

Central Oregon FSA Newsletter

Deschutes, Crook, Jefferson Counties

March 2009

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Hours

Monday-Friday
8:00am-4:30pm

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The Non- Insured Assistance Program (NAP)

Provides financial assistance to eligible producers affected by natural disasters on non-insurable crop(s) losses. The natural disaster must have reduced your expected production of the crop by more than 50% and pays 55% of the approved price. Eligible crops include commercial crops and other agricultural commodities produced for food (including livestock feed) or fiber for which the catastrophic level of crop insurance is unavailable. For a producer to establish an Actual Production History (APH), production records must be submitted for at least four previous consecutive crop years and not more than ten consecutive crop years. Production must be submitted each year by the production reporting date. The production reporting date is June 30 of the subsequent crop year. For example, the deadline to submit production for a 2008 crop is June 30, 2009. Failure for a producer to submit production could result in reduced or no benefits under NAP in the event of a crop loss. Producers who have paid for NAP coverage and suffer a weather related crop loss must notify the FSA office by completing form CCC-576 within 15 days of the date of the weather event or are aware of the crop damage. An appraisal must be performed on any acreage for which the intended use has changed or for any acreage that will not be taken to harvest prior to destroying or abandoning crop acreage. Failed acreage must be reported prior to destroying or abandoning crop acreage. Producers enrolled in NAP must also comply with the Average Adjusted Gross Income (AGI) Certification form (CCC-926), Conservation Compliance has been met on the AD-1026 Highly Erodible (HEL/NHEL)/Wetland Certification form, and can only receive up to the Payment Limitation of \$100,000 under NAP for the crop year. NAP basic provisions (CCC-471 NAP) are available on the FSA website <http://www.fsa.usda.gov>.

Direct and Counter Cyclical Payment (DCP)

The new Farm Bill authorized DCP through 2012. A 22% advance direct payment is being offered now through September 2009 if requested. If no advance is requested the entire payment will be issued in October 2009. Direct payment rates are: Wheat \$.52/bu., Corn \$.28/bu., Barley \$.24/bu., Oats \$.024/bu. All supporting documentation such as CCC-902, AD-1026, and CCC-926 must be on file prior to payment. Acreage reports are required annually and must be reported by June 30 each year. Fruit and Vegetable (FAV) provisions do not allow FAV to be planted on contract acres. If you are considering planting FAV this year please contact our office to see how many acres you have available. Planting FAV on contract acres can have costly penalties.

Counter Cyclical payments will be made available if the 12 month marketing average for the commodity falls below the nationally set target price as determined by the Secretary. The Secretary may determine after 180 days that market conditions warrant a partial payment. If you request a partial Counter Cyclical payment and the market conditions improve enough at the end of the 12 month marketing year the Counter Cyclical payment must be refunded. If you cash lease your farm, a copy of the lease must be submitted or all owners must sign the contract.

All required signatures must be obtained and received in our office by June 1, 2009. No late file provisions are available for 2009. A farm resulting from a reconstitution may sign up for DCP by the later of June 1 or 30 calendar days following producer notification of the reconstitution. Contracts that have 10.0 acres of base or less will not receive direct payments. However, this does not apply to a farm that is wholly owned by a socially disadvantaged producer or a limited resource producer.

Adjusted Gross Income Provisions

To qualify for FSA programs, producers must meet Adjusted Gross Income (AGI) provisions. For commodity, price support, and disaster assistance programs the non farm AGI must not exceed \$500,000. For DCP, the farm AGI must not exceed \$750,000. For conservation programs the non farm AGI must not exceed \$1,000,000 unless 66.66% or more of the average AGI was derived from activities relating to farming, ranching, and forestry operations. Non compliance with AGI provisions, either by exceeding the applicable limitations or by failure to submit a certification statement, will result in ineligibility determination for all program benefits subject to AGI provisions. In addition, program benefits shall be reduced in an amount that is commensurate with the direct and indirect interest held by an ineligible person or legal entity in any legal entity, general partnership, or joint operation. Producers may be required to submit records to support AGI certifications.

Direct Attribution and Payment Limitations

Program payments are limited by direct attribution of payment totals directly to individuals or indirectly to individuals through entities. A legal entity is defined as an entity created under Federal or State law that owns land or an agricultural commodity, product or livestock. Through direct attribution, payment limitation is based on the total payments received by the entity and also the individual, both directly and indirectly as an officer, partner, or shareholder in an entity. Entities earning payment must provide the names, addresses, and taxpayer ID numbers of the members. Individuals and entities must be determined “actively engaged in farming” to be eligible for program benefits. To be “actively engaged in farming”, the individual or entity must make significant contributions to the farming operation through: 1. Capital, equipment, land, or a combination and 2. Personal labor or active personal management, or a combination. Cash rent tenants are ineligible to receive payments unless the cash rent tenant makes a significant contribution of active personal labor or a significant contribution of active personal management and equipment. Foreign person provisions require an eligibility determination prior to “actively engaged in farming” consideration for some programs. Documentation may be required to support contributions that are reported if selected for spot check.

Program benefits will not be issued until all required forms are submitted and determinations are made. Producers who have changes to the farming operation that could affect eligibility determinations must promptly notify the county office. Failure to notify the county office may adversely affect payment eligibility.

Payment Limitations by direct attribution for FSA programs are:

DCP - Counter Cyclical and ACRE	\$65,000
DCP – Direct	\$40,000
CRP – Annual rental and incentive payments	\$50,000
ELAP, LFP, LIP, and SURE	\$100,000
NAP	\$100,000
TAP	\$100,000
LDP, MAL	No Limit

UNITED STATES DEPARTMENT OF AGRICULTURE
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Return Service Requested

2009 Acreage Reporting

Annual acreage reporting is required for most Programs that FSA administers. **Before a producer can report their crop acreage they must have planted their 2009 crops;** Planting dates are required, along with crop name, crop type, crop intended use, irrigated or non-irrigated, total acres planted in each field, crop shares, copies of leases for newly acquired ground or for ground with expired leases. For SURE, LIP, LFP producers reporting must report all farm

acreage including range, whether it is grazed or left standing, scabland, or pasture. Please contact the county office with any changes from the previous year(s) farmed ground so that we can reduce any delays and be accurate in the acreage reporting.

The deadline for reporting your 2009 crop acreage is June 30, 2009. Please call the office should you have any questions regarding acreage reporting or any other programs for the 2009 year.



Upcoming Dates to Remember



March 1, 2009
March 8, 2009
March 31, 2009
May 25, 2009
June 1, 2009
June 30, 2009
June 30, 2009

Primary Nesting/Brood Rearing season for wildlife 3/1 to 7/15
Day Light Savings Time Begins (Don't forget to change clocks)
2008 LDP/MAL request Deadline
Memorial Day Holiday USDA Service Center Closed
DCP/Eligibility Deadline – No late file permitted
2009 Acreage Reporting Deadline
2008 NAP Actual Production History (APH) Deadline

Special Accommodations

FSA programs are available to all eligible interested persons. Special accommodations will be made, upon request, for individuals with disabilities, vision impairment, or hearing impairment. If accommodations are required please contact the FSA office.

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