



# Sheridan - Johnson

## JULY 2009

Sheridan – Johnson County FSA Office  
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### FSA Office Personnel:

Tom Byrd, CED  
Linda Benzel, PT  
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### County Committee Members:

Celia Bolinger, Chairperson  
William White, Vice Chairperson  
Robert Belus  
Santiago Curuchet  
Juaquin Michelena



### Dates to Remember:

**August 3, 2009** — FSA COC  
Nomination Deadline

**August 14, 2009** – DCP Signup  
Deadline

**August 14, 2009** – ACRE Signup  
Deadline

**August 14, 2009** – 2009 Crop  
Report Deadline

**September 13, 2009** – Deadline to  
file 2008 LIP Notice of Loss

**September 13, 2009** – Deadline to  
file 2009 LIP Notice of Loss

### ► Attention Livestock Producers!

Eligible ranchers and livestock producers who suffered livestock losses during 2008 and 2009 can begin applying for benefits under the provisions of the **Livestock Indemnity Program**.

**The Livestock Indemnity Program (LIP)** was established by the 2008 Farm Bill to provide producers with a vital safety net to help them overcome the damaging financial impact of natural disasters. LIP will compensate livestock growers and contract growers for livestock 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 January 1, 2008 and before October 1, 2011.

Eligible livestock for owners must meet all of the following:

- Be owned by an eligible livestock owner on the day the livestock died.
- Been maintained for commercial use as part of a farming operation on the day the livestock died.
- Died as a direct result of an eligible adverse weather event no later than 60 calendar days from the ending date of the eligible adverse weather event.
- Died on or after January 1, 2008, but before October 1, 2011 and in the calendar year for which benefits are being requested.

Eligible Livestock for owners include:

- Adult/non-adult dairy cattle
- Adult/non-adult beef cattle
- Adult/ non-adult buffalo and beefalo
- Equine
- Elk
- Reindeer
- Deer
- Sheep
- Alpacas
- Emus
- Swine
- Goats
- Llamas
- Poultry

Specific LIP provisions are continued on Page 2 - - - - -

## LIVESTOCK INDEMNITY PROGRAM (Cont.)

### *Applying For Coverage*

A Notice of loss can be reported to the local county FSA office by 1) phone; 2) fax; or 3) e-mail. 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.

Date of Livestock Death	Final Date to File a Notice of Loss	Final Date to Submit an Application for Payment
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

The USDA Farm Service Agency is encouraging producers to accumulate records of their losses as they occur. Adequate documentation must be provided that proves the death of eligible livestock occurred as a direct result of an eligible adverse weather event in the calendar year for which benefits are being requested. Acceptable documentation includes, but is not limited to:

- Bank or other loan documents
- Federal Emergency Management Records
- Tax records
- National Guard records
- Private insurance documents
- Property tax records
- Purchase records
- Rendering truck receipts
- Veterinarian records
- Written contracts

Documentation must provide sufficient data that identifies the kind/type/weight range of the livestock and the number of livestock.

If adequate verifiable proof of death records documentation is not available, producers may provide reliable records, along with verifiable beginning and ending inventory, as proof of death. Reliable records may include, but are not limited to:

- Brand inspection records
- Contemporaneous producer records existing at the time of the event
- Dairy herd improvement records
- Pictures
- Vaccination records

Certifications of livestock deaths by third parties may be accepted only if verifiable proof or reliable proof of death records is **not** available. The livestock owner will be required to certify in writing the following:

- That there is no other verifiable or reliable documentation of death available.
- The number and physical location of livestock, by category, that were in inventory when the deaths occurred
- Other details required for FSA to determine the certification acceptable

The third party must be an independent source who is **not** a family member and who is **not** affiliated with the farming operation. A third party certification must include the person's name, telephone number and address, details specific to the livestock deaths, his/her affiliation with the livestock owner, and certify to the accuracy of the deaths claimed by the livestock owner. **Note:** Livestock producers must complete form FSA-926 to provide proof of death using a third party certification.

### 2008 LIP Payment Limitation

For 2008 a producer or entity may receive a maximum of \$100,000 in LIP benefits. Also, an individual or entity whose average adjusted gross income exceeds \$2.5 million for 2005, 2006 and 2007 is ineligible for LIP benefits unless 75 percent or more of their income is from agriculture.

### 2009 LIP Payment Limitation

For 2009 and subsequent years, no person or legal entity (excluding a joint venture or general partnership may receive, directly or indirectly, more than \$100, 000 per program year total under LIP, Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish (ELAP), Livestock Forage disaster Program (LFP), and the Supplemental Revenue Assistance Payment Program (SURE) combined.

### Adjusted Gross Income (AGI) 2009 and Future Years

Persons or legal entities that have an average adjusted gross nonfarm income that exceeds \$500, 000, are not eligible for LIP.

### Definitions

**Normal Mortality Rate:** The normal mortality rate is the percentage of livestock that can be expected to die normally in a livestock operation, during the calendar year, as a result of disease, injury, or other causes that can routinely occur using good livestock handling practices. The normal mortality rate is established by the FSA State Committee in concurrence with state livestock organizations, extension service, and other knowledgeable and credible sources for each type of livestock.

◆ Please contact our office for more information. ◆

## ***COMMITTEE ELECTIONS***

County committee members are critical components in helping the county office staff implement government farm programs in their counties. They work to make FSA agriculture programs serve the needs of local producers by providing local input into commodity loans and LDP payments; local administration of conservation programs; and reviewing data and information used to establish yields, and loss levels for crop and livestock disaster programs that are specifically tailored to meet the needs of our local producers.

This year's election will be held for LAAs Local Administrative Areas number (2) & (4). LAA 2 correlates with school district 2 in Sheridan County, and LAA 4 in Johnson County is north of Township 44N and on the west side of I-90 and I-25 to the Sheridan County line. Producers who are eligible to vote and who participate in an FSA program and are of legal voting age may be nominated to serve a three-year term on the county committee.

Nomination forms must be postmarked or received in the local FSA office by close of business on Aug. 3, 2009. If you or someone you know is interested in running for committee just call our office with any questions or comments that you might have and also to obtain a nomination form.

## **Crop Report Deadline Extended**

The deadline to file you FSA acreage reports has been extended to August 14, 2009. If you believe you need to file an acreage report, please contact our office to schedule an appointment.

**RETURN SERVICE REQUESTED**

## **Noninsured Crop Disaster Assistance Program (NAP)**

**Forage crop provisions in the NAP program have changed!** Previously, if a forage hay crop, such as mixed grass hay, that was intended to be hayed but due to a disaster condition the crop was either destroyed or the yield was so low that the crop was grazed by livestock, the policy was that we would not appraise the crop and NAP payment would be based a “grazing” value instead of a “yield”.

The “grazing” value requires the committee to establish a maximum percent of loss for the area where the crop is located. The loss has to be established at greater than 50 percent in order to trigger a payment. Payments are calculated using the crops carrying capacity and Animal Unit Days (AUD’s) calculations. The “yield” value allows for payment to be calculated using the producers individual Actual Production history (APH) yield from actual or assigned tonnage values.

Current procedure now in place allows for a forage crop intended for hay and affected by a disaster condition to be paid on the “yield” basis in most situations, and it allows for an appraisal to be done, even if the crop will be grazed later in the year. ***The appraisal should be done before grazing occurs. If the crop is grazed before the appraisal is performed, then representative sample areas must be established in the field(s) per instruction from FSA adjuster personnel. Failure to establish representative sample areas when the crop is grazed prior to appraisal will result in the loss payment being made using the AUD grazing method.*** In addition, losses on forage crops that were intended to be harvested for hay, but were grazed only, shall be determined based on production records. If a producer provides the office with acceptable production records for 3 out of 5 years and, the acreage can be verified as having been planted to the crop for which the loss is being claimed, for at least 3 out of 5 years before the year in which the loss occurred, then the crop is eligible for NAP loss benefits. Basically, this means that if you have reported the subject crop to our office on a FSA -578 crop report by the July 1<sup>st</sup> deadline date and provided our office with acceptable production records for harvested production by July 1<sup>st</sup>, and have done so as described above then crop existence and evidence of production can be verified.

**A Notice of Loss** should be filed within 15 days of the earlier: 1) date of the disaster event that caused the loss or 2) when the loss is apparent. A notice of loss must be filed for each weather-related event or adverse natural occurrence that causes damage to or loss of the specific crop. Failure to report crop damage or loss in a timely manner may result in ineligibility for NAP payments.

**When a loss has occurred, Please contact our office *prior* to harvesting or grazing.**