



Fremont County News

Fremont County
USDA Service Center

Fremont County FSA
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(307)856-2383 (fax)
www.fsa.usda.gov

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

County Committee
John P Stoll – Chairman
Charles Murray –
Vice Chairman
Bryan Hamilton - Member

Staff
Annie Warren – County
Executive Director
Brian Harrell – Farm Loan
Manager
Cheyenne Magnan – Farm Loan
Officer
Mary Lou Wickstrom –
Technician
Carol Zogata - Technician

VOTING STARTS NOV. 6



By now you should be aware that the deadline for FSA county committee nominations has already passed on August 3, 2009. **Voting Begins Nov. 6**

Ballots will be mailed to eligible voters beginning Nov. 6, and must be returned to the county office by the close of business on Dec. 7, or postmarked by midnight Dec. 7, 2009.

No one can be denied the right to vote because of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation or marital or family status.

LIVESTOCK INDEMNITY PROGRAM (LIP)



The Livestock Indemnity Program (LIP) provides assistance to producers for livestock deaths that result from disaster. LIP compensates livestock owners and contract growers for live-

stock death losses in excess of normal mortality due to adverse weather, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat and extreme cold. Eligible losses must have occurred on or after Jan. 1, 2008, and before Oct. 1, 2011.

The following table provides the final dates to file a notice of loss and/or application for payment for either 2008 or 2009 livestock losses.

LIP		
Livestock Death	Final Date to File a Notice of Loss	Final Date to Submit an Application
Calendar Year 2008	Sept. 13, 2009	Sept. 13, 2009
Jan. 1, 2009 to July 12, 2009	Sept. 13, 2009	Jan. 30, 2010
July 13, 2009 to Dec. 31, 2009	30 days after death is apparent	Jan. 30, 2010

BIOMASS CROP ASSISTANCE PROGRAM

The new Biomass Crop Assistance Program (BCAP) is of interest to biomass conversion facilities and those who own, chip and transport biomass material to these facilities.

Chippers and producers with conversion facilities contract to prepare and deliver materials can apply for matching payments under the collection, harvest, storage and transportation (CHST) component of BCAP. Once an agreement is signed between FSA and a biomass conversion facility and funding is provided, the facilities can begin accepting materials under this program.

The matching CHST payments are paid at a rate of \$1 for \$1 per dry-ton equivalent received by a qualified biomass conversion facility, not to exceed \$45 per dry-ton equivalent. A biomass owner is eligible to receive payments for two years. The purpose of the matching payments is to assist biomass handlers with the CHST cost of delivering biomass to a qualified biomass conversion facility. Once a facility becomes qualified, eligible material owners or producers who deliver biomass to that facility may be eligible to receive CHST payments.

Eligible material owners or producers, who market eligible material to a qualified biomass conversion facility, may apply for the matching CHST payment at their FSA county office. An application must be submitted and approved before the eligible material is sold or delivered to a qualified biomass conversion facility. After the product is delivered, a material handler must provide FSA with documentation of product quantity, quality and payment rate. County offices will validate payment requests with information in the county office and information provided under the terms of MOUs with the qualified biomass conversion facilities. CHST payments will not be authorized until appropriate environmental analysis is completed.

SPECIAL ACCOMMODATIONS

Reasonable accommodations will be made, upon request, for individuals with disabilities, vision impairment, or hearing impairment to attend or participate in meetings or events sponsored by the Farm Service Agency. If you require special accommodations to attend or participate in one of our events, please call the FSA county office and we will be happy to make any needed arrangements.

NEW PAYMENT LIMITATIONS

The 2008 Farm Bill provisions stipulate that for the 2009 crop year and later, **Direct Attribution** will be used to limit the total payments to individuals and entities. In other words, all program payments made to individuals or entities will be attributed to the individual and to the entity. That means if the individual is a member of a farming entity (corporation, trust, etc.) that payment will now be attributed to the individual partners or members in addition to the entity.

Another change for 2009 is that all participants must make an **active contribution in an entity**. All partners, stockholders, or members with an ownership interest in the legal entity must make a contribution, whether compensated or **not** compensated, in the form of the following:

- 1) active personal labor, or
- 2) active personal management, or
- 3) a combination of active personal labor and active personal management to the farming operation;

Note that there are exceptions for spouses. For more detailed information on this and other programs please contact your local FSA office.

If producers or their spouses believe they would qualify as socially disadvantaged, they should contact their local FSA office for details. FSA loans are only available to applicants who meet all the eligibility requirements and are unable to obtain the needed credit elsewhere.

POWER OF ATTORNEY

For those who find it difficult to visit the county office personally because of work schedules, distance, health, etc., FSA has a power of attorney form available that enables you to designate another person to conduct your business at the office. If you are interested, please contact our office or any Farm Service Agency office near you for more information. If you want a crop loan, a power of attorney form will need to be completed for husband and wife, if both do not come into the office to sign the forms on the day the loan is disbursed.

<http://www.ams.usda.gov/lsmarketingprograms>.

Persons must vote in the referendum at the County FSA office where their administrative farm records are maintained. For eligible voters not participating in FSA programs, voting opportunities will be provided at the county FSA office where the person owns or rents land.

SODBUSTING

The term “sodbusting” is used to identify the plowing up of erosion-prone grasslands for use as cropland. Sodbuster violations are unauthorized tillage practices on highly erodible lands that converted native vegetation such as rangeland or woodland, to crop production after Dec. 23, 1985.

Farmers and ranchers should be aware that if they use highly erodible land for crop production without proper conservation measures, they risk losing eligibility to participate in Farm Service Agency programs.

Before producers clear, plow or otherwise prepare areas not presently under crop production for planting, they are required to file an AD-1026, indicating the area to be brought into production.

If Natural Resources Conservation Service indicates on a CPA-026 that the area will be highly erodible land, the producer will be required to develop and implement a conservation plan on the affected acreage, before bringing land into production.

In addition, producers and the producer’s affiliates have to file an AD-1026 with the staff in the administrative or control county office before any farm program payments can be made. The AD-1026 is the producer’s signed certification that HELC, as well as wetland conservation, provisions will not be violated.

CONTROLLED SUBSTANCES

Program participants convicted under federal or state law of any planting, cultivating, growing, producing, harvesting or storing a controlled substance are ineligible for program payments and benefits.

If convicted of one of these offenses, the program participant shall be ineligible during that crop year and the four succeeding crop years for direct and counter-cyclical payments, price support loans, loan deficiency payments, market loan gains, storage payments, farm facility loans, Non-insured Crop Disaster Assistance Program payments or disaster payments.

Program participants convicted of any federal or state offense consisting of the distribution (trafficking) of a controlled substance shall, at the discretion of the court, be ineligible for any or all program payments and benefits: for up to 5 years after the first conviction for up to 10 years after the second conviction permanently for a third or subsequent conviction.

Program participants convicted of federal or state offense for the possession of a controlled substance shall be ineligible, at the discretion of the court, for any or all program benefits, as follows:

up to 1 year upon the first conviction

up to 5 years after a second or subsequent conviction

FSA SIGNATURE POLICY

Using the correct signature when doing business with FSA can save time and prevent a delay in program benefits. The following are FSA signature guidelines:

- A married woman shall sign her given name: Mrs. Mary Doe, not Mrs. John Doe
- For a minor, FSA requires the minor's signature and one from an eligible parent
Note, by signing the applicable document, the parent is liable for actions of the minor and may be liable for refunds, liquidated damages, etc
- When signing on one's behalf the signature must agree with the name typed or printed on the form, or be a variation that does not cause the name and signature to be in disagreement. Example - John W. Smith is on the form. The signature may be John W. Smith or J.W. Smith or J. Smith. Or Mary J. Smith may be signed as Mrs. Mary Joe Smith, M.J. Smith, Mary Smith, etc
- FAXED signatures will be accepted for certain forms and other documents provided the acceptable program forms are approved for FAXED signatures. Producers are responsible for the successful transmission and receipt of FAXED information.
Examples of documents **not** approved for FAXED signatures include:
 - Promissory note
 - Assignment of payment
 - Joint payment authorization
 - NAP actual production history and approved yield record
 - Acknowledgement of commodity certificate purchase
 - Financing statement
 - UCC financing statement
- Spouses may sign documents on behalf of each other for FSA and CCC programs in which either has an interest, unless written notification denying a spouse this authority has been provided to the county office
- Spouses shall not sign on behalf of each other as an authorized signatory for partnerships, joint ventures, corporations, or other similar entities
- All members of a general partnership must sign for the general partnership unless an individual is authorized to act on the behalf of the general partnership and bind all members
- Spouses may sign on behalf of each other's individual interest in a partnership, unless notification denying a spouse that authority is provided to the county office
- Acceptable signatures for general partnerships,

joint ventures, corporations, estates, and trusts shall consist of an indicator "by" or "for" the individual's name, individual's name and capacity, or individual's name, capacity, and name of entity

For additional clarification on proper signatures contact your local FSA office.

BANKING CHANGES?

Almost all Farm Service Agency payments are made electronically using Direct Deposit. This innovation has cut down on the number of missing and late payments and reduced the time required to move funds. It has been calculated that having a problem with a payment is 20 times greater with checks than with Direct Deposit. Another benefit is that Direct Deposit to your account can be made within 48 hours.

To keep the system running smoothly, it's critical to keep the county office staff up to date on changes you might make in your financial institutions. If you have changed accounts or institutions that might affect the direct deposit of your FSA payments, contact the FSA county office so we can update our files to insure continued uninterrupted service.

2009 COMPLIANCE

Compliance and spot checks will once again be utilized during the 2009 crop year. Instead of locally selecting farms, contracts, deficiency loans, etc. for spot check and review, a nationwide selection of producers is used to achieve an adequate statistical sampling of participating producers. Spot check selections are to be conducted based on a producer's participation in Conservation Reserve Program, Direct and Counter-cyclical Program, Loan Deficiency Program, etc.

State and county offices shall view and print their producer spot check lists as posted on the designated web site. If an entity is selected from the national database that is no longer farming or participating in the 2009 crop year, a notation shall be made on the spot check list. For more information about the new spot check selection procedure, feel free to contact your local office.

Selected Interest Rates for September 2009	
Farm Operating - Direct	3%
Farm Ownership - Direct	4.875%
Limited Resource - Farm Operating	5.00%
Limited Resource - Farm Ownership	5.00%
Farm Ownership - Direct Down Payment Beginning Farmer or Rancher	1.50%
Farm Storage Facility	3.125%

Dates to Remember	
Sept. 7	Labor Day – Office Closed
Sept. 13	2008 LIP Deadline
Oct. 12	Columbus Day – Office Closed

Visit our Web site at
<http://www.fsa.usda.gov>

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