality, as a direct result of an eligible adverse weather event. To substantiate proof of death normal mortality and otherwise, either verifiable (i.e. vet records), reliable (producer record existing at the time of the death that provides specific details), or a third party certification is required. The third party cannot be affiliated with the operation, i.e. no hired hands or family members. They must be able to provide specific details on their knowledge of livestock deaths, number and kind/type and weight ranges and any other necessary info.

For 2011, producers that suffer losses must file a notice of loss within 30 days of the loss or January 30, 2012, whichever is earlier. Crops, including rangeland, are not required to be insured for LIP eligibility.

2011 Crop Reports

Maps to be used for reporting 2011 crops have been mailed. Please mail or drop off the completed maps to this office as soon as possible and prior to May 2, 2011. We will load the crop information, generate a crop report form, and mail the report(s) to you for your signature.

Note, you must sign/date and return the crop report form by July 1, 2011 or incur late filing fees. Late filing fees at the minimum are \$46 per farm.

Yellowstone COC Election

Nominations for the Yellowstone County Committee (COC) position are being accepted for candidates residing along the Yellowstone River Valley. Forrest Ewen currently serves this area and is unable to run due to term limits. Nomination forms are available at the office or at

<http://www.fsa.usda.gov/elections>

The final day to receive nominating petitions is August 1, 2011.



Selected Interest Rates - April 2011

90-Day Treasury Bill	.125%
Farm Operating - Direct	2.75%
Farm Ownership and Conservation Loan - Direct	5.00%
Farm Ownership - Direct Down Payment, Beginning Farmer or Rancher	1.50%
Emergency	3.75%
Farm Storage Facility - 7-year	2.75%
Farm Storage Facility - 10-year	3.375 %
Farm Storage Facility - 12-year	3.625 %
Commodity Loans 1996-Present	1.25%

Dates to Remember

May 2, 2011	Mail or drop off completed 2011 maps for crop reporting purposes
May 30, 2011	Office closed for Memorial Day
May 31, 2011	Final day to request loans on 2010 corn
June 1, 2011	Sign-up for DCP / ACRE ends
July 1, 2011	Final day to report crop acreages
July 4, 2011	Office closed for Independence Day
July 29, 2011	Sign-up for SURE ends (2009 crop losses)
August 1, 2011	Final day to receive nominating petitions for COC election in LAA2

FAV PLANTING RESTRICTIONS

Producers are prohibited from planting crops considered to be fruits and vegetables (FAV) on their enrolled base acres under DCP and/or ACRE unless the farm has planted FAV history or the producer has an established history of planting a specific FAV. (Each exception {i.e. farm and/or producer history} does have specific criteria that must be met.)

Sweet corn and pinto beans are some of the crops considered FAV. Please contact the office prior to planting FAV in 2011. Violations can result in DCP contract termination or a reduction in DCP payments.

YELLOWSTONE COUNTY FSA
1629 Ave. D, Bldg. A2
Billings, MT 59102



PRESORTED STANDARD
U.S. POSTAGE PAID
Bozeman, MT 59715
PERMIT #54

Filing a Non-insured Crop Disaster Assistance Program (NAP) Notice-of-Loss

To qualify for assistance under NAP, production losses or prevented planting must have occurred as a result of an eligible cause of loss. An eligible cause of loss is any of the following: damaging weather, such as drought, freeze, hail, excessive moisture, or excessive wind; or adverse natural occurrences, such as earthquake or flood; or a condition related to damaging weather or an adverse natural occurrence, such as excessive heat, disease or insect infestation. Wildlife damage and weeds are **not** considered eligible causes of loss under NAP.

A notice of loss must be provided for prevented planting claims, within 15 calendar days after the final planting date. For low yield claims, the earlier of the following: 15 calendar days after the damaging weather or disaster occurrence or date damage to the specific crop acreage is apparent to the producer for yield losses; or 15 calendar days after the normal harvest date. If a Notice-of-Loss is filed after the established final planting date and the intent is to reseed to another crop intended for harvest, such as barley for grain, which is covered under crop insurance, a NAP payment cannot be received on the original failed crop.

Montana is not a double cropping state. If the intent is to destroy the crop, summer fallow it, or reseed to another crop **not** intended for harvest, representative strips must be left in the field so that a loss adjuster can be sent out closer to normal harvest time to appraise the original seeded crop. In this situation, the original seeded crop would still be eligible for a payment.

July 15, 2011 is the final date for NAP participants to submit crop year 2010 production evidence for crops that were covered in 2010. Failure to submit this documentation may lead to a substantially reduced APH. For additional information, contact Lisa Pederson @ 657-6135 ext. 105.

Current USDA Settlements and Non-Judicial Claims Process:

Native American Farmers & Ranchers Settlement Agreement (Keepseagle v. Vilsack)

If you are a Native American who was denied a Farm Loan or Loan Servicing by the USDA between January 1, 1981 and November 24, 1999, you may be eligible for benefits from a Class Action Settlement. To request a claims package or for more information, call 1-888-233-5506 or visit www.IndianFarmClass.com

Non-Judicial Claims Process for Hispanic & Women Farmers & Ranchers

If you believe that USDA improperly denied farm loan benefits to you between 1981 and 2000 because you are Hispanic, or because you are female, you may be eligible to apply for compensation. To register your name to receive a claims packet, call the Farmer and Rancher Call Center at 1-888-508-4429 or visit: www.farmerclaims.gov.

African American Farmers Settlement Agreement (Pigford II)

This Settlement applies to African-American farmers who (a) submitted a request to file a late claim on or between October 13, 1999 and June 18, 2008, under the 1999 settlement in the earlier class action known as Pigford v. Glickman ("Pigford"), and (b) who did not receive a merits determination of their discrimination claim. For more information, call 1-866-950-5547 or 1-866-472-7826 or visit www.blackfarmercase.com.